

1 from the judiciary, five named by the legislative branch  
2 and five named by the Supreme Court, it seems to me  
3 that we would eliminate any problem. It is a novel area.  
4 If the Governor is being impeached or tried on impeach-  
5 ment, it seems to me important enough to establish some  
6 semblance of procedure in the Constitution.

7 MRS. BOTHE: There is going to be some  
8 difficulty in the case of a possible impeachment of a  
9 judge if the courts were to remove under the judiciary  
10 article and the other under the impeachment provision.  
11 In the former instance it is the Supreme Court that has  
12 the power, and you would be walking into a conflict of  
13 the Legislature telling the Supreme Court what to do.

14 DR. BARD: What would you have there?

15 MRS. BOTHE: In the cases of judges being  
16 impeached, you are going to run into all kinds of  
17 difficulty if the Legislature can require the judiciary  
18 to sit in judgment with the removal provisions of the  
19 judiciary.

20 MR. MILLER: There is another reason we  
21 considered of giving the Legislature some pick of who the