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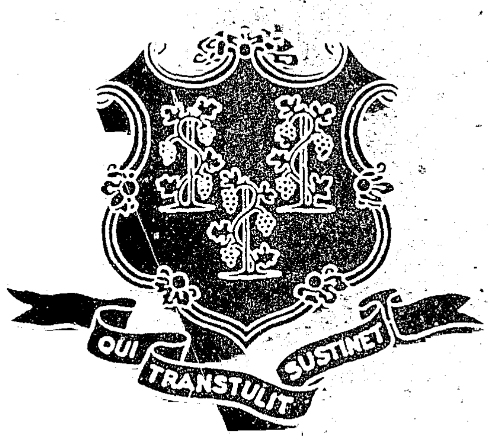

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COMMISSION TO STUDY AND DRAFT LEGISLATION FOR THE REORGANIZATION AND UNIFICATION OF THE COURTS

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Administrative Aide

Donald E. Hedberg, Willimantic
Research Assistant

Elizabeth T. Brewer, West Hartford
Secretary

Micheline A. Lecours, Windsor Locks
Research Assistant

Elisabeth Shapero
Intern

*Resignation accepted February 25, 1974

In Memoriam

The Commission to Study and Draft Legislation for the Reorganization and Unification of the Courts pays special tribute to DONALD ERIC HEDBERG, Director of Research for the Commission, who worked tirelessly and with great enthusiasm to provide the Commission with the background material necessary for the preparation of this Report.

Don Hedberg, a former corporal in the United States Marine Corps, attended the University of Connecticut before joining the staff of the Commission. He was a kind and gentle person without whose unusual abilities to organize and coordinate work, our task would have been much more difficult.

He died on March 21, 1974, at the age of twenty-seven, after finishing the Report to which he had been so dedicated.

FINAL REPORT OF THE COMMISSION TO STUDY AND DRAFT LEGISLATION FOR THE REORGANIZATION AND UNIFICATION OF THE COURTS

Filed Report

to the 1974 Session
of the General Assembly

QUI TRANSTULIT SUSTINET

STATE OF CONNECTICUT

as provided by Special Act 135
of the 1973 General Assembly

MARCH 1, 1974

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I. PREFACE

"People can be divided into three groups -- those who make things happen, those who watch things happen, and those who wonder what happened." John W. Newbern

The 1973 session of the Connecticut General Assembly created a court reform commission composed of people who fall within the first group. Weary of study groups whose reports and recommendations sit collecting dust on shelves somewhere, this Commission was mandated not only to study the court system, but also to draft legislation for its improvement. Realizing that court reform was long overdue, the General Assembly further stated that these legislative proposals be presented to the 1974 session of the Legislature. And so, in accordance with the provisions of Public Act 135 of 1973, the Commission to Study and Draft Legislation for the Reorganization and Unification of the Courts here presents the report of its studies and its proposals, eight months after its first convening in July of 1973.

Striving to develop the best possible recommendations, yet realizing the difficulties in completing a thorough and comprehensive study in eight months, the Commission looked to previous studies and to interested groups and individuals for assistance. The Commission staff was directed to compile reports and recommendations of the Judicial Council, the Chief Court Administrator and the American and Connecticut Bar Associations as well as those of other knowledge-

able organizations. Reports from other states which had conducted similar studies were also obtained. Justice is by no means the concern solely of lawyers, so organizations other than lawyer groups were contacted. The Connecticut Citizens for Judicial Modernization, which is composed of lay people, was instrumental in giving this Commission information vital to court reform decision-making.

Pursuant to authorization from the Commission and with full cooperation from the Judicial Department, the CCJM conducted surveys concerning utilization of courtroom time, the quality of courtroom facilities and their use, and evaluations of the effect of various proposals for structural reorganization. It is important to note the tremendous public response to the CCJM's request for volunteers to help with the survey of all courtrooms in the State for an entire week. Over three hundred people, at their own time and expense, came forth to offer much needed assistance in completing the studies and surveys. Industry donated large amounts of valuable key-punch and computer time to process data on 15,000 case sheets. This overwhelming response points to the public's desire and realization of the need for court reform.

In an effort further to involve the public, the Commission held public hearings throughout the State, mailed questionnaires to all people involved in the court system, and opened all Commission meetings to the public.

To complete its work by March of 1974, the Commission met on a weekly basis. Items to be considered included, among others, court structure, court administration, prosecution and defense services, judicial selection, court financing, plea bargaining, judicial compensation, judicial retirement, and disciplinary action for judges. Once the study phase had been completed, the Commission undertook its mandate to formulate legislative proposals. Those proposals, detailed in the report, are the result of thorough study, spirited debate and a sincere desire by the members of the Commission to make Connecticut's court system the best in the country.

We therefore respectfully submit to you the Final Report of the Commission to Study and Draft Legislation for the Reorganization and Unification of the Courts.

For, and on behalf of the Commission, we are respectfully,

JAMES F. BINGHAM, Chairman

JOSEPH D. FAULISO, Vice Chairman

II. SYNOPSIS

The Commission recommends that the Circuit and Common Pleas Courts be merged so as to provide only two principal trial courts, the Superior Court and the new Court of Common Pleas. Five judges of the Circuit or Common Pleas Courts would be added to the judges of the Superior Court making the total in that court 45 and making the total of judges in the merged court 61. An appellate section would be established in the Superior Court to hear appeals from the merged court and from the Probate Court, Juvenile Court and Compensation Commissioners. In addition, the present jurisdiction of the Court of Common Pleas over appeals from the decisions of administrative tribunals would be transferred to this appellate section of the Superior Court.

The jurisdiction of the new Court of Common Pleas would be for civil claims up to $15,000, criminal offenses with penalties up to five years, small claims and motor vehicle offenses. It would have permanent civil and criminal divisions and utilize the existing venue boundaries for the Court of Common Pleas -- county lines and the Waterbury District. The courtrooms of the present Court of Common Pleas could be utilized for the business of the new Court of Common Pleas; since the venue is coextensive with that of the Superior Court, common jury panels could be employed to handle all jury activity in our trial courts.

The Commission's recommendation for this merger is predicated upon the need to ameliorate public concerns that "inferior courts dispense inferior justice" and to provide more equal justice for all. It will be a substantial step towards eliminating the real or apparent caste system of justice and judges which presently exists and will provide real impetus for improving the climate in our lowest trial court. This proposal will close the gap between the present Circuit Court and the Superior Court and will provide opportunities for greater efficiency in the utilization of facilities and personnel and possible long-range cost reductions and major improvement in the quality of justice dispensed throughout the system. Moreover, the proposal will enable better utilization of the time of the citizens of this State called upon to serve as jurors in our courts.

The Commission has further considered proposals for an improvement in the procedure for the screening of judicial appointments and has prepared a number of recommendations to govern the procedures employed by the Legislature's Committee on the Judiciary in considering proposed appointments and reappointments of judges. Among the elements are providing the opportunity for public testimony to be offered through legislators, making public the vote of the Judiciary Committee, providing a requirement for physical examinations for nominees and requiring a report from the Judicial Review Council as to any nominee for reappointment.

The Commission further recommends the strengthening of the powers and responsibilities of the present Judicial Review Council relative to complaints concerning members of the Judiciary. The Council would be given Constitutional authority to publicly or privately censure a judge, to suspend him without remuneration for a period of up to one year, and to recommend to the Supreme Court the removal or longer suspension of an offending judge. The Supreme Court would be given the Constitutional power to remove or suspend a judge in appropriate circumstances. This would represent a considerable step forward from the present limited options of failing to reappoint a judge at the conclusion of his term, impeaching or removal by address of two-thirds of each house of the Legislature.

The Commission further supports the proposal to establish a strong unified public defender system which would guarantee full-time competent public defender representation for the indigents of this State. A Commission would be established to select and approve the personnel of the public defender system and to supervise its operation.

The Commission further recommends strengthening of the administrative operations of the judicial system and establishing a clear line of responsibility from the Chief Justice through the Chief Court Administrator to Deputy Chief and Assistant Court Administrators. An organization as large and as complicated as our Judicial Department requires a strong commitment to professional and well supported management.

The Commission also recommends that all court facilities, exclusive of those of the Probate Court, be the sole responsibility of the Judicial Department and of the State Department of Public Works. The practice of requiring towns to provide court facilities for the Circuit Court or any court other than the Probate Court should be eliminated and the Judicial Department should assume full responsibility for ensuring the quality and financing of all its court facilities.

Lastly, the Commission supports the recommendations of the Commission on Compensation of Elected Officials and Judges to increase the levels of compensation and make them more attractive to the more successful lawyers in the State in an effort to encourage them to seek judicial appointment.

III. HISTORY OF THE CONNECTICUT JUDICIAL SYSTEM

In the early 1600's, English subjects colonized Connecticut, developed the land and resources, instituted laws by which to govern themselves, and passed on these achievements to their offspring. The colonists, ever aware that they were in a new land, were even more aware of their English heritage. Consequently, the laws they enacted and the institutions that developed were all based on ideas, feelings, customs and traditions that were rooted in their English background.

The court system which they adopted used the English court system as a model. Custom and convenience, however, were not the only reasons for relying so heavily on English laws since the colonists were not independent of England and were subject to the government of that land. Recognizing the difference between the new land and the mother country, England permitted the colonists to enact their own laws, provided that no law would be contrary to English law. Consequently, the basic model for the new legal system was the English legal system.

The system of law was based upon "unwritten laws" and legislation. The English unwritten or non-statutory law, frequently called "common law", was composed of rules and court decisions handed down through centuries

and commonly obeyed by the people. As time passed, certain points of common law would become obsolete or outmoded; judicial decision reformed the common law and brought it up to date, and at the same time established a precedent for future decisions. A system of non-statutory laws, called equity, had also developed to remedy the imperfections of civil law. Legislation or written laws enacted by the governing body of the land provided a precedent for judicial decision in addition to supplying a major source of English and American law.

The General Court of Massachusetts authorized the settlers of the Connecticut region to set up government of six magistrates. This government, established and convened in 1637, was called the General Court of Connecticut. In addition to the six magistrates appointed by the General Court of Massachusetts, the governing body consisted of three representatives from each of the three Connecticut settlements. The General Court of Connecticut governed with the consent of England and as such handled all governmental functions including the administration of justice.

In only two years, the Connecticut colony had developed so that the need for a more comprehensive framework was realized. The Fundamental Orders adopted in 1639 outlined the authority and responsibility of the government and further refined the judicial process. This document, Connecticut's first constitution and perhaps the first written constitution in North America, vested all authority in the General Court which was now bicameral and com-

posed of the governor, deputy governor and magistrates. The upper house consisted of the governor and six magistrates while the deputy governor and the remaining magistrates sat in the lower house.

The centralization of authority presented a problem as the colony increased in area, population and complexity. In an effort at decentralization, town courts were created in 1639. Town leaders served as members of these courts which handled matters of limited jurisdiction.

The Particular Court, first established in 1638 to meet at irregular intervals, was in 1642 required to meet every three months. When convened according to this schedule, it was known as the Quarter Court. While sitting at any time other than the quarterly meeting, it was called the Particular Court. This body, composed of the governor, deputy governor and two magistrates, was the court of original jurisdiction for civil, criminal and probate matters. Appeals from town court decisions went to the Particular (or Quarter) Court, from which appeals went to the highest appellate court, the General Court of Connecticut. The appellate procedure was outlined in a code of laws prepared by Roger Ludlow and adopted in 1650.

As a practical matter, Connecticut enjoyed a great deal of self-government during the colonist period. The Charter of 1662 was issued by Charles II to the colony as a new legal basis, and Connecticut was allowed to enact any law provided it was not contrary to English law.

Thereafter, the General Court became the General Assembly, consisting of a governor, deputy governor and twelve elected assistants. Judicial power was vested in the governor or deputy governor, and any six assistants. The "Court of Assistants", which was established in 1665, replaced the Particular Court. It assumed the appellate duties of the lower courts and became the court of original jurisdiction in all cases of capital crimes while the General Assembly became the court of final appeal.

The county system also came into being in Connecticut in 1665 and with it, courts which used county lines for jurisdictional purposes. Each county court was composed of three assistants or one assistant and two commissioners, and they heard appeals from the town courts and handled probate matters. Appeals from county court decisions went first to the Court of Assistants and finally to the General Assembly.

Connecticut's period of relative governmental freedom was interrupted in 1687 when Sir Edmund Andros assumed the administration of all New England affairs. Connecticut's leaders did not relinquish their charter and did not approve of the new government, although they did abide by its rulings.

Two years later, when the Charter of 1662 was reinstated, Connecticut reverted to much the same judicial system as it had employed prior to 1687. The one exception was that probate courts were created in 1689. The General

Assembly, as court of final appeal and with power to establish and dissolve other courts, remained in its dominant judicial position.

The year 1698 saw a tremendous amount of reform in the structure of both the legislature and the judicial system. The General Assembly was now comprised of a Council and House of Representatives. Four justices of the peace were authorized for each county. Three justices and a judge of probate, appointed by the General Assembly, sat on the county court.

Town courts were again the subject of a reorganization in 1702. Under the new legislation, an Assistant or a Justice of the Peace was authorized to hold court.

The Court of Assistants was replaced by the Superior Court in 1711. The General Assembly gave up no power, however, as the governor or deputy governor sat as chief judge and the four other judges were chosen from the Council. A new wrinkle was added when a clerk was authorized to handle administrative tasks.

Connecticut did indeed enjoy almost unlimited governmental freedom at this time. The General Assembly changed the composition of courts at will, enacted laws as it saw fit, and established new courts as it deemed necessary. This, of course, was the charter-given right of the General Assembly, but in 1732 the Board of Trade in England ordered a review of the laws of Connecticut.

With the American Revolution and the spirit of independence came the idea of separation of powers in government. Revision of the Charter of 1662 resulted in the Constitution of Connecticut, which was adopted in 1784. Officials of other branches of state government and delegates to the national Congress were forbidden to serve on the Superior Court. Separation of powers was not complete, however, as the new Supreme Court of Errors consisted of the lieutenant governor and Council, with the governor being added in 1793.

Also in 1784, city courts were created and given jurisdiction over civil cases if the parties involved lived in or the action arose within the geographical limits of the city.

