



General Assembly

January Session, 2001

Amendment

LCO No. 7301

Offered by:

REP. LAWLOR, 99th Dist.
REP. FARR, 19th Dist.
REP. CAFERO, 142nd Dist.

REP. SAN ANGELO, 131st Dist.
REP. FOX, 144th Dist.
REP. STAPLES, 96th Dist.

To: House Bill No. 5850

File No. 336

Cal. No. 254

"AN ACT CONCERNING PEREMPTORY CHALLENGES IN A CIVIL ACTION."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 51-241 of the general statutes is repealed and the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

5 On the trial of any civil action to a jury, each party may challenge
6 peremptorily three jurors. Where the court determines a unity of
7 interest exists, several plaintiffs or several defendants may be
8 considered as a single party for the purpose of making challenges, or
9 the court may allow additional peremptory challenges and permit
10 them to be exercised separately or jointly. For the purposes of this
11 section, a "unity of interest" means that the interests of the several
12 plaintiffs or of the several defendants are substantially similar. In
13 addition, a unity of interest shall be found to exist: (1) Among parties

14 who are represented by the same attorney or law firm, or (2) among
15 parties where no cross claims or apportionment complaints have been
16 filed against one another. In all civil actions, the total number of
17 peremptory challenges allowed to the plaintiff or plaintiffs shall not
18 exceed twice the number of peremptory challenges allowed to the
19 defendant or defendants, and the total number of peremptory
20 challenges allowed to the defendant or defendants shall not exceed
21 twice the number of peremptory challenges allowed to the plaintiff or
22 plaintiffs.

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24 repealed and the following is substituted in lieu thereof:

25 (a) In any civil action to be tried to the jury in the Superior Court, if
26 it appears to the court that the trial is likely to be protracted, the court
27 may, in its discretion, direct that, after a jury has been selected, two or
28 more additional jurors shall be added to the jury panel, to be known as
29 "alternate jurors". Alternate jurors shall have the same qualifications
30 and be selected and subject to examination and challenge in the same
31 manner and to the same extent as the jurors constituting the regular
32 panel. In any case when the court directs the selection of alternate
33 jurors, each party may peremptorily challenge four jurors. Where the
34 court determines a unity of interest exists, several plaintiffs or several
35 defendants may be considered as a single party for the purpose of
36 making challenges, or the court may allow additional peremptory
37 challenges and permit them to be exercised separately or jointly. For
38 the purposes of this subsection, a "unity of interest" means that the
39 interests of the several plaintiffs or of the several defendants are
40 substantially similar. In addition, a unity of interest shall be found to
41 exist: (1) Among parties who are represented by the same attorney or
42 law firm, or (2) among parties where no cross claims or apportionment
43 complaints have been filed against one another. In all civil actions, the
44 total number of peremptory challenges allowed to the plaintiff or
45 plaintiffs shall not exceed twice the number of peremptory challenges
46 allowed to the defendant or defendants, and the total number of
47 peremptory challenges allowed to the defendant or defendants shall

48 not exceed twice the number of peremptory challenges allowed to the
49 plaintiff or plaintiffs."