



House of Representatives

General Assembly

File No. 765

January Session, 2025

House Bill No. 7041

House of Representatives, April 24, 2025

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE COMPOSITION OF THE JUDICIAL SELECTION COMMISSION AND DECISIONS RENDERED BY SAID COMMISSION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-44a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 (a) There is established a Judicial Selection Commission, within the
4 Office of Governmental Accountability established under section 1-300.
5 [Said] (1) Until December 31, 2025, the commission shall be comprised
6 of twelve members. Six of the members shall be attorneys-at-law and six
7 of the members shall not be attorneys-at-law. Not more than six of the
8 members shall belong to the same political party. None of the members
9 shall be an elected or appointed official of the state or hold state-wide
10 office in a political party. (2) On and after January 1, 2026, the
11 commission shall be comprised of twelve members, appointed in
12 accordance with the provisions of subdivision (2) of subsection (b) of
13 this section. Eight of the members shall be attorneys-at-law and four of

14 the members shall not be attorneys-at-law. Not more than six of the
15 members shall belong to the same political party. None of the members
16 shall otherwise be an elected or appointed official of the state or hold
17 state-wide office in a political party.

18 (b) The members of the commission shall be appointed as follows:
19 [The] (1) Until December 31, 2025, the Governor shall appoint six
20 members, one from each congressional district and one at-large
21 member, three of whom shall be attorneys-at-law and three of whom
22 shall not be attorneys-at-law; the president pro tempore of the Senate
23 shall appoint one member who shall be an attorney-at-law; the speaker
24 of the House of Representatives shall appoint one member who shall
25 not be an attorney-at-law; the majority leader of the Senate shall appoint
26 one member who shall not be an attorney-at-law; the majority leader of
27 the House of Representatives shall appoint one member who shall be an
28 attorney-at-law; the minority leader of the Senate shall appoint one
29 member who shall not be an attorney-at-law; and the minority leader of
30 the House of Representatives shall appoint one member who shall be an
31 attorney-at-law. (2) On and after January 1, 2026, (A) the Governor shall
32 appoint six members, one from each congressional district and one at-
33 large member, two of whom shall be attorneys-at-law who have
34 engaged in the practice of law in this state for not less than ten years and
35 four of whom shall not be attorneys-at-law; (B) the president pro
36 tempore of the Senate shall appoint one member who shall be an
37 attorney-at-law who has engaged in the practice of law in this state for
38 not less than ten years; (C) the speaker of the House of Representatives
39 shall appoint one member who shall be an attorney-at-law who has
40 engaged in the practice of law in this state for not less than ten years; (D)
41 the majority leader of the Senate shall appoint one member who shall be
42 an attorney-at-law who has engaged in the practice of law in this state
43 for not less than ten years; (E) the majority leader of the House of
44 Representatives shall appoint one member who shall be an attorney-at-
45 law who has engaged in the practice of law in this state for not less than
46 ten years; (F) the minority leader of the Senate shall appoint one member
47 who shall be an attorney-at-law who has engaged in the practice of law
48 in this state for not less than ten years; and (G) the minority leader of the

49 House of Representatives shall appoint one member who shall be an
50 attorney-at-law who has engaged in the practice of law in this state for
51 not less than ten years.

52 (c) The members of the commission shall elect a chairperson from
53 among the members appointed by the Governor.

54 (d) (1) The members of the commission shall serve for terms of three
55 years.

56 (2) Members [appointed on or after June 26, 2003,] shall serve for
57 terms of three years and, notwithstanding the provisions of section 4-1,
58 until their successors are appointed and have qualified or ninety days
59 after the completion of their terms, whichever is earlier. The term of any
60 member appointed pursuant to subdivision (1) of subsection (b) of this
61 section shall end on December 31, 2025. Notwithstanding the provisions
62 of subdivision (4) of this subsection, a member serving on the
63 commission on December 31, 2025, who meets the requirements
64 prescribed in subsection (b) of this section, may be reappointed to the
65 commission for an additional consecutive term. Such additional
66 consecutive term shall end three years following the date of such
67 member's original appointment pursuant to subdivision (1) of
68 subsection (b) of this section.

69 [(3) Members serving on June 26, 2003, shall continue to serve as
70 members until the end of their terms and, notwithstanding the
71 provisions of section 4-1, until their successors are appointed and have
72 qualified or ninety days after the completion of their terms, whichever
73 is earlier, except that members serving on June 26, 2003, who have
74 completed their terms and are serving until their successors are
75 appointed and have qualified shall, notwithstanding the provisions of
76 section 4-1, continue to serve until their successors are appointed and
77 have qualified, but not later than January 1, 2004.]