Record keeping made great progress in Connecticut at the time. After 1785 the judges of the Superior Court were required to write opinions if the issues involved law and the Supreme Court of Errors was required to write opinions in all cases it heard. Epharaim Kirly in 1789 published the first report of opinions of Connecticut courts. The value of such reports was recognized and in 1814 an official appointed by the judges became responsible for the publication of such reports.

Complete separation of judicial powers in government began in Connecticut in 1806. No members of the executive or legislative branches were allowed to sit on the Supreme Court of Errors but rather the nine judges of the Superior Court, when sitting as a body, comprised the high appellate court.

The Constitution of 1818 clearly and definitely outlined the doctrine of separation of powers by establishing a government of executive, legislative and judicial branches. The Superior Court was a constitutional court and could not be altered by legislation, but the General Assembly had, and still has, the power to create lower courts and to define their duties and responsibilities. The Constitution of 1818, which was only the third legal basis for government in Connecticut, was not changed with regard to the judicial department until 1965.

County government was abolished in 1855 and the Legislature transferred the jurisdiction of the County Courts to the Superior Court. This transfer of jurisdiction combined with other factors to greatly increase the number of cases in Superior Court. To ease this burden, in 1869 the Legislature established Courts of Common Pleas in Hartford and New Haven; additional Courts of Common Pleas were set up in New London, Fairfield and Litchfield during the next four years. This court structure remained basically unchanged until 1921 when exclusive jurisdiction over children under age sixteen was given to municipal courts and justices of the peace.

Growth and progress brought wealth and prosperity to the state of Connecticut, and also resulted in such by-products as increased judicial business and a recognition of the need for improvement of the court system. A Judicial Council was created in 1927 to continually review and analyze the court system and to suggest improvements and reform measures that would keep it up to date.

The 1930's and 1940's witnessed both attempts and actions to improve the operation of the judicial system in Connecticut since court study and reform was a major issue of both political parties during these years. The attempts and actions were many and varied. Under Special Act 339 of the 1929 General Assembly, a Traffic Court was set up in Danbury to dispose of traffic-related cases in the towns of Danbury, Bethel, New Fairfield, Redding and Ridgefield. This court was established on an experimental basis at the suggestion of the Commissioner of Motor Vehicles to expedite the increasing number of cases concerning traffic.

Two years later in 1931, Governor Wilbur L. Cross included a recommendation in his inaugural address that the governor be authorized to nominate the judges of the minor courts. He further suggested that a system of 36 district courts be established to replace the multitude of minor courts on the local, town, borough and city level. However, a measure containing this proposed court system was defeated in the General Assembly in 1933.

The year 1935 was the 300th birthday celebration for the state. In commemoration, the Supreme Court of Errors and the General Assembly convened together to symbolize the General Court, the first governing body. Also that same year some practical change was achieved when a juvenile court was set up in Fairfield and in Windham to handle only cases involving juveniles.

Governor Cross again requested a district court system in 1937, and the proposal passed the Senate but failed to pass the House of Representatives.

However, that session Connecticut did pass some legislation concerning improvement of the operation of the courts by authorizing an executive secretary of the judicial department, making Connecticut the first state to institute such a position.

In 1938 Governor-elect Raymond Baldwin suggested that a committee be formed to study the courts as part of his reform proposal of the minor courts, and change in this area of the court system came the following year. One justice of the peace in any town where no municipal court existed was designated as trial justice. This trial justice was an elected justice of the peace appointed to the new position by the selectmen. The town, city, borough and police courts in all other areas were collectively referred to as the municipal courts. Judges of these courts were appointed by the General Assembly, and the jurisdiction of the municipal courts and the trial justice courts was set by statute. Cases could be appealed to the Court of Common Pleas or the Superior Court, and a criminal case could be bound over directly to the Superior Court. Combined, the municipal courts and the trial justice courts were called the Minor Court System.

Juvenile Court legislation was passed by the Legislature in 1941 since the two experimental juvenile courts established earlier had been so successful that the system was to be organized statewide. The state was divided into three districts with area offices and judges sitting in circuit, and the hearings that these courts provided were informal and confidential. This statewide juvenile

court system began operation as the first such system in the United States in January 1942. That same year the Court of Common Pleas was also established statewide with sessions held in each county and in the Judicial District of Waterbury.

As one looked at the many courts in operation in Connecticut by 1943, one found no central authority or administrative control. On the one hand the State maintained the Supreme Court of Errors, the Superior Court, the Court of Common Pleas, the Juvenile Court and the Traffic Court of Danbury. On the other hand, there were 118 probate courts, 68 municipal courts and 102 trial justice courts that were not state maintained.

The judicial system was further altered by the 1947 session of the Connecticut General Assembly. Judicial nomination by the Governor with confirmation by the Legislature, originally proposed in 1928, was put on the ballot as a Constitutional amendment and approved by the electorate.

Administrative responsibility was defined in 1953 when the Chief Justice of the Supreme Court of Errors was given this authority. Administering the Judicial Department, however, was and is not a simple task. Consequently, through Public Act 651 of 1957, the position of chief judge was established in each of the courts, and the chief judge, who drew his authority from the Chief Justice, was to be responsible for handling the administrative detail of his court.

The 1959 session of the General Assembly abolished the minor court system of sixty-six municipal and 102 trial justice courts and replaced them with the Circuit Court, making Connecticut one of the first states to effect such a sweeping reform of the minor courts. This 44 judge system began operation in 1961 after a transitional period and has remained much the same until today although its jurisdiction has been increased.

As stated earlier, the Constitution of 1818 was not revised with respect to the Judicial Department until 1965. At this time, however, major changes were made. The Supreme Court of Errors was renamed the Supreme Court. Probate Judges and Justices of the Peace remained as elected officials. Retired judges of the Supreme and Superior Courts and the Court of Common Pleas could be called upon as state referees to perform judicial duties. The new Constitution, under Article Fifth, placed judicial functions in the Supreme Court, the Superior Court and such inferior courts as established by the Connecticut General Assembly.

Using its constitutional authority, the General Assembly increased the number of judges, increased jurisdiction of the Circuit Court and Court of Common Pleas, and created the position of Chief Court Administrator as one of the first states to do so. These changes were designed to improve the court system, decrease delay, and streamline the Judicial Department.

The development into the present court structure is set forth in Appendix A.

An Overview

The Judicial System in Connecticut has functioned under four major documents: The Fundamental Orders, the Charter of 1662, the Constitution of 1818 and the Constitution of 1965. Originally, the judicial system operated as a part of the operations of the central governing body. As the governing body developed, separate courts were established in an effort to attain administrative efficiency. The doctrine of separation of powers, which had been gaining popularity since the Revolution, was formally adopted in the Constitution of 1818 and reiterated in the Constitution of 1965.

New courts were continually created to meet the ever changing demands of a growing state. While eliminating some problems, the creation of new courts caused other difficulties, such as the lack of central administration of the judicial system. Reorganization and reform followed to bring the courts under this much needed central administration.

Reorganization and reform of the court system is not a new concept. For many years private citizens and organizations as well as permanent public agencies and temporary commissions have analyzed the courts and made recommendations for improvement.

The Judicial Council founded in 1927 is a good example of an organization designed to improve the system and is composed of judges and lawyers. It continually analyzes and studies the operation of the court system and makes

suggestions for its improvement; its reports are published every two years.

In 1938 Governor Cross, at the suggestion of Governor-elect Baldwin, appointed a committee to study the minor court system. Their recommendation for the creation of the trial justice system was approved by the General Assembly.

Subsequent temporary commissions to study Connecticut's judicial system were established by the Legislature in 1943 (Commission to Study the Organization of the Judicial System); in 1945 (Commission to Study the Probate Court System); in 1949 (Commission on State Government Organization which recommended a unified court system of five divisions); in 1967 (Commission to Study the Juvenile Court System and Procedure); in 1973 (Commission to Study and Draft Legislation for the Reorganization and Unification of the Courts). Also, in 1967 a commission was created to study the judicial system of other states.

All of the commissions were created for the purpose of improving the administration of justice in Connecticut, and their very existence shows that the State of Connecticut has long recognized the need for continued improvement in the judicial process. The report of the Commission to Study and Draft Legislation for the Reorganization and Unificiation of the Courts will add yet another page to the history of Connecticut Courts. It is hoped that history will prove wise the recommendations of this Commission.

IV. STRUCTURAL ORGANIZATION OF THE COURTS

A. The Present Structural Organization

The Constitution of the State of Connecticut specifically defines a judicial system including the Supreme Court, the Superior Court as a trial court of original and general jurisdiction, and a Probate Court with elected judges. It also provides for such other courts of jurisdiction lesser than that of the Superior Court as may be created by the Legislature. The statutory courts of the judicial system presently are the Court of Common Pleas, the Circuit Court and the Juvenile Court.

The Supreme Court is composed of 6 justices and its function is solely to review decisions made in the Superior Court, the Court of Common Pleas and through one of these two courts, decisions which may have initially been made in the Circuit Court, Juvenile Court, Probate Court, or various state and local administrative agencies.

The Superior Court consists of a total of 46 judges, 6 of whom are the justices of the Supreme Court. It is the trial court of general jurisdiction with authority to hear all legal controversies over which jurisdiction has not been given by statute to some other court. It handles civil, criminal and family relations matters; it also hears appeals from the Probate Court, the Juvenile Court, and Compensation Commissioners. In the criminal area, it is generally processing those crimes where the possible sentence is at least 5 years and in civil cases its principal activity is with respect to matters involving claims of more than $15,000.

The Court of Common Pleas is composed of 16 judges and its jurisdiction is civil in character, except that it hears appeals in cases decided in the Circuit Court which may include criminal matters. This court has jurisdiction of the appeals from various state and municipal boards and agencies such as the Public Utilities Commission and town zoning commissions. Its jurisdiction in civil actions is normally within the range of $7,500 to $15,000, but it has concurrent jurisdiction with the Circuit Court in the range of $1,000 to $7,500.

The Circuit Court was created in 1961 as a replacement for the former municipal courts, justice of the peace courts, etc. It is presently staffed by 50 judges and it has jurisdiction of criminal cases where the penalty which may be imposed does not exceed 5 years and it has jurisdiction in civil matters where the amounts involved do not exceed $7,500. It handles all motor vehicle violations and it also handles all small claims matters.

The Juvenile Court is composed of 6 judges and exercises exclusive jurisdiction over all proceedings concerning defective, delinquent, dependent, negligent and uncared for children under 16 years of age except those matters involving guardianship and adoption and certain other matters affecting the property of juveniles.

The Legislature has created 128 probate districts and the judges of these courts are elected to serve in their districts. The operations of this court are

funded by fees collected on proceedings before the court and its principal function is to exercise jurisdiction over administration of estates of deceased persons, although it also has jurisdiction over adoptions, trusts, commitment of the mentally ill, and guardianships of persons of estates and minors.

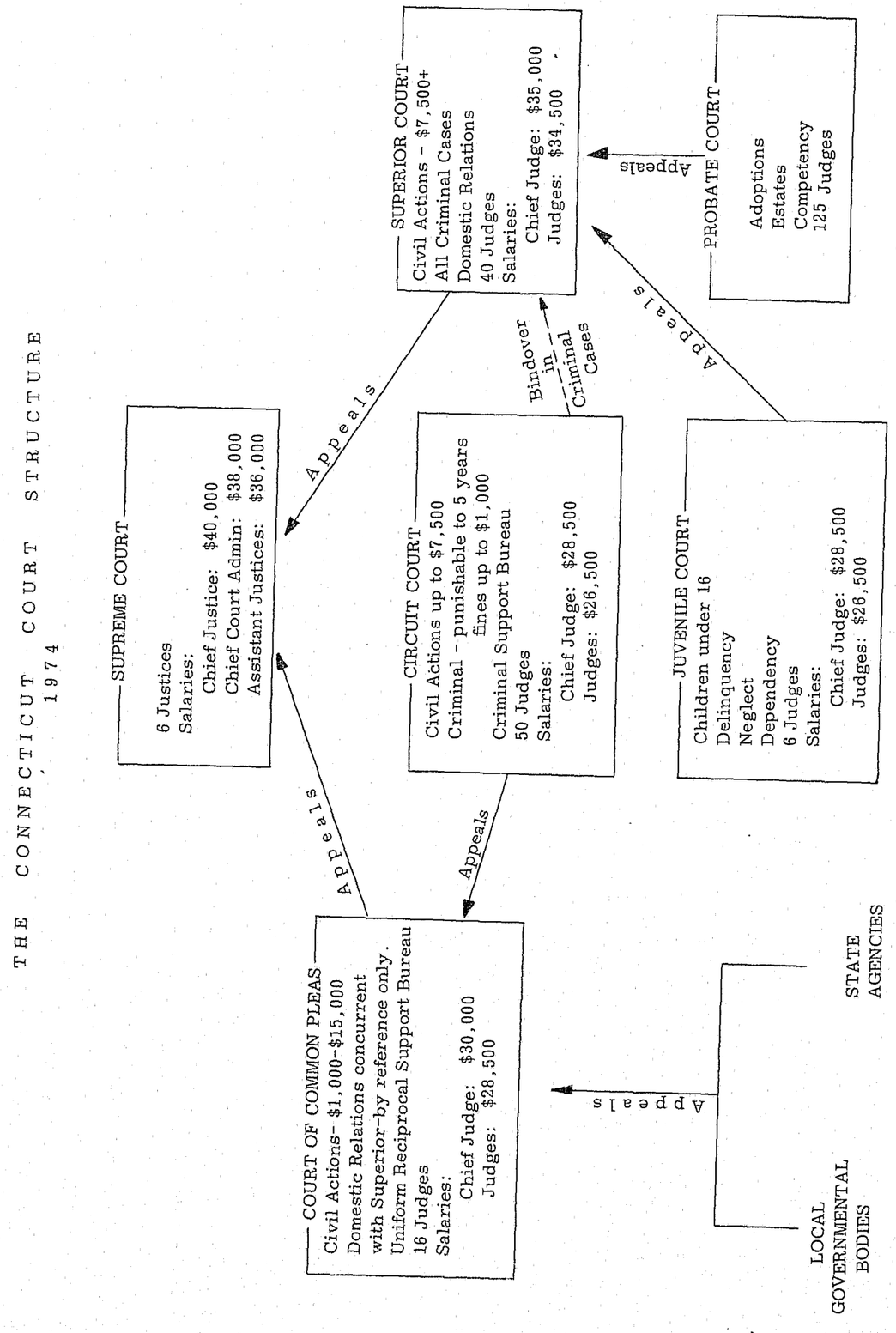
For purposes of determining the particular court location in which an action may be brought, the Superior and Common Pleas Courts are broken down along county lines except that a special district known as the Judicial District of Waterbury has been created and includes portions of Fairfield and New Haven Counties. The Circuit Court is divided into 18 circuits; and the Juvenile Court is divided into 3 districts. As indicated above, there are 128 probate districts.

