

1 great flexibility for the State Judiciary, but are we
2 absolutely certain this system will be sufficiently flexi-
3 ble to handle the future needs of the Judicial Branch.

4 Our amendment will allow for modifications in
5 the court organization without endangering the idea of
6 a unified system.

7 The overwhelming majority of state constitutions
8 currently in force provide for the creation by law of
9 varying kinds of courts. One may also argue that a few
10 states limit this authority, I believe less than four.

11 Quite frankly, even a couple of constitutions
12 prohibit the creation of any new courts. I believe that
13 occurs in only two constitutions.

14 The weight of precedents is on our side, it seems
15 here we should be concerned with the principle of flexi-
16 bility rather than just rely on the majority of what
17 other states enforce. It is on this principle of flexibil-
18 ity that we wish to remove from our Constitution the limi-
19 tation of judicial powers to only those courts named in
20 the document.

21 Mr. Chairman, that is essentially, together with