

recommendation of where a judge should be, if a vacancy exists, whether it should be filled, whether it should be transferred to another district, whether it...whatever should occur there. With the exception of those districts having above the average caseload, whether they're above the average caseload that vacancy would exist, it could be filled automatically. If a recommendation is made by the Judicial Resources Commission, and I think Senator Beutler will tell you that this is the...that what he perceives the flaw in this system and that is that no legislative approval is required to simply replace one if the Legislature would disagree with the replacement of a judge in a particular district. And that is, I guess, one provision of this, is that if it's recommended that a judge should be replaced in the same district that the vacancy occurred then no legislative approval would be required. However, if a change in law is recommended then legislative approval would be required. The...my hope is that the...and I should state it again, as I mentioned earlier, that the Judicial Resources Commission I think does comprise good people who want to do the right thing, but I think systemically we've handcuffed them. They have a system which requires that they look at a particular district and see whether a judge should go back there. And I think you can probably imagine in any district in the state you're not going to have somebody saying we don't need a job or a couple of jobs that pay pretty good money, we don't need to have a judge sitting over at our courthouse, we don't need to have this particular access to justice in our county. It's never going to happen. What they aren't...what they are not instructed to do by statute is every time there's a vacancy to look at the entire system and say, given a comparison between District 4 and District 3, maybe we ought to move that judge from District 4 to District 3. Maybe that's something that we ought to consider. So they're not...if there's a vacancy in District 4, they're looking only at District 4 and they're not looking to needs around the state. And so what...the only perspective they have is that we have unlimited judicial resources because they are...they're not in a position where the statutes require that they...or direct that they look at it from a systemic approach, look at it from the entire judicial system. And so, because of that, I think we handcuff them. Hopefully, this takes a step in that direction where at least once annually they will look at it and they will have to then make a recommendation where they look at the price tag on what's being added and, hopefully, look at the political realities of how often this Legislature will continue to allocate resources. And when we're scraping up