



Connecticut **Business & Industry** Association

Testimony Of  
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Judiciary Committee  
Legislative Office Building  
Hartford, Connecticut  
April 9, 2007

CBIA **opposes SJ 32**, *A Resolution Proposing an Amendment to the State Constitution Concerning the Practices and Procedures of the Court*

**SJ 32** is a proposed amendment to the state constitution that will usurp the judicial branch's practice and procedure rulemaking authority over court matters and give it to the legislature.

Rightfully so, the judicial branch has long had the power to create and enforce the practices and procedures of the courts. The judicial branch has the knowledge and expertise regarding the day to day operations of the courts. Taking away this authority solely to improve the "openness and accountability" of the courts is a rash and unnecessary measure.

The judicial branch has made strides in addressing the openness and accountability of the courts. Public hearings are held on proposed rules and amendments, most judicial meetings are open to the public and online access to docket information has increased. Moreover, the judicial branch has cooperated with the legislature in trying to address the issues of court openness and accountability.

Delineating the courts rule making authority to the legislature will unduly politicize the process. The judicial branch creates practices and procedures based on its knowledge and experience in the day to day operations of the courts. If the legislature obtains the rulemaking authority over the courts, it is possible that the practices and procedures will be based on politics.

Giving the legislature the practice and procedure rulemaking authority over the courts for "openness and accountability" purposes is bad public policy. The judicial branch is working to create a more open and accountable court system. Additionally, the judicial branch has the knowledge and expertise needed to create practices and procedures for the courts. Therefore, CBIA encourages the legislature to reject **SJ 32**.