



General Assembly

Substitute Bill No. 21

February Session, 2002

**AN ACT REQUIRING PAYMENT OF CERTAIN COSTS FROM THE
PROBATE COURT ADMINISTRATION FUND, INCREASING SALARIES
OF JUDGES AND FAMILY SUPPORT MAGISTRATES, AND
INCREASING CERTAIN COURT FEES.**

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

1 Section 1. Subsection (c) of section 45a-111 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2002*):

4 (c) If a petitioner or applicant to a court of probate claims that unless
5 his or her obligation to pay the fees and the necessary costs of the
6 action, including the cost of service of process, is waived, such
7 petitioner or applicant will be deprived by reason of his or her
8 indigency of his or her right to bring a petition or application to such
9 court or that he or she is otherwise unable to pay the fees and
10 necessary costs of the action, he or she may file with the clerk of such
11 court of probate an application for waiver of payment of such fees and
12 necessary costs. Such application shall be signed under penalty of false
13 statement, shall state the applicant's financial circumstances, and shall
14 identify the fees and costs sought to be waived and the approximate
15 amount of each. If the court finds that the applicant is unable to pay
16 such fees and costs, it shall order such fees and costs waived. If such
17 costs include the cost of service of process, the court, in its order, shall
18 indicate the method of service authorized and the cost of such service

19 shall be paid [from funds appropriated to the Judicial Department,
20 however, if funds have not been included in the budget of the Judicial
21 Department for such costs, such costs shall be paid] from the Probate
22 Court Administration Fund. Any fee waived under this section shall be
23 reimbursed to the court of probate [from the funds appropriated to the
24 Judicial Department, however, if funds have not been included in the
25 budget of the Judicial Department for such purposes, such payment
26 shall be made] from the Probate Court Administration Fund pursuant
27 to rules and regulations established by the Probate Court
28 Administrator.

29 Sec. 2. Subsection (h) of section 46b-231 of the general statutes is
30 repealed and the following is substituted in lieu thereof (*Effective July*
31 *1, 2002*):

32 (h) (1) On and after April 1, 2000, the Chief Family Support
33 Magistrate shall receive a salary of ninety-nine thousand five hundred
34 eighty-seven dollars, and other family support magistrates shall
35 receive an annual salary of ninety-four thousand five hundred eighty-
36 seven dollars.

37 (2) On and after April 1, 2001, the Chief Family Support Magistrate
38 shall receive a salary of one hundred three thousand six hundred
39 dollars, and other family support magistrates shall receive an annual
40 salary of ninety-eight thousand six hundred dollars.

41 (3) On and after April 1, 2002, the Chief Family Support Magistrate
42 shall receive a salary of one hundred eight thousand eight hundred
43 twenty-one dollars, and other family support magistrates shall receive
44 an annual salary of one hundred three thousand five hundred sixty-
45 nine dollars.

46 (4) On and after July 1, 2003, the Chief Family Support Magistrate
47 shall receive a salary of one hundred fourteen thousand two hundred
48 sixty-two dollars, and other family support magistrates shall receive an
49 annual salary of one hundred eight thousand seven hundred forty-
50 seven dollars.

51 (5) On and after April 1, 2004, the Chief Family Support Magistrate
52 shall receive a salary of one hundred nineteen thousand nine hundred
53 seventy-five dollars, and other family support magistrates shall receive
54 an annual salary of one hundred fourteen thousand one hundred
55 eighty-five dollars.

56 (6) On and after April 1, 2005, the Chief Family Support Magistrate
57 shall receive a salary of one hundred twenty-five thousand nine
58 hundred seventy-four dollars, and other family support magistrates
59 shall receive an annual salary of one hundred nineteen thousand eight
60 hundred ninety-four dollars.

