

ASSEMBLY COMMITTEE ON JUDICIARY - 56TH SESSION, 1971

JOINT HEARING OF SENATE AND ASSEMBLY JUDICIARY COMMITTEES,
REGARDING SJR 23 OF THE 55TH SESSION, SJR 1, SB 82 AND SB 121:

Hearing began at 9:00 a.m., February 12, 1971.

Testimony from JUDGE THOMAS O. CRAVEN, WASHOE COUNTY:

Judge Craven stated the basic premise is a desire to have a strong and competent judiciary and eliminating anyone in a judicial office who does not have high qualifications. Judge Craven feels that a combination of the Missouri plan, the California plan and the Federal plan is a method which will accomplish the goals. He feels judges should be appointed, should have tenure, and should be held responsible for their actions.

Senator Dodge remarked that although the bills presented may not be perfect, it was the consensus of the opinion of the judiciary committee that this is what can be sold to the voters. He felt that if the appointment system for the Supreme Court is enacted now and a certain amount of confidence in that could be developed in the people, as soon as possible they could try to do it at the district court level.

Judge Craven stated regarding SB 121, it is inevitable that we have to have a court administrator system. Regarding SB 82, we definitely need the increase in district judges, but SJR 23 should be changed as he had suggested.

Mr. McKissick remarked that if there were any changes at all in SJR 23, the Legislature would have to start all over again. He stated there are accompanying bills for the district court act and county court act which are being held until the outcome of SJR 23 was certain.

Mr. Torvinen asked if Judge Craven felt the good outweighed the bad and the Legislature should go ahead with the resolution, considering it takes five years to amend the Constitution. Judge Craven stated he feared that if this passed, there is a possibility that the reforms to the district court and the rest of the court system will never come about and it will impair the entire judicial system.

Testimony from JUDGE JOHN MENDOZA, CLARK COUNTY:

Judge Mendoza stated he believes the problem with the bill under consideration is that of the selection of judges: the judges are concerned about administrative control which may possibly apply to and affect the independence of decisions in deciding cases. The judges are further concerned that the district judge would be the only politician who would have to run for office and could not seek any other non-judicial office without retiring. The Missouri plan and the California plan should be adopted together or not at all. If a judge must stand for election he should not be made

subject to another process of removal. Rather than enforcing the judiciary you have weakened the power of the court. This bill would discourage competent attorneys from standing for office because they have no protection for their future.

Judge Mendoza distributed copies of a proposal to the committee which he would prefer to have adopted. He stated he is opposed to the effect of SJR 23 on the judges without additional safeguards such as tenure for the judges.

Senator Wilson asked if Judge Mendoza feels a judicial administrator would compromise the decision making powers of the district judges.

Judge Mendoza stated if judges have to run in their districts, they shouldn't be subject to re-assignment in other districts by a judicial administrator.

Senator Wilson suggested that perhaps the answer would be to reorganize the cow county districts.

Testimony from JUDGE RICHARD L. WATERS, CARSON CITY:
Judge Waters subscribed to the remarks of Judge Mendoza. He stated that if the disciplinary section was adopted, so should the section giving tenure to district judges. He stated district judges would be the only elected official with special disciplinary setup. Regarding SB 82, Judge Waters stated he didn't think the First Judicial District needed a third judge. Regarding SB 121, Judge Waters stated he was concerned about giving powers to a court administrator, and felt the problem could arise of an administrator sending a judge to "exile" in a far-away county just before an election. This would nearly insure that the judge would not be re-elected in his district.

Senator Dodge stated that a court administrator was needed because the Legislature has no objective information for creating additional judgeships.

Judge Waters stated the Legislature could provide for a statistical clerk to show the need for additional judges, and the statistical information could then be given to the legislative commission so the Legislature would be aware of the needs of the various districts. He believed it was not a court function.

Senator Wilson stated he didn't believe it is reasonable to expect that a Justice would send a district court judge into exile for political motive.

Testimony from JUANITA WHITE, MEMBER OF THE ASSEMBLY:
Mrs. White stated she was speaking in behalf of the people in the small districts regarding the justice of the peace provisions in SJR 23. The people do not want their justice of the peace removed from their control. They want to elect their own justices of the peace. If they are not satisfied with the person serving as justice of the peace they can refuse to re-elect him.

Mr. Torvinen remarked this provision is a compromise between what the citizens' committee and many of the judges wanted and what the Legislature felt was still reserving some of the rights of the people to elect their local judges.

Senator Dodge stated the purpose of Mr. Torvinen's study was to have an act in this session for county court structure so everyone would know how the court would be implemented when they voted on SJR 23.

Testimony from ERNEST NEWTON, NEVADA TAXPAYERS' ASSOCIATION: Mr. Newton feels that SJR 23 is the consensus of the people comprising the citizens' group. The ultimate desirability would be a combination of the Missouri plan and the California plan. There was some objection to taking district judges and municipal judges or justices of the peace out of the elective process, and by an overwhelming vote it was decided to go with the provisions of SJR 23. He felt the time would come when district judges will be covered under a similar procedure as now provided for Supreme Court Justices under SJR 23. The citizens' group felt that a judge who ran for elective office should resign in order to run, and that way judges would not be using the prestige of their judicial office to support their candidacy for another office. He noted that the judge could run for judicial office without resigning.

Regarding the court administrator, Mr. Newton stated this person would simply be an arm of the Supreme Court, and the Chief Justice would ultimately make re-assignments of district judges. Mr. Newton stated he couldn't imagine the state having a Chief Justice so lacking in integrity that he would "exile" a district judge. The Chief Justice of the Supreme Court needs someone to do the paper work and statistical work so the judge can perform his main function of deciding cases. He stated SJR 23 is the considered judgment of in excess of 400 people widely represented throughout the state and it is a forward step in the administration of justice.

Testimony of JUDGE JOHN BARRETT, WASHOE COUNTY: Judge Barrett stated his objection to SB 121 is that it is unconstitutional. Under the constitution the Legislature doesn't have the power to provide the Supreme Court with an administrator who has control over the district courts. The constitution very specifically sets out the powers of the Supreme Court and nowhere in those powers is it mentioned that they have power to control district court judges. He thinks it is unconstitutional as far as that provision goes also, and it works only because district judges have cooperated. He doesn't think the Legislature should pass laws that are unconstitutional, even if somebody is going to be willing to go along with them.