There are courthouses used by the Superior and Common Pleas Courts at Stamford, Bridgeport and Danbury in Fairfield County; at Waterbury in the Waterbury District; at New Haven in New Haven County; at Litchfield in Litchfield County; at Middletown in Middlesex County; at Hartford and New Britain in Hartford County; at New London and Norwich in New London County; at Rockville in Tolland County; and at Willimantic and Putnam in Windham County. The Circuit Court has facilities in the same building with the Superior Court (and Common Pleas Court) only in Danbury and Norwich. It has a total of 58 courtrooms at 29 different locations while the Superior Court presently has 39 Courtrooms in 17 locations and the Court of Common Pleas has 19 courtrooms in 14 locations. The Juvenile Court has 14 different locations where its judges handle proceedings and

these are in buildings separate from those employed by any of the other courts. The Probate Court facilities are not under the control of the state and may be provided by the town to the probate judge or he may make such arrangements as he determines advisable.

A complete study of the physical facilities of the three principal trial courts was conducted for the Commission by the Connecticut Citizens for Judicial Modernization and its report to the Commission is entitled SURVEY OF THE TRIAL COURT FACILITIES OF THE STATE OF CONNECTICUT. An excerpt from this report showing the various courtrooms, principal characteristics and percentage of use during one of the busy court months is set forth in Appendix B.

The trial week in the Juvenile and Circuit Courts is Monday through Friday; with some minor exception, the trial week in Superior and Common Pleas Courts is Tuesday through Friday with Monday being reserved for transaction of court business outside the courtroom According to present practice, the judges of the Superior, Common Pleas and Circuit Courts "ride circuit" in the sense that they are assigned to different court locations every three months. The Circuit and Juvenile Courts operate on a year-round basis with only a partially reduced schedule during the summer months; the Superior and Common Pleas Courts operate on a partial basis only during July and August in order to permit most of the vacation time in these courts to be taken during the summer months.



B. The Administrative System

Connecticut was among the first states to adopt legislation creating a Chief Court Administrator with responsibility for the efficient operation of the Judicial Department and of its various courts. The Chief Court Administrator is a justice of the Supreme Court and is presently appointed by the governor. He has relatively broad powers to require reports from the various courts and to assign and change the assignments of judges and state's attorneys.

The Chief Court Administrator appoints the Executive Secretary of the Judicial Department who is responsible for the financial matters relating to all state maintained courts including accounting, budgets, purchasing, payroll and the like. The office of the Secretary includes a professional staff to carry out the functions of the Secretary and of the Chief Court Administrator.

Each of the several trial courts has a chief judge appointed by the Chief Court Administrator who helps the Chief Court Administrator in the coordination of the activities of his court. The Circuit Court has a central administrative staff to assist the chief judge in the operations of that court.

The Superior and Common Pleas Courts as well as the Circuit Court each have clerks at each of the principal locations and these clerks are assisted by staffs of deputy and assistant clerks which will vary with the size and caseload of the location. These clerks are responsible for the operations at the various

court locations and are the principal administrative arm of the Judicial Department since the judges themselves move to different courthouses after three months.

C. Court Caseload

Over the last few years, the Chief Court Administrator has improved statistical reporting and significant data can now be obtained from the Judicial Department concerning caseload, types of cases, manner of disposition, etc. The data of the Judicial Department was analyzed in a report for the Commission by the Connecticut Citizens for Judicial Modernization entitled EVALUATION OF VARIOUS PROPOSALS FOR REORGANIZATION AND UNIFICATION OF THE TRIAL COURTS AND FOR REDUCING CASELOAD. Excerpts of data in that report are set forth in Appendix C.

There is little question that the bulk of the caseload in the judicial system falls upon the Circuit Court and it is indeed the court which most citizens will observe and from which they will derive their opinions of justice. The Circuit Court handles an annual average of 21,631 civil cases (exclusive of small claims), 81,896 criminal cases, and 144,496 motor vehicle cases.

The Superior Court handles an annual 8,128 civil cases, 3,673 criminal cases and 11,926 family relations cases. The Common Pleas Court handles 8,190 civil cases.

Although the complexity of many of the cases in the Superior Court is far greater than that of the cases processed in the Circuit Court, the latter court does have jurisdiction to impose jail sentences of up to five years and to render judgment in civil cases up to $7,500. Some of the Circuit Court cases do involve serious complex legal issues. Regardless of complexity, its criminal and civil cases alone total 103,527 per year or more than three times the total caseload of the Superior and Common Pleas Courts combined, i.e. 31,917.

An analysis of the data regarding criminal case dispositions indicates that relatively few cases are disposed of by trial and that most cases are resolved by pleas of guilty to the charge or substituted charges or by entry of nolle prosequi by the prosecutor. Similarly, a small percentage of the civil cases actually proceeds to trial.

The data of the Judicial Department indicates that the Courts were disposing of cases at a rate equaling or exceeding the entry rate before additional judges were added to the Superior and Circuit Courts in 1973, which indicates that the backlog is either stable or decreasing. However, there has been considerable criticism of the length of time required between the filing of a civil action and to the time of trial -- a number of factors appear to affect this time period.

D. Criticisms Voiced As To Present Structure

Although the Connecticut judicial system has made significant strides forward to improve both the simplicity of its structure and the nature of its administration, there remains significant criticism in a number of areas which the Commission has attempted to evaluate. In approaching the question of court structure, the opinions of judges, court personnel, lawyers and laymen were solicited. In addition, the structures and operations of courts in various other states, in the District of Columbia and in the federal system were also studied and evaluated. Various persons appeared before meetings of the Commission to advance their observations concerning their needs for change in the system and proposals for restructuring.

A principal and obvious criticism is that the present court structure with its five separate trial courts is inefficient and duplicative. There is validity to such a criticism since each court has its own set of judges, its own clerks, its own courtrooms and its own jurisdiction. Although proponents of this system of "specialized" courts have advanced arguments in favor of efficiency, the Commission is of the opinion that the interests of the state would be better served by a reduction in number of separate courts and by the specialization of judges rather than of courts. It appears that the observation of Professor Karlen is appropriate to the present multi-tiered trial court structure:

> "Each court has its own fixed jurisdiction, its own judges, and its own administration and operates in splendid isolation from its sister courts."[1]

[1]Karlen, Judicial Modernization: What Other States Have Done, State Government and Public Responsibility (1964 Tufts Assembly on Government)

As matters presently exist, each of the Superior, Common Pleas and Circuit Courts has its own civil motion calendars and assigns judges to hear the motions of its particular court. Both the Circuit and Superior Courts assign judges to arraign defendants in criminal cases. Other procedural and administrative matters in each of the courts consume time of judges in each court which might otherwise be spent in the trial of cases if efficiencies could be effected. The present stratification of the three principal trial courts precludes optimum utilization of the available judges and further precludes assignment so as to handle matters in another one of the courts where the need might be greater or in two or more courts concurrently (except that a Superior Court judge could be assigned to matters in one of the lower courts).

Steps must be taken to improve the efficiency of utilization of existing manpower resources of the Judicial Department because the cost of adding judges represents a very substantial tax burden to the people of the State in salary and benefits, courtroom and staff. Estimates of cost of adding judges in this and other states vary from $100,000 to $200,000 per annum per judge. Because of the present practice of rotating judges to various locations and of providing judges in each of the counties for at least some period of time during each court term regardless of relative need, it is quite likely that the time of judges is not as well utilized as it might be. Thus a reduction in the number of trial courts would inherently enable greater efficiency in assignments and utilization of judge time; it would also enable better utilization of court support personnel.

Perhaps the most serious criticism directed at the present multi-tiered court structure is the fairly widely held belief that it produces a caste system of justice and a caste system of judges. Justifiably or not, it is generally the opinion of legislators, judges and lawyers that the quality of the bench of the Superior Court is better than that of the Court of Common Pleas which in turn is better than that of the Circuit Court. This is reflected in the practice of "elevation" of many judges from the Circuit Court to the Common Pleas Court and thence to the Superior Court, and this belief is strengthened by the salary differential which exists between the three courts. Appointment of judges of lesser qualifications to the Circuit Court bench is "justified" on the basis that its business is not so complex or important as that of the Superior Court. The belief is further nurtured by substandard facilities which are found in many Circuit Courts such as those courthouses in New Haven, Bridgeport, and New London. By comparison, the facilities of the Superior Court, which are shared by the Common Pleas Court, are considerably better although some first rate Circuit Court facilities do exist, as, for example, in Stamford and Meriden.

Coupled with these factors is the much greater volume of cases which inundates the Circuit Court to produce at times intolerable overloading of courtrooms, hallways and conference rooms, especially in the urban centers. The unfortunate result is a belief on the part of some citizenry that the Circuit Court is the "refuse heap" of the judicial system which handles those cases and litigants not "significant" enough to reach the "hallowed" halls of the Superior Court.

There is little question that the Superior Court affords a less hectic and more considered atmosphere for the criminal and civil cases which it processes. There is little doubt that the Court of Common Pleas affords at least an atmosphere of better consideration for the civil matters which come before it.

Two questions have been asked repeatedly: "Should a person be entitled to any lesser quality of consideration for a case because he may be sent to jail for one day less than five years than the person who may be sent to jail for one day more than five years?" "Should a civil litigant be entitled to any lesser quality of hearing or judge because his claim is $7,500, representing his entire life savings, than a corporation pressing a claim for $15.000?"

Lawyers and judges themselves have fed a popular belief that less qualified men sit as judges in the Circuit Court than sit as judges in the Superior Court. Although it is recognized that all judges are not created equal in terms of temperament, disposition and ability, should the judges of any one court be classifiable as inferior in judicial capability to those of another court, particularly when those judges are the ones before whom the great bulk of the litigants of the State will appear and from whom they will derive their opinions of justice and our judicial system? Like Caesar's wife, our court system should be above suspicion.

Some judges of the lower courts have also complained of the caste system which presently exists among some judges of the several courts. Even if not widely prevalent, there is certainly no room for any such attitudes to exist in a

well-functioning judicial system where all judges are entrusted with the common cause of providing equal justice for all. Moreover, there is no room for any judge to believe that any matter entrusted to the judicial system is beneath his dignity.

There is a great deal of overlapping jurisdiction in all five courts and some gaps in jurisdiction in matters affecting juveniles which could require concerted action by a plurality of courts. The Superior Court handles matrimonial actions which may involve the custody of a child, and it can refer a matter to the Common Pleas Court. The Common Pleas Court processes cases brought under the Uniform Support Act; the Circuit Court enforces support orders; the Juvenile Court deals with neglected children; and the Probate Court handles adoptions and guardianship matters.

In civil matters, the Circuit Court hears all small claims and other civil cases up to $7,500, and the Superior Court has jurisdiction over matters in excess of $7,500. The Common Pleas Court has concurrent jurisdiction with the Circuit Court in the range of $1,000-$7,500 and with the Superior Court in the range of $7,500-$15,000.

In criminal matters, the Superior Court has sole jurisdiction of crimes involving possible sentences of five years or more and the Superior and Circuit Courts have concurrent jurisdiction of crimes involving possible sentences of

1-5 years. In many cases, the defendant first appears in the Circuit Court and is then bound over to the Superior Court, requiring a hearing in probable cause unless waived by the defendant.

Other criticisms have been directed at the present system but those regarding efficiency, cost, quality of justice, "caste" system and overlapping jurisdiction are those of primary importance.

E. Proposals for Restructuring of the Trial Courts

Over the past few years, there have been advanced a number of proposals for restructuring of the several trial courts. The Judicial Council of the State of Connecticut and the Connecticut Bar Association have recommended the elimination of the Court of Common Pleas and the merger of its business and judges into the Superior Court. The Connecticut Citizens for Judicial Modernization has recommended a merger into a single trial court of not only the Superior, Common Pleas, and Circuit Courts but also the Juvenile and Probate Courts. Some attorneys have recommended the simplification of the Probate Court with the transfer of all contested proceedings to the Superior Court and with the administrative activities of the Probate Court to be assumed by surrogates operating on a salary basis under the Superior Court. Some attorneys and laymen have recommended the creation of a family court which would have jurisdiction over all matrimonial matters and all matters relating to juveniles.

In evaluating the various proposals for reorganization, the Commission has recognized the desirability at least of eliminating the Court of Common Pleas as it is presently constituted and at the same time developing a plan or reorganization which would in fact improve the posture and quality of the Circuit Court. The questions of the Probate Court and Juvenile Court will be discussed separately hereinafter.

Proponents of the merger of Superior, Common Pleas and Circuit Courts into a single trial court point out that, under this system, all of the trial judges would be eligible to sit on all judicial matters throughout the judicial system so that they could be assigned to cases in accordance with the full level of their ability and where their individual interests might lie. In such a unified trial court all courtroom facilities would be combined and judges, litigants and cases could be assigned more expeditiously by a single administrative head. Moreover, such an approach would eliminate overlapping jurisdiction, time wasting procedures such as bindover hearings and transfer of cases, and it would effect immediate consolidation of all jury trial activity. Obviously, the present concern over "inferior" courts and caste system for judges would be eliminated. Present single judge assignments to court locations could be minimized, if not eliminated.

Those who support a merger of the Court of Common Pleas with the Superior Court point out that these courts presently share facilities and presently have had their cases fully entered in the Judicial Department's computer file while those of the Circuit Court have not been. The civil jurisdiction of the

Common Pleas Court could be readily combined with the civil jurisdiction of the Superior Court which is presently concurrent therewith. The sixteen judges of the Common Pleas Court could be readily utilized as judges of the Superior Court to expedite the handling of the civil and family relations business of the Superior Court, some of which has been pending for a considerable period of time. These courts already share common jury panels as well as facilities. Moreover, they point out that the people need the Circuit Court which is close to them and presumably more sensitive to the needs of the community, a court which may be more flexible in its dealings than a court handling matters as complex as those handled by the Superior Court. They also contend that small cases do not justify the experience and considered procedures of the Superior Court.

