

## Questions for Judicial Review Council Nominees

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### Judicial Review Council ([CGS §§ 51-51k to -51n](#))

The Judicial Review Council investigates and resolves complaints or internal referrals about state judges, family support magistrates, and administrative law judges regarding misconduct, disability, or substance abuse. It consists of 12 regular members and 13 alternates. Of the regular members, six are members of the general public; three are Superior Court judges; and three are attorneys. Of the alternate members, three are members of the general public; two are Superior Court judges; two are attorneys; three are administrative law judges; and three are family support magistrates.

The council investigates every written complaint of misconduct. If, after investigation, the council determines that no misconduct has occurred, it dismisses the complaint. If the council has reason to believe that misconduct may have occurred, it schedules a probable cause hearing to determine whether probable cause exists to believe that judicial misconduct has occurred. The hearing is confidential unless the judicial officer being investigated (“the respondent”) requests that it be open to the public.

The council dismisses a complaint when it does not find probable cause. It may issue an admonishment if (1) there is no misconduct but (2) the judicial officer acted in a manner that created the appearance of impropriety or constitutes an unfavorable judicial practice. If the council finds probable cause, the council must hold a public hearing. If, after the hearing, the judicial officer is found guilty of misconduct, the council may impose a range of sanctions such as public censure; suspension without pay for up to one year; or recommending suspension or removal from office to the state Supreme Court or the governor, as applicable. The council may also exonerate the judicial officer from all charges.

## Questions

1. How do you plan to contribute to the council's mission of preserving the integrity of the court system and promoting public confidence in the courts?
2. Do you think ordinary citizens know enough about the council and its purpose? If not, do you have suggestions on how public awareness can be improved?
3. The council does not have jurisdiction over probate judges, small claims magistrates, motor vehicle magistrates, private attorneys, or court clerks. Do you think the council's jurisdiction should be expanded?
4. By law, the council's investigation of a judicial officer must remain confidential unless the officer requests that it be open to the public ([CGS § 51-51j](#)). What are your thoughts on this law? How would you balance the public's right to know against judicial confidentiality?
5. According to the council's [2021 report](#), about 11% of complainants filed multiple complaints, with the largest number being a complainant who filed 13 complaints. Do you believe that the number of filers with multiple complaints will continue to trend upward? What can the council do to ensure that it has the capacity to address this volume?
6. The law provides for the removal, suspension, or censure of judges for incompetent performance of judicial duties ([GCS § 51-51j](#)). What type of evidence would you look for to determine whether a judge's performance was incompetent?
7. One of the council's duties is to adjudicate the disability retirement of state's attorneys and public defenders upon application or the council's motion. How would you approach such an application from an individual who is also the subject of a pending council investigation for alleged misconduct?
8. How would you handle a referral that a respondent (i.e., judicial officer being investigated) had a substance abuse problem or mental infirmity?
9. The council's annual reports typically note the number of disposed complaints that were complaints filed by incarcerated individuals. What do you believe is the relevance of this?

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