

1 or conduct his practice in the district where the vacancy
2 occurs?

3 MR. MARTINEAU: I don't think we discussed this
4 explicitly. We had many discussions on the necessity for
5 residency in the place where the vacancy exists and,
6 frankly, originally we did not have the limitation in the
7 section relating to the Appellate Court and to the Supreme
8 Court. We put it in primarily because we thought of the
9 unfortunate situation where a person practicing in one
10 county in living in another is disqualified in effect
11 from holding judicial office because he is not going to
12 be appointed to the Bench where he resides and where he
13 doesn't practice.

14 We got away from that because of, frankly,
15 urgings of the State Bar Committee more than any other
16 reason and perhaps even urgings by some members of this
17 Commission, although we did, as I say, expressly consider
18 making the alternative.

19 I think there was a feeling that the residency
20 requirement, if it should be included, should relate to
21 residency and should not be applied to where a person's