

CLERK: Senator, I now have 3974, with a note that you'd like to substitute 4053.

SENATOR AVERY: Right, and could you give the page number on that as well?

PRESIDENT ROBAK: Is there any objection? Seeing none, it's so ordered.

CLERK: Your original amendment, Senator, is on page 1377.

PRESIDENT ROBAK: Chair recognizes Senator Avery to open on his amendment. (AM4053 is found on page 1709 of the Legislative Journal.)

SENATOR AVERY: Thank you, Madam President. Members, this amendment is, I think, a real important one in light. This morning, before we recessed for lunch, I passed out a couple items: a editorial from the Lincoln Journal Star that kind of come down on the Court of Appeals by the Supreme Court. Also, I handed out a short piece showing some of the actual caseload that we're talking about in terms of the Court of Appeals and the Supreme Court. This is an item...what the amendment...what the Appropriations Committee has done is looked at and said that...are adding two clerks and one attorney, which will be the legal counsel to the Court of Appeals. Now the real question is, according to the Supreme Court, what good are they? Should they even exist? Should we have money out there for them? It's...that question, I think, has got to be answered. What I am doing and what this amendment does is strikes the addition of the two clerks and the attorney or legal counsel for the Court of Appeals. This is a process that needs to be done in-house. We have to ask the agency, ask the courts to dig down, like we have again all the other agencies, and utilize the resources that they have in existence. If you look at the caseload, the Supreme Court's caseload when we first initiated the Court of Appeals was quite significant and as well was the Supreme Court or the Court of Appeals' caseload. That has decreased. It's even decreased to what it was. It dropped drastically and now it's somewhat on a climb. But you look at the Supreme Court. Their caseload is half almost, a little more than half. Total of them both together is a reduced caseload for when the Court of the Appeals and the Supreme Court...or the Court of Appeals