

problems with this little section. One is that the minimum number of judges provided in the section now is 46. That is, the chief judge and the 45 associates. In section 3.7, which is coming up, it automatically transfers all of the judges now sitting to this court. That number is only 44, the chief judge and 43 associates. So, to make the present sitting judges enough to satisfy the number for the superior court, I've lowered the number to 43, with the chief judge making the 44th judge, so that no addition would have to be made with the adoption of the constitution.

The second problem is that there is no provision for deciding how we get a number of judges different than the beginning number. And by adding as determined by law, it leaves it up to the legislature to create an extra, if needed, judgeship.

DELEGATE BLOUNT: Mr. Chairman, the general counsel gave us that point too in his information.

PRESIDENT CASSELL: Okay. Further discussion? Delegate Love, then Mason, then Rothschild.

DELEGATE LOVE: Mr. Chair, I think that still leaves some problem if the population of the District gets very large or very small; we cannot have less than 43 or more than 48 judges. Therefore, I would like to propose

the following language: The number of judges may be changed by law. That means that if we get larger or smaller at some future date, the number of judges could be changed. It no longer has to be between 43 and 48. And this is in response to our legal counsel's suggestion that we might want to leave that in. His suggestion allowed only increasing the number of judges. It's possible we will lose population as well. So, my proposal allows it to change in either direction.

DELEGATE ROTHSCHILD: Second.

PRESIDENT CASSELL: That's a motion to amend?

DELEGATE LOVE: Yes.

PRESIDENT CASSELL: It has been moved and seconded that we change that language to say that the number of judges shall be specified by law.

DELEGATE LOVE: No, no, may be changed by law.

PRESIDENT CASSELL: Changed by law.

DELEGATE LOVE: It's specified here, but may be changed by law.

PRESIDENT CASSELL: Are you leaving the 45 as it is, the 45 and 48?

DELEGATE LOVE: Yes. I would leave that to say--I would leave it not less than 43 nor more than 48 associate