

SENATOR ABOUD: Mr. President, colleagues, I really didn't go into much of the philosophy behind this particular amendment. I explained what the amendment actually did but since Senator Hoagland brought up the philosophy behind it and philosophically why you should be opposed to it, I should probably explain philosophically why you should be in favor of the amendment. At the present time we have a court system that allows for the Supreme Court that is the ultimate appellate court system in the State of Nebraska. Then we have a district court system which takes the appeals to some degree from county court system as well as the major cases that are heard before the judiciary. Then we have the county court system which hears, depending on the county, a number of different cases but they mostly deal with small traffic infractions or minor misdemeanors or misdemeanor cases and they don't really get into the felony cases. Now, philosophically, I believe that it is good to have a system that has a separation there so that you have higher quality judges that deal with bigger cases, that deal with...that don't deal on an every day basis with traffic court. Now, at the present time, in Douglas County we have a number of county court judges and there has been some discussion about how maybe they don't have enough work. Now, that isn't, personally, my belief but some attorneys feel that way. But you were rather fortunate to fix the situation because of a bill that we passed earlier this morning, LB 516, which provided for doing away with county court judges that don't have the caseload to justify their existence. Now, this has been a goal of Senator Beutler over the years and I think that this should rectify the situation because it will allow for those situations where the county court judges really aren't putting in the work. It allows for them to be slowly, once they retire, the seat isn't refilled with an additional judge. So it does deal with that situation. Now, don't confuse the two issues. What this particular amendment deals with specifically is that it allows for that separate system to continue to exist so that we don't have a one-tier court system. The amendment that I am presenting represents the view of the district court judges and I think it is fair to say Senator Hoagland is representing possibly county court judges and other individuals that feel that we should have a one-tier court system. Now, the district court judges feel very strongly about this that there should be a two-court system and I agree with them philosophically that there should be a two-court system because it provides for the judges that are more experienced and deal more on a day to day basis with the tougher cases and I think we should have an