Senator Dodge asked, assuming SJR 23 is passed, would Judge Barrett have reservations about support of a system that makes the Chief Justice the administrator of the court system?

Judge Barrett replied he has some questions about how it

would work in the State of Nevada, but otherwise not particularly. He stated that a court administrator whose jurisdiction spreads throughout the state has problems because conditions are so varied throughout the counties.

He stated that as a practical matter SB 121 would be unconstitutional, but the problem is that the Supreme Court of Nevada will have to rule on the constitutionality of the bill.

Senator Young asked Judge Barrett if he would oppose SB 121 if Section 7 were either amended or stricken. Judge Barrett replied that Section 7 is probably the most objectionable part of the bill.

Judge Barrett stated regarding SJR 23 that he was not opposed to it, but was disappointed that district judges were left out of the tenure provisions, and that elected officials should not be subject to disciplinary action by a committee.

Judge Barrett stated in regard to SB 82 that Washoe County was definitely in need of at least two more district judges.

Testimony from JUDGE FRANK GREGORY, CARSON CITY:
Judge Gregory stated he is disappointed that district judges were left out of the tenure provisions but otherwise thinks the resolution is a forward step. He objects to SB 121 regarding the court administrator and agreed with the comments of Judge Waters regarding that point.

Regarding SB 82, Judge Gregory stated that the First Judicial District definitely needs an extra judge. The district comprises five counties, and the judges spend travel time going to each county seat and having a law day there once each week. The First District has a total population of 60,000 which would call for more than two judges. Their calendar is crowded and the civil cases are having to be set aside because of criminal cases being set.

Senator Young asked if the first district has a crowded calendar because of a flood of habeas corpus petitions from the state prison. Judge Gregory replied that it used to be so, but since the adoption of the criminal code with post-conviction remedies in the county of origin, the habeas corpus petition cases have diminished in the first district, although they have a considerable amount.

Mr. Torvinen asked if it would alleviate the situation in the first district to have one or more of the counties removed and placed in another district. Judge Gregory replied that from a standpoint of burden on the court it would help, and that the district could be divided or they could add another judge. He would favor adding another judge.

Testimony of JON COLLINS, FORMER CHIEF JUSTICE OF THE SUPREME COURT OF NEVADA:

Regarding SJR 23, Judge Collins stated he was not completely thrilled with the way it came out. He would like to have district judges covered by the tenure system. He doesn't think the elective process is necessarily desirable for the judicial offices. He stated he does not want to deprive the people of their power to elect, but district judge is not a political type job. Even though he was not pleased with SJR in its entirety, he noted it takes five years to amend the constitution, and felt this should be passed so the time invested wouldn't be wasted.

Regarding Court administrators, Judge Collins stated the judicial system of the state needs that system in order to take the administrative function responsibility from the judges and leave them to their primary function of deciding cases.

Judge Collins further stated there is a need for more judges in the state.

Senator Dodge asked Judge Collins if he would subscribe to what Judge Barrett had said about the constitutional problem. Judge Collins stated he hadn't studied it from that point of view. He would agree with Judge Barrett that the constitution directs the powers of assigning judges now, but if the administrator were made an arm of the Supreme Court, the Supreme Court now has statutory power for assignments. There is an opinion of the court in which this has been set out. He said he doubts whether constitutionally you could have an appointed administrator interfering with the powers of the district judges. There is some question as to the full extent of the constitutional power of the Chief Justice of the Supreme Court to have that power. He stated he doubts there will be a confrontation on the constitutional basis, but it is possible.

Mr. May stated that since the testimony on SJR 23 indicated it is neither all good nor all bad, it may be better to have a simple legislative act and not try to change the constitution. He questioned if it would be better not to have to react to a vote of the people. He said an area of concern to him is the complete abolition for the municipal judges with no replacement.

Mr. Torvinen stated the constitutional amendment says all justices of the peace become magistrates and the Legislature would then set the authority of magistrates. It also provides for county courts. Their jurisdiction is open to be set by the Legislature. He stated that the people holding office at the time of the 1972 election would be "grandfathered" in. If they can qualify they can put in an application to be a county court judge. After that the county court judges will be elected and will have to be lawyers but the magistrates will not have to be.

Judge Collins stated that this system in Alaska is effective.

Judge Mendoza distributed statistical information on the court system. A copy of this is attached to the minutes.

RUSSELL WAITE, RETIRED JUDGE FROM STATE OF CALIFORNIA, NOW CLARK COUNTY COURT ADMINISTRATOR: Judge Waite explained the statistical information. He stated there should be one district judge for each 30,000 population. He said at least 12 states have statewide administrators.

Senator Close asked if in California the administrator has power to assign judges. Judge Waite said he doesn't. He makes surveys of needs and recommends to the judicial council, which makes assignments.

Testimony of GEORGE DICKERSON, ESQ., MEMBER OF THE NEVADA STATE BAR BOARD OF GOVERNORS: Mr. Dickerson stated there is a desperate situation in the backlog of cases in Clark County which can't be accommodated with the number of judges Clark County has. He stated that keeping up with the case load is necessary for the entire economy of a community, because litigants can have thousands of dollars tied up in litigation. He felt Clark County needed one judge to handle juvenile matters exclusively.

Testimony of HARRY CLAIBORNE, ESQ., PRESIDENT OF THE CLARK COUNTY BAR ASSOCIATION: Mr. Claiborne stated that the bar association passed a resolution recommending at least four more judges. The opinion of the bar as a whole is that more than four are needed. The Clark County judges now have better than 50% of the case load in the state, with only 1/3 of the judges. He is concerned about the quality of decisions, simply because of the workload the judges are confronted with. He was distressed that the legislature provided only enough new judges to help keep up, and that Clark County had to keep returning to ask for more judges as the caseload increased. He felt they need six new judges by next year and eight by the year after that just to clear up what is now pending and hold the status quo, not taking into consideration any increase in litigation. He stated they haven't been given enough judges to do the job and desperately need six additional judges now.

The hearing adjourned at 11:15 a.m.

