

willing to spend time on it. I think that if we got the additional five judges and were in a position where the one judge has been ill—may be able to retire under this bill—I don't know whether it would affect that judge or not, we would have six judges.

If Judge Howard, who has had this heart attack returned, they would have seven judges. This would be of great service to the community.

Mr. STEIGER. I take it, even as an individual, you would be reluctant to establish a priority as to whether additional judges would be more desirable than the increase in pay.

Mr. CANFIELD. It all depends on whether or not I want to continue practicing.

Mr. GUDE. I was wondering, you say you are principally interested in civil work, but what is the effect of extended delays as far as criminal work is concerned, the defendant, the speed at which he is brought to trial?

Mr. CANFIELD. Congressman, the last statistics I had on that, I think came from Judge Greene's memorandum to the Attorney General. He can probably give you that much better than I. I think we are at a point where it was about a six weeks' delay, I think, Your Honor, was it not, between the time of arraignment and the time of trial for a criminal defendant. This was a much desired improvement over what it had been in the past.

Mr. GUDE. What I was saying was more on a subjective observation on the factor of extended delays opposed to a speedy trial.

Mr. WHITENER. It would make the defendant happy in a criminal court.

Mr. CANFIELD. Well, it always does, because after awhile witnesses fail to appear—they get tired of appearing in court. Quite often cases must be nolle prossed because of the fact that proof can't be established. I think lawyers who practice on the criminal side, and again my experience is limited, but I do, as Chairman of the Board of General Sessions Committee, entertain discussions on this problem monthly, feel that they can only make a living themselves if the calendar moves. Now, a lot of lawyers are presently taking cases under what is known as the Criminal Justice Act. This act has worked well in some instances. It needs improvements, and there should be additional sums allocated to that, because as of the moment, in all of the courts there is a lack of funds available to adequately compensate these lawyers for the work that they do. The adequate compensation I am talking about is on a reduced basis of \$15 or \$10 per hour. In many cases, for instance, in Judge Greene's court, there are certain limitations set into what can be awarded to an attorney practicing under CJA. In Judge Hood's court there are certain limitations. These are not limitations inherent in the acts themselves, but are limitations which necessarily had to be imposed by the courts if there were to be funds to go around. As a result, there are a number of lawyers who have presented applications for payment in excess of these limitations which are awaiting disbursement. I don't know whether funds are available or not, but there is a backlog of some close to four, five, or six months in some of the applications in the Court of General Sessions. Again, this is something which can only be rectified by additional funds. If the program is to function correctly, then additional funds will have to be sought there, too, unquestionably.