Although it is recognized that a "merger" of the Superior Court and Common Pleas Courts would be the simplest to effectuate administratively, such a merger would have no beneficial effect upon the Circuit Court and would probably accentuate the public feeling that the Circuit Court was "inferior" to the Superior Court. Such a merger would also make it difficult to utilize common jury panels for all court business and to consolidate court activities for the trial courts at single existing facilities.

As to the problem of small causes or less important cases, the statements of Dean Roscoe Pound are of interest:

"...It is here that the administration of justice touches immediately the greatest numbers of people. It is here that the great mass of an urban population, whose experience of the law is not unlikely to have been experience only of the arbitrary discretion of police officers, might be made to feel that the law is a living force for securing their individual as well as their collective interests. The most real grievance of the mass of the people in respect of American law is not against the substantive law but rather against the enforcing machinery which may make the best of rules nugatory in action. Nor should petty criminal prosecutions be left out of account in this connection. Petty in respect of the penalties imposed, they are none the less often of very serious import to those involved in them, and the humbler inhabitants of our great cities have deserved better provision for a feature of government that touches some of their dearest interests than our judicial organization, as it was shaped for rural agricultural America of the formative era, made for them...

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"It has always been recognized that a wider discretion and freer scope for judicial action are requisite in the administration of justice in small causes. Hence, for a long time lay justices of the peace were taken to be the ideal tribunal...In truth, it takes a judge who knows the law to know how and when to dispense with particular precepts. Small causes may well present quite as difficult problems as those involving large sums of money or valuable property. What is unprofitable for the lawyer is not necessarily unprofitable for the law."[2]

2 Roscoe Pound, ORGANIZATION OF COURTS, Little Brown & Co. 1940, pp. 260-63

F. Recommended Restructuring of the Trial Courts

Following extensive consideration of the needs and problems in the trial courts and after evaluation of various proposals for reorganization, it is the recommendation of this Commission that the structure of three principal trial courts be revised as follows:

1. The Circuit and Common Pleas Courts would be merged to leave only two principal trial courts: the Superior Court and the Court of Common Pleas.
2. Five judges of the present Circuit and Common Pleas Courts would be added to the judges of the Superior Court raising the total number to 45 and providing a total of 61 judges in the new Court of Common Pleas.
3. An Appellate Section would be established in the Superior Court with the number of judges assigned to be determined by the Chief Court Administrator based upon its caseload.
4. Appeals from the new Court of Common Pleas would be taken in the first instance to the Appellate Section of the Superior Court.
5. The appellate jurisdiction of the present Court of Common Pleas in appeals from state and local administrative agencies would be transferred to the new Appellate Section of the Superior Court.

6. It is expected that this Appellate Section would also handle the present appellate jurisdiction of the Superior Court, namely, appeals from the Probate and Juvenile Courts as well as from Compensation Commissioners.
7. Jurisdiction of the new Court of Common Pleas would be for claims up to $15,000 in civil matters and for offenses with penalties up to five years in criminal matters; it would have exclusive jurisdiction over small claims and over motor vehicle offenses. The Superior Court could continue to be the court of general jurisdiction.
8. The Chief Court Administrator would utilize the existing courtrooms and facilities of the present Court of Common Pleas in the present Superior Courthouses for the transaction of jury business in the new Court of Common Pleas so that, whenever possible, a single jury panel would be drawn for a given venue district.
9. The new Court of Common Pleas would have as permanent divisions both a Civil Division and a Criminal Division.
10. The new Court would use the existing venue boundaries for the Court of Common Pleas -- county lines and the Waterbury District.

Each of these items will be discussed in detail hereinafter.

The Commission is strongly of the opinion that the number of trial courts must be reduced in an effort to improve the efficiency of the judicial system and to improve the quality of justice in the system. The Commission further believes that, although the merger of the Circuit and Common Pleas Courts and the reordering of jurisdiction proposed will improve the efficiency of the trial courts of the State of Connecticut, this consolidation should be but the first step in the ultimate consolidation of all of the principal trial courts into the Superior Court. Such an overall consolidation would afford the greatest advantages for the improvement in efficiency of utilization of judges, of court facilities, of jury time and of court administration. At the same time, such a total consolidation would eliminate any question about "inferiority" in the justice dispensed by any lower trial court.

In approaching the question of merger, the Commission recognized that the "easy" merger would be that of the Superior and Common Pleas Courts since this proposal has strong support from the Connecticut Bar Association and the Judicial Council. Moreover, it would be relatively simple since these courts share the same courthouses, are fully computer coded and already share a largely overlapping civil jurisdiction. However, the Commission recognizes that the people of this State must be primarily concerned with that court which handles the great bulk of the State's judicial business and from which its citizens derive their opinion of justice. The Circuit Court certainly needs immediate and far reaching attention--more so than can be provided simply by new buildings, more

judges, and words importing improvement in its status. As indicated hereinbefore, it is the opinion of the Commission that any multi-tiered trial court structure opens to question the quality of justice which is dispensed by the lower court and the quality of judges assigned to that court.

By the merger of the Circuit Court upwardly into the Common Pleas Court and into possible joint facilities, there can be no question that this Commission and the Legislature are concerned with elevating the status and improving the quality of the lower court and moving it closer to the Superior Court. In contrast, the effect of a merger of Common Pleas and Superior Courts would be to widen the gap between the Circuit Court and the Superior Court rather than to narrow it -- a step which should sorely trouble the conscience of the State.

This merger will not be a panacea but it goes beyond mere symbolism in creating a climate for further improvement in our trial courts and in narrowing the artificial gap which presently exists. By this merger, trials and other matters presently within the jurisdiction of the Circuit Court could be handled in the courtrooms of the Common Pleas Court which are generally located in the "superior" courthouses used primarily by the Superior Court. A single jury panel could be called and used for the trial of matters in both the Superior Court and the merged court. The Commission does not propose to abandon all Circuit Courthouses but it does propose to breach the geographic chasm between the Circuit and Superior Courts.

It is considered that the transfer of the appellate jurisdiction of the present Common Pleas Court to the Superior Court would be highly advantageous. First of all, this would effect consolidation of all appellate activity at the trial court level in the Superior Court and would allow the creation of a specialized division or section within that court to handle appellate matters. In terms of impact, this would mean the transfer of appeals from decisions of administrative tribunals and it would also involve the handling of appeals from decisions of the new merged Court of Common Pleas. The Superior Court already has appellate jurisdiction over matters originating in the Probate Court, over decisions of the Juvenile Court and over appeals from decisions of the Compensation Commissioners. The creation of this Appellate Division or Section would allow the assignment of specialized judges who have demonstrated scholarly ability to handle such appellate activity. In appeals from the decisions of the merged court, the judges might sit as a panel of three; however, in other cases and especially where the "appeal" involves the taking of any new evidence, it is expected that the judges of the appellate section would assign the case to a single judge for the taking of evidence rather than consume the time of a panel of judges for this purpose.

In reviewing the additional caseload which would be placed upon the Superior Court as a result of the transfer of the appellate jurisdiction and as a result of the possible tendency for civil cases to be filed in the higher court because of initial concern over the availability of early trials in the merged court,

it was determined that an increase in the number of judges of the Superior Court from 40 to 45 would adequately provide for the increased caseload and should in fact provide some additional judge time for disposition of presently existing business. Of the present caseload of the Court of Common Pleas, the administrative appeals comprise less than fifteen per cent or 2.4 judges; the appellate activity for appeals from the Circuit Court involves the time of less than one judge. Deducting 5 judges from the 16 judges of the present Court of Common Pleas and the present 50 judges of the Circuit Court would provide a total of 61 judges in the new court which should enable better utilization of the judges for specialized duties and thus more efficient disposition of the business of the court.

To minimize overlapping jurisdiction and again to improve the image of the merged court, it would be given jurisdiction over civil matters where the claim for damages was up to $15,000, the present jurisdictional limit for the Court of Common Pleas (the present jurisdictional limit for the Circuit Court is only $7,500). In addition, it would have the present criminal jurisdiction of the Circuit Court, namely, offenses where the penalty which may be imposed is up to five years. Lastly, it would retain the current jurisdiction of the Circuit Court in small claims and motor vehicle matters.

To insure the desired prompt processing of both civil and criminal business, the Commission recommends the creation of permanent civil and criminal divisions within the Court. Where possible, judges of this Court would be assigned

for reasonably long periods of time in these specialized divisions so as to insure more efficient disposition of both types of cases.

A very significant advantage will flow from the merger of the Circuit and Common Pleas Courts in that a single jury panel may be drawn from a given geographic district to handle all of the jury matters of both courts. One of the greatest criticisms of our present court system is the poor utilization of jurors despite significant improvements which have been made by the Judicial Department in the past several years. By combining jury business in a single panel, and hopefully by combining jury trials at a single facility, it is believed that there will be greater opportunity to more efficiently utilize that time which the citizens of our State contribute to the operation of our jury system.

A further possible advantage is the elimination of relatively unused court facilities where the courtrooms in one or more facilities within a given area are adequate to handle the total business of both courts presently assigned to a greater number of courthouses in the same area. However, the intent is not to close court facilities which are not duplicated in a given community. The Commission strongly recommends that the merged court have the use of all the facilities of the present Common Pleas Court and of the present Circuit Court except only to the extent that courtrooms may be needed for the additional jurisdiction of the Superior Court. This would provide the new merged court with the present 58 courtrooms in 29 locations of the Circuit Court, and hopefully most of the 19 courtrooms in 14 locations

of the present Court of Common Pleas. The appellate section could make use of relatively unused courtrooms of the Superior Court located outside the congested urban centers and certainly would not need jury courtrooms.

For at least the time being, the new court would utilize the existing venue boundaries for the Court of Common Pleas, i.e., cases would be entered in courts whose jurisdiction was drawn along county lines or that of the statutorily defined Waterbury District. This reduction from 18 to 9 geographic districts will greatly improve the ability to process court business although it is not the intent to close the Circuit Court facilities presently spaced about the state in the various Circuits. By having larger venue districts, administrative procedures can be improved and various courthouse locations within the district can be utilized for the transaction of specialized business of the merged court for that particular venue district. Moreover, the combination of the two courts will enable the reduction or at least better utilization of administrative personnel and will permit other significant efforts to improve efficiency of the judicial system.

It had been proposed that the State be divided into five judicial districts to provide a more efficient minimum population unit for judge assignment. For example, the three eastern counties of New London, Windham and Tolland together comprise a population of 418,609 and would as a unit warrant the assignment to such a district of 5 Superior Court judges (only 3 were assigned in 1971-72) and 6 judges of the new Court of Common Pleas (only 5 were assigned in 1971-72).

Cases within this larger venue district would be available for trial at any of the facilities within it so that judges at a given court location could be assigned to conduct only jury trials and litigants could elect to try their cases at that location or wait until the jury session moved to a close location. Other judges assigned to the district could handle the arraignments and motion calendars for the entire district; still others could handle the non-jury trials. This would provide the benefit of greater flexibility and efficiency in the use of the time of judges as compared to having one or two judges attempt to handle all types of business of the court concurrently.

The Commission recognizes certain difficulties in eliminating the county lines presently used for determining venue jurisdiction although the Judicial District of Waterbury crosses county lines. Therefore, it recommends that the present venue boundaries be retained for purposes of return of service and that the Chief Court Administrator be given authority to transfer both civil and criminal matters from one venue district to another in order to make full use of available courtrooms and judges. In an instance of such a transfer, the jury panel would be drawn from the geographic area around the courthouse to which transferred.

Although the proposed merger is not the ultimate from the standpoint of potential efficiency, it is believed that it represents a substantial advance in the light of the criteria enunciated by Dean Roscoe Pound:

"...What are the general principles which should govern in the reorganization which will in reality be an organization of our courts? The controlling ideas should be unification, flexibility, conservation of judicial power, and responsibility. Unification is called for in order to concentrate the machinery of justice upon its tasks, flexibility in order to enable it to meet speedily and efficiently the continually varying demands made upon it, responsibility in order that some one may always be held and clearly stand out as the official to be held if the judicial organization is not functioning the most efficiently that the law and the nature of its tasks permit. Conservation of judicial power is a sine qua non of efficiency under the circumstances of the time. There are so many demands pressing upon the government for expenditure of public money that so costly a mechanism as the system of courts cannot justify needless and expensive duplications and archaic business methods. Moreover, waste of judicial power impairs the ability of courts to give to individual cases the thoroughgoing consideration which every case ought to have at their hands...