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY

TOTAL FILINGS, 1962 through 1970

YEAR	DIVORCES	CIVIL	PROBATE	CRIMINAL	JUVENILE	INSANITY	URA	ADOPTIONS*	MISC. *	TOTAL
1962	4,945	2,343	565	485	235	143	---	---	---	8,716
1963	5,131	2,894	654	577	369	238	588	---	---	10,451
1964	5,482	3,470	738	794	440	316	791	---	---	12,031
1965	5,438	3,488	740	1,369	541	271	618	---	---	12,465
1966	5,449	3,688	781	1,515	514	322	585	---	---	12,854
1967	5,671	3,540	892	2,049	492	207	656	---	---	13,507
1968	5,888	3,823	470	2,331	887	203	717	---	---	14,319
1969	6,151	4,099	482	2,797	987	215	693	---	---	15,424
1970	5,345	3,398	585	2,913	959	338	820	439 *	690 *	15,487

1971 The filings for January, 1971 show an increase of 42 over January, 1970.

* Before 1970 ADOPTIONS and MISCELLANEOUS filings were included in the CIVIL category. The MISCELLANEOUS matters include Change of Name, Compromise of Minors' Claims, Termination of Parental Rights, etc.

Certain significant facts are revealed by the statistics shown in EXHIBIT A:

1. Excluding DIVORCES (which in many instances require a comparatively small amount of bench time) the other areas of litigation have increased 270 per cent in the past nine years, while the number of departments of the Court has increased only 50 per cent.

2. The 1970 filings were at the rate of 2,581 cases for each Judge in the Eighth Judicial District. This means that more than 10 cases per judicial day for each Judge were filed last year.

(a) Information from the Institute of Judicial Administration (New York) is that the national average of filings per Judge per year is between 1,200 and 1,500 cases.

(b) The 1969 annual report of the Judicial Council in California shows that filings in that State are on an average of 1,186 per Judge. (See Exhibit B-3 attached)

(c) If four departments are added to the Eighth Judicial District Court, the rate of filings would be 1,548 per Judge in 1970, still above the average nationally and considerably above the average in California.

3. The areas of greatest increase in Clark County are the CRIMINAL and JUVENILE cases.

(a) Criminal cases have increased almost 100% in the last five years, and almost 700% in the last nine years.

(b) Juvenile cases have increased about 90% in the last five years, and more than 400% in the last nine years.

4. The serious backlog of civil matters awaiting trial date setting, in addition to more than 400 civil cases now set for trial but not yet tried, continues to increase as indicated by the accompanying letter from the Master Calendar Clerk.

5. An important item to be considered in connection with caseload filing statistics is the fact that each case may involve many separate hearings preliminary to the actual trial of the case.

(a) Every criminal case, of necessity, means that there will at least five or six Court appearances by the defendant.

(b) In juvenile cases a minimum of three or four Court appearances are required before final disposition of the case.

(c) Almost every civil case involves motions of a preliminary nature prior to the trial of the case, as well as various post-trial motions. Many of the pre-trial motions are very time consuming, in fact a recent case required more than two weeks of Court time for the hearing of a motion for a preliminary injunction prior to the actual trial.

Judgeships and Filings Per Judge¹⁸

Authorized superior court judgeships totaled 394 on June 30, 1968, an increase of 26 from a year earlier. The gain of some 7 percent exceeded the 4.7 percent increase in filings with the result that average filings per judge declined from a record high of 1,213 in 1966-67 to 1,186 in 1967-68. Despite the decline, the current average is the third highest in the last 10 years and compares to an annual average of 1,153 filings per judge for the 10-year period as a whole.

Gross filings of approximately 1,100 to 1,200 per judge have been used as a crude standard of tolerable and acceptable judicial workload levels. Referring to Table XIV, it can be seen that for California superior courts, as a group, the Legislature has generally provided the judicial manpower necessary to meet this standard.

**TABLE XIV—CALIFORNIA SUPERIOR COURTS
NUMBER OF JUDGESHIPS AND FILINGS PER JUDGESHIP
Fiscal Years 1957-58 Through 1967-68**

Fiscal year	Number of authorized judgeships ^a	Total filings per judgeship ^b
1957-58	269	1,122
1958-59	270	1,148
1959-60	300	1,098
1960-61	302	1,166
1961-62	332	1,072
1962-63	335	1,114
1963-64	346	1,146
1964-65	353	1,179
1965-66	361	1,207
1966-67	368	1,213
1967-68	394	1,186

^a Based on authorized judgeships at end of fiscal year. See note 18 *supra*, with respect to "per judge" comparisons.

^b Naturalization proceedings were counted as filings prior to 1958-59.

^c Revised.

From court to court there is substantial variation in the average number of filings per judge. For example, although filings per judge averaged 1,186 for the state in 1967-68, the figures ranged from highs of 1,728 and 1,537 filings per judge in the Monterey and San Luis Obispo courts, respectively, to lows of 17 and 43 filings per judge in the one-judge Alpine and Sierra courts, respectively. The Chief Justice, as Chairman of the Judicial Council, attempts to expedite court business and equalize judicial workload by assigning judges from low workload courts to assist in the high workload courts. For example, in 1967-68, judges of the Alpine and Sierra courts were assigned to assist other courts for 152 days and 96 days, respectively.

The Larger Courts

The great bulk of total superior court business originates in California's larger metropolitan courts. Nearly 80 percent of all matters filed in superior courts in 1967-68 were filed in the 11 courts with 9 or more judges. The 134-judge Los Angeles court alone served about 35 percent of the state's population and had about the same proportion of total superior court judgeships and superior court filings in 1967-68.

¹⁸ "Per judge" analyses are based on the number of authorized judges as of the last day of the fiscal year, and are not adjusted to reflect the services of commissioners or referees or for judicial assistance given or received. Neither are adjustments made for changes in workload.

The next largest courts are approximately one-sixth the size of the Los Angeles court in terms of filings and judgeships. These courts—Alameda, Orange, San Diego and San Francisco—each accounted for somewhat over 5 percent of the total superior court filings and, with from 20 to 24 judges each, they had about the same proportion of total authorized judgeships.

Superior court filings in the state rose by 165,734 or 54.9 percent from 1957-58, and the larger courts which accounted for about 80 percent of statewide filings also accounted for about 80 percent of the statewide increase. Almost a third of the gain was in Los Angeles, where filings advanced 52,789 or 44 percent.

In several courts the percentage gain in filings over the decade far exceeded the 54.9 percent increase recorded for superior courts generally. For example, filings more than doubled in El Dorado (+152%), Orange (+197%), Santa Clara (+121%), Santa Cruz (+102%) and Ventura (+136%) and nearly doubled in Marin (+80%), Monterey (+76%), Placer (+81%), Riverside (+86%), Sacramento (+81%), San Luis Obispo (+79%), Santa Barbara (+99%) and Shasta (+81%).

