

1 legislature, having heard the testimony about the need for
2 judges, about the workload in that court, would, by law,
3 establish the number of judges and say that they shall sit
4 in three, four, two, whatever number of panels they
5 on the basis of testimony today here think should be
6 established; but if that isn't workable, if after the
7 court has operated for six months and finds that it
8 really doesn't need that many panels, or it needs more
9 panels, the court then by its rule could change the number
10 of panels established by the General Assembly.

11 THE CHAIRMAN: Delegate Mudd.

12 DELEGATE MUDD: Mr. Chairman, ladies and gentle-
13 men of the Convention. I rise to oppose the amendment.

14 A provision in the recommendation submitted
15 to this Convention which requires that the intermediate
16 court may sit in divisions, as prescribed by rule, is con-
17 sistent with our overall concept of the efficient function-
18 ing of courts within this four-tier system.

19 The majority report requires the chief judge
20 of the Court of Appeals to assume complete responsibility
21 before the administration of the courts; within the rule