

1 DELEGATE MUDD: I think so, yes.

2 THE CHAIRMAN: Delegate Della.

3 DELEGATE DELLA: When the intermediate court  
4 was created, did the legislature say how many judges shall  
5 form a panel?

6 THE CHAIRMAN: Could you indicate more clearly  
7 by the legislature saying so? Do you mean by Constitu-  
8 tional amendment?

9 DELEGATE DELLA: By statute.

10 THE CHAIRMAN: I am not sure Delegate Mudd  
11 understood your prior question. Would you restate  
12 your first question?

13 DELEGATE DELLA: When the Court of Appeals was  
14 increased from five to seven, didn't the legislature say  
15 that there shall be four judges to hear a case?

16 DELEGATE MUDD: My recollection, Delegate Della,  
17 is that it is in the Constitution.

18 THE CHAIRMAN: Delegate Della.

19 DELEGATE DELLA: Didn't the legislature in  
20 that Constitutional amendment place in that Constitution  
21 that four judges shall hear a case?