

1           On the other hand, I think it is also  
2 important to have the Constitutions of the fifty States.  
3 There are only five according to Mr. Brooks' quick  
4 research here which impose the requirement for district-  
5 ing on their State's highest court, and it seems to me  
6 that this is most significant in considering whether or  
7 not the fears of those from the less populated areas are  
8 justified. It seems to me that there isn't any question  
9 that if the justices of the State's highest court in these  
10 other States had a pattern of coming from only one area  
11 or only the populous areas, that there wouldn't be such  
12 a small number of State Constitutions which would require  
13 residency requirements for judges or justices of the  
14 highest courts. That's all I have.

15           JUDGE ADKINS: One brief comment, Mr. Chair-  
16 man. If our fears on it are not justified, the language  
17 included in the Committee's draft can do no harm. If our  
18 fears are justified, we need the language. I would/<sup>hope</sup>the  
19 motion is defeated.

20           THE CHAIRMAN: Any further discussion?

21           DR. BARD: A question. Will the motion divide