

quite a bit of influence inside the body and because of that I think there's some of these things that might be wise policy cannot be done. The Bar Association has said of course that they're going to do a study which hopefully will come back and make recommendations like this. I'm not convinced. Last time they did a study, came back, was when we reduced the number of judicial districts from 21 down to 2 for the purpose of forcing a study and they came back saying we need 21 judicial districts. I suspect they'll come back and say we need a system that works as poorly as the system we have now. I'm not convinced. I think it's obvious Senator Beutler is not convinced but by the same token I do think that there's some things that we can move forward in the amendment as is. Like I say, if this body believes if there's 25 votes out there to adopt this amendment and advance it, I think it would be a wise policy. I don't suspect there are and for that reason I don't know that if we can't advance the bill, if we can't adopt the amendment and then advance the bill on top of that, it would be unwise to adopt it.

PRESIDENT ROBAK: Thank you, Senator Lindsay. Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Madam President. Well, unlike Senator Lindsay who may have some impression that the Beutler amendment would represent wise policy, I have no such ambiguity in my analysis and believe quite firmly that it would represent inappropriate policy particularly with the other division that is provided for in the Lindsay amendment which I'm willing to accept but could not accept that in conjunction with Senator Beutler's amendment. Senator Beutler's amendment would literally mean that if you had a vacancy which the Judicial Resources Commission thought should be filled, you might have as much as a year delay in filling a vacancy in some district. Now, Senator Beutler, in conversations before he offered his amendment said literally that won't hurt. They're by definition underworked because they don't have the caseloads to sustain the filling of the vacancy. I suggested to Senator Beutler that was somewhat of a prejudgmental statement and that it was far better to allow the Judicial Resources Commission to do its work and to provide for the timely replacement of a judge where they've determined that it's appropriate to do so and that is fundamentally my position that it is more timely, that it is appropriate for the Judicial Resources Commission to be able to make those decisions and that it is inappropriate to delay the filling of a vacancy that is recommended by the Judicial