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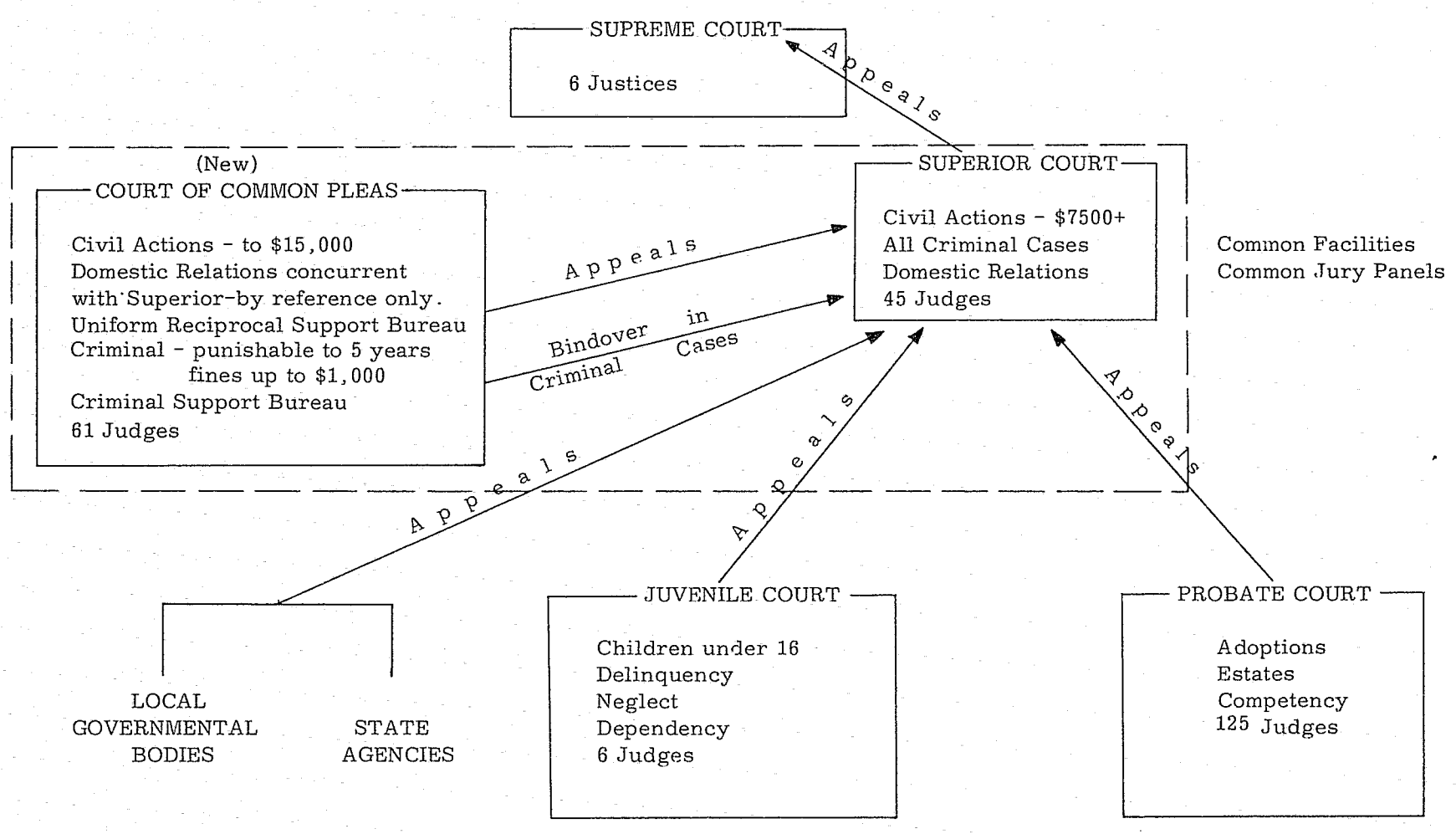
"As has been said in other connections, instead of setting up a new court for every new task we should provide an organization flexible enough to take care of new tasks as they arise and turn its resources to new tasks when those to which they were assigned cease to require them The principle must be not specialized courts but specialist judges, dealing with their special subjects when the work of the courts is such as to permit, but available for other work when the exigencies of the work of the courts require..." [3]

[3] Pound, supra, pp. 275-6

It is respectfully submitted that the proposed plan for restructuring the trial courts will be a significant step towards achieving the ultimate goals of eliminating public concerns over "inferior courts dispensing inferior justice," of providing more equal justice for all, of enabling better utilization of available judges and facilities and of enabling better utilization of the time of our citizens called upon to serve as jurors.

The structure of the Connecticut court system following the adoption of the proposals contained herein would be as shown in the chart on the next page.

PROPOSED CONNECTICUT COURT STRUCTURE
1974



V. JUVENILE COURT - PROPOSAL FOR A FAMILY RELATIONS COURT

The Juvenile Court for the State of Connecticut came into being in essentially its present form as part of the state judicial system on January 1, 1942. Prior to the creation of the statewide Juvenile Court the judicial responsibility for the implementation of the statutes pertaining to juveniles in the fields of delinquency had been divided between such legal tribunals as existed in the 169 towns of the state. In 1935, the Legislature created two experimental state-controlled juvenile courts in Fairfield and Windham Counties to handle only matters relating to juveniles. These two courts were regarded so favorably that in 1941 the statewide Juvenile Court was established.

Juvenile justice statutes controlling of the handling of juveniles were first enacted in 1921 and underwent substantial changes in 1967 as a result of the United States Supreme Court decision extending Constitutional guarantees of due process and right to counsel to juvenile court proceedings. In 1970, major changes were made as the result of the creation of the Department of Children and Youth Services.

By the terms of Sections 17-53 through 17-74 of the General Statutes, the Juvenile Court has exclusive jurisdiction over the delinquent, neglected, uncared for and dependent children of the State with children being defined for the purpose of the Juvenile Court Act as minors under sixteen years and also

children allegedly abused under the provision of P.A. 205 (1973) who are within the jurisdiction of the Court until their eighteenth birthday. During the calendar year 1972, 11,227 delinquent children and 972 neglected, uncared for and dependent children were subject to the court's jurisdiction.

The Court has six judges appointed in the same manner and fashion as the judges of the other courts of the State's judicial system for terms of four years. It employs 80 probation officers and has a total full time staff of 190.

The venue format of the Juvenile Court is unique in that it divides the State's eight counties into three judicial districts of which the first comprises the counties of Fairfield and Litchfield; the second, the counties of New Haven, New London and Middlesex; and the third, the counties of Hartford, Tolland and Windham. By statute each judge appointed to serve in a given district must be a resident of that district although he may be assigned by the Chief Judge to conduct hearings outside his district when the orderly disposition of the court's business so requires.

Each district has a main office and four area offices and from each such office a cluster of the nearby communities readily accessible to the office in question is served by the staff resident in that office. The judges are on circuit and hearings are held not less than weekly in each of the court's 15 offices with sessions in the main offices of each district, namely, Bridgeport, New Haven and Hartford varying from a minimum of two to a maximum of five days each week.

The court operates four detention homes for the protective custody of delinquent children, three of which are located in the cities of Bridgeport, New Haven and Hartford and serve the children of the first, second and third districts respectively. The fourth is maintained in Montville to provide for the children residing in the eastern part of the second district.

However, matters relating to juveniles are not exclusively within the domain of the Juvenile Court since the Superior Court may enter orders regarding custody of children as a part of its jurisdiction with respect to matrimonial proceedings, and the Probate Court has statutory authority over proceedings relating to guardianship over the child and his estate and over adoption. In addition, the Circuit and Common Pleas Courts both become involved with support matters.

As a result there have been for several years proposals by attorneys and social workers for the establishment of a single Family Court which would deal with all matrimonial matters and all matters relating to the person of juveniles.

The Commission heard presentations relating to the establishment of a Family Court in the Superior Court and also considered the possibility of establishing a Family Court within the lower court resulting from the merger of Common Pleas and Circuit Courts. Following discussion, it was the decision of the Commission that creation of a Family Court Division within either the Superior Court or the merged court should not be considered at the present time.

VI. PROBATE COURT

A. History of the Probate Courts

According to colonial records, the first courts with probate jurisdiction were the county courts which were assigned probate jurisdiction on May 10, 1666. In 1698, the county courts were constituted probate courts and in 1716, one judge and one clerk were assigned to each county. The first probate districts, which were smaller than counties, were established in 1719 in Windham, Guilford and Woodbury and the Legislature has continued to diminish the size of the districts until today when there are 125 probate districts. In 1973, the Legislature created four new districts effective January 1, 1975.

B. Constitutional Provisions

Two sections of Article Fifth of the Constitution of Connecticut are directly concerned with judges of probate:

> Sec. 4. Judges of Probate shall be elected by the electors residing in their respective districts on the Tuesday after the first Monday of November 1966, and quadrennially thereafter, and shall hold office for four years from and after the Wednesday after the first Monday of the next succeeding January.

Sec. 6. No judge or justice of the peace shall be eligible to hold his office after he shall arrive at the age of seventy years, except that a chief justice or judge of the supreme court, a judge of the superior court, or a judge of the court of common pleas, who has attained the age of seventy years and has become a state referee may exercise, as shall be prescribed by law, the powers of the superior court or court of common pleas on matters referred to him as state referee.

C. History of Probate Court Administrator's Office

The office of probate court administrator was established by the provisions of 1967 Public Act No. 558, and the sections of that act bearing on the appointment and powers and duties of that office are as follows:

Sec. 1. Amended Gen. Stat. § 51-4 to provide for a probate court administrator to be appointed from among the judges of the superior court by the chief court administrator to serve at his pleasure. (Gen. Stat. § 51-4)

Sec. 2. Amended Gen. Stat. § 51-5 to provide that the probate court administrator shall be responsible for the efficient operation of the courts of probate. (Gen. Stat. §51-5)

Sec. 8. Provides that the probate court administrator shall regularly review the auditing, accounting, statistical, billing, recording, filing and other procedures of the several courts of probate. (Gen. Stat. § 45-4d)

Sec. 9. Provides that the probate court administrator may attend to all matters which he deems necessary for the efficient operation of the courts of probate and to recommend to the General Assembly changes in statute law as he deems desirable to improve the administration of the courts of probate. (Gen. Stat. § 45-4e)

Sec. 10. Provides that the probate court administrator recommend to the judges of the Supreme Court rules of practice and procedure which would become mandatory upon adoption. (Gen. Stat. § 45-4f(a))

Sec. 11. Provides that the probate court administrator compile rules of practice and procedure and all forms prescribed for use in the courts of probate into a probate practice book. (Gen. Stat. § 45-4F(b))

Sec. 15. Amended Gen. Stat. § 45-10 to provide that upon suspension of a judge of probate under section 16 by the chief court administrator, the probate court administrator could cite in another judge of probate during the suspension. (Gen. Stat. §45-10)

Sec. 16. Provided that the probate court administrator, if he had reason to believe any judge of probate violated any law or rule or canon of judicial ethics, or become incapacitated, might notify the chief court administrator who, after hearing provided, could reprimand or suspend the judge of probate. (Gen. Stat. § 45-11a)

Sec. 19. To establish uniform costs by courts of probate, it provided that the probate court administrator could set costs except as specifically provided in that section. (Gen. Stat. § 45-17a(a))

Under the authority of this Act, Justice John P. Cotter, Chief Court Administrator, appointed Superior Court Judge Jay E. Rubinow as probate court administrator effective July 1, 1967. A court action was instituted to test the constitutionality of 1967 Public Act No. 558, culminating in the Supreme Court case of Adams v. Rubinow, 157 Conn. 150, which held the act constitutional, except for sections 15 and 16 that provided for the suspension of a judge of probate by the chief court administrator in contravention of constitutional provisions of Article Fifth, and except for section 19 which authorized the probate court administrator to fix probate costs since this was a legislative function that could not be delegated. As a result of that decision the following legislative actions were taken. 1969 Public Act No. 323, Sec. 2 Amended Gen. Stat. § 45-10

eliminate therefrom any reference to suspension of a judge of probate. 1969 Public Act No. 678, Sec. 1 Amended Gen. Stat. § 45-17a(a) by deleting the authority of the probate court administrator to set any costs to be charged by the courts of probate. Although no action was taken with regard to Gen. Stat. § 45-11a (Sec. 16 of 1967 Public Act No. 558) it is of no consequence since this entire statute was held to be unconstitutional in the case of Adams v. Rubinow, supra, and thus has no legal effect.

The 1973 General Assembly adopted Public Act No. 73-365. Sec. 1 of that act provides for a probate court administrator to be appointed from among the several judges of the several courts of probate by the Chief Justice to serve at his pleasure. Sec. 2 of the same act amended Gen. Stat. § 51-4 to delete any reference to the probate court administrator. Under the authority of Public Act No. 73-365, sec. 1, Chief Justice Charles S. House appointed Judge Glenn E. Knierim of the Simsbury Probate District as probate court administrator effective October 1, 1973.

There were no changes to the powers and duties of the Probate Court Administrator and the above sections, except as noted, remain in effect.

D. Commission Action

Following initial review of the feasibility of incorporating the Probate Court in any merger of the trial courts, the Commission has concluded that its inclusion in a unified court system should not be considered at this point in time.

VII. INTERMEDIATE APPELLATE COURT

It was suggested to the Commission that there be established an intermediate appellate court composed of five judges of the Superior Court. Essentially all appeals from the Superior Court would go to this appellate court and appeals from the appellate court would then go to the Superior Court only on certiorari or approval of the Supreme Court. A question of constitutionality of a statute or a question of great public interest would go directly to the Supreme Court.

In the course of discussion relative to the reorganization of the trial courts, the Commission concluded that no intermediate appellate court was necessary at this time. It should be noted that the Commission has recommended the establishment of an appellate section or division within the Superior Court to handle all appeals from the other trial courts and from administrative tribunals. The limited number of appeals from the decisions of the Superior Court itself as the trial court or of its appellate section do not appear to warrant establishment of an intermediate appellate court. It was also suggested to the Commission that the Supreme Court might consider the practice of some other states in sitting as panels of less than the present full court of five justices.

VIII. SELECTION OF JUDGES

The selection of judges in Connecticut is presently determined by the following:

"The judges of the supreme court and of the superior court shall, upon nomination by the governor, be appointed by the general assembly..."
Article Fifth, Section Two, Constitution of the State of Connecticut

"Each nomination made by the governor to the general assembly for a judge of the supreme court, superior court, court of common pleas or circuit court shall be referred, without debate, to the committee on the judiciary, which shall report thereon within thirty legislative days from the time of reference, but no later than seven legislative days before the adjourning of the general assembly."
Title 2, Section 2-40, Connecticut General Statutes

"Each appointment of a judge of the supreme court, superior court, court of common pleas or circuit court shall be by concurrent resolution. The action upon the passage of each resolution in the senate shall be by ballot, upon which shall be written or printed the words "yes" or "no". Such action in the house shall be by vote taken on the electrical roll-call device which shall be so arranged that the vote of each individual member shall be secret; provided, if, following the vote taken of such device, twenty percent of the members present so vote, or if the device is out of order when the vote is to be taken, action on the passage of the resolution shall be taken by ballot upon which shall be written or printed the word "yes" or "no". No resolution shall contain the name of more than one nominee."
Title 2, Section 2-42, Connecticut General Statutes

As provided by the Constitution of the State of Connecticut and the Connecticut General Statutes, the governor selects judges with the consent of both houses of the General Assembly. The procedure, simply put, is as follows: (1) the Governor make a judicial nomination; (2) this nomination goes to the Committee on the Judiciary; (3) which meets in executive session with the nominee for the purpose of determining the nominee's judicial qualifications; (4) the

Judiciary Committee then reports its findings to the General Assembly, (5) which acts on the nomination by secret ballot. If the General Assembly should reject a judicial nomination, the Governor is bound by law to make another nomination within five days from such rejection, and the process begins again.

