

Matzke.

SENATOR MATZKE: Madam President and members of the Legislature, I want to commend Senator Brashear and Senator Wickersham for really initiating a new approach to the matter of analysis of judicial resources. I don't know whether everyone here fully appreciates the change in direction that this amendment would bring to the matter of evaluating judges. The present plan that is used by the Court Administrator which is reported to us in this pamphlet is based on a point system and is really a summary of the number of cases. The amendment which Senator Brashear and Wickersham brings to us is based on a time analysis. It's a much more realistic approach. It's very difficult to equate one or evaluate one judge against another merely on the number of cases because you quite simply don't know whether those cases were settled, whether they were disposed of in 30 minutes or an hour, or whether they were involved in a trial that might have taken several days or several weeks. So the present caseload method of analysis is by very definition faulted, improper and erroneous. Now there's no guarantee, in answer to Senator Hartnett's question, there's no guarantee that an exact accounting of hours will be absolutely perfect. Most...most practicing lawyers are in the habit of keeping time records of their own work as a basis for charging fees. Those are generally done on the basis of either a tenth of an hour or a quarter of an hour. Most, at least younger lawyers, are in the habit of doing that and even middle-aged and older lawyers now do it by matter of necessity. It certainly would not be too difficult to ask our judges to keep the same type of time records so that we come up with an actual honest basis for evaluation of judicial resources. When we talk about judicial resources we're talking about number of judges. We need to know how much time they are devoting to various cases. Certainly, the present system that we have, based simply on case figures, is not adequate and I would urge the adoption of this amendment.

PRESIDENT ROBAK: Thank you, Senator Matzke. Senator Bromm.

SENATOR BROMM: Thank you, Madam President, senators, I rise to support the amendment and I don't want to be redundant. Much of what I would say has already been said so I will simply relate something that gives me a little bit more faith and confidence in the amendment than it might otherwise. About three weeks ago when there was a Judicial Resources Commission meeting to consider whether a vacancy existed in the 5th Judicial District,