61 Sec. 3. Subsection (a) of section 51-47 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective July*
63 *1, 2002*):

64 (a) The judges of the Superior Court, judges of the Appellate Court
65 and judges of the Supreme Court shall receive annually salaries as
66 follows:

67 (1) On and after April 1, 2000, (A) the Chief Justice of the Supreme
68 Court, one hundred thirty-five thousand eight hundred sixty-one
69 dollars; (B) the Chief Court Administrator if a judge of the Supreme
70 Court, Appellate Court or Superior Court, one hundred thirty
71 thousand seventeen dollars; (C) each associate judge of the Supreme
72 Court, one hundred twenty-four thousand six hundred eighty-three
73 dollars; (D) the Chief Judge of the Appellate Court, one hundred
74 twenty-three thousand one hundred fifty-two dollars; (E) each judge of
75 the Appellate Court, one hundred sixteen thousand two hundred
76 sixty-seven dollars; (F) the Deputy Chief Court Administrator if a
77 judge of the Superior Court, one hundred thirteen thousand eight
78 hundred ninety-six dollars; and (G) each judge of the Superior Court,
79 one hundred eleven thousand two hundred seventy-nine dollars.

80 (2) On and after April 1, 2001, (A) the Chief Justice of the Supreme
81 Court, one hundred forty thousand five hundred eighty-two dollars;
82 (B) the Chief Court Administrator if a judge of the Supreme Court,

83 Appellate Court or Superior Court, one hundred thirty-four thousand
84 seven hundred thirty-eight dollars; (C) each associate judge of the
85 Supreme Court, one hundred twenty-nine thousand four hundred four
86 dollars; (D) the Chief Judge of the Appellate Court, one hundred
87 twenty-seven thousand eight hundred seventy-three dollars; (E) each
88 judge of the Appellate Court, one hundred twenty thousand nine
89 hundred eighty-eight dollars; (F) the Deputy Chief Court
90 Administrator if a judge of the Superior Court, one hundred eighteen
91 thousand six hundred seventeen dollars; and (G) each judge of the
92 Superior Court, one hundred sixteen thousand dollars.

93 (3) On and after April 1, 2002, (A) the Chief Justice of the Supreme
94 Court, one hundred forty-nine thousand five hundred eighty-two
95 dollars; (B) the Chief Court Administrator if a judge of the Supreme
96 Court, Appellate Court or Superior Court, one hundred forty-three
97 thousand seven hundred thirty-eight dollars; (C) each associate judge
98 of the Supreme Court, one hundred thirty-eight thousand four
99 hundred four dollars; (D) the Chief Judge of the Appellate Court, one
100 hundred thirty-six thousand eight hundred seventy-three dollars; (E)
101 each judge of the Appellate Court, one hundred twenty-nine thousand
102 nine hundred eighty-eight dollars; (F) the Deputy Chief Court
103 Administrator if a judge of the Superior Court, one hundred twenty-
104 seven thousand six hundred seventeen dollars; and (G) each judge of
105 the Superior Court, one hundred twenty-five thousand dollars.

106 (4) On and after July 1, 2003, (A) the Chief Justice of the Supreme
107 Court, one hundred fifty-seven thousand sixty-one dollars; (B) the
108 Chief Court Administrator if a judge of the Supreme Court, Appellate
109 Court or Superior Court, one hundred fifty thousand nine hundred
110 twenty-five dollars; (C) each associate judge of the Supreme Court, one
111 hundred forty-five thousand three hundred twenty-four dollars; (D)
112 the Chief Judge of the Appellate Court, one hundred forty-three
113 thousand seven hundred seventeen dollars; (E) each judge of the
114 Appellate Court, one hundred thirty-six thousand four hundred
115 eighty-seven dollars; (F) the Deputy Chief Court Administrator if a
116 judge of the Superior Court, one hundred thirty-three thousand nine

117 hundred ninety-eight dollars; and (G) each judge of the Superior
118 Court, one hundred thirty-one thousand two hundred fifty dollars.

