

March 3, 1980

LB 730

SPEAKER MARVEL: For those who may be leaving early I wish to call to your attention that we are recessing and will return at one thirty this afternoon to continue. What is the status of 730?

CLERK: Mr. President, LB 730 was a bill introduced by Senator Johnson. (Read title.) The bill was read on January 14. It was referred to the Judiciary Committee. The bill was advanced to General File. There are no committee amendments, however, I do have amendments from Senator Johnson the introducer and they are on page 596 of the Journal.

SPEAKER MARVEL: Senator Johnson.

SENATOR JOHNSON: Yes, Mr. Speaker, members of the body, LB 730 would work a change to the present system for nominating judges. There are a number of significant features in the bill itself, one of which is it establishes some standards that judicial nominating commissions are to consider in determining whether or not an applicant for a judgeship is a qualified person to serve as a judge. The bill would require as drafted, the nominating commission to send to the Governor the names of all persons the nominating commission deems qualified to serve as judges. The bill would require record keeping by the court administrator showing the keeping all the applications for judgeship, showing the vote of the commission and the like and these records would be kept for ten years. The bill essentially is a response to some problems that have developed in Nebraska over the last several years concerning the way we select our judges. Now when I brought the bill before the Judiciary Committee in response to some problems that were arising or had arisen, I felt that the bill received an extremely fair hearing. However, I was contacted by several members of the Nebraska Bar Association including Mr. Larry Ruth whom you know to be the lobbyist for the Bar Association and they said simply that they would like for the Bar itself to have an opportunity to thoroughly study the methodology of electing judges and I said, you know, I cannot totally disagree with that. I think it is so important that we select our judges in a good fashion that I would be inclined to go along with it. So I said that what I would do is I would offer amendments to my bill which would remove from the bill that which has got the Bar most concerned, specifically that the names of all qualified persons be sent to the Governor and instead the bill would continue to contain certain provisions that are quite important, the keeping of records being one of those that is extremely important and in addition the taking of an oath by the members of

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