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is now any judge upon reaching age 70 shall retire. That's what it says in the present law. Upon retiring each such judge shall receive retirement annuities as provided in certain law and the law says that when any incumbent judge attains the age of 70 said judge may if he so desires finish serving the term during which he attains the age of 70. Now then, the thing that the Retirement Committee was considering here was to try to make it equitable between judges. Now some judges have four year terms, some have six year terms and some have to retire at the age 70. If they say are 70 just before they, the election or before the appointment. Now before you put the kill motion on, it would seem to me that that particular feature of the present law is not satisfactory, if you feel that a man should be able to be a judge until he's 76, then he'd ought to be a judge until he's 76 and not have to retire at age 70 as he does now if it's just before an election. And so instead of changing that, instead of putting the kill motion on possibly we should have an amendment and say 74, at age 74 instead of 70 which is in the bill at the present time and make it mandatory that even though it's the middle of the term that he retire at 74 in order to make it uniform between judges.

SENATOR CARPENTER: I'd be glad to agree to that. Will you give us such an amendment?

SENATOR WHITNEY: If you wish to put that amendment on, all you have to do is to say that on page 2 line 5... Well, let's see. Yes, I'd be very happy to put that amendment on, 74 instead of 72.

SENATOR CARPENTER: Well, Senator, that shows the art of compromise--we're both reasonable men.

SENATOR WHITNEY: Yes. Mr. President, I move that the committee amendment be amended such that the word 74 be written there instead of 72.

PRESIDENT: All right, any further discussion now of that committee amendment? Senator Barnett, do you wish to be heard on that?

SENATOR BARNETT: Yes, Mr. President. Senator Whitney yield to a question, please?

SENATOR WHITNEY: Yes.

SENATOR BARNETT: Beings that we have the art of compromise, I just have a question. Whether it be 74 or 80 or 76 or what, how do you get rid of a judge now if he becomes incompetent?

SENATOR WHITNEY: Well, at the present time as I understand it, I think Senator Luedtke could go through that better than I could, Senator Barnett. How do you get rid of a judge now in case he becomes incompetent?

SENATOR LUEDTKE: Mr. President, in answer to Senator Barnett, we have a qualification commission under the merit plan system which is appointed by the Governor which exists at the complaint of any citizen of the State of Nebraska. It does not have to be a lawyer, it can be any citizen at any time can put in a complaint either as to senility or as to alcoholism or illness or any other reason for disqualification. Now when a complaint is filed, that individual, that particular disqual--or qualification commission holds a hearing or investigates it, makes recommendations. There have been some judges who have actually retired because of the fact that enough inquiry was made that they got out before