2. DISPOSITIONS**Dispositions in 1967-68**

A record 390,955 cases were terminated by California superior courts in 1967-68, marking the sixth consecutive year in which output rose to new highs. Dispositions increased by 21,436 in 1967-68, the largest annual gain since comparable statistics have been collected. This figure represented an increase of 5.8 percent which exceeded the percentage gains posted in most recent years. By comparison, dispositions increased by 1.9 percent in 1966-67, by 3.2 percent in 1965-66, by 4.8 percent in 1964-65, by 3.4 percent in 1963-64, and by 5.2 percent in 1962-63. If "housekeeping dismissals" for lack of prosecution¹⁹ are eliminated, the gain in output amounted to 6.2 percent in 1967-68, exceeding by nearly one-third the 4.7 percent increase in filings. The increase in dispositions is especially noteworthy when viewed against the fact that almost 11 percent more cases required contested trials in 1967-68 than a year earlier.

For the first time in five years the rate of increase in authorized judgeships in 1967-68 exceeded the increase in dispositions so that the average number of cases disposed of per authorized judge declined. In 1967-68, the 394 authorized judges disposed of an average of 992 cases. This was down by 12 cases from the average number of dispositions by the 368 judges in 1966-67 and the 361 judges in 1965-66. If we consider only the termination of active cases (eliminating dismissals for lack of prosecution), the 982 dispositions of such cases per judge in 1967-68 was the second highest on record, exceeded only by the 990 figure recorded in 1966-67. Most of the change in per-judge output in 1967-68 reflected changes in the Los Angeles court where authorized judgeships increased by 14 during the year.²⁰

¹⁹ See note 14 *supra*.

²⁰ See note 13 *supra*, with respect to per-judge comparisons. It should also be noted both with respect to Los Angeles and the rest of the state that judges appointed to newly created judgeships generally are available for service only for a part of the year in which the judgeships are created.

Office of County Clerk

CLARK COUNTY COURT HOUSE
LAS VEGAS, NEVADA

LORETTA BOWMAN
COUNTY CLERK

EX-OFFICIO CLERK OF:
EIGHTH JUDICIAL DISTRICT COURT
BOARD OF COUNTY COMMISSIONERS
BOARD OF EQUALIZATION
COUNTY LICENSING BOARD
CLARK COUNTY SANITATION
DISTRICTS NOS. 1 AND 2

FRANCES MCCREA
CHIEF DEPUTY

REBA SNYDER
ADMINISTRATIVE
ASSISTANT

TELEPHONES
DAY: 384-9110
NIGHT: 385-3132
385-3133

February 8, 1971

The Honorable Howard W. Babcock
Master Calendar Judge
Eighth Judicial District Court
Clark County Court House
Las Vegas, Nevada 89101

Re: Condition of Court Trial Calendar

Dear Judge Babcock:

Pursuant to your request, we submit the following information showing the condition of the Court Trial Calendar as of February 1, 1971:

CRIMINAL CASES

Set for trial to and including July 26, 1971 - - 176

In addition, there are approximately 50 cases not yet set for trial, awaiting rulings on Writs of Habeas Corpus testing the legality of the 1970 Grand Jury.

This makes a total of approximately 226 criminal cases awaiting disposition.

CIVIL CASES

CIVIL JURY TRIALS (Awaiting trial date settings)

Notes noticed - Feb. 1970 to Dec. 1970	- - -	174
" " - January, 1971	- - - - -	<u>8</u>
	TOTAL	182

CIVIL NON-JURY TRIALS (Awaiting trial date settings)

Notes noticed - Nov. 1969 thru Dec. 1969	- -	34
" " - Jan. 1970 thru Dec. 1970	- -	723
" " - January, 1971	- - - - -	<u>75</u>
	TOTAL	832

The Honorable Howard W. Babcock
Page Two

February 8, 1971

In addition to the 1,014 civil cases awaiting trial date settings, as hereinbefore shown, there are 406 civil cases now set for trial to and including May 3, 1971.

Yours very truly,

LORETTA BOWMAN, Clerk

by Shirley Bailey
SHIRLEY BAILEY
Master Calendar Clerk

**CASES HEARD OR SETTLED OUT OF COURT
DISTRICT COURTS**

(Explanation of column headings: (1) Personal injury; motor vehicle. (2) Other personal injury. (3) Eminent domain. (4) Contested divorce. (5) Uncontested divorce. (6) Other civil actions. (7) Contests of wills. (8) Other contested matters relating to estates of decedents. (9) Uncontested matters relating to estates of decedents. (10) Adoptions, guardianships, trusts and missing persons. (11) Sanity hearings. (12) Appeals from justices' and municipal courts in civil matters. (13) Actions under Uniform Reciprocal Enforcement of Support Act. (14) Juvenile cases. (15) Criminal actions. (16) Habeas corpus and other writs. (17) Appeals from justices' and municipal courts in criminal matters.)

Counties	KIND OF CASE																
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Clark Co. (8th Jud. Dist.)	(a)	(a)	(a)	203	4,637	1,773	(b)	(b)	220	408	168	(a)	275	864	(c) 98	(e)	846
Washoe Co. (2nd Jud. Dist.)	(a)	(a)	(a)	(c) 116	(c) 3,506	160	(b)	(b)	807	236	234	(a)	(d) 491	115	(c) 36	(e)	(e)
Churchill Co.	0	0	0	3	15	62	0	0	37	9	0	0	11	7	8	0	0
Douglas Co.	0	0	2	1	149	68	0	0	20	14	3	0	40	13	47	3	0
Lyon Co.	1	1	0	0	53	37	0	0	21	10	5	0	10	20	9	3	0
Ormsby Co.	0	0	0	10	327	105	0	0	0	17	4	0	16	27	29	26	0
Storey Co.	0	0	0	1	21	8	0	0	5	2	0	0	0	9	0	0	0
(1st Jud. Dist.)	1	1	2	15	565	280	0	0	83	52	12	0	77	76	93	32	0
Eureka Co.	0	0	0	0	15	20	0	0	2	3	0	0	1	3	6	3	1
Lander Co.	0	0	0	0	9	6	0	0	11	2	0	0	3	8	1	0	0
(3rd Jud. Dist.)	0	0	0	0	24	26	0	0	13	5	0	0	4	11	7	3	1
Elko Co. (4th Jud. Dist.)	2	1	0	0	119	32	0	0	0	0	0	0	0	0	0	0	0
Esmeralda Co.	0	0	0	0	1	1	0	0	2	3	0	1	0	0	0	0	0
Mineral Co.	0	0	1	8	62	20	0	1	76	13	7	0	6	79	1	6	0
Nye Co.	2	1	0	1	66	16	1	0	26	13	6	0	12	12	20	0	0
(5th Jud. Dist.)	2	1	1	9	129	37	1	1	104	29	13	1	18	91	21	6	0
Humboldt Co.	0	0	0	1	86	20	0	0	102	60	1	0	0	73	20	0	0
Pershing Co.	0	0	6	2	20	15	0	1	16	6	0	0	8	6	6	0	0
(6th Jud. Dist.)	0	0	6	3	106	35	0	1	118	66	1	0	8	79	26	0	0
Lincoln Co.	0	0	1	1	18	14	0	0	6	5	2	0	4	5	0	0	2
White Pine Co.	0	1	0	0	120	62	0	1	1	4	3	0	12	36	9	1	0
(7th Jud. Dist.)	0	1	1	1	138	76	0	1	7	9	5	0	16	41	9	1	2

