



House of Representatives

File No. 952

General Assembly

January Session, 2025

(Reprint of File No. 765)

House Bill No. 7041
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 23, 2025

**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 Section 51-44a of the general statutes is repealed and the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 commission shall be comprised of twelve members. [Six of the
6 members shall be attorneys-at-law and six of the members shall not be
7 attorneys-at-law.] Not more than six of the members shall belong to the
8 same political party. None of the members shall be an elected or
9 appointed official of the state or hold state-wide office in a political
10 party.

11 (b) The members of the commission shall be appointed as follows:

12 [The] (1) Until June 30, 2025, the Governor shall appoint six members,
13 one from each congressional district and one at-large member, three of
14 whom shall be attorneys-at-law and three of whom shall not be
15 attorneys-at-law; the president pro tempore of the Senate shall appoint
16 one member who shall be an attorney-at-law; the speaker of the House
17 of Representatives shall appoint one member who shall not be an
18 attorney-at-law; the majority leader of the Senate shall appoint one
19 member who shall not be an attorney-at-law; the majority leader of the
20 House of Representatives shall appoint one member who shall be an
21 attorney-at-law; the minority leader of the Senate shall appoint one
22 member who shall not be an attorney-at-law; and the minority leader of
23 the House of Representatives shall appoint one member who shall be an
24 attorney-at-law. (2) On and after July 1, 2025, when making an
25 appointment, the appointing authority shall make such appointment in
26 accordance with the provisions of this subdivision: (A) The Governor
27 shall appoint six members, one from each congressional district and one
28 at-large member, three of whom shall be attorneys-at-law who have
29 engaged in the practice of law in this state for not less than ten years and
30 three of whom shall not be attorneys-at-law; (B) the president pro
31 tempore of the Senate shall appoint one member who shall be an
32 attorney-at-law who has engaged in the practice of law in this state for
33 not less than ten years; (C) the speaker of the House of Representatives
34 shall appoint one member who shall be an attorney-at-law who has
35 engaged in the practice of law in this state for not less than ten years; (D)
36 the majority leader of the Senate shall appoint one member who shall
37 not be an attorney-at-law; (E) the majority leader of the House of
38 Representatives shall appoint one member who shall be an attorney-at-
39 law who has engaged in the practice of law in this state for not less than
40 ten years; (F) the minority leader of the Senate shall appoint one member
41 who shall be an attorney-at-law who has engaged in the practice of law
42 in this state for not less than ten years; and (G) the minority leader of the
43 House of Representatives shall appoint one member who shall be an
44 attorney-at-law who has engaged in the practice of law in this state for
45 not less than ten years.

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

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

50 (2) Members [appointed on or after June 26, 2003,] shall serve for
51 terms of three years and, notwithstanding the provisions of section 4-1,
52 until their successors are appointed and have qualified or ninety days
53 after the completion of their terms, whichever is earlier.

54 [(3) Members serving on June 26, 2003, shall continue to serve as
55 members until the end of their terms and, notwithstanding the
56 provisions of section 4-1, until their successors are appointed and have
57 qualified or ninety days after the completion of their terms, whichever
58 is earlier, except that members serving on June 26, 2003, who have
59 completed their terms and are serving until their successors are
60 appointed and have qualified shall, notwithstanding the provisions of
61 section 4-1, continue to serve until their successors are appointed and
62 have qualified, but not later than January 1, 2004.]

63 [(4)] (3) Any vacancy in the membership of the commission shall be
64 filled for the unexpired portion of the term by the appointing authority.
65 The members of the commission shall receive no compensation for their
66 services but shall be reimbursed for any necessary expenses incurred in
67 the performance of their duties.

68 [(5)] (4) No member of the commission may serve consecutive terms,
69 except that, if [, on or after June 26, 2003,] a person is appointed a
70 member of the commission to fill a vacancy and complete an unexpired
71 term, such person may serve an additional term. If a commission
72 member is an attorney, no member of the commission member's firm
73 may serve a term consecutive to such commission member.

