

several things have happened since then to change that aspect. Some of it was the increase in the jurisdiction of the court; some was in certification of cases over from the District Court to the Court of General Sessions; and not the least of it was the number of increased criminal cases.

In addition we have been unfortunate in that we have had one judge who has not been available for service for close to three years. We have another judge presently ill, recuperating from a heart attack. As a result, in 1963, and if I may confine myself to the civil aspects of the court at this point, because I am much more familiar with that than I am with the criminal, we were at a point where we were only four months away from a trial once the case was at issue. I am defense attorney. I, along with several others squawked at this short time gap, because it was too short to actually prepare a case for trial. As you are probably familiar, by the time a defense lawyer gets a file, he doesn't have all the answers like plaintiff's counsel supposedly does. Consequently, he starts with depositions, medical examinations, interrogatories and the like. We found that we were not able to complete our investigation of a file in that four-month period of time. But by and large that began to change to the point where we are now approaching two and a half years between the date of the time the case is at issue and the date it is ready for trial.

It is going to continue in this fashion. The backlog has grown to a point where now it is over 5,000 on the civil calendar. Unless we get additional help for that court, the lawyers who practice on the civil side are being the same sort of injustice, and their clients are, that existed on the criminal side years ago. Certainly the two can go hand and glove, and as long as there is a need, which there is, for attention to the criminal side of the court, then we on the civil side feel that there is a need for attention there, too. This only can be rectified or remedied by additional judicial personnel. It will take presently a matter of two years or more to even get the backlog that we have. I feel personally closer affiliated to the civil side than I do to the criminal side, and that is just because of the nature of the animal which I am and the field in which I practice. I feel that the time has come when definitely the civil side needs more attention. It cannot get that attention until we have these additional judges.

At the present time, to give you some statistics, my case load is running about two cases set for trial a week; whereas a year ago and two years ago I was running three, four and five cases set a week. Again, as a defense lawyer, this is normal practice. My cases do not turn over like they used to and my backlog is increasing. Consequently, I have a personal interest in trying to remedy this situation.

I feel that as long as this committee is talking about the backlog in the court, it should realize the problems which do exist for the private practitioner in the civil practice and give it just the same attention as it gives criminal defendants and criminal attorneys on the criminal side of the courts.

I think, gentlemen, you can do both. I think you can have both bills, that is, an increase in the judiciary and an increase in the salaries for the judges on the bench. This is something of which they are deserving. By and large the majority of the court are hard working and they are