

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: HB-7041

AN ACT CONCERNING THE COMPOSITION OF THE JUDICIAL SELECTION

Title: COMMISSION AND DECISIONS RENDERED BY SAID COMMISSION.

Vote Date: 4/7/2025

Vote Action: Joint Favorable

PH Date: 3/3/2025

File No.: 765

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

This bill seeks to address the issue of disproportionate representation of certain prosecutors and attorneys in the Connecticut judicial system by revising statutory provisions concerning the composition of the Judicial Selection Commission (JSC) and certain internal operational procedures concerning decisions issued by said commission. These changes include adjusting the composition of JSC to have eight attorneys and four non-attorneys, requiring attorney members to have at least 10 years' experience in the practice of law, limiting how long a candidate can be on JSC's qualified candidate list to 10 years, etc.

RESPONSE FROM ADMINISTRATION/AGENCY:

Leander A. Dolphin, Chair, Judicial Selection Commission, State of Connecticut: He testified in support of many of the proposed changes, but did however have some concerns. The Commission agrees that the length of time a qualified candidate should remain on the list should be limited and ten years seems a reasonable amount of time. They also support changes that update the statute to eliminate gender-specific references and require the Commission's annual reporting of demographics of candidates to include areas of professional experience among other things. The areas where there are concerns include the change that would reduce the number of members who do not practice law. Currently, the Commission is well balanced as it is comprised of attorneys-at-law with diverse backgrounds and experience as legal practitioners as well as those who are not attorney's but who's civic, community and professional experiences add depth and important perspective in evaluating a candidate's character and temperament. This would limit the variety and breadth of experience currently on the Commission that assist in evaluating candidates. Members of

the Commission currently serve staggered terms, this ensures that the Commission always has experienced commissioners to provide valuable continuity of the Commission's work. The bill would also require that the vote of the Commission to not recommend a candidate accompany a summary that informs the candidate or judge of reason behind the denial. The decision of the Commission's process is sacrosanct and allows the Commission to be apolitical.

NATURE AND SOURCES OF SUPPORT:

Steve Kennedy, Organizing and Network Director, People's Parity Project: He testified in support of this bill with changes. Connecticut courts are currently lacking judges that have backgrounds in public defense, legal aid, civil rights, and plaintiffs' litigation. This difficulty has been due to the lack of transparency of the Judicial Selection Commission's operations. The amendments in subsections (a) and (b) are not supported by People's Parity Project as it would eliminate several positions currently reserved for non-lawyers. Having significant non-lawyer feedback in the judicial selection process is important and should continue. It has been suggested that judicial selection commissions have mostly non-lawyers to be sure conflicts of interest are excluded.

Alinor Sterling, President, Connecticut Trial Lawyers Association: She testified in support of this bill. The change to add more attorneys to the Commission with ten years of active service would be welcome. Allowing practicing attorneys would give insight and perspective to the judicial selection process. Also, revising how long a candidate can stay on the list would remove candidates who are no longer interested in the position, have aged out, or are deceased; this would allow the Commission to focus on candidates who are still eligible.

Jess Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut (ACLU): She testified in support with changes. Studies of federal and state courts find that the professional backgrounds of judges can notably impact court outcomes. People Parity Project did a study and found that there is a lack of judges with pro-people backgrounds such as legal aid, public defense, and civil rights. The ACLU does oppose the bills section that would have the Commission eliminate non-lawyers. Currently, the Commission is split evenly between lawyers and non-lawyers; non-lawyer feedback regarding a candidate is valuable in the judicial selection process. The ACLU supports the bill with the suggested amendment.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Bonnie Gray

Date: April 2, 2025