

exaggerated conclusion..

SENATOR SMITH: I am (interruption)...

SENATOR BEUTLER: ...then the answer is, yes, that is a possibility but I don't understand why that would be a danger because the body that is performing this judgment function of evening up the workloads first of all has to operate by criteria which dictate to them that the workload shall be equal.

SENATOR SMITH: Okay, by workload...

SENATOR BEUTLER: So if you had 90 percent of the judges in Douglas County at some point in time, it would have to mean that the countryside has completely emptied out in Nebraska.

SENATOR SMITH: Yeah, okay, by workload then are you talking about cases or are you talking about...or individually...or are you bringing into consideration distance, time and all those kinds of things in making all that determination?

SENATOR BEUTLER: That is a good question and the answer is that we are bringing into consideration all of the things that the district court judges and the county court judges themselves factored in when they assessed their own workloads and I will show you in a little bit...I will ask you to follow through some of these examples of how they did that. But let me read to you some of the factors that will be considered. First of all, the caseload, obviously there is a relationship between the number of cases filed and the workload, and within that category, the number of cases filed; the number of cases reopened; the number of cases that go to trial, cases that are tried take a lot longer than other kinds of cases; number of cases tried to a jury, a jury trial takes much longer than a trial to a judge; the number of dissolution of marriage cases, those are usually very brief and short, 15 minutes each maybe; the number of criminal cases with guilty pleas which tend to be a short kind of proceeding. So you can see that under the category of caseload, they break it down in seven or eight different ways to get a more precise feeling for the length of time taken by that. Okay, then moving on to the second factor, the population of the district, and this is very important to you probably because over the last ten years and historically over this century population has shifted from