



General Assembly

Amendment

February Session, 2008

LCO No. 6595

SB0060506595HDO

Offered by:

REP. DILLON, 92nd Dist.

REP. LAWLOR, 99th Dist.

To: Subst. Senate Bill No. 605

File No. 538

Cal. No. 548

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING JUDICIAL BRANCH OPENNESS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsections (f) and (g) of section 46b-231 of the 2008
4 supplement to the general statutes are repealed and the following is
5 substituted in lieu thereof (*Effective from passage*):

6 (f) (1) The Family Support Magistrate Division shall include nine
7 family support magistrates who shall, on and after the effective date of
8 this section, be [appointed] nominated by the Governor and appointed
9 by the General Assembly to serve in that capacity for a term of [three]
10 five years. A family support magistrate may be [reappointed]
11 nominated by the Governor for reappointment upon completion of
12 [his] such family support magistrate's term of office. [by the Governor.]
13 To be eligible for [appointment,] nomination as a family support

14 magistrate, a person must have engaged in the practice of law for five
15 years prior to [his appointment] his or her nomination and [shall] be
16 experienced in the field of family law. [He] A family support
17 magistrate shall devote full time to his or her duties as a family
18 support magistrate and shall not engage in the private practice of law.

19 (2) Each nomination made by the Governor to the General
20 Assembly for a family support magistrate shall be referred, without
21 debate, to the committee on the judiciary, which shall report thereon
22 within thirty legislative days from the time of reference, but no later
23 than seven legislative days before the adjourning of the General
24 Assembly.

25 (3) Each appointment of a family support magistrate shall be by
26 concurrent resolution. The action on the passage of each such
27 resolution in the House of Representatives and in the Senate shall be
28 by vote taken on the electrical roll-call device. No resolution shall
29 contain the name of more than one nominee. The Governor shall,
30 within five days after he or she has notice that any family support
31 magistrate nomination has failed to be approved by the affirmative
32 concurrent action of both houses of the General Assembly, make
33 another nomination to such office.

34 (4) Notwithstanding the provisions of section 4-19, no vacancy in
35 the position of a family support magistrate shall be filled by the
36 Governor when the General Assembly is not in session unless, prior to
37 such filling, the Governor submits the name of the proposed vacancy
38 appointee to the committee on the judiciary. Within forty-five days, the
39 committee on the judiciary may, upon the call of either chairperson,
40 hold a special meeting for the purpose of approving or disapproving
41 such proposed vacancy appointee by majority vote. The Governor
42 shall not administer the oath of office to such proposed vacancy
43 appointee until the committee has approved such proposed vacancy
44 appointee. If the committee determines that it cannot complete its
45 investigation and act on such proposed vacancy appointee within such
46 forty-five-day period, it may extend such period by an additional

47 fifteen days. The committee shall notify the Governor in writing of any
48 such extension. Failure of the committee to act on such proposed
49 vacancy appointee within such forty-five-day period or any fifteen-day
50 extension period shall be deemed to be an approval.

51 (5) Prior to a public hearing on a family support magistrate, the
52 committee on the judiciary may employ a person to investigate, at the
53 request of the chairpersons of said committee, any family support
54 magistrate nominee with respect to the suitability of such nominee for
55 magisterial office. Such investigator shall report his or her findings to
56 said committee and any such report shall be confidential and shall not
57 be subject to public disclosure. Such person shall receive such
58 compensation as may be fixed by the Joint Committee on Legislative
59 Management for each day such person is engaged in his or her duties
60 as an investigator.

61 (6) A family support magistrate may be removed from office by the
62 Governor for cause and is subject to admonishment, censure,
63 suspension and removal from office as provided in chapter 872a.

64 (g) A Chief Family Support Magistrate shall be designated by the
65 Chief Court Administrator of the Superior Court from among the nine
66 family support magistrates appointed [by the Governor] pursuant to
67 subsection (f) of this section. Under the direction of the Chief Court
68 Administrator, the Chief Family Support Magistrate shall supervise
69 the Family Support Magistrate Division and submit an annual report
70 to the Chief Court Administrator and perform such other duties as
71 provided in this section.

72 Sec. 502. Subsection (h) of section 46b-231 of the 2008 supplement to
73 the general statutes is repealed and the following is substituted in lieu
74 thereof (*Effective July 1, 2009*):

75 [(h) (1) On and after April 1, 2002, the Chief Family Support
76 Magistrate shall receive a salary of one hundred eight thousand eight
77 hundred twenty-one dollars, and other family support magistrates
78 shall receive an annual salary of one hundred three thousand five

79 hundred sixty-nine dollars.

80 (2) On and after January 1, 2005, the Chief Family Support
81 Magistrate shall receive a salary of one hundred fourteen thousand
82 eight hundred six dollars, and other family support magistrates shall
83 receive an annual salary of one hundred nine thousand two hundred
84 sixty-five dollars.

85 (3) On and after January 1, 2006, the Chief Family Support
86 Magistrate shall receive a salary of one hundred twenty-one thousand
87 one hundred twenty dollars, and other family support magistrates
88 shall receive an annual salary of one hundred fifteen thousand two
89 hundred seventy-five dollars.

90 (4) On and after January 1, 2007, the Chief Family Support
91 Magistrate shall receive a salary of one hundred twenty-seven
92 thousand seven hundred eighty-two dollars, and other family support
93 magistrates shall receive an annual salary of one hundred twenty-one
94 thousand six hundred fifteen dollars.]

95 (h) On and after July 1, 2009, each family support magistrate shall,
96 during his or her first year of service as a family support magistrate,
97 receive an annual salary of six thousand dollars less than the highest
98 step level of a Superior Court judge; during his or her second year of
99 service as a family support magistrate, he or she shall receive an
100 annual salary of five thousand dollars less than the highest step level
101 of a Superior Court judge; during his or her third year of service as a
102 family support magistrate, he or she shall receive an annual salary of
103 four thousand dollars less than the highest step level of a Superior
104 Court judge; during his or her fourth year of service as a family
105 support magistrate, he or she shall receive an annual salary of three
106 thousand dollars less than the highest step level of a Superior Court
107 judge; during his or her fifth year of service as a family support
108 magistrate, he or she shall receive an annual salary of two thousand
109 dollars less than the highest step level of a Superior Court judge; and
110 during his or her sixth and subsequent year of service as a family

111 support magistrate, he or she shall receive an annual salary of one
112 thousand dollars less than the highest step level of a Superior Court
113 judge.

114 Sec. 503. Subsection (b) of section 51-51q of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective from*
116 *passage*):

117 (b) The Judicial Review Council shall submit its recommendations
118 concerning the nomination for reappointment of any family support
119 magistrate whose term of office is about to expire, including a report of
120 any investigation of any such family support magistrate by the council,
121 to the Governor and to the joint standing committee of the General
122 Assembly having cognizance of matters relating to the judiciary. The
123 Judicial Review Council shall provide information to said committee
124 concerning any complaint filed against such family support magistrate
125 and the investigation and disposition of such complaint, including, but
126 not limited to, confidential information, in the same manner and
127 subject to the same requirements as information provided under
128 subdivisions (1) and (2) of subsection (a) of this section."