

district judges are appointed, right?

SENATOR BEUTLER: No, both judges are nominated by commissions and appointed and both types of judges are up for retention election for the people.

SPEAKER NICHOL: I have a little problem with allowing county judges to make more important decisions, in my opinion, they are a more important decision that, in my opinion, should be made by district judges rather than county judges, and I appreciate that some judges in both categories are better than others but, by and large, it has always been my opinion that district judges were more capable of handling important decisions such as child support payments.

SENATOR BEUTLER: Curiously enough, the district judges often don't get to these matters because they consider them so unimportant and menial.

SPEAKER NICHOL: Well, but that is not true in every county and I really don't think that just because some district judges don't think it is important that we should say that all district judges are that way because I certainly know of some district judges who are very conscientious about their position and handle it accordingly so I still have a little problem with that. Thank you, Mr. President, Ms. President.

SENATOR SCOFIELD: Senator Lynch.

SENATOR LYNCH: Madam President and members, could I ask a question of Mr. Beutler, Senator Beutler, as well. Chris, as we understand it, there are 19 counties now that have opted out of this responsibility and are working with the Department of Social Services, and it is also our understanding that when and if these counties should want to opt back in, there is no overriding problem why they can't do that. The fifth paragraph of this one-page amendment uses the word "shall", and after July 1st, '86, the Attorney General's Office shall assume the responsibility. If that word were changed to "may", would that violate the rules and regs as developed by the feds, and as I understand it, it wouldn't but it would bother you and the drafters of the amendment, because if it were in there, it would offer the flexibility that now exists between the Department of Social Services, the county attorneys' offices, and the judges, and