

Statement
Insurance Association of Connecticut
Judiciary Committee

April 9, 2007

SJ 32—Resolution Proposing An Amendment to the State Constitution Concerning The
Practices And Procedures Of The Courts

The Insurance Association of Connecticut is opposed to a portion of SJR 32, Resolution Proposing An Amendment To The State Constitution Concerning The Practices and Procedures Of The Courts, which seeks to transfer the rulemaking authority of the courts from the courts to the legislature.

SJR 32 unnecessarily seeks to completely alter the dynamics of the Connecticut judicial system. The Connecticut courts have long been vested with the authority and obligation to oversee the everyday functions of the courts. There is no demonstrated need to change what has worked for almost two hundred years.

The courts remain the proper place to create and oversee the procedural rules that directly impact the day-to-day operations of the court. The courts have the expertise to establish the procedures that are fair and equitable for all parties that come before them. Furthermore, a fair amount of the rules that are promulgated by the courts address very mundane court practices and procedures such as the width of the margin on an appellate brief and the requirement of keeping daybooks. These types of decisions are best left with the courts.

Transferring such rulemaking procedures to the legislature removes the level of expertise and hands-on knowledge required to ensure smooth court operations, while at the same time protecting all parties' rights. Removal shall subject what is currently a very open and public process to the prospect of becoming a politicized process.

The IAC urges your rejection of SJR 32.