

members of the bar who were practicing before them and it is my strong feeling that the electoral process tends to enforce and a...a...an undesirable closeness between the practicing attorneys and members of the judiciary. The I would agree with senator Chambers that there is no ideal way to select judges and that is probably because the numbers of that quality people of true judicial temperament are rare, both within the legal community and within the community at large. There are just not that many people of high quality or of ideal quality to serve as members of the bench. As judges. That is a failing that I don't think that we can overcome, but we can to some extent isolate the judiciary from the normal course of political influence as we know it in other political processes. Don't think that the....I think that within regard to legislators or executive officers that they need to retain a contact with people and need to be directly answerable to the people at intervals of time. The judiciary occupies a completely different function in that we do expect them to act independently and to exercise a certain philosophical detachment from the political or social forces that it may be operating at any given time. By forcing them to stand for election they are subject to the popular political sentiments of any given time and therefore there is some restriction upon them exercising what is considered to be the judicial temperament which is more of a philosophical removal from a immediate political pressures. I think that it highly undesirable to force county judges since we have already arrived at this solution for the Supreme court and the district courts to continue to impose this on the county judges. I think that it is also unfortunate that the judicial reform act, perhaps was not an adequate solution throughout the state and in many areas of the state there are inadequate people serving in those offices. The merit system does provide a method of removal for those people who are grossly inadequate in their judicial functions. We witnessed in Omaha the removal of a judge whom the people found to be whether he was in fact or not, in adequate, the people did express their will and we....I think that that demonstrated that this system can work when a situation gets to a point where the people are truly disturbed and there is a consensus of opinion in the community and an individual is in adequate to hold a judicial post. So the merit system does work, you can remove a whole or a wholly inadequate person and at the same time you protect the normal judicial function which is a detached reasonable man, detached from the emotions of this community who is charged with the responsibility of making temperate and impartial judgments. I think that this is extremely necessary in the county courts as it is in all of the other courts. I urge that the bill be passed.

SPEAKER: Senator Anderson.

SENATOR ANDERSON: Mr. President, members of the legislature, The thing that I would like to point out in relating my own judgment in this bill is that I think that there is a very big and basic difference between a policy making function in government and a specialized function such as administrative or judicial function. I don't think that there is any question but what the election process produces the policy maker. This would be the legislator the county board member, the city council member and so on. This man has to be a generalist who is aware of a lot of things and does...or thus the election