Notes: (a) Consolidated under Column 6. (b) Consolidated under Column 9. (c) Hearings only: Does not include settlements, dismissals or guilty pleas. (d) 1966 figure. (e) Probably consolidated under Column 15.

NEVADA'S COURT STRUCTURE
Appendix E

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EXHIBIT D

SUMMARY OF DISPOSITIONS OF CASES IN DISTRICT COURTS

EIGHTH JUDICIAL DISTRICT (CLARK COUNTY)		9,492	52.8%
SECOND DISTRICT (WASHOE COUNTY)	5,701		
FIRST DISTRICT (Five Counties)	1,289		
THIRD DISTRICT (Two Counties)	94		
FOURTH DISTRICT (ELKO COUNTY)	154		
FIFTH DISTRICT (Three Counties)	464		
SIXTH DISTRICT (Two Counties)	449		
SEVENTH DISTRICT (Two Counties)	<u>308</u>	<u>8,459</u>	47.2%
		17,951	100%

The above statistics from the pamphlet "NEVADA'S COURT STRUCTURE" show that 33 1/3% of the District Judges in this State accounted for 52.8% of the litigation disposed of during the period covered by the report.

NB. = Exhibit E see page 127-129

CLARK COUNTY POPULATION

1960 - 1970

and

projected to 1975

U. S. Official Census, 1960	127,016
U. S. Official Census, 1970	273,288

These official census figures show an increase of 146,272 in the 10 year period, and that the population of Clark County has more than doubled in that time.

As shown by the latest census estimates, (Exhibit E-3) the expected population of Clark County should be far in excess of 350,000 since the estimate for Las Vegas within the next four years is 340,000.

CASES HEARD BY H. LEON SIMON, JUVENILE REFEREE

<u>MONTH</u>	<u>DELINQUENCY PLEAS</u>	<u>TRAFFIC PLEAS</u>	<u>DELINQUENCY TRIALS</u>	<u>TRAFFIC TRIALS</u>	<u>DELINQUENCY TRIALS ACTUALLY HEARD</u>
December, 1969	313	452		16	
January, 1970	246	672		30	
February, 1970	225	659		24	
March, 1970	312	563	74	28	22
April, 1970	234	593	97	27	15
May, 1970	232	493	80	27	15
June, 1970	231	655	80	30	14
July, 1970	206	624	102	24	15
August, 1970	143	542	44	19	3
September, 1970	167	752	94	30	23
October, 1970	309	590	82	24	13
November, 1970	167	499	82	29	28
December, 1970	180	521	54	27	13
To January 12, 1971	56	234	12	17	1
TOTAL	3,021	7,849	801	352	162

TOTAL CASES HEARD FROM 1 DECEMBER 1969 THROUGH 12 JANUARY 1971: 12,023

DETENTION HEARINGS HELD BY H. LEON SIMON,
JUVENILE COURT REFEREE

December, 1969	43
January, 1970	82
February, 1970	100
March, 1970	99
April, 1970	88
May, 1970	93
June, 1970	98
July, 1970	92
August, 1970	92
September, 1970	112
October, 1970	161
November, 1970	111
December, 1970	130
Through January 12, 1971	43
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TOTAL	1,344

Dispositions heard by Juvenile Judge in 1970

January	229
February	251
March	203
April	180
May	176
June	150
July	203
August	136
September	104
October	141
November	148
December	<u>158</u>
TOTAL	2,079

SUMMARY--Provides for appointment and election of district judges (EDRC-)

SENATE JOINT RESOLUTION--Proposing to amend section 4 of article 6 of the constitution of the State of Nevada, relating to appointment and election of justices of the supreme court, district judges, and judges of the county courts, by providing for the appointment and election of district judges.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 4 of article 6 of the constitution of the State of Nevada be amended to read as follows:

Sec. 4. 1. The initial term of office of each judge of the district court appointed pursuant to section 3 of this article expires on the 1st Monday of January next following the first general election held after the year in which such judge was appointed. The initial term of office of each justice of the supreme court so appointed expires at the end of the full term of the justice whom he succeeds. The term of office of each justice or judge who succeeds himself is 6 years, beginning and ending on the 1st Monday of January in the respectively appropriate years.

2. Each justice of the supreme court who desires to succeed himself shall, on or before July 1 next preceding the expiration of his term of office, declare his candidacy in a manner which shall be provided by law. With respect to each justice who so declares, the question shall be presented at the next general election, in a form which shall be provided by law, whether such justice shall succeed himself. If a justice does not declare his candidacy, or if a majority of the votes cast on the question are cast against his succeeding himself, a vacancy is created at the expiration of his term which shall be filled by appointment pursuant to section 3 of this article.

3. [Except when a judge is appointed to fill a vacancy:

(a) District judges shall be elected by the registered voters of the respective geographical divisions of

(b)] Each appointed district judge who desires to succeed himself shall declare his candidacy for election in the geographical division of the district court in which he is serving at the first general election held after the year in which such judge was appointed, and may be opposed for election by any person qualified to serve as district judge in the same manner as provided by law for other contested elections. Each elected district judge who desires to succeed himself shall, on or before July 1 next preceding the expiration of his term of office, declare his candidacy in a manner which shall be provided by law. With respect to each elected district judge who so declares, the question shall be presented at the next general election in the geographical division in which he is serving, in a form which shall be provided by law, whether such district judge shall succeed himself. If a district judge, whether elected or appointed, does not declare his candidacy, or, in the case of an elected district judge, a majority of the votes cast on the question are cast against his succeeding himself, a vacancy is created at the expiration of his term which shall be filled by appointment pursuant to section 3 of this article.

