

1
2 appointed by the legislature. That was the thinking
3 of the committee.

4 THE CHAIRMAN: Delegate Mitchell.

5 DELEGATE MITCHELL: But, sir, on the other hand,
6 if they come through the merit system, I believe all
7 would be qualified. Then we have the lessening of the
8 possibility of entrenched political activity in the
9 judiciary.

10 THE CHAIRMAN: What is your question?

11 DELEGATE MITCHELL: Wouldn't you think so?

12 (Laughter)

13 DELEGATE MUDD: No, I do not think so, because
14 the rule would not foreclose that possibility.

15 THE CHAIRMAN: Delegate Bamberger.

16 DELEGATE BAMBERGER: Delegate Mudd, Section
17 5.02 fixes both the appellate and original jurisdiction
18 of the court of appeals or fixes the appellate jurisdic-
19 tion by law, the original jurisdiction by constitution.
20 Section 5.05 says that both the appellate and original
21 jurisdiction of intermediate appellate court can be
fixed by law.