

1 possibly be adopted. There are certain problems that
2 are political problems, even though they concern procedure.
3 Such problems, for example, would involve what courts,
4 what locations of courts you could bring an adoption
5 action in, what court you could bring a divorce action
6 in and the like. Even though these matters, so-called,
7 are venue or procedural matters, they can be political
8 hot potatoes and the sense of the people is important to
9 be expressed on them.

10 The present Constitutional provision gives the
11 Legislature and the Court of Appeals concurrent power to
12 enact matters of procedure. The Rules Committee has
13 deferred to the Legislature on these matters involving
14 essentially political judgment and has worked very closely
15 with the Legislature. The Legislature has on at least one
16 occasion tried to overrule the Court of Appeals and the
17 instance gives me precisely a good illustration of what
18 is important not to put the final authority in the Legis-
19 lature.

20 The Court of Appeals developed a uniform
21 method of taking appeals from administrative agencies