



General
Assembly

Substitute Bill No. 6588

January Session, 2001

AN ACT CONCERNING JUDGES AND MAGISTRATES.

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

1 Section 1. Subsection (f) of section 46b-231 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (f) The Family Support Magistrate Division shall include [nine]
4 thirteen family support magistrates who shall be appointed by the
5 Governor to serve in that capacity for a term of three years. A family
6 support magistrate may be reappointed upon completion of [his] such
7 family support magistrate's term of office by the Governor. To be
8 eligible for appointment, a family support magistrate must have
9 engaged in the practice of law for five years prior to [his] appointment
10 and shall be experienced in the field of family law. [He] A family
11 support magistrate shall devote full time to [his] the duties [as] of a
12 family support magistrate and shall not engage in the private practice
13 of law. A family support magistrate may be removed from office by
14 the Governor for cause.

15 Sec. 2. Section 51-47b of the general statutes is repealed and the
16 following is substituted in lieu thereof:

17 (a) Each senior judge who has been designated and assigned by the
18 Chief Justice or the Chief Court Administrator to perform judicial

19 duties as a senior judge pursuant to the provisions of this section,
20 sections 51-50, 51-50c to 51-50e, inclusive, 51-50i to 51-50k, inclusive,
21 51-165, 51-198, 52-434a and 52-434b shall receive during the period [he]
22 such senior judge shall perform the judicial duties, in addition to [his]
23 such senior judge's retirement salary, the compensation provided by
24 law for a state referee for each day [he] such senior judge so performs
25 either judicial duties or duties as a referee or both.

26 (b) In no event shall the total of a retired judge's compensation,
27 defined as retirement salary plus fees payable by the state for services
28 as a senior judge or state referee for services rendered in any fiscal
29 year, exceed the amount [equal to the highest salary on which his
30 retirement salary is based during the fiscal year] of the annual salary
31 payable pursuant to subsection (a) of section 51-47, as such salary may
32 change from time to time.

33 Sec. 3. Section 51-197c of the general statutes is repealed and the
34 following is substituted in lieu thereof:

35 (a) The Appellate Court shall consist of nine judges, except as
36 provided in subsection (b) of this section, who shall also be judges of
37 the Superior Court, and who shall be appointed by the General
38 Assembly, upon nomination of the Governor for a term of eight years.
39 The judges shall sit in panels of three, or en banc, pursuant to rules
40 adopted by the Appellate Court. The Chief Justice shall designate one
41 of these judges as chief judge of the Appellate Court.

42 (b) If a judge of the Appellate Court (1) is appointed the Chief Court
43 Administrator, or (2) on the effective date of this act, is serving as the
44 Chief Court Administrator, the Appellate Court shall consist of ten
45 judges for the remainder of said judge's current term on the Appellate
46 Court, or until his or her retirement from full-time active service,
47 whichever occurs first. The tenth judge shall also be a judge of the
48 Superior Court and shall be appointed by the General Assembly upon
49 nomination of the Governor for a term of eight years.

50 [(b)] (c) With the approval of the Chief Justice, the Chief Judge shall

51 (1) schedule such sessions as may be necessary, at such locations as the
52 facilitation of court business requires, (2) designate as many panels as
53 may be necessary, each consisting of three judges assigned by [him]
54 the Chief Judge, and (3) designate a presiding judge for each panel on
55 which [he] the Chief Judge does not sit.

56 [(c)] (d) Every judge of the Superior Court shall, by virtue of [his]
57 appointment to the Superior Court, be qualified to serve as a judge on
58 the Appellate Court.

59 [(d)] (e) Each of the parties in any case shall have a right to be heard
60 by a full panel. The Chief Judge, with the approval of the Chief Justice,
61 may summon one or more of the judges of the Superior Court to
62 constitute a full panel.

63 [(e)] (f) The judges of the Appellate Court shall be released from
64 sitting on the Superior Court, except that the Chief Justice may assign
65 any such judge to sit on the Superior Court whenever in [his] the Chief
66 Justice's judgment the public business may require it.

67 (g) If the Chief Court Administrator is a judge of the Appellate
68 Court, said Chief Court Administrator shall be released from sitting on
69 the Appellate Court, except that the Chief Justice may assign the Chief
70 Court Administrator to sit on the Appellate Court whenever, in the
71 Chief Justice's judgment, the public business may require it.

72 [(f)] (h) Each Chief Judge or judge of the Appellate Court who elects
73 to retain [his] such judge's office but to retire from full-time active
74 service shall continue to be a member of the Appellate Court during
75 the remainder of [his] such judge's term of office and during the term
76 of any reappointment under section 51-50i, until [he] such judge
77 attains the age of seventy years. [He] Such judge shall be entitled to
78 participate in the meetings of the judges of the Appellate Court and to
79 vote as a member thereof.

80 [(g)] (i) In each appeal to the Appellate Court, the party appealing
81 shall pay a record fee as prescribed in section 52-259, at such time as is

82 fixed by rule of court, which amount shall be taxed in favor of the
83 appellant if judgment is finally rendered in [his] such appellant's favor.

84 Sec. 4. Section 51-198 of the general statutes is repealed and the
85 following is substituted in lieu thereof:

86 (a) The Supreme Court shall consist of one Chief Justice and six
87 associate judges, except as provided in subsection (b) of this section,
88 who shall, at the time of their appointment, also be appointed judges
89 of the Superior Court.

90 (b) If an associate judge of the Supreme Court is appointed the Chief
91 Court Administrator, the Supreme Court shall consist of one Chief
92 Justice and seven associate judges for the remainder of said judge's
93 current term as a judge of the Supreme Court, or until his or her
94 retirement from full-time active service, whichever occurs first. The
95 seventh associate judge shall be appointed by the General Assembly,
96 upon nomination of the Governor for a term of eight years.

97 ~~[(b)]~~ (c) In addition thereto, each Chief Justice or associate judge of
98 the Supreme Court who elects to retain [his] office but to retire from
99 full-time active service shall continue to be a member of the Supreme
100 Court during the remainder of his or her term of office and during the
101 term of any reappointment under section 51-50i, until he or she attains
102 the age of seventy years. He or she shall be entitled to participate in the
103 meetings of the judges of the Supreme Court and to vote as a member
104 thereof.

105 ~~[(c)]~~ (d) A judge of the Supreme Court who has attained the age of
106 seventy years may continue to deliberate and participate in all matters
107 concerning the disposition of any case which the judge heard prior to
108 attaining said age, until such time as the decision in any such case is
109 officially released. The judge may also participate in the deliberation of
110 a motion for reconsideration in such case if such motion is filed within
111 ten days of the official release of such decision.

112 Sec. 5. This act shall take effect from its passage, except that sections

