

Judicial selection

The Connecticut Constitution provides that all judges of the superior, appellate, and supreme courts are appointed by the General Assembly upon nomination by the governor. Each judge is appointed for an eight-year term, and must be renominated and reappointed for additional terms or movement to a higher court. In 1986, the Judicial Selection Commission was established by constitutional amendment to recommend both new candidates and incumbent judges for nomination by the governor. The governor can only nominate persons from the commission list. The procedures and standards used by the commission are set out in statute and regulation.

The process by which the legislature carries out its appointment authority after it receives the governor's nominations is set out in statute. By statute, the Judiciary Committee receives the nominations, holds public hearings, and reports on the nominations to the general assembly for consideration by both chambers. The Judiciary Committee may review any performance evaluation done by the Judicial Department on a confidential basis. The committee may hire its own investigator to determine the suitability of any nominee for appointment. The committee may review any complaint files maintained by the Judicial Review Council, which reviews judicial misconduct complaints. The review council also reports any complaints and its dispositions to the Judiciary Committee for judicial appointment purposes.

AREA OF FOCUS

The study will focus on how the legislature -- i.e., the Judiciary Committee and the full House and Senate -- carries out its role in the judicial selection process. The review will specifically assess the adequacy of information available to the legislature and determine how other states with legislative selection roles operate.

AREAS OF ANALYSIS

- Process, standards, and criteria used by the Judiciary Committee and legislature in considering judicial nominations, and process outcomes over time
- Sources and nature of information available to and used by the Judiciary Committee and legislature
- Process, standards, and criteria used by the Judicial Selection Commission, Judicial Review Council, and other pertinent entities relevant to judicial selection
- Interrelationships between above entities and the legislative process

- Balance of accountability, fairness, and preservation of judicial independence
- Other judicial selection processes where legislature has role and models