

to the Missouri plan as opposed to being subject to closer scrutiny. The Missouri plan gives the public an opportunity to vote judges out, but the practical fact, the practical effect of the plan is that judges are almost never voted out of office, and when they are, it is over some ridiculous personal peccadillo or incident, rather than on their general competency. I would note for you that in the State of Nebraska, as opposed to the federal government, or as opposed to the way many states do it, the Legislature has no say in the confirmation of judges. You know, at the federal level, once a judge has been nominated, he has to appear before the Judiciary Committee of the United States Congress, United States Senate, for confirmation, and there is an opportunity for the legislative branch to overlook and take a look at the person that's going to be saying for years and years in the future whether their statutes are clear, to give interpretations of their statutes, whether their statutes meet with constitutional requirements, and the individual philosophies of those judges are critical in terms of how they will be relating to the Legislature. Yet here in Nebraska, we have none of that. We have absolutely no opportunity in the Judiciary Committee to review judicial appointments. Not only that, but the Legislature doesn't say anything about who is nominated to be a judge in the State of Nebraska. The Bar Association essentially controls that in a very tight fist way, and if you...if what you want to do is to give even more power to the Bar and to the judiciary branch of government, you can do that, and this is one of the ways that you would do that. Sure, you can still control, you can still review judicial salaries as part of an appropriations bill, but it is not the same thing by a long shot. First of all, it is mixed in with the other salaries. It is part of an appropriations bill. It is not dealt with individually. Second, and most importantly, and I can tell you this as being a former Chair of the Judiciary Committee, that it is very important that the discussion on salaries go on in the Judiciary Committee where the discussion on a whole lot of other things related to the judicial branch of government takes place. And you can call that whatever you want to call it, but I call it a very important relationship, and it's a mistake, or at least I believe it is a mistake, and I certainly think it's a mistake without a long, three stages of debate discussion, it's a mistake to change that process right here on essentially what is our last chance to debate this bill on the appropriations bill. So I'd ask you to keep in mind the fact that the judiciary branch is already extremely independent comparatively speaking