Connecticut has been fortunate in having some very fine judges, and there has never been a scandal involving any member of the Bench in this State. This may lead some to believe that our system of judicial selection should not be altered. The obvious problems, however, should not be overlooked, and the Commission considered the criticisms outlined by the Connecticut Citizens for Judicial Modernization as set forth in the FIRST REPORT OF THE JOINT COMMITTEE ON JUDICIAL MODERNIZATION, March 1, 1972. It is difficult to the point of being impossible for a person to become a judge unless he has in some way been active politically. This is not meant to cast aspersions on present judges -- rather, it is meant to point out that judges are selected from only a small percentage of those attorneys who are qualified.

The politics involved in judicial selection can be more clearly seen by simply scanning the listing of judges currently sitting on the bench. The obvious tendency has been for a Governor to appoint judges from his own political party.[4]

[4] See for example the listing of judges in FIRST REPORT, Supra, which shows that after several terms of Democratic Governors, there were 36 Republicans, 64 Democrats and 6 unspecified then serving on the bench. The Table at page 51 shows the party affiliations for judges appointed by several different governors

The initial appointments to the Circuit Court were made in accordance with an allocation agreed upon by leaders of the two parties. This allocation, made hopefully to disengage politics from the judicial selection process, did not solve the problems. A potential nominee still had to be politically active to be considered for the Bench, and those qualified for the Bench who are neither Democrat nor Republican have but a microscopic chance of being selected. If we are to seek out the finest and most capable people for appointment to the Bench, this problem must be dealt with.

As stated earlier, Connecticut's judiciary is by and large competent. Unfortunately, the present system of selection also produced some judges who are not well qualified for the Bench. One of the problems with the system is the lack of formal and meaningful communication between the nominating and appointing powers and those groups who would be in a position to evaluate a nominee's judicial qualifications. A committee of the Connecticut Bar Association does evaluate potential appointees and make recommendations to the Governor, but that committee has not been able to function as effectively as desirable because the time period allowed for its reports has too often been short and because the committee has no staff and no independent investigative capability. Further, the committee cannot go out and seek qualified persons or candidates for judicial office. Rather, it is limited to the informal agreement with the Governor which states that the committee's recommendations will be considered. While no Governor has appointed to the Bench any person the Connecticut Bar Association has deemed "unqualified", there is no guarantee that such an "unqualified" person could not be nominated.

As stated by the CCJM in their first report, the ideal would be "...a system designed to bring to judicial office the men most qualified to hold that office, not on the basis of their political connections but on the basis of their recognized legal skills and personal characteristics. It is not sufficient to take pleasure in the fact that our present system has good judges despite their political origins -- it is important that the people believe that the men who judge are judges because they are considered to be the best men to judge and that our judges are free from any political taint or obligations..." [5]

The Commission to Study the Reorganization and Unification of the Courts approved the concept of a Merit Commission to improve the quality of judges. Two proposals for such a Merit Commission came before the Court Reform Commission on December 16, 1973. One proposal provided that the Governor would submit a list of names to a Merit Commission who would select from that list and send approved names to the General Assembly. The other proposal called for the Merit Commission to submit a list of names to the Governor, from which he would select judicial nominees. According to both proposals, appointing procedures would remain bascially the same as they are now. At the request of Commission member Norman K. Parsells, the subject was tabled until material from twelve other states with some form of Merit Commission could be obtained. When this material was distributed, discussion was held on the subject.

[5] First Report, supra, at page 14

The Connecticut Bar Association has endorsed in principle the concept of merit selection of judges although not specifically endorsing the proposal of the CCJM for an independent commission to seek out and recommend candidates for appointment. As stated by the Connecticut Bar Association:

> "It is commonly recognized that the most important factor in the successful operation of any judicial system is the judge. He must be a man learned in the law, energetic, understanding of human frailties, and devoted to his calling. The quality of the judicial system depends upon the quality of its judges.
>
> It is generally conceded that the Connecticut system for choosing judges has produced judges of generally high caliber and that it is far superior to an elective system. The only criticism that is made of it is that political considerations play too great a part in the selection of judges and that the lawyer who does not have political connections cannot aspire to judicial nomination and selection.

The Connecticut Bar Association, while not espousing any particular plan, has recommended the following:

> 'The adoption of a plan to insure that the most qualified persons are selected as judges and that similar standards be applied for the recommendations of judges for re-appointment or elevation'..."

***

As mentioned before, the Judiciary Committee is required to interview judicial nominees, and the substance of their interviews was the subject of considerable discussion at a Commission meeting. Rep. Bingham and Sen. Fauliso were named chairman and vice-chairman of a subcommittee (whose membership also included Rep. Healey, Sen. Scalo, Justice Loiselle, and Mr. Pape) that was instructed to recommend procedures the Judiciary Committee should use in interviewing judicial nominees. The subcommittee's recommendations accepted unanimously by the Commission are as follows:

A. The Governor submit judicial nominations with Connecticut State Bar Association reports to the Judiciary Committee;

B. Judicial nominees undergo physical examinations and a State Police character review;

C. The Judiciary Committee to contact local Bar Associations;

D. The Governor not release names of judicial nominees to the news media until the Judiciary Committee reports back its findings;

E. A judicial nominee should know the results of his interview in order that he may withdraw his name in the event of an unfavorable report;

F. The Judicial Review Council should submit comments and reports on the judicial nominees to the Judiciary Committee;

G. Upon completion of a judicial nominee interview by the Judiciary Committee, a hearing for legislators only would be scheduled. Public testimony would be offered only through legislators;

H. The Judiciary Committee vote on the nominee to be public;

I. The Judiciary Committee to conduct judicial interviews during interim periods.

It is respectfully submitted that these procedures would greatly improve the screening procedures for judicial nominees. However, there still exists a need to encourage the most qualified men to seek judicial appointment even if they have not been active in political life.

IX. RETIREMENT, REMOVAL AND DISCIPLINE OF JUDGES

The Commission gave extensive consideration to the problem of disciplining and removing judges who might be found to warrant disciplinary action. In an earlier effort to address this problem, the Judicial Review Council was established in 1969 and is comprised of five judges and three non-lawyers, who serve a term of four years and who may investigate complaints against any judge. It may hold hearings and may file a report with the Governor and the Joint Committee on the Judiciary with recommendations as to reappointment or impeachment. However, the only way in which a judge may be formally disciplined is by removal through impeachment or by address of two-thirds of each house of the Legislature.

For the last several years, there have been strong proposals from the Connecticut Citizens for Judicial Modernization and the Connecticut Bar Association for the strengthening of the process for reviewing complaints against judges and for providing increased disciplinary powers. The proposal which has been advocated is that of creating a Constitutional Commission on the Judiciary comprised of judges, lawyers and laymen to investigate all complaints, to recommend removal or retirement whenever the Commission found a judge permanently physically or mentally incapacitated, or to censure or recommend removal whenever the Commission found a judge refusing persistently to carry out his duties, or intemperate, or convicted of a felony or a crime involving moral turpitude, or whose conduct is damaging to the image of the judicial system, or whose conduct transgressed the Canons of Judicial Ethics. The ultimate power of removal would be given to the Supreme Court which would hold a hearing upon recommendation of the Commission or on its own motion.

Members of the existing Judicial Review Council have recognized the limitations as to its present authority and have sought the power to suspend and the power for the Supreme Court to remove or suspend. Thus, there appears to be agreement as to the need for greated flexibility and powers in conducting investigations of complaints and in disciplining of judges.

It is the recommendation of this Commission that the duties and powers of the Judicial Review Council be expanded so as to require the Council to submit its recommendations concerning the reappointment of any judge and so as to ensure full investigation of all complaints submitted in writing against any judge. The Council should be empowered to publicly or privately censure a judge, suspend him from the performance of judicial duties with loss of remuneration for a specified period of time not in excess of one year, and to empower it to recommend to the Supreme Court the permanent removal of a judge warranting such action. If such a recommendation is submitted to the Supreme Court, it will review the matter and it may remove the judge from judicial office or suspend him for a specified period of time from the performance of his judicial duties and with loss of his remuneration during the period of suspension. Thus, the cumbersome process of

impeachment or address of two-thirds of each house could be avoided and action can be taken between legislative sessions. Moreover, the strengthening of the powers of the Council could lead to corrective action without the necessity of removal proceedings.

In order to permit such suspension and removal, Article Fifth of the Constitution must be amended and the Commission recommends adoption of appropriate provisions.

In dealing with the matter of retirement of judges, the Commission recommends the vesting of retirement rights for judges who have served at least twelve years, and retirement benefits would be based upon the years of service. Moreover, the Commission recommends the adoption of legislation which would permit judges to retire at their option at age 62 or thereafter if they have served twelve years or more. In either case, payment of retirement benefits would not begin until age 65.

X. JUDICIAL COMPENSATION

One of the criticisms considered by the Commission was the salary structure for judges of the courts. Although pay raises were recently granted to the judges of the several courts and the retirement benefits accorded to judges are quite significant, there has been a feeling that the present salary structure was well below the income levels of the more successful private practitioners of the State and therefore an obstacle to encouraging some of the more successful practitioners to consider judicial appointment.

The Commission was fortunate in being able to consider the 1974 report of the Commission on Compensation of Elected Officials and Judges. Following discussion, the Commission recommended the adoption of the salary levels proposed in the Report of the Compensation Commission with the understanding that the salaries of Juvenile Court judges would be the same as that of the judges of the new merged Court of Common Pleas. Thus, the salaries recommended would be as follows:

Chief Justice, Supreme Court	$45,000
Chief Court Administrator	$44,000
Associate Judge, Supreme Court	$42,000
Chief Judge, Superior Court	$41,000
Judge, Superior Court	$40,000

Chief Judge, Court of Common Pleas (Merged Court) and Juvenile Court	$35,000
Judge, Court of Common Pleas (Merged Court) and Juvenile Court	$34,000
State Referees	$ 125/day

XI. COURT ADMINISTRATION

The Commission recognizes the desirability of ensuring an efficient and imaginative system of court administration in order to cope with the changing problems within our courts and to best utilize the available resources of the Judicial Department. Connecticut was among the first states to establish the office of Chief Court Administrator in 1965 and its wisdom in so doing has been repeatedly proven since that time.

By statute, the Chief Court Administrator presently is appointed by the Governor and is a Justice of the Supreme Court. He in turn appoints the executive secretary of the Judicial Department and the staff of the executive secretary is in fact the staff of the Chief Court Administrator. The Chief Court Administrator also appoints the Chief Judges of the several trial courts.

In any system of judicial administration it is believed that the Chief Justice of the Supreme Court should have the ultimate responsibility and authority for the operation of the judicial system since it is he who should answer to the people for any failures in that system. This is not to mean that he himself should develop and implement the administrative operations of the Judicial Department and this was recognized in the Act creating the Chief Court Administrator. It is believed, however, that the Chief Court Administrator should be appointed by and be responsible to the Chief Justice since he executes a portion of the responsibility of the

Chief Justice. The Chief Court Administrator in turn should have the power to appoint the deputy chief and assistant court administrators.

As stated by Dean Roscoe Pound in his famous treatise:

> "...Divided responsibility is no responsibility. Concentration of responsibility in a Chief Justice with corresponding power will correct, indeed will compel correction of, many abuses which have grown up because no one had the responsibility for preventing or removing them. Unless responsible headship for the whole judicial system is provided and given power to meet the exigencies of the responsibility, there is real danger that an administrative superintending control of the courts will be set up from without. This would not merely infringe the constitutional separation of powers. It would be a dangerous subjection of the courts to the executive at a time when executive hegemony has become a conspicuous feature of our polity.
>
> There are two checks which may be relied upon to secure against abuse of the power which must be accorded the responsible head of a unified court. One is his clearly defined responsibility both for what he does and lets his subordinates do and for what he omits to do. The other is the institution of the Judicial Council.
>
> ***
>
> "A unified and responsible judicial system would be able at once to detect abuses in that system, and any effort on the part of the head of such a system to abuse his authority would be immediately discoverable through public criticism..." [6]

[6] Pound, supra, pp. 289-92

Accordingly, the Commission recommends that Section 51-2 of the General Statutes be amended to provide that the Chief Court Administrator shall be appointed by the Chief Justice; however, this provision will not take effect until the expiration of the present term of appointment of the present Chief Court Administrator. The Chief Court Administrator will serve at the pleasure of the Chief Justice and he in turn may appoint such deputy and assistant court administrators as the Judicial Department may require from time to time.

The Commission believes that the professional administration of the Judicial Department should be improved and that consideration should be given to the establishment of deputy court administrators who would supervise the operations of all the courts in given geographic areas or court districts and implement the policies established by the Chief Court Administrator and the central staff. Through such regional responsibility, it is believed that facilities and court personnel could be better utilized and that problems in the judicial system might be more readily identified and more rapidly solved.

Providing the Chief Justice with the power to appoint the Chief Court Administrator is in keeping with the necessity for establishing a clear line of authority for the operation of the Judicial Department and it should be noted that the Judicial Council, the Legislature and the Governor will hold the Chief Justice accountable for the department. However, it should also be understood that the people expect an increasing degree of professionalism and further strengthening of the court administration operations of the Chief Court Administrator and his staff.

XII. COURT FINANCING

The Commission reviewed the present practice regarding the provision and financing of courthouse facilities for the Circuit Court. In contrast with the facilities which are provided for the Superior, Common Pleas and Juvenile Courts by the State Department of Public Works, and financed by the Judicial Department budget, the facilities for the Circuit Court are provided by the town. Historically, it had been the intent to have the towns provide facilities in return for which they would receive a portion of the fees collected by the court sitting in the facilities which it provided.

In some communities, the facilities provided have been substandard; and in other communities the provision of facilities for the court is said to have caused financial hardship. Since it is the strong feeling of this Commission that all courts must be treated equally, the Commission recommends that the authority and responsibility for the obtaining and maintaining of facilities for all courts, exclusive of the Probate Court, be that of the Judicial Department and of the State Department of Public Works. The Commission supports a proposed bill to amend Section 51-251 of the General Statutes to implement its recommendation that the Judicial Department assume all financing for all court buildings. This would allow the State to keep such facilities as the Judicial Department deems suitable, renegotiate leases on existing facilties and buy or condemn other facilities to ensure suitable courthouses throughout the State for all of its courts.

