

1 the question resolved in the final analysis by the Rules
2 Committee.

3 It is not merely a matter of destroying the
4 symmetry of the rule, but quite often these hotshot
5 amendments that come in the Legislature are introduced
6 by a lawyer-legislator who has been annoyed or aggrieved
7 by the operation of a particular rule in a given instance
8 and he makes an amendment which covers that particular
9 situation, but doesn't fit in with the whole pattern at
10 all.

11 The Rules Committee has been able to operate
12 for the entire period of its existence since 1946, by a
13 cooperation with the Legislature, largely due to the
14 personality of the people who have from time to time been
15 Chairman of the Rules Committee. It seems to me that in
16 this area particularly, of practice and procedure in
17 administration of courts, it is essential that the Court
18 have the final say as to what the procedure should be.

19 Mr. Sayre?

20 MR. SAYRE: I guess my orientation comes from
21 the Legislature, so I'm just going to raise a question.