119 (5) On and after April 1, 2004, (A) the Chief Justice of the Supreme
120 Court, one hundred sixty-four thousand nine hundred fourteen
121 dollars; (B) the Chief Court Administrator if a judge of the Supreme
122 Court, Appellate Court or Superior Court, one hundred fifty-eight
123 thousand four hundred seventy-one dollars; (C) each associate judge of
124 the Supreme Court, one hundred fifty-two thousand five hundred
125 ninety dollars; (D) the Chief Judge of the Appellate Court, one
126 hundred fifty thousand nine hundred two dollars; (E) each judge of the
127 Appellate Court, one hundred forty-three thousand three hundred
128 twelve dollars; (F) the Deputy Chief Court Administrator if a judge of
129 the Superior Court, one hundred forty thousand six hundred ninety-
130 eight dollars; and (G) each judge of the Superior Court, one hundred
131 thirty-seven thousand eight hundred thirteen dollars.

132 (6) On and after April 1, 2005, (A) the Chief Justice of the Supreme
133 Court, one hundred seventy-three thousand one hundred sixty dollars;
134 (B) the Chief Court Administrator if a judge of the Supreme Court,
135 Appellate Court or Superior Court, one hundred sixty-six thousand
136 three hundred ninety-five dollars; (C) each associate judge of the
137 Supreme Court, one hundred sixty thousand two hundred twenty
138 dollars; (D) the Chief Judge of the Appellate Court, one hundred fifty-
139 eight thousand four hundred forty-eight dollars; (E) each judge of the
140 Appellate Court, one hundred fifty thousand four hundred seventy-
141 seven dollars; (F) the Deputy Chief Court Administrator if a judge of
142 the Superior Court, one hundred forty-seven thousand seven hundred
143 thirty-three dollars; and (G) each judge of the Superior Court, one
144 hundred forty-four thousand seven hundred three dollars.

145 Sec. 4. Section 52-258 of the general statutes is repealed and the
146 following is substituted in lieu thereof (*Effective July 1, 2002*):

147 The jury fee in civil actions shall be three hundred fifty dollars to be
148 paid at the time the case is claimed for the jury by the party at whose

149 request the case is placed upon the jury docket. The jury fee shall be
150 taxed in favor of the party paying the jury fee in the bill of costs in the
151 action, if final judgment thereon is rendered in his favor.

152 Sec. 5. Section 52-259 of the general statutes is repealed and the
153 following is substituted in lieu thereof (*Effective July 1, 2002*):

154 There shall be paid to the clerks for entering each appeal or writ of
155 error to the Supreme Court, or entering each appeal to the Appellate
156 Court, as the case may be, two hundred fifty dollars, and for each civil
157 cause in the Superior Court, one hundred eighty-five dollars; except (1)
158 seventy-five dollars for entering each case in the Superior Court in
159 which the sole claim for relief is damages and the amount, legal
160 interest or property in demand is less than two thousand five hundred
161 dollars and for summary process, landlord and tenant and paternity
162 actions, and (2) there shall be no entry fee for making an application to
163 the Superior Court for relief under section 46b-15, as amended, or for
164 making an application to modify or extend an order issued pursuant to
165 section 46b-15, as amended. If the amount, legal interest or property in
166 demand by the plaintiff is alleged to be less than two thousand five
167 hundred dollars, a new entry fee of seventy-five dollars shall be
168 charged if the plaintiff amends his complaint to state that such demand
169 is not less than two thousand five hundred dollars. The fee for the
170 entry of a small claims case shall be [thirty] thirty-five dollars. If a
171 motion is filed to transfer a small claims case to the regular docket, the
172 moving party shall pay a fee of seventy-five dollars. There shall be
173 paid to the clerk of the Superior Court by any party who requests a
174 finding of fact by a judge of such court to be used on appeal the sum of
175 twenty-five dollars, to be paid at the time the request is filed. There
176 shall be paid to the clerk of the Superior Court a fee of seventy-five
177 dollars for a petition for certification to the Supreme Court and
178 Appellate Court. Such clerks shall also receive for receiving and filing
179 an assessment of damages by appraisers of land taken for public use or
180 the appointment of a commissioner of the Superior Court, two dollars;
181 for recording the commission and oath of a notary public or certifying
182 under seal to the official character of any magistrate, ten dollars; for