XIII. PUBLIC DEFENDER SERVICES

For a number of years, there has been considerable criticism of the public defender system of the State of Connecticut on several principal bases: (1) the inadequate number of public defenders and poor staffing of their offices; (2) the method of selection of public defenders by judges; (3) the lack of coordination between those public defenders handling matters in the Superior Court and those handling matters in the Circuit Court. Similar criticisms had been directed against the prosecutorial system which, however, has been revised so as to provide statewide coordination through an act passed by the Legislature in 1973 (P. A. 122).

Presently, selection of public defenders in the Superior Court is by the resident judges of a county although, by rule in 1973, the Judicial Department required all appointments of Superior Court public defenders to be cleared with a Chief Public Defender for the Superior Court, an office established at the same time. For a number of years, the Circuit Court has had an office of Chief Public Defender, but again appointments in the various circuits have been made by the judges.

Circuit Court public defenders may represent an indigent defendant arraigned in the Circuit Court who is then bound over to the Superior Court which will generally require a new public defender to assume responsibility for

the case. There has been divergence in procedures between public defenders' offices in the absence of the lack of a coordinated statewide program, particularly in the Superior Court.

A number of persons have criticized the practice of having public defenders "subservient to the judicial function." As stated by Jon O. Newman:

> "...But judicial appointment adds an extra dimension to 'supervision' of both prosecutors and public defenders that is not advantageous either to effective prosecution or to effective defense. Personnel whose reappointment depends upon the judges they appear before cannot be expected to press their respective cases to the limit of the law. In too many instances, prosecutors accept pleas to minor charges and public defenders recommend guilty pleas because both are keenly aware of the trial judge's preference for disposition of business without trial. This is not to suggest that a judge has ever threatened a prosecutor or defender with loss of his job if he did not heed a judicial suggestion. But the subtle influence of the judiciary is always present under a system of judicial appointment..." [7]

[7] Prosecutor and Defender Reform: Reorganization to Increase Effectiveness CONNECTICUT BAR JOURNAL, Vol. XLIV, December 1970, p. 569

The disparity between the public defender system and the prosecutorial system is one which certainly affords the "patrons" of the system reason to question its effectiveness and its fairness. Public defenders are paid less than their counterparts in the prosecutorial system. Although the prosecutorial system has county detectives and police departments available to assist it in investigations or gathering of evidence and witness statements, the public defenders have no real investigatory staff. The clerical staff is generally inadequate and the offices provided by the Judicial Department are also frequently inadequate. Because of the congestion in some Circuit Court facilities, the only place for the public defender to confer with his client is the "pen." The disparity hardly creates the image of a bona fide public desire to provide adequate public defender services despite the yeoman efforts of many of the public defenders.

The Commission unanimously endorses the principles of a bill being raised by the Judiciary Committee to create a Public Defender Services Commission and raise the caliber of public defender services provided to indigent defendants.

Among the key features of this bill are the creation of a seven member non-salaried Commission of high caliber to be appointed by the Governor, the legislative leadership of both parties, and the Chief Justice. This Commission will select a chief public defender and deputy chief public defender who shall be full time employees and supervise all public defenders in both the Superior Court

and in the lower court. The Commission will include two lay persons as well as lawyers and judges and the Chairman will be a Connecticut attorney. The Commission must be of bipartisan character and the members will serve for terms of three years.

The Commission will also appoint a public defender for each county or judicial district in the Superior Court and for each judicial district in the lower court, and as many assistant public defenders for the courts as may be warranted by the volume of criminal business. Public defenders will also be provided for the Juvenile Court. Special assistant public defenders may be appointed by the courts, when appropriate, from a list of attorneys provided by the Commission. Public defenders and assistant public defenders will serve for terms of four years and be full time employees.

Significantly, public defenders and assistant public defenders will receive the same salaries as those paid to the prosecutorial personnel of equal rank, and they will be provided the retirement and disability provisions customary for state employees. With the exception of those persons presently serving in office, defense personnel will be mandatorily retired at age 65.

Public defenders may be suspended by the Commission only after notice and hearing. At the direction of the chief public defender, defenders may be moved from one judicial district to another or between upper and lower courts to provide in the system flexibility and the opportunity to utilize personnel most

efficiently.

The Chief Public Defender will be required to submit yearly reports on all aspects of the department to the Public Defender Commission which in turn will submit its report to the Chief Justice, the Governor and the Judiciary Committee of the State Legislature including any recommendations for changes. The Chief Public Defender will be responsible, with Commission approval, for the selection of necessary staff and the administration and coordination of the overall program. It is contemplated that the Chief Public Defender will consult with other professional bodies and with comparable officials in other states, will maintain financial records and prepare budgets, will supervise training and establish training courses, will promulgate necessary rules and regulations governing the duties of members of the department, and will prepare and maintain lists of trial lawyers who may be called upon to represent indigent defendants in special cases. He will, with Commission approval, apply for and accept private and federal funds to assist in the operation of his department and he will establish the levels of compensation for attorneys appointed especially to represent defendants.

Before undertaking representation of a defendant, the public defender's office will investigate to determine that the defendant is indigent, and this investigation will require the preparation of a sworn financial statement by the defendant so that criminal penalties will attach in the event of deliberate falsification. An indigent defendant is defined as "a person who is formally charged with the com-

mission of an offense punishable by laws of liberty and who does not have present financial ability to secure competent legal representation and to provide other necessary expenses of legal representation."

The Commission will also establish a schedule of reasonable charges for public defender services. In the event services are provided and it is later determined that the person was ineligible for such free services, the individual may be compelled to reimburse the Commission in accordance with the schedule. Moreover, should a person subsequently receive or obtain funds adequate to compensate the Commission, he may be required to reimburse the Commission for its services in accordance with his ability. A civil action for collection may be brought by the Attorney General who shall have the right to compromise claims or, with the approval of the Chief State's Attorney, waive them in the interest of justice.

The eligibility of minor defendants and those between the ages of eighteen and twenty one will be measured in terms of the financial circumstances of the defendant and of his parents, guardians or others legally responsible for his support.

In order to provide a realistic timetable for the implementation of the new program, the Commission would come into existence upon passage (mid 1974), and would develop its rules and regulations necessary to operation of the department prior to appointment of the Chief Public Defender and Deputy Chief Public

Defender in February 1975. The Chief and Deputy Chief Public Defenders would then work with the Commission in preparing further for full operation of the department which would come into existence in August 1975. Existing public defenders would have the opportunity to become members of the new department and full time service would be required of all persons after August 1, 1976.

Thus, the program contemplated by the legislative proposal would provide adequate and qualified full time personnel, centralized control with training and coordination, insulation from any suspicion of "judicial subservience" and a realistic means for determining financial need. It would address itself to one of the real needs of our judicial system, namely, guaranteeing competent counsel to protect the rights of the poor.

XIV. IMPROVEMENT OF THE QUALITY OF LEGAL REPRESENTATION

The Commission also considered the need for improvement in the quality of legal representation provided to litigants in this State by the Bar at large. Over the past few years, there has been a growing concern within the Bar and Bench that inadequate steps are taken to properly prepare law school graduates for the demands of trial practice and appellate advocacy.

The United Kingdom and some other countries follow a practice in which lawyers are divided into two groups: solicitors who handle most aspects of law practice and deal directly with the public; and barristers who solely appear in court on behalf of litigants. Barristers undergo a specialized training for purposes of equipping them to practice trial and appellate advocacy.

Among the proposals advanced in the United States for further training of lawyers has been the concept that young law graduates who wish to become trial lawyers should in fact train under the guidance of experienced trial lawyers and that they should satisfactorily pass an examination demonstrating their knowledge of procedural rules, evidence and other aspects of trial practice.

The Commission recommends that the judges of the Superior Court review the subject of qualifications for trial practice and promulgate such rules as they deem necessary and proper to achieve an improvement in the quality of legal representation in the handling of cases, both civil and criminal, before the courts of this State.

XV. RULES AND RULE MAKING POWER

The Commission had occasion to consider possible changes in the rule making power, i.e., the power to establish rules for operation of the courts. There has been criticism of the Judicial Department because of alleged failure to enact new rules to cure shortcomings of existing rules or to accommodate changes in the nature of litigation before the courts.

Historically, the Supreme Court of Connecticut and in fact the highest courts of most states, have held that the rule making power is exclusively that of the judicial branch of government. A few statutes have been enacted which have been questioned as being an invasion of the rule making power of the Judicial Department although addressed to correcting needs which had not in fact been corrected by judicial rule.

Following consideration of the issues presented, it was the conclusion of the Commission that the rule making power belongs to the Judicial Department under the Constitution of the State of Connecticut as presently framed. The Commission was of the opinion that to make any specific recommendations with respect to the rule making power was beyond the scope of its present charge.

XVI. PLEA BARGAINING

The Commission briefly considered the subject of plea bargaining and the statistics regarding disposition of criminal cases provided by the Judicial Department and in the reports of the Connecticut Citizens for Judicial Modernization. It is apparent that plea bargaining is an essential part of our court system and that, within proper framework, it works to the benefit of the public and of the accused.

The Commission concluded that plea bargaining was a matter which should be handled by court rule. If further concluded that it should not make any other recommendation with respect to the subject of plea bargaining.

XVII. NEED FOR CONTINUING STUDY

As will be noted from the foregoing sections of this report, the Commission gave consideration to many items upon which it presently makes no recommendations. In addition, it is believed that implementation of the proposals recommended in this report will identify other problem areas requiring attention and further recommendations.

Our judicial system is one which we should constantly strive to improve and it is believed that the problems as yet unresolved and the problems which may hereafter be identified warrant a continuing Commission comprised of legislators, judges, lawyers and laymen not only to study but to recommend specific changes. Accordingly, the Commission recommends that the Legislature establish a longer range Commission to continue the studies and efforts of this Commission or that it continue the life of the present Commission.

XVIII. APPRECIATION

The Commission was greatly aided in its analysis of a very complex subject in a relatively short period of time by the cooperation of all concerned. Judges and court personnel quickly provided their views concerning subjects to be considered by the Commission. Members of the Bar and lay persons also provided valuable input both at public hearings and in contacts with individual members of the Commission.

The reports and studies of the Connecticut Citizens for Judicial Modernization when coupled with the data of the Judicial Department provide great insight into the existing resources of the Judicial Department as to courthouses and judges and into the utilization of those resources and the effect of possible plans for reorganization. It is noted that these reports of the Connecticut Citizens for Judicial Modernization were made possible through the contribution of more than 1,000 man days by over 300 citizens of the State who sat in substantially all of the courtrooms of the State for an entire week and collected data on 15,000 cases. The services of the Connecticut Council of Jewish Women and of The Connecticut Child Welfare Association in providing data to the CCJM concerning the operations of a Juvenile Court and Probate Court for an entire week are also greatly appreciated. In addition to these contributions, this Commission also expresses its gratitude to the hardworking members of the Committee organized by the CCJM and some of the

leading industries of this State for their contribution of invaluable executive time and the use of keypunch and computer personnel and facilities to code, process and analyze the data collected by the CCJM volunteers. The contribution by the Southern New England Telephone Company of its personnel who independently surveyed each room of every courthouse used by the trial courts has provided an up-to-date and highly useful evaluation of the existing court facilities of the State.

Lastly, thanks are due to all of the staff of the Commission for yeoman efforts to help develop data to conduct research and to assist in many ways. The scholarly history of the judicial system by Donald E. Hedberg which is set forth in this report should prove of continuing interest and value.

XIX. SUMMARY

In summary, the Commission's deliberations in fact substantiated the belief held by the Legislature which led to its creation, namely that there is a continuing need to reexamine our judicial system and to improve it to meet the ever changing demands placed upon it.

Since the key responsibility charged to the Commission was to study and improve the structure of the trial courts, principal consideration was given to this aspect of the judicial system. Following evaluation of comments received from judges, Judicial Department employees, lawyers and laymen, the Commission first determined that the present Court of Common Pleas should be abolished and then concluded that the best possible effect upon the trial court structure would be accomplished if there were a merger of the Circuit and Common Pleas Courts. The new court would have the present criminal jurisdiction of the Circuit Court (offenses with sentences up to five years) and the civil jurisdiction of the present Common Pleas Court (claims up to $15,000).

Although the Commission recognized that the simplest merger to effectuate would be that of the Superior and Common Pleas Courts, it was felt that such a merger would aggravate rather than solve some of the problems which currently beset the trial courts. If anything, such a merger would further increase the apparent

breach between the lowest trial court and the Superior Court which has given rise to the public belief that there is a caste system of justice and a caste system of judges.

The Circuit Court needs immediate and far reaching attention -- not merely new buildings and more judges. Statements which import improvement in its status will not convince either lawyers or laymen that the quality of justice is being improved. By merger of the Circuit and Common Pleas Courts, the Legislature can make clear to the people of the State that it is concerned with improving the quality of justice in the lowest trial court and improving it to approach the quality of the Superior Court. By such a merger, the Judicial Department will be able to use common facilities for the two principal trial courts wherever possible and it will be able to use a single jury panel for a given area to transact all the business of the trial court to better utilize the time of citizens given to make our jury system work. Assignment of cases, judges and facilities could be optimized due to the possible pooling of facilities and personnel.

The Commission's recommendations include the establishment of an Appellate Section within the Superior Court to handle all of the appellate activity presently within the jurisdiction of the Superior Court and appeals from the new Court of Common Pleas. In addition, the Commission recommends that the jurisdiction of the present Court of Common Pleas over appeals from state and local

administrative bodies be transferred to the Appellate Section of the Superior Court, thus concentrating all appellate activities in the Superior Court. To provide for the increase in the workload of the Superior Court, 5 judges of the Circuit or Common Pleas Courts would be added to the Superior Court, giving it a total of 45, while the new Court of Common Pleas would have a total of 61 judges (there are presently 50 Circuit Court judges and 16 Common Pleas judges).

The Commission considered proposals for establishment of a Family Relations Court in either the Superior Court or the merged court, and concluded that it would not make such a recommendation at this time. The Commission further considered the desirability of incorporating the Probate Court in a merger of the trial courts and concluded that it would make no recommendation at this time. The Commission also evaluated the question of whether there was needed an intermediate Appellate Court between the present Superior Court and the Supreme Court; it was of the opinion that the caseload did not judtify the creation of an intermediate appellate tribunal.

