

1 tutional matter, a guarantee of jury trial?

2 MR. SAYRE: A guarantee of jury trial in civil
3 proceedings.

4 THE CHAIRMAN: Judge Hargrove, do you want to
5 comment?

6 MR. HARGROVE: Well, except I don't know that
7 it has to be a Constitutional question, except that it
8 has been in the Constitution from its inception. I sup-
9 pose you could take it out, and I suppose the practice
10 has grown such that you do not have a jury trial today
11 in the civil cases as we know them. Now, if you could
12 possibly get it through the Convention and approved by
13 the voters, I think within a matter of a year you would
14 probably have the hue and cry for an amendment for a jury
15 trial. I don't think you have to have it, but I think
16 it is almost a necessity whether we like it or not.

17 THE CHAIRMAN: Mr. Case, do you want to comment?

18 MR. CASE: Well, I think anything I say would
19 just be follow-up to what Judge Hargrove said. The
20 State Bar Association, in dealing with this subject,
21 felt that it was a matter of tradition which had been in