

1 five than there is to say you should have six or seven.
2 It seems to us, as long as you permit four to make a
3 decision of the court, that is all that is necessary for
4 a quorum. It is contemplated and I am sure it will be
5 the experience that all of the judges will sit whenever
6 possible.

7 JUDGE ADKINS: I will simply ask for a vote on
8 my motion.

9 THE CHAIRMAN: Mr. Case?

10 MR. CASE: I've had a lot of experience in
11 setting up new courts, and the Court of Special Appeals
12 which has now passed the Legislature was the result of
13 the Committee on Judicial Administration that I chaired
14 last year and the year before. That committee sallied
15 bravely forth with the idea that a minimum quorum was
16 a desirable thing, and that is going to be a five judge
17 court and we provided in the enabling legislation that
18 the quorum should be three.

19 I can say quite confidently that this one matter
20 was the most abrasive subject that came before the Legis-
21 lature and, to make a long story short, the Legislature