74 (e) The commission shall evaluate incumbent judges who seek
75 reappointment to the same court and shall forward to the Governor for
76 consideration the names of incumbent judges who are recommended

77 for reappointment as provided in this subsection. The commission shall
78 adopt regulations in accordance with the provisions of chapter 54
79 concerning criteria by which to evaluate incumbent judges who seek
80 reappointment to the same court; provided pending adoption of such
81 regulations, the commission shall use criteria established prior to June
82 22, 1989, for the evaluation of such judges. In evaluating the
83 reappointment of an incumbent judge, the commission shall consider
84 the legal ability, competence, integrity, character and temperament of
85 such judge and any other relevant information concerning such judge.
86 There shall be a presumption that each incumbent judge who seeks
87 reappointment to the same court qualifies for retention in judicial office.
88 The burden of rebutting such presumption shall be on the commission.
89 The commission shall investigate and interview each incumbent judge
90 who seeks reappointment and, prior to the expiration of a term of office
91 of such judge, shall recommend such incumbent judge for nomination
92 for reappointment by the Governor to the same court unless, as
93 provided in this subsection, recommendation of such judge is denied. If
94 a preliminary examination indicates further inquiry is necessary before
95 a recommendation of reappointment may be made, the commission
96 shall hold a hearing concerning the reappointment of such judge. The
97 commission shall send notice to the judge by certified or registered mail,
98 return receipt requested, not less than one hundred eighty days prior to
99 the convening of such legislative session which is to consider the
100 reappointment of the incumbent judge, [(A)] (1) that a hearing by the
101 commission on such reappointment shall be held and of the time, date
102 and place of such hearing, which shall be not less than thirty days nor
103 more than forty-five days after the date of such notice, and [(B)] (2) of
104 specific claims made against the judge. The commission shall make a
105 record of all hearings conducted pursuant to this subsection. The
106 hearing may be open to the public at the request of the judge. For
107 purposes of conducting a hearing under this subsection, not less than
108 ten members of the commission shall be present and voting. A judge
109 appearing before such a hearing shall be entitled to counsel, to present
110 evidence and to cross-examine witnesses who appear voluntarily. No
111 judge shall be required to sign or execute any release in order to proceed

112 with the hearing. The commission shall not later than twenty days after
113 the close of such hearing render its decision whether it shall recommend
114 such incumbent judge for nomination for reappointment by the
115 Governor. Any affirmative vote of a majority plus one of the members
116 present and voting shall be required to deny recommendation to the
117 Governor for nomination of an incumbent judge to the same court. A
118 judge who has not received approval by the commission may within ten
119 days after receipt of the notice of decision, which shall include a record
120 of the numerical vote, request a rehearing on the grounds that the
121 conclusions of the commission are contrary to the evidence presented at
122 the hearing or the commission failed to comply with the procedural or
123 substantive requirements of this section. The decision of the commission
124 following a rehearing shall be final. There shall be no right of appeal by
125 any judge appearing before the commission, at law or in equity, or any
126 resort to any court following the decision of the commission.

127 (f) Except as provided in subsection (e) of this section, the commission
128 shall seek qualified candidates for consideration by the Governor for
129 nomination as judges for the Superior Court, Appellate Court and
130 Supreme Court. The commission shall adopt regulations, in accordance
131 with the provisions of chapter 54, concerning criteria by which to
132 evaluate the qualifications of candidates, including incumbent judges
133 who seek appointment to a different court. The commission shall
134 investigate and interview the candidates, including incumbent judges
135 seeking appointment to a different court. In the event the commission
136 issues a decision informing a candidate that the candidate will not be
137 considered by the Governor for nomination as a judge or informing an
138 incumbent judge that such judge will not be considered by the Governor
139 for appointment to a different court, such candidate or judge may
140 request from the commission a brief summary that informs the
141 candidate or judge of the reasons supporting such decision. The form
142 and manner of such summary shall be determined by the commission.
143 A list of such qualified candidates shall be compiled by the commission.
144 No candidate shall remain on the list of qualified candidates for more
145 than ten years.

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

162 (h) (1) Judges of all courts, except those courts to which judges are
163 elected, shall be nominated by the Governor exclusively from the list of
164 candidates or incumbent judges submitted by the Judicial Selection
165 Commission. Any candidate or incumbent judge who is nominated
166 from such list by the Governor to be Chief Justice of the Supreme Court,
167 and who is appointed Chief Justice by the General Assembly, shall serve
168 a term of eight years from the date of appointment. The Governor shall
169 nominate a candidate for a vacancy in a judicial position within forty-
170 five days of the date the Governor receives the recommendations of the
171 commission. When considering the nomination of an incumbent judge
172 for reappointment to the same court, the Governor may nominate the
173 incumbent judge if the commission did not deny recommendation for
174 reappointment. Whenever an incumbent judge is denied
175 recommendation for reappointment to the same court by the
176 commission or is recommended by the commission but not nominated
177 by the Governor for reappointment to the same court, or whenever a
178 vacancy in a judicial position occurs or is anticipated, the Governor shall
179 choose a nominee from the list of candidates compiled pursuant to

180 subsection (f) of this section. (2) Notwithstanding the provisions of
181 subdivision (1) of this subsection and subsection (f) of this section, the
182 Governor may nominate an associate judge of the Supreme Court to be
183 Chief Justice of the Supreme Court without such judge being
184 investigated and interviewed by the commission and being on the list of
185 qualified candidates compiled and submitted to the Governor by the
186 commission. An associate judge of the Supreme Court who has been
187 nominated by the Governor to be Chief Justice of the Supreme Court in
188 accordance with this subdivision, and who is appointed Chief Justice by
189 the General Assembly, shall serve an initial term as Chief Justice equal
190 to the remainder of such judge's term as an associate judge of the
191 Supreme Court.

192 (i) A majority of the membership of the commission shall constitute a
193 quorum. The affirmative vote of at least a majority of the members of
194 the commission present and voting shall be required for any action by
195 the commission except (1) an affirmative vote of at least a majority plus
196 one of the members present and voting shall be required for a new
197 nominee to be recommended to the Governor for nomination as a judge
198 or for an incumbent judge to be recommended to the Governor for
199 nomination as a judge to a different court, and (2) an affirmative vote of
200 a majority plus one of the members present and voting shall be required
201 to deny recommendation to the Governor for nomination of an
202 incumbent judge to the same court. No vote of the commission on a new
203 nominee shall be by secret ballot. The vote of the commission on an
204 incumbent judge may be by secret ballot.

205 (j) Except as provided in subsections (e), (f) and (m) of this section,
206 the investigations, deliberations, files and records of the commission
207 shall be confidential and not open to the public or subject to disclosure
208 except that the criteria by which candidates or incumbent judges who
209 seek reappointment to the same court or appointment to a different
210 court are evaluated and the procedural rules adopted by the
211 commission shall be public.

212 (k) The commission may employ such staff as is necessary for the

213 performance of its functions and duties.

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

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

241 (n) The commission shall have the power to enter into such
242 contractual agreements as may be necessary for the discharge of its
243 duties concerning the investigation of candidates seeking appointment
244 to a judicial position and incumbent judges seeking reappointment to
245 the same court or appointment to a different court, within the limits of

246 appropriated funds and in accordance with established procedures.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2025</i>	51-44a
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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.

House "A" strikes the underlying bill and results in the fiscal impact described above.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 7041 (as amended by House "A")******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, beginning with appointments made on or after July 1, 2025. Under current law, the commission is made up of six attorneys and six non-attorneys. Under the bill, it is comprised 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 on the commission's list of candidates qualified for a judicial nomination 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. at the request of a candidate or judge, requires the commission to include in a decision denying a recommendation for judicial nomination 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.

*House Amendment "A" (1) applies the composition requirements to appointments made on or after July 1, 2025, rather than ending the current members' terms at the end of 2025 and requiring new commission appointments beginning January 1, 2026; (2) equalizes the governor's attorney and non-attorney appointments at three apiece, rather than two attorneys and four non-attorneys, and makes the Senate majority leader's appointment a non-attorney rather than an attorney; and (3) allows a candidate or incumbent judge to ask for a summary of the reasons supporting a decision to not be considered for nomination or appointment, instead of requiring the decision to have the information.

EFFECTIVE DATE: July 1, 2025

JUDICIAL SELECTION COMMISSION MEMBERS

Membership

The bill's revised requirements for commission members apply to appointments made on or after July 1, 2025. The appointments under current law and the bill, including the applicable appointing authorities and specified qualifications, are in the table below.

Table: Judicial Selection Commission Appointees

<i>Appointing Authority</i>	<i>Until June 30, 2025, Under Current Law</i>	<i>Appointments on or after July 1, 2025, 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: Three attorneys who have engaged in the practice of law in Connecticut for at least 10 years and three non-attorneys
Senate majority leader	One non-attorney	One non-attorney
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
Senate minority	One non-attorney	

<i>Appointing Authority</i>	<i>Until June 30, 2025, Under Current Law</i>	<i>Appointments on or after July 1, 2025, Under the Bill</i>
leader		
House speaker	One non-attorney	
House majority leader	One 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 issues a decision informing a candidate that they will not be considered for nomination as a judge or informing an incumbent judge that they will not be considered for appointment to a different court, the bill allows the candidate or judge to request a brief summary of the reasons supporting the decision. The commission must determine the form and manner of the summary.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (04/07/2025)