4. Judges of the county courts shall be elected by the registered voters of the respective counties.

And be it further resolved, That this resolution shall be effective only if Senate Joint Resolution 23 of the 55th session of the legislature of the State of Nevada is approved by the people at the general election in 1972.

FASTEST-GROWING CITIES

Latest Census Estimates

Broad shifts in population of cities. . . . Urban areas in South and West showing biggest gains.

. . . Big cities losing appeal, smaller ones growing faster . . .

These changes, now reported officially, hold important keys to Government, business planning.

If you're wondering which U. S. cities are growing the fastest—

- Urban areas in the South and the West are attracting people more rapidly than those in other regions.
 - It's the smaller or medium-sized cities, not the huge ones, that are gaining at the fastest clip.
 - The big metropolises of the North and East, in particular, with their problems of crime, congestion and racial tension, seem to be losing their appeal as places in which to live.
- These and other trends are pinpointed

in a new forecast, by the U. S. Census Bureau, of population patterns in metropolitan areas.

Changes of far-reaching significance are coming—changes that will affect businessmen and public officials in their planning for the future.

City vs. countryside. The urge to move toward cities, on the whole, is slackening. Population still is rising faster in urban areas than in smaller towns and rural areas. But the "growth gap" is narrowing, as migration from the countryside slows to a crawl.

In 1975, the proportion of Americans living in urban areas—64 per cent of the expected 215 million population—will be little different than it was in 1965.

In fact, the official figures suggest the big movement of people in coming years will be not from farm to city, but from the cities of the North and East to those of the South and West.

The nation's huge financial and commercial centers, such as New York, Philadelphia and Chicago, will still be at-

tracting more people than they lose. But the net gain will be scanty.

Actually, in some of the major industrial and manufacturing centers—Pittsburgh, Detroit, Buffalo, Cleveland, Cincinnati and St. Louis, as examples—more people will be leaving than entering, if the Census Bureau is right.

In all these cities except Pittsburgh, however, population will still be higher in 1975 because of natural increases due to births.

Of the biggest cities, only Washington, D. C., with expanding Government, and Los Angeles are expected to grow much faster than average.

You can see from the charts on these pages how your city fits into the shifting population pattern now under way.

All but two of the 25 fastest-growing urban centers are located either in the South or west of the Mississippi River. And 15 of these metropolitan areas now have populations of less than 600,000.

Among the 25 leading gainers, California (continued on next page)

THE 25 URBAN AREAS THAT LEAD THE GROWTH PARADE



Based on percentage growth in population from 1965 to 1975, as estimated by the U. S. Census Bureau—

	Increase		Increase
1. Fort Lauderdale-Hollywood, Fla.	51.9%	14. Lexington, Ky.	25.2%
2. Santa Barbara, Calif.	51.6%	15. Tucson, Ariz.	23.8%
3. San Jose, Calif.	51.4%	16. Houston, Tex.	23.4%
4. Huntsville, Ala.	51.4%	17. Lubbock, Tex.	23.2%
5. Las Vegas, Nev.	46.6%	18. Dallas, Tex.	23.1%
6. San Bernardino-Riverside-Ontario, Calif.	35.2%	19. Atlanta, Ga.	23.0%
7. West Palm Beach, Fla.	34.5%	20. Denver, Colo.	22.5%
8. Phoenix, Ariz.	34.2%	21. Madison, Wis.	22.3%
9. Sacramento, Calif.	32.4%	22. Albuquerque, N. M.	22.2%
10. Orlando, Fla.	31.2%	23. Amarillo, Tex.	22.0%
11. Tampa-St. Petersburg, Fla.	28.1%	24. Brockton, Mass.	22.0%
12. Washington, D. C.	25.9%	25. Austin, Tex.	21.5%
13. Los Angeles-Long Beach, Calif.	25.6%		

These figures show a key change in population patterns now under way: a large-scale shift of people toward smaller and medium-sized urban centers in the South and West. Of the 25 fastest-growing cities, all but two—Brockton, Mass., and Madison, Wis.—are either in the South or west of the Mississippi River.

FASTEST-GROWING CITIES IN U. S.

[continued from preceding page]

ifornia and Texas each boast five cities, Florida four. Climate is a major factor favoring these States, particularly for retired people. So is a holdover of the "frontier spirit," with opportunities for new ventures in business and trade.

Rapid expansion expected in Tucson, Phoenix and Albuquerque reflects the appeal of the desert country of the Southwest, now that air conditioning provides relief from the heat.

America's space program, involving billions in spending each year, is a factor in predictions of fast growth for Huntsville, Ala., Houston, and Orlando, Fla.

Many cities with big universities performing research work promise to develop rapidly, too—such as Madison, Wis.; Ann Arbor, Mich., and Columbus, Ohio.

On the other hand, many urban centers serving farm areas are losing population or gaining little. Sioux City and Des Moines, Iowa; Wichita, Kans., and Spokane, Wash., are cases in point.

Among cities expected to lose people by 1975 are those in mining areas, such as Johnstown and Scranton, Pa.; Wheeling, W. Va., and Duluth, Minn.-Superior, Wis.

Percentages vs. numbers. One thing to keep in mind is that percentage rates of rise in population do not accurately reflect the actual number of people added to population.

A relatively small urban area such as Santa Barbara, Calif., for example, with only 244,000 people in 1965, can boast a 51.6 per cent rate of growth by adding only 126,000 people in 10 years.

Yet metropolitan Chicago, with almost 6.7 million inhabitants in 1965, will show only a 9 per cent gain in population even though it is expected to add 600,000 people by 1975.

Despite wide variations in percentage rates of increase, changes come slowly in the relative rankings of cities according to actual population.

Today's 10 largest urban areas will still be the 10 largest in 1975, although the ranking of a few of these cities will change slightly. New York and Los Angeles will remain first and second in population, though the gap between the two is fast narrowing. Chicago, Philadelphia and Detroit will follow, maintaining their present positions.

But San Francisco will overtake Boston and move into sixth place. Washington will remain in eighth, though closing fast on Boston. St. Louis will move from tenth to ninth, displacing Pittsburgh.



