

1 would be a point against the selection system. And the
2 fact that in all these 25 years there has only been that
3 one instance does not mean that that non-competitive
4 election system is not effective to remove. It means
5 equally well that the selection system has worked well
6 and that those people have been happy with their judges
7 and that is actually the case.

8 MRS. BOTHE: Mr. Winter, I was interested in
9 your remarks that so many of these nominating commissions
10 are not constitutionally set up. Of course, we are con-
11 cerned with what belongs in the constitution, rather than
12 what the selection methods might be otherwise, and I
13 wonder if you would comment on the necessity, if there
14 is one, of including a constitutional proceedings for
15 the nominating commission or whether it might be done
16 by legislation or by an advisory committee to the
17 governor at his election.

18 MR. WINTERS: Well, any governor who wants
19 to get advice with respect to his appointments is cer-
20 tainly free to do it. And all governors do get advice
21 from one source or another. Usually they get it from