

the argu...I mean the argument is judges aren't any good...

SENATOR LINDSAY: No, no, for me it's not.

SENATOR KRISTENSEN: ...and only juries can do it.

SENATOR LINDSAY: But, again, it's not for me to say. I mean there are situations where some people would think that they are not going to get a fair trial in front of a judge, which is why they may ask for a jury trial. That's not why I am bringing it, and I don't think that's the issue, but there are those who'd argue that.

SENATOR KRISTENSEN: Okay, and I just want to make sure that I get...

SENATOR LINDSAY: Um-hmm.

SENATOR KRISTENSEN: ...what the real crux of this is, does the city have the opportunity to do the things within its power to curtail jury trials to cut costs and try to save time versus the rights of people or at least a sense of fair play that if they can have a jury trial with the state, for the same offense, they ought to have one with the city. Is that the..I mean, is that the choice that I face today?

SENATOR LINDSAY: Pretty close, pretty close, except the first part is, should the city have the right to do that, to take away jury trials to save money, cut time, whatever, if the state has said we are not going to do that under our law.

SENATOR KRISTENSEN: Okay, so then the other balance is the state has the right to do whatever they want to, cities have the right to do whatever they feel they need to do. If the state decided that they wanted to save money for all the courts, they also could take away that jury trial for all the other...

SPEAKER WITHEM: One minute.

SENATOR KRISTENSEN: ...communities, is that...

SENATOR LINDSAY: Right. And then the cities could...would automatically do likewise under this amendment.

SENATOR KRISTENSEN: So if the state instituted a jury trial in