

1 Delegate Koss.

2 DELEGATE KOSS: Mr. Chairman, I apologize
3 for prolonging your ordeal. Also, we are going back to
4 an area that has been discussed.

5 I would like to know what is the critical
6 element in the term "judicial power" that would prohibit
7 the General Assembly from eroding the court system as
8 it is outlined here?

9 DELEGATE MUDD: If I was capable of answering
10 that, it would take a long time to answer it; but the
11 judicial power under this proposed article is vested in
12 the four-tier court system with the jurisdiction being pre-
13 scribed by the legislature, so within the limitations and
14 restrictions imposed by the several sections. For instance,
15 the only appellate jurisdiction can be prescribed by the
16 legislature to the Court of Appeals, and it can have
17 original jurisdiction only as provided in this Constitu-
18 tion.

19 The conception of a unified uniform four-
20 tier court structure is that all of the judicial power of
21 the State shall be vested in those four courts, and that no