

1 MR. WINTERS: By the governor, yes.

2 MR. MARTINEAU: That is universal, isn't it?

3 MR. CORY: Do you find that you get serious
4 help from the laymen in the choice of these judges?

5 MR. WINTERS: Very much so. The way that one
6 chairman of one of the commissions has described it, he
7 says that at the beginning of the deliberations, though
8 laymen tend to be rather silent, these lawyers know these
9 fellow lawyers and they discuss them freely, because
10 they have known them for a long time. It may not be very
11 long, as the discussion goes along and the laymen listen,
12 they begin to notice some flaws in the lawyers' reasoning
13 and at the conclusion of the discussion the laymen are
14 the ones who may exercise the major influence.

15 MR. CORY: You mean the laymen seem to over-
16 power the lawyers in the final analysis in the choosing
17 of these judges?

18 MR. WINTERS: I wouldn't say they overpower,
19 but as they listen and become informed, they do move
20 into the discussion.

21 MR. CORY: One of the criticisms that I heard