183 certifying under seal, two dollars; for exemplifying, twenty dollars; for
184 making all necessary records and certificates of naturalization, the fees
185 allowed under the provisions of the United States statutes for such
186 services; and for making copies, one dollar a page. There shall be paid
187 to the clerk of the Superior Court for a copy of a judgment file a fee of
188 fifteen dollars, inclusive of the fees for certification and copying, for a
189 certified copy and a fee of ten dollars, inclusive of the fee for copying,
190 for a copy which is not certified; for a copy of a certificate of judgment
191 in a foreclosure action, as provided by the rules of practice and
192 procedure, twenty dollars, inclusive of the fees for certification and
193 copying. There shall be paid to the clerk of the court a fee of fifty
194 dollars at the time any application for a prejudgment remedy is filed.
195 A fee of twenty dollars for any check issued to the court in payment of
196 any fee which is returned as uncollectible by the bank on which it is
197 drawn may be imposed. The tax imposed under chapter 219 shall not
198 be imposed upon any fee charged under the provisions of this section.

199 Sec. 6. Section 52-259c of the general statutes is repealed and the
200 following is substituted in lieu thereof (*Effective July 1, 2002*):

201 (a) There shall be paid to the clerk of the Superior Court upon the
202 filing of any motion to open, set aside, modify or extend any civil
203 judgment rendered in Superior Court a fee of thirty-five dollars for any
204 housing matter and a fee of [sixty] seventy dollars for any other
205 matter, except no fee shall be paid upon the filing of any motion to
206 open, set aside, modify or extend judgments in small claims and
207 juvenile matters or orders issued pursuant to section 46b-15, as
208 amended. Such fee may be waived by the court.

209 (b) Upon the filing of a motion to open or reargue a judgment in any
210 civil appeal rendered by the Supreme Court or Appellate Court or to
211 reconsider any other civil matter decided in either court, the party
212 filing the motion shall pay a fee of [sixty] seventy dollars.

213 Sec. 7. Subdivision (1) of subsection (a) of section 52-356a of the
214 general statutes is repealed and the following is substituted in lieu

215 thereof (*Effective July 1, 2002*):

216 (a) (1) On application of a judgment creditor or his attorney, stating
217 that a judgment remains unsatisfied and the amount due thereon, and
218 subject to the expiration of any stay of enforcement and expiration of
219 any right of appeal, the clerk of the court in which the money
220 judgment was rendered shall issue an execution pursuant to this
221 section against the nonexempt personal property of the judgment
222 debtor other than debts due from a banking institution or earnings.
223 The application shall be accompanied by a fee of [ten] twenty dollars
224 payable to the clerk of the court for the administrative costs of
225 complying with the provisions of this section which fee may be
226 recoverable by the judgment creditor as a taxable cost of the action. In
227 the case of a consumer judgment, the application shall indicate
228 whether, pursuant to an installment payment order under subsection
229 (b) of section 52-356d, the court has entered a stay of execution and, if
230 such a stay was entered, shall contain a statement of the judgment
231 creditor or his attorney as to the debtor's default on payments. The
232 execution shall be directed to any levying officer.

233 Sec. 8. Subsection (a) of section 52-361a of the general statutes is
234 repealed and the following is substituted in lieu thereof (*Effective July*
235 *1, 2002*):

236 (a) If a judgment debtor fails to comply with an installment
237 payment order, the judgment creditor may apply to the court for a
238 wage execution. The application shall contain the judgment creditor's
239 or his attorney's statement setting forth the particulars of the
240 installment payment order and of the judgment debtor's failure to
241 comply. The application shall be accompanied by a fee of [ten] twenty
242 dollars payable to the clerk of the court for the administrative costs of
243 complying with the provisions of this section which fee may be
244 recoverable by the judgment creditor as a taxable cost of the action.

This act shall take effect as follows:

