

1 made public. This has been found to be the most useful
2 tool the electorate has in making a judgment on retaining
3 a judge in office. This is designed to help the public,
4 not to raise the influence of lawyers.

5 DR. BARD: Mr. Martineau, why didn't you use
6 the same technique which was set into motion under the
7 concept of the nominating committee, namely, could you not
8 have a nominating committee of the same order or the very
9 same nominating committee that exists as the standing
10 group in that area or for that State or the structures
11 that you have set by act in this capacity?

12 MR. MARTINEAU: I think the weakness in having
13 the nominating commission which would fill a vacancy
14 recommending whether or not a vacancy ought to be created,
15 that is by recommending whether or not a judge ought to
16 be retained or defeated, I think that would look very bad
17 to have the nominating commission which is going to fill
18 the vacancy make the recommendation as to whether the
19 judge should be cut out of office.

20 THE CHAIRMAN: Let's take a ten-minute break
21 at this point.