On the question of judicial selection, the Commission considered the existing system of screening judicial appointees and the criticisms directed against the present system. Following consideration of merit selection systems employed in some other states, it was felt that screening procedures should be improved and a series of recommendations have been made to improve the screening process

in the Legislature. Further study in this area would appear to be worthwhile.

On the issues of discipline and removal of judges against whom complaints have been filed, the Commission was of the opinion that there could be considerable improvement over the present powers and procedures of the Judicial Review Council. The Commission recommends that the Council be given the power to censure and to suspend for periods of up to one year those judges who warrant such action. Moreover, the Commission would recommend and the Supreme Court could remove permanently or suspend for longer periods any judge who is found to warrant more stringent action.

The Commission has also reviewed the recommendations of the Commission on Compensation and supports the recommendation for increases in the salaries of judges so as to make judicial salaries more attractive to successful private practitioners. It also believe that retirement benefits should become vested at the end of 12 years and that judges should be given the opportunity of electing early retirement at age 62, with payment of retirement benefits being postponed until age 65.

On the issue of court administration, it is felt that responsibilities and the administrative organization should both be strengthened. The Chief Court Administrator should be appointed by the Chief Justice rather than the Governor since the Chief Justice is responsible for the judicial system, and the Chief Court

Administrator in turn should have the opportunity of appointing his own staff. More consideration should be given to strengthening the administrative operations of the Judicial Department to improve the efficiency including district deputies serving to administer all of the courts in a given geographic area. Judicial Department responsibility for financing of all court facilities and unified budgeting are also recommendations of the Commission; the facilities and budgets for all courts including the Circuit Court must be that of the Judicial Department if in fact the necessary measure of control of resources and proper development of facilities are to be effected.

The Commission strongly subscribes to the proposals of a subcommittee of the Judicial Committee for improvement of the quality of public defender services. More particularly, the Commission supports the recommendation that there be created an independent Public Defender Services Commission which would select a Chief Public Defender and Deputy Chief Public Defender to supervise the operation of public defenders in all the courts of the State. To the fullest extent possible, public defenders would be full time personnel selected solely on the basis of merit, and adequate staff and budget would be provided.

As to other issues considered by the Commission, it was felt that there is a need for the judiciary to consider rules which would improve the quality of legal representation in the courts. Any changes that might be deemed necessary

with respect to plea bargaining should be accomplished by the judiciary under the the rule making power. The Commission was also of the opinion that the rule making power was reserved to the judiciary. Lastly, there was felt to be a need for continuing study of the judicial system and its problems which would warrant either continuation of the present Commission or the creation of a longer term Commission.

Thus, the Commission has addressed itself to the principal problems charged to it by the Legislature. Its recommendations in key area are believed to permit significant strides in the improvement of the judicial system and towards the goal of ensuring more efficient and more equal justice for all.

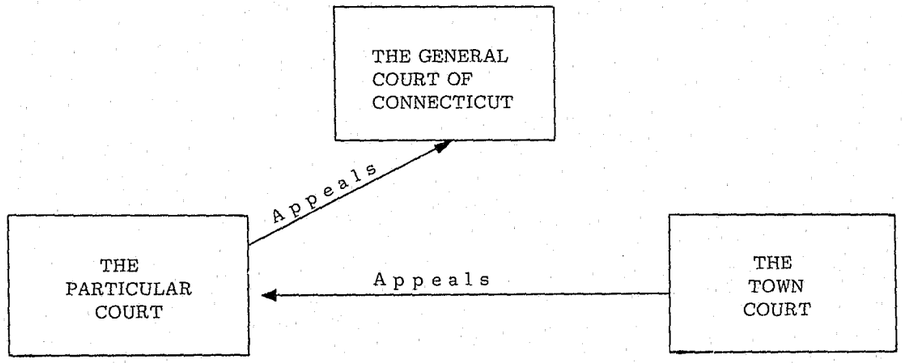
APPENDIX A

THE HISTORICAL DEVELOPMENT OF THE CONNECTICUT COURT STRUCTURE

To illustrate the historical development of the present court structure, there follow a series of charts graphically presenting the key steps in the evaluation of the Connecticut Courts.

As will be readily apparent, not all of the changes and elements are illustrated. For example, prior to the creation of the Circuit Court, there had been traffic courts, trial jus·e courts, justice of the peace courts, etc.

THE CONNECTICUT COURT STRUCTURE - 1639



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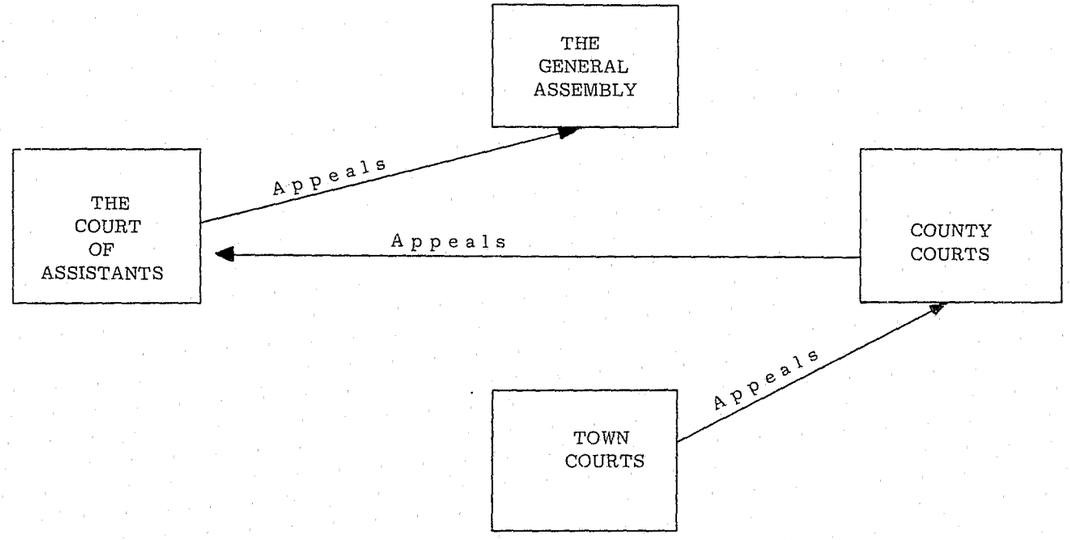

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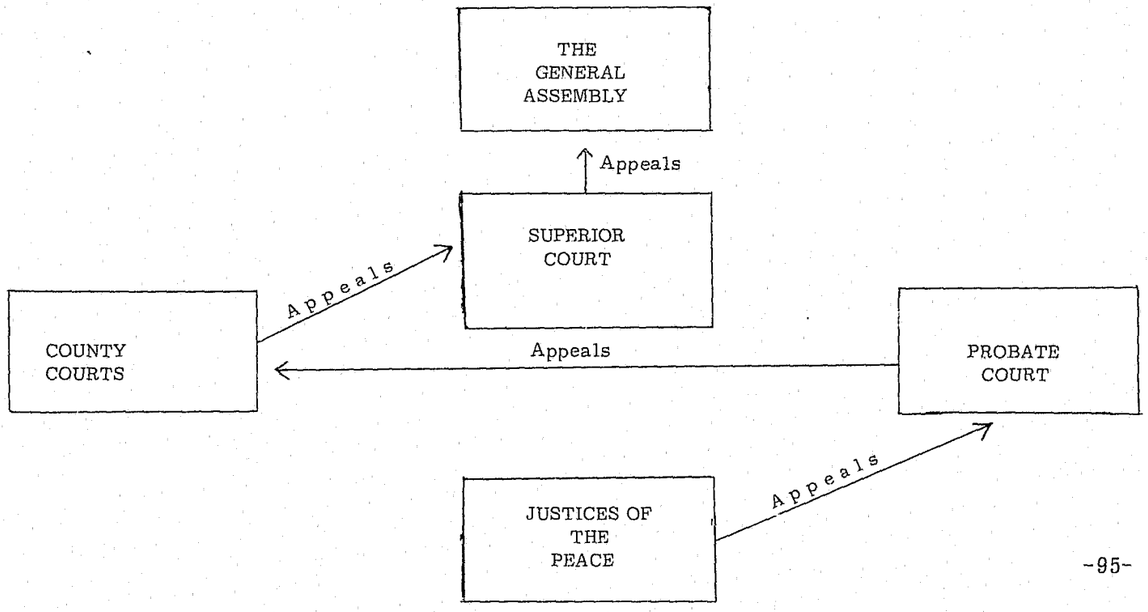

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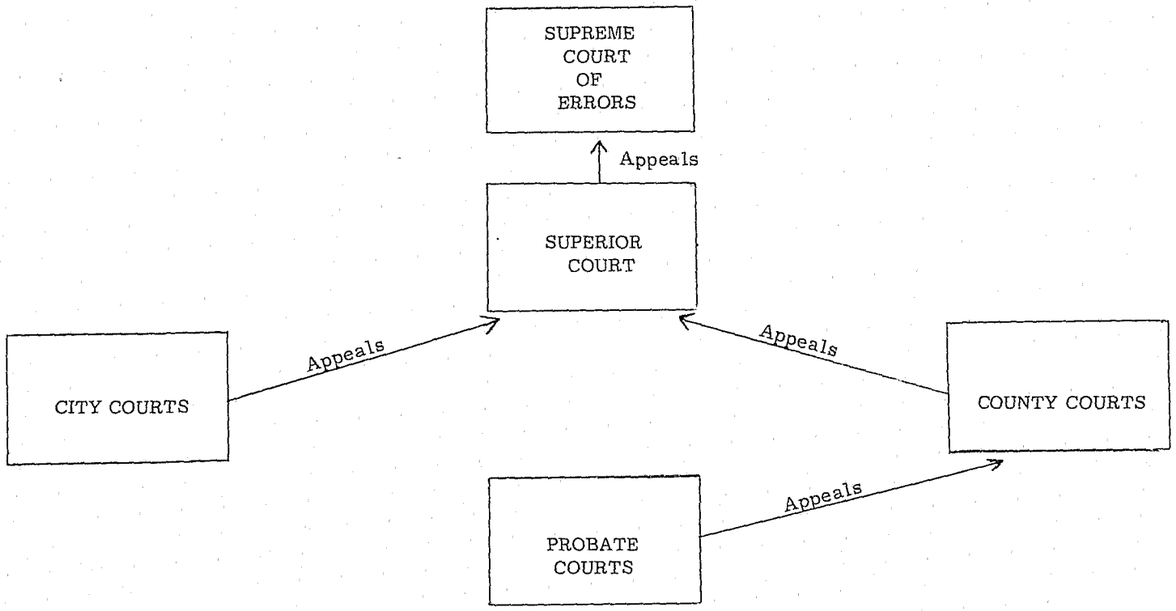
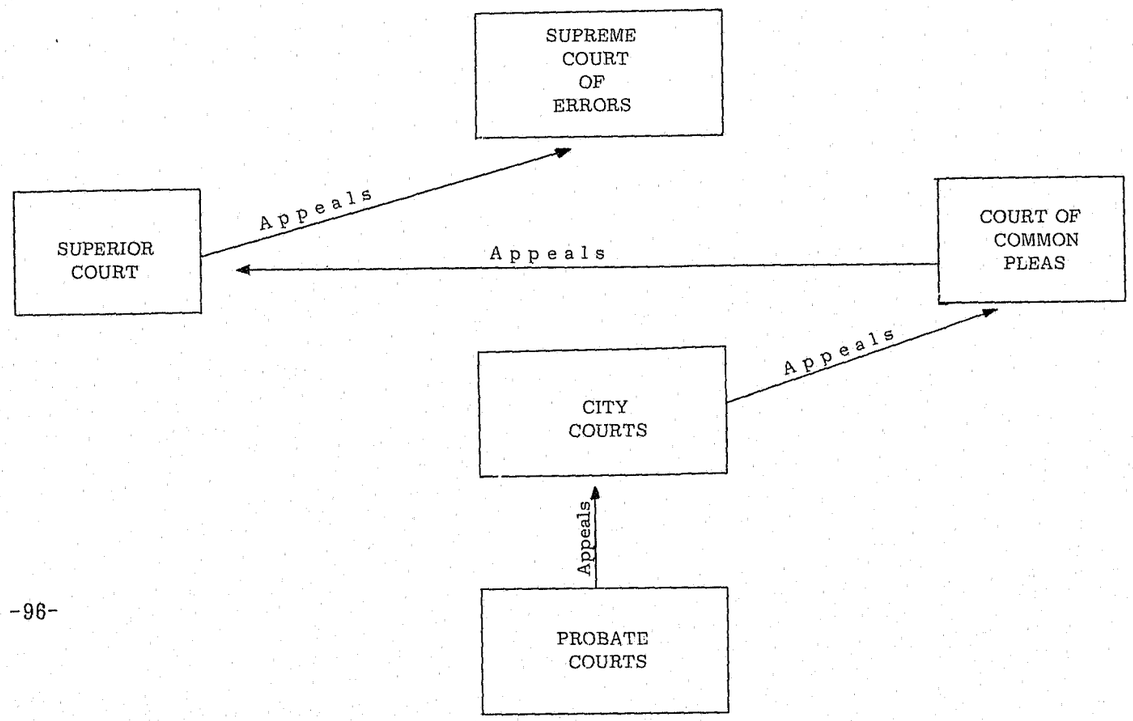


AFTER THE CONSTITUTION OF 1818



APPENDIX B

SURVEY OF THE COURT FACILITIES

Following consultation with trained real estate and building personnel and with Judicial Department personnel, a survey team of trained real estate and building personnel evaluated courtrooms and all other rooms used by support personnel in a court building. Among the items to be considered in the physical survey were the condition of the courtrooms, size or area, audibility, lighting, the presence of public address systems in courtrooms and the general condition of the courtrooms themselves. The surveyors were also to evaluate the character of the neighborhood and the availability of parking, not only for the court personnel but also for jurors, attorneys and litigants.

In view of the fact that three new court buildings were nearing completion in Bridgeport, New Haven and Waterbury, these were evaluated as if presently in the system. Because of the plans to turn over the existing Bridgeport Superior Court facility to the City of Bridgeport, this building was not physically surveyed.

During the week of October 1, 1973, observers recruited by the CCJM were present in substantially every courtroom of the State of Connecticut and recorded the period of time that the courtrooms were actually in use for the transaction of court business. During