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somebody made a move. I know one case where a letter was sent out that there was going to be a meeting by the commission on a certain date and he resigned just about a week before that so it has been done. I do not know in Nebraska of any case where the commission has actually met and disqualified anybody, however.

SENATOR BARNETT: Then, Mr. President, I appreciate that. I would like to ask Senator Carpenter a question now. Senator Carpenter, why didn't you just strike out that line 5 then and let the commission decide when these people should retire?

SENATOR CARPENTER: I have no objection but I have a sense of timing, when I think I have all I'm going to get I'm going to take it.

SENATOR BARNETT: And that is 74? I'll go by your expertise on this then.

SENATOR CARPENTER: Now Mr. President, I want to pay a compliment to our chairman of the Judiciary Committee and also to Senator Barnett who's a member of the committee. We went a lot of ways in the recodification of all judicial matters and before this committee brought these bills up there was really no effective way of getting rid of a judge on any level. The State Bar Association, the County Bar Association, were completely ineffective, you couldn't get them to do anything. Now we got this system set up in which Mr. Dunlevy as I understand it is the head of it, he's the administrator and that's one of the few things, that's all he has to do and when these judges feel by the complaints and by the contacts that something's wrong, when they feel the heat on the back of the neck already they get out. My friends, that's the way it ought to be. It's been the other way too long.

PRESIDENT: Senator Stahmer, we're speaking on the amendment now to the bill which amended the committee amendment.

SENATOR STAHMER: Mr. President, members of the body, this probably is going to be a lost cause but I'm going to oppose the motion. It occurs to me that Senator Carpenter had a bill just a year or two ago to make mandatory retirement for state employees be reduced I think from 70 to 68 or from 68 to 65 and I think if we're going to make state employees retire at an earlier age I see no difference in allowing judges to serve until 74. If people are good enough to serve until 74 let's let everyone serve until they are 74. I think most of the people in the country are realistically facing up in business and otherwise, retirement at an earlier age and I think this is what the federal judicial system is doing, I think this is what businesses are doing, I think this is a step backwards and I think the majority of the people would favor the retirement of judges at 72 or perhaps even 70 is what the original bill was.

PRESIDENT: Chair recognizes Senator Cavanaugh. Stand by Senator Carpenter. Cavanaugh.

SENATOR CAVANAUGH: Yes, Mr. President, members of the body, I'd also have to oppose the Carpenter amendment. I think there's more here than dealing with senility or a man's physical ability to perform the job. I think that that's certainly a consideration when you're talking about setting age limits for retirement but it's probably not the primary consideration. I think probably the primary consideration is the length of service that a man ought to serve in any