

SENATOR KRISTENSEN: ...the Court of Appeals does need to have some stare decisis ability. Thank you.

SENATOR BERNARD-STEVENS: Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Mr. Speaker, members. I was going to make some comments relative to what Senator Kristensen said. I was going to ask Senator Lindsay if you really think that we could dictate to the Supreme Court what their opinions should mean from the Court of Appeals. I was interested in that. I also thought, since I was the only nonlawyer punched in, at least the point, that I ought to get into this foray some way. But I was wondering, you're...since Senator Kristensen expanded on that, I guess I really don't have a question. I would want to think that the Appeals Court, as a layman from my viewpoint, should have...be able to have some precedence or we kind of not taken the full value...gotten the full value out of that Court of Appeals that we intended. But I would question if we can dictate or tell the Supreme Court whether or not their...where their opinions carry weight and where they don't. That was my only comment.

SENATOR BERNARD-STEVENS: Thank you, Senator. Senator Bromm, followed by Senators Beutler, Matzke and Chambers.

SENATOR BROMM: Thank you, Mr. President. And I rise to support the Lindsay amendment. I think when the Court of Appeals was created, it was sold to the public and a lot of lawyers supported it on the basis that this would help expedite justice in the state. It would provide a way to reduce the caseload at the Supreme Court level, and that this would be money well spent for the benefit of the citizens of the state seeking redress or justice through our court system. And it has proved, I think, to be somewhat successful. I think the...the dockets show that the backlog of cases and time of waiting at Supreme Court for a decision has been reduced. And that is...that's helpful. And to that...to that end I think the Court of Appeals system has...has proved to be what it was intended to be and what it was sold to the citizens of Nebraska for. However, this decision, the Metro ruling that Senator Lindsay spoke of, was a very...I think a very unexpected decision. I think it was felt by people that were involved with the process of setting up the Court of Appeals that their decisions did have some precedent-setting value throughout the lower court systems. And