

1 MR. CLAGETT: Mr. Chairman, it might be worth-
2 while to make the comment and direct it at the criticism
3 which is directed at panels or the court sitting in panels.
4 This is not the highest court. It is not the Supreme Court.
5 It is only applicable to the Appellate Court and therefore
6 you do not have panels that could be deciding the funda-
7 mental law of the land, because you still have recourse
8 to the Supreme Court.

9 THE CHAIRMAN: Mr. Hargrove?

10 MR. HARGROVE: Is that really true? Isn't this
11 the highest court for some cases?

12 THE CHAIRMAN: Not necessarily. This would be
13 up to the Legislature to determine the jurisdiction. As
14 far as the Constitution is concerned, it would not be.

15 MR. CASE: It is the highest court unless the
16 Court of Appeals wishes to grant certiorari.

17 MR. MARTINEAU: I might say with respect to this
18 that the court may sit in panels as provided by rule, and
19 this is as provided by rule of the Supreme Court. It is
20 not by rule of the Appellate Court. It will be the Supreme
21 Court which will determine whether the Appellate Court will