

1 agree with Mr. Case's comment about the judges with
2 two identities. I think initially at least the
3 activities of the Bar Association in supporting these
4 amendments were due in part to the notion that they could
5 not otherwise have gotten the Legislature to pass the
6 constitutional amendment. Or to submit it to the people.
7 But I also seem to remember reading in the newspaper
8 recently a story dealing with the number of appointments
9 by Governor Tawes in the past eight years which indicated
10 very, very few members of the Legislature had been
11 appointed to the bench. I wonder if it wouldn't be better
12 for the Committee to reconsider this and look into both
13 the questions that have been mentioned, and also these others
14 and report back to the Commission.

15 MR. SCANLAN: Could we have the benefit of
16 Mr. Case's suggestion to strike the whole section? If
17 that motion passed by any significant vote.--

18 THE CHAIRMAN: I don't think Mr. Case suggested
19 that. I think he suggested a concern about it.

20 MR. CASE: That is right. Jacobs versus The
21 People.