HOW YOUR CITY WILL GROW BY 1975

As Estimated by U. S. Census Bureau

Population of Metropolitan Areas—

	In 1965	Expected In 1975	Percentage Change
NEW ENGLAND			
Boston, Mass.	3,205,000	3,334,000	Up 4.0%
Bridgeport-Stamford-Norwalk, Conn.	745,000	874,000	Up 17.3%
Brockton, Mass.	296,000	361,000	Up 22.0%
Hartford-New Britain, Conn.	768,000	884,000	Up 15.1%
New Bedford-Fall River, Mass.	411,000	421,000	Up 2.4%
New Haven-Waterbury-Meriden, Conn.	703,000	775,000	Up 10.2%
Pittsfield, Mass.	144,000	147,000	Up 2.1%
Portland, Me.	197,000	209,000	Up 6.1%
Providence, R. I.	739,000	756,000	Up 2.3%
Springfield-Chicopee-Holyoke, Mass.	550,000	582,000	Up 5.8%
Worcester-Fitchburg-Leominster, Mass.	608,000	633,000	Up 4.1%
MIDDLE ATLANTIC			
Albany-Schenectady-Troy, N. Y.	697,000	745,000	Up 6.9%
Allentown-Bethlehem-Easton, Pa.	514,000	542,000	Up 5.4%
Altoona, Pa.	137,000	132,000	Down 3.6%
Atlantic City, N. J.	179,000	202,000	Up 12.8%
Binghamton, N. Y.	221,000	235,000	Up 6.3%
Buffalo, N. Y.	1,320,000	1,349,000	Up 2.2%
Erie, Pa.	255,000	254,000	Down 0.4%
Harrisburg, Pa.	364,000	389,000	Up 6.9%
Jersey City, N. J.	619,000	607,000	Down 1.9%
Johnstown, Pa.	270,000	246,000	Down 8.9%
Lancaster, Pa.	288,000	305,000	Up 5.9%
Newark, N. J.	1,851,000	2,045,000	Up 10.5%
New York, N. Y.	11,366,000	12,078,000	Up 6.3%
Paterson-Clifton-Passaic, N. J.	1,307,000	1,491,000	Up 14.1%
Philadelphia, Pa.	4,659,000	5,080,000	Up 9.0%
Pittsburgh, Pa.	2,385,000	2,306,000	Down 3.3%
Reading, Pa.	283,000	290,000	Up 2.5%
Rochester, N. Y.	644,000	733,000	Up 13.8%
Scranton, Pa.	226,000	203,000	Down 10.2%
Syracuse, N. Y.	606,000	686,000	Up 13.2%
Trenton, N. J.	296,000	338,000	Up 14.2%
Utica-Rome, N. Y.	346,000	376,000	Up 8.7%
Wilkes-Barre-Hazleton, Pa.	345,000	324,000	Down 6.1%
York, Pa.	252,000	267,000	Up 6.0%
SOUTH ATLANTIC			
Asheville, N. C.	143,000	158,000	Up 10.5%
Atlanta, Ga.	1,216,000	1,496,000	Up 23.0%
Augusta, Ga.	237,000	250,000	Up 5.5%
Baltimore, Md.	1,854,000	2,045,000	Up 10.3%
Charleston, S. C.	248,000	278,000	Up 12.1%
Charleston, W. Va.	246,000	228,000	Down 7.3%
Charlotte, N. C.	312,000	373,000	Up 19.6%
Columbia, S. C.	289,000	335,000	Up 15.9%
Columbus, Ga.	260,000	268,000	Up 3.1%
Durham, N. C.	123,000	141,000	Up 14.6%
Fort Lauderdale-Hollywood, Fla.	441,000	670,000	Up 51.9%
Greensboro-High Point, N. C.	267,000	307,000	Up 15.0%
Greenville, S. C.	218,000	235,000	Up 7.8%
Huntington, W. Va.; Ashland, Ky.	260,000	262,000	Up 0.8%
Jacksonville, Fla.	499,000	579,000	Up 16.0%

	In 1965	Expected In 1975	Percentage Change		In 1965	Expected In 1975	Percentage Change
Lynchburg, Va.	119,000	138,000	Up 16.0%	Waterloo, Ia.	124,000	128,000	Up 3.2%
Macon, Ga.	201,000	227,000	Up 12.9%	Wichita, Kan.	350,000	348,000	Down 0.6%
Miami, Fla.	1,061,000	1,288,000	Up 21.4%	Youngstown-Warren, Ohio	523,000	543,000	Up 3.8%
Newport News-Hampton, Va.	271,000	305,000	Up 12.5%	SOUTH CENTRAL			
Norfolk-Portsmouth, Va.	637,000	681,000	Up 6.9%	Abilene, Tex.	126,000	146,000	Up 15.9%
Orlando, Fla.	372,000	488,000	Up 31.2%	Amarillo, Tex.	168,000	205,000	Up 22.0%
Pensacola, Fla.	224,000	257,000	Up 14.7%	Austin, Tex.	247,000	300,000	Up 21.5%
Raleigh, N. C.	195,000	232,000	Up 19.0%	Baton Rouge, La.	255,000	306,000	Up 20.0%
Richmond, Va.	451,000	535,000	Up 18.6%	Beaumont-Port Arthur, Tex.	313,000	334,000	Up 6.7%
Roanoke, Va.	173,000	201,000	Up 16.2%	Birmingham, Ala.	644,000	652,000	Up 1.2%
Savannah, Ga.	192,000	195,000	Up 1.6%	Chattanooga, Tenn.	292,000	303,000	Up 3.8%
Tampa-St. Petersburg, Fla.	873,000	1,118,000	Up 28.1%	Corpus Christi, Tex.	237,000	248,000	Up 4.6%
Washington, D. C.	2,409,000	3,034,000	Up 25.9%	Dallas, Tex.	1,288,000	1,585,000	Up 23.1%
West Palm Beach, Fla.	281,000	378,000	Up 34.5%	El Paso, Tex.	344,000	395,000	Up 14.8%
Wheeling, W. Va.	187,000	180,000	Down 3.7%	Fort Worth, Tex.	627,000	713,000	Up 13.7%
Wilmington, Del.	414,000	490,000	Up 18.4%	Galveston-Texas City, Tex.	157,000	178,000	Up 13.4%
Winston-Salem, N. C.	207,000	238,000	Up 15.0%	Houston, Tex.	1,494,000	1,843,000	Up 23.4%
NORTH CENTRAL				Huntsville, Ala.	183,000	277,000	Up 51.4%
Akron, Ohio	545,000	592,000	Up 8.6%	Jackson, Miss.	211,000	243,000	Up 15.2%
Ann Arbor, Mich.	187,000	224,000	Up 19.8%	Knoxville, Tenn.	390,000	405,000	Up 3.8%
Bay City, Mich.	109,000	114,000	Up 4.6%	Lake Charles, La.	135,000	139,000	Up 3.0%
Canton, Ohio	356,000	375,000	Up 5.3%	Lexington, Ky.	159,000	199,000	Up 25.2%
Cedar Rapids, Ia.	149,000	165,000	Up 10.7%	Louisville, Ky.	771,000	820,000	Up 6.4%
Chicago, Ill.	6,688,000	7,288,000	Up 9.0%	Lubbock, Tex.	185,000	228,000	Up 23.2%
Cincinnati, Ohio	1,125,000	1,185,000	Up 5.3%	Memphis, Tenn.	688,000	764,000	Up 11.0%
Cleveland, Ohio	1,871,000	1,956,000	Up 4.5%	Mobile, Ala.	337,000	375,000	Up 11.3%
Columbus, Ohio	769,000	895,000	Up 16.4%	Monroe, La.	112,000	129,000	Up 15.2%
Dayton, Ohio	757,000	843,000	Up 11.4%	Montgomery, Ala.	174,000	180,000	Up 3.4%
Decatur, Ill.	122,000	129,000	Up 5.7%	Nashville, Tenn.	435,000	496,000	Up 14.0%
Des Moines, Ia.	270,000	276,000	Up 2.2%	New Orleans, La.	973,000	1,107,000	Up 13.8%
Detroit, Mich.	3,987,000	4,174,000	Up 4.7%	Oklahoma City, Okla.	585,000	673,000	Up 15.0%
Duluth, Minn.; Superior, Wis.	267,000	255,000	Down 4.5%	San Antonio, Tex.	774,000	862,000	Up 11.4%
Flint, Mich.	413,000	449,000	Up 8.7%	Shreveport, La.	289,000	300,000	Up 3.8%
Fort Wayne, Ind.	259,000	294,000	Up 13.5%	Tulsa, Okla.	433,000	450,000	Up 3.9%
Gary-Hammond-East Chicago, Ind.	596,000	644,000	Up 8.1%	Tuscaloosa, Ala.	118,000	135,000	Up 14.4%
Grand Rapids, Mich.	390,000	424,000	Up 8.7%	Waco, Tex.	156,000	164,000	Up 5.1%
Hamilton-Middletown, Ohio	208,000	230,000	Up 10.6%	Wichita Falls, Tex.	130,000	145,000	Up 11.5%
Indianapolis, Ind.	739,000	789,000	Up 6.8%	FAR WEST			
Jackson, Mich.	137,000	149,000	Up 8.8%	Albuquerque, N. M.	288,000	352,000	Up 22.2%
Kalamazoo, Mich.	181,000	208,000	Up 14.9%	Bakersfield, Calif.	320,000	373,000	Up 16.6%
Kansas City, Mo.	1,116,000	1,200,000	Up 7.5%	Colorado Springs, Colo.	176,000	192,000	Up 9.1%
Kenosha, Wis.	114,000	134,000	Up 17.5%	Denver, Colo.	1,075,000	1,317,000	Up 22.5%
Lansing, Mich.	336,000	389,000	Up 15.8%	Eugene, Ore.	194,000	234,000	Up 20.6%
Lima, Ohio	112,000	122,000	Up 8.9%	Fresno, Calif.	404,000	485,000	Up 20.0%
Lincoln, Neb.	161,000	170,000	Up 5.6%	Honolulu, Hawaii	571,000	646,000	Up 13.1%
Lorain-Elyria, Ohio	240,000	281,000	Up 17.1%	Las Vegas, Nev.	232,000	340,000	Up 46.6%
Madison, Wis.	260,000	318,000	Up 22.3%	Los Angeles-Long Beach, Calif.	7,877,000	9,893,000	Up 25.6%
Milwaukee, Wis.	1,231,000	1,302,000	Up 5.8%	Ogden, Utah	120,000	136,000	Up 13.3%
Minneapolis-St. Paul, Minn.	1,611,000	1,814,000	Up 12.6%	Phoenix, Ariz.	818,000	1,098,000	Up 34.2%
Muncie, Ind.	117,000	127,000	Up 8.5%	Portland, Ore.	897,000	1,003,000	Up 11.8%
Omaha, Neb.	516,000	588,000	Up 14.0%	Pueblo, Colo.	119,000	123,000	Up 3.4%
Racine, Wis.	160,000	185,000	Up 15.6%	Sacramento, Calif.	584,000	773,000	Up 32.4%
Rockford, Ill.	226,000	254,000	Up 12.4%	Salt Lake City, Utah	440,000	528,000	Up 20.0%
Saginaw, Mich.	208,000	229,000	Up 10.1%	San Bernardino-Riverside-Ontario, Calif.	1,016,000	1,374,000	Up 35.2%
St. Louis, Mo.	2,198,000	2,356,000	Up 7.2%	San Diego, Calif.	1,138,000	1,378,000	Up 21.1%
Sioux City, Ia.	102,000	93,000	Down 8.8%	San Francisco-Oakland, Calif.	3,081,000	3,625,000	Up 17.7%
South Bend, Ind.	237,000	241,000	Up 1.7%	San Jose, Calif.	885,000	1,340,000	Up 51.4%
Springfield, Ill.	153,000	160,000	Up 4.6%	Santa Barbara, Calif.	244,000	370,000	Up 51.6%
Springfield, Mo.	140,000	164,000	Up 17.1%	Seattle, Wash.	1,178,000	1,328,000	Up 12.7%
Springfield, Ohio	147,000	166,000	Up 12.9%	Spokane, Wash.	267,000	263,000	Down 1.5%
Terre Haute, Ind.	107,000	108,000	Up 0.9%	Stockton, Calif.	274,000	322,000	Up 17.5%
Toledo, Ohio	473,000	489,000	Up 3.4%	Tucson, Ariz.	307,000	380,000	Up 23.8%
Topeka, Kan.	149,000	158,000	Up 6.0%				