

before us today if this amendment passes, I will offer additional amendments to the bill to try to straighten up this particular portion, and I have several ideas about how that can be done. But one thing that can be done is simply to strike the word "no" on line 11, page 4. And if you strike the word "no", that means that every vacancy will have to come back here to the Legislature before it can be approved. Now I agree with Senator Bromm that that's not the best system. But you also know that the bar would agree that that's not the best system. And if we struck that no and made that provision which would come into effect January 1 of 1998, between now and 1998 we would see some real reform, we would see some real reform. You have an opportunity right here on this bill to create the kind of situation that could lead to some real reform in the judicial allocation of resources. So that's one thing that can be done, just strike the word "no" on line 11. The other thing that could be done is to require it to come back to the Legislature, only in certain circumstances, and those would be with respect to districts that are shown on the bottom half or on the bottom third of the judicial statistics workload statistics. So, in other words, for those districts where judges are badly underworked you would say come back to the Legislature and let's look at it. And there ought not to be any problem with a slight delay in appointing that judge because they're not worked very hard to start with. A few months delay is not going to make any appreciable difference. So that's another alternative, and allow those that are heavily worked to go ahead and be appointed without legislative review. There are several alternatives here which I think could be a much improved policy, or which could position the current law in such a way that those who are most interested in this process would come forth and work in a meaningful way on some true reforms to the system. The nominating commission or the Legislature, which is the better way, the nominating commission is so loaded with self-interest that it has been paralyzed, just absolutely paralyzed, couldn't be more paralyzed if it had been stung by a poisonous bee...by a poisonous insect. So it doesn't work, it historically has not worked.

SENATOR CROSBY: One minute.

SENATOR BEUTLER: And the Legislature is not a good alternative across the board, but there are other ways, there are ways of doing this if we just create the pressure to make it happen. Thank you.