

1 THE CHAIRMAN: We did discuss it, but we didn't
2 actually vote to approve any of the sections, is what I am
3 saying. Mr. Mindel?

4 MR. MINDEL: Suppose a lawyer was appointed to
5 a judgeship and then two years later moves out of the
6 district or circuit. What happens?

7 MR. CASE: The Court of Appeals did that for
8 eighteen years.

9 MR. MINDEL: Then he stands for election. The
10 election has no residence requirement at all.

11 MR. SAYRE: Conversely, suppose a circuit was
12 redistricted?

13 MR. MARTINEAU: As this is drafted, there is
14 no requirement that once he is appointed he is required to
15 continue to reside there. I think there are a few circum-
16 stances where this has happened. I have heard of other
17 judges who have done exactly the same thing. We are not
18 going to require that he continue to maintain his residence
19 there.

20 In 99 per cent of the cases, he does and no
21 question has ever been raised.