78 [(4)] (3) Any vacancy in the membership of the commission shall be
79 filled for the unexpired portion of the term by the appointing authority.
80 The members of the commission shall receive no compensation for their

81 services but shall be reimbursed for any necessary expenses incurred in
82 the performance of their duties.

83 [(5)] (4) No member of the commission may serve consecutive terms,
84 except that, if [, on or after June 26, 2003,] a person is appointed a
85 member of the commission to fill a vacancy and complete an unexpired
86 term, such person may serve an additional term. If a commission
87 member is an attorney, no member of the commission member's firm
88 may serve a term consecutive to such commission member.

89 (e) The commission shall evaluate incumbent judges who seek
90 reappointment to the same court and shall forward to the Governor for
91 consideration the names of incumbent judges who are recommended
92 for reappointment as provided in this subsection. The commission shall
93 adopt regulations in accordance with the provisions of chapter 54
94 concerning criteria by which to evaluate incumbent judges who seek
95 reappointment to the same court; provided pending adoption of such
96 regulations, the commission shall use criteria established prior to June
97 22, 1989, for the evaluation of such judges. In evaluating the
98 reappointment of an incumbent judge, the commission shall consider
99 the legal ability, competence, integrity, character and temperament of
100 such judge and any other relevant information concerning such judge.
101 There shall be a presumption that each incumbent judge who seeks
102 reappointment to the same court qualifies for retention in judicial office.
103 The burden of rebutting such presumption shall be on the commission.
104 The commission shall investigate and interview each incumbent judge
105 who seeks reappointment and, prior to the expiration of a term of office
106 of such judge, shall recommend such incumbent judge for nomination
107 for reappointment by the Governor to the same court unless, as
108 provided in this subsection, recommendation of such judge is denied. If
109 a preliminary examination indicates further inquiry is necessary before
110 a recommendation of reappointment may be made, the commission
111 shall hold a hearing concerning the reappointment of such judge. The
112 commission shall send notice to the judge by certified or registered mail,
113 return receipt requested, not less than one hundred eighty days prior to
114 the convening of such legislative session which is to consider the

115 reappointment of the incumbent judge, [(A)] (1) that a hearing by the
116 commission on such reappointment shall be held and of the time, date
117 and place of such hearing, which shall be not less than thirty days nor
118 more than forty-five days after the date of such notice, and [(B)] (2) of
119 specific claims made against the judge. The commission shall make a
120 record of all hearings conducted pursuant to this subsection. The
121 hearing may be open to the public at the request of the judge. For
122 purposes of conducting a hearing under this subsection, not less than
123 ten members of the commission shall be present and voting. A judge
124 appearing before such a hearing shall be entitled to counsel, to present
125 evidence and to cross-examine witnesses who appear voluntarily. No
126 judge shall be required to sign or execute any release in order to proceed
127 with the hearing. The commission shall not later than twenty days after
128 the close of such hearing render its decision whether it shall recommend
129 such incumbent judge for nomination for reappointment by the
130 Governor. Any affirmative vote of a majority plus one of the members
131 present and voting shall be required to deny recommendation to the
132 Governor for nomination of an incumbent judge to the same court. A
133 judge who has not received approval by the commission may within ten
134 days after receipt of the notice of decision, which shall include a record
135 of the numerical vote, request a rehearing on the grounds that the
136 conclusions of the commission are contrary to the evidence presented at
137 the hearing or the commission failed to comply with the procedural or
138 substantive requirements of this section. The decision of the commission
139 following a rehearing shall be final. There shall be no right of appeal by
140 any judge appearing before the commission, at law or in equity, or any
141 resort to any court following the decision of the commission.

142 (f) Except as provided in subsection (e) of this section, the commission
143 shall seek qualified candidates for consideration by the Governor for
144 nomination as judges for the Superior Court, Appellate Court and
145 Supreme Court. The commission shall adopt regulations, in accordance
146 with the provisions of chapter 54, concerning criteria by which to
147 evaluate the qualifications of candidates, including incumbent judges
148 who seek appointment to a different court. The commission shall
149 investigate and interview the candidates, including incumbent judges

150 seeking appointment to a different court. A list of such qualified
151 candidates shall be compiled by the commission. No candidate shall
152 remain on the list of qualified candidates for more than ten years. A
153 decision of the commission denying a recommendation to a candidate
154 or judge shall include a brief summary that informs the candidate or
155 judge of the reasons for the denial. The form and manner of such
156 statement shall be determined by the commission.

157 (g) In connection with any inquiry concerning the reappointment of
158 an incumbent judge, the commission shall have the power to issue
159 subpoenas requiring the attendance of witnesses and the production of
160 any books or papers which in the judgment of the commission are
161 relevant to the inquiry. The commission may, upon request of the judge
162 whose reappointment is at issue, issue a subpoena on behalf of such
163 judge. If any person disobeys such process or, having appeared in
164 obedience thereto refuses to answer any pertinent question put to [him]
165 such person by the commission, or to produce any books and papers
166 pursuant thereto, the commission, on its own behalf or on behalf of the
167 judge, may apply to the superior court for the judicial district of
168 Hartford setting forth such disobedience to process or refusal to answer,
169 and said court may cite such person to appear before said court to
170 answer such question or to produce such books and papers and, upon
171 [his] refusal so to do shall commit [him] such person to a community
172 correctional center, there to remain until [he] such person so testifies.

173 (h) (1) Judges of all courts, except those courts to which judges are
174 elected, shall be nominated by the Governor exclusively from the list of
175 candidates or incumbent judges submitted by the Judicial Selection
176 Commission. Any candidate or incumbent judge who is nominated
177 from such list by the Governor to be Chief Justice of the Supreme Court,
178 and who is appointed Chief Justice by the General Assembly, shall serve
179 a term of eight years from the date of appointment. The Governor shall
180 nominate a candidate for a vacancy in a judicial position within forty-
181 five days of the date the Governor receives the recommendations of the
182 commission. When considering the nomination of an incumbent judge
183 for reappointment to the same court, the Governor may nominate the

184 incumbent judge if the commission did not deny recommendation for
185 reappointment. Whenever an incumbent judge is denied
186 recommendation for reappointment to the same court by the
187 commission or is recommended by the commission but not nominated
188 by the Governor for reappointment to the same court, or whenever a
189 vacancy in a judicial position occurs or is anticipated, the Governor shall
190 choose a nominee from the list of candidates compiled pursuant to
191 subsection (f) of this section. (2) Notwithstanding the provisions of
192 subdivision (1) of this subsection and subsection (f) of this section, the
193 Governor may nominate an associate judge of the Supreme Court to be
194 Chief Justice of the Supreme Court without such judge being
195 investigated and interviewed by the commission and being on the list of
196 qualified candidates compiled and submitted to the Governor by the
197 commission. An associate judge of the Supreme Court who has been
198 nominated by the Governor to be Chief Justice of the Supreme Court in
199 accordance with this subdivision, and who is appointed Chief Justice by
200 the General Assembly, shall serve an initial term as Chief Justice equal
201 to the remainder of such judge's term as an associate judge of the
202 Supreme Court.

203 (i) A majority of the membership of the commission shall constitute a
204 quorum. The affirmative vote of at least a majority of the members of
205 the commission present and voting shall be required for any action by
206 the commission except (1) an affirmative vote of at least a majority plus
207 one of the members present and voting shall be required for a new
208 nominee to be recommended to the Governor for nomination as a judge
209 or for an incumbent judge to be recommended to the Governor for
210 nomination as a judge to a different court, and (2) an affirmative vote of
211 a majority plus one of the members present and voting shall be required
212 to deny recommendation to the Governor for nomination of an
213 incumbent judge to the same court. No vote of the commission on a new
214 nominee shall be by secret ballot. The vote of the commission on an
215 incumbent judge may be by secret ballot.

216 (j) Except as provided in subsections (e), (f) and (m) of this section,
217 the investigations, deliberations, files and records of the commission

218 shall be confidential and not open to the public or subject to disclosure
219 except that the criteria by which candidates or incumbent judges who
220 seek reappointment to the same court or appointment to a different
221 court are evaluated and the procedural rules adopted by the
222 commission shall be public.

223 (k) The commission may employ such staff as is necessary for the
224 performance of its functions and duties.

225 (l) No member of the commission who is an attorney-at-law shall be
226 considered for recommendation to the Governor for nomination as a
227 judge during his tenure on the commission or for a period of [two] three
228 years following the termination of his tenure on the commission.

229 (m) On [January 15, 2011, and annually thereafter] or before January
230 fifteenth annually, the chairperson of the commission shall report to the
231 joint standing committee on judiciary the following information with
232 respect to the prior calendar year: (1) The number of candidates
233 interviewed for appointment as new nominees, the number of
234 incumbent judges interviewed for reappointment to the same court and
235 the number of incumbent judges interviewed for appointment to a
236 different court, (2) the number of candidates who were recommended
237 and denied recommendation to the Governor as new nominees, the
238 number of incumbent judges recommended and denied
239 recommendation for appointment to the same court and the number of
240 incumbent judges recommended and denied recommendation for
241 appointment to a different court, (3) the statistics regarding the race,
242 gender, national origin, religion, areas of professional experience and
243 years of experience as members of the bar of all such candidates and
244 incumbent judges interviewed, recommended and denied
245 recommendation under subdivisions (1) and (2) of this subsection, and
246 (4) as of January first in the year of such report, the number of candidates
247 on the list compiled by the commission pursuant to subsection (f) of this
248 section and the statistics regarding the race, gender, national origin,
249 religion, areas of professional experience, years of experience as
250 members of the bar and calendar year of recommendation of all such

251 candidates.

252 (n) The commission shall have the power to enter into such
253 contractual agreements as may be necessary for the discharge of its
254 duties concerning the investigation of candidates seeking appointment
255 to a judicial position and incumbent judges seeking reappointment to
256 the same court or appointment to a different court, within the limits of
257 appropriated funds and in accordance with established procedures.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2025	51-44a
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes a variety of changes to the qualifications required, and composition of the Judicial Selection Commission resulting in no fiscal impact to the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 7041*****AN ACT CONCERNING THE COMPOSITION OF THE JUDICIAL SELECTION COMMISSION AND DECISIONS RENDERED BY SAID COMMISSION.*****SUMMARY**

This bill changes the composition of the 12-member Judicial Selection Commission. It ends the terms of the current members on December 31, 2025, and requires a new commission be appointed beginning January 1, 2026. Under current law, the commission is made up of six attorneys and six non-attorneys. Under the bill, the new commission is made up of eight attorneys, who each have engaged in the practice of law in Connecticut for at least 10 years, and four non-attorneys.

The bill also makes changes to the commission's operations, as follows:

1. limits the time a candidate may be included on the commission's list of qualified candidates to 10 years;
2. increases, from two to three years, the time a commission member who is an attorney has to wait after ending his or her commission tenure before being considered for a judicial nomination;
3. requires the commission, when denying a recommendation for judicial nomination, to include in its decision a brief summary of the reasons for the denial; and
4. requires the commission, in its annual report to the Judiciary Committee, to include the areas of professional experience for individuals on the list of qualified candidates and for those who were interviewed, recommended, and denied recommendation.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2025

JUDICIAL SELECTION COMMISSION MEMBERS

Membership

The bill ends the terms of the commission's current members on December 31, 2025. However, a member serving on that date who meets the new qualifications may be reappointed to the newly formed commission for an additional consecutive term, which must end three years after the member's original appointment.

The appointments to the commission under current law and the bill, including specified qualifications, are in the table below.

Table: Judicial Selection Commission Appointees

<i>Appointing Authority</i>	<i>Until December 31, 2025, Under Current Law</i>	<i>Beginning January 1, 2026, Under the Bill</i>
Governor	Six members: One from each congressional district and one at-large as follows: Three attorneys and three non-attorneys	Six members: One from each congressional district and one at-large as follows: Two attorneys who have engaged in the practice of law in Connecticut for at least 10 years and four non-attorneys
Senate president pro tempore	One attorney	For each, one attorney who has engaged in the practice of law in Connecticut for at least 10 years
House speaker	One non-attorney	
Senate majority leader	One non-attorney	
House majority leader	One attorney	
Senate minority leader	One non-attorney	
House minority leader	One attorney	

As under existing law, no more than six of the members may belong to the same political party, and none may otherwise be an elected or appointed state official or hold statewide office in a political party.

As under current law, members must select a chairperson from among the governor's appointees. They must serve (1) a three-year term and (2) until a successor is appointed and qualified, but no later than 90 days after their term ends.

LIST OF JUDICIAL CANDIDATES

By law, the commission maintains a list of qualified candidates, including judges seeking appointment to a different court, for the governor's consideration for nomination as a judge in the state's Superior, Appellate, and Supreme courts. The bill limits the time a candidate may remain on the list to no more than 10 years.

Under current law, a commission member who is an attorney cannot be considered for a recommendation to the governor during the member's tenure or for two years following. The bill increases this period to three years following the end of the member's commission tenure.

Additionally, if the commission decides to deny a recommendation to a candidate, the bill requires that its decision include a brief summary of the reasons for the denial. The commission must determine the form and manner of the statement.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (04/07/2025)