



General Assembly

January Session, 2001

Committee Bill No. 5850

LCO No. 4379

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING PEREMPTORY CHALLENGES IN A CIVIL ACTION.

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

1 Section 1. Section 51-241 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 On the trial of any civil action to a jury, each party may challenge
4 peremptorily three jurors. Where the court determines a unity of
5 interest exists, several plaintiffs or several defendants may be
6 considered as a single party for the purpose of making challenges, or
7 the court may allow additional peremptory challenges and permit
8 them to be exercised separately or jointly. For the purposes of this
9 section, a "unity of interest" means that the interests of the several
10 plaintiffs or of the several defendants are substantially similar. In all
11 civil actions, the court shall allow an equal number of total peremptory
12 challenges to the plaintiff or plaintiffs and to the defendant or
13 defendants.

14 Sec. 2. Subsection (a) of section 51-243 of the general statutes is
15 repealed and the following is substituted in lieu thereof:

16 (a) In any civil action to be tried to the jury in the Superior Court, if
17 it appears to the court that the trial is likely to be protracted, the court
18 may, in its discretion, direct that, after a jury has been selected, two or
19 more additional jurors shall be added to the jury panel, to be known as
20 "alternate jurors". Alternate jurors shall have the same qualifications
21 and be selected and subject to examination and challenge in the same
22 manner and to the same extent as the jurors constituting the regular
23 panel. In any case when the court directs the selection of alternate
24 jurors, each party may peremptorily challenge four jurors. Where the
25 court determines a unity of interest exists, several plaintiffs or several
26 defendants may be considered as a single party for the purpose of
27 making challenges, or the court may allow additional peremptory
28 challenges and permit them to be exercised separately or jointly. For
29 the purposes of this subsection, a "unity of interest" means that the
30 interests of the several plaintiffs or of the several defendants are
31 substantially similar. In all civil actions, the court shall allow an equal
32 number of total peremptory challenges to the plaintiff or plaintiffs and
33 to the defendant or defendants.

Statement of Purpose:

To ensure that when selecting a jury in a civil action where there are multiple plaintiffs or defendants, each side has an equal number of peremptory challenges.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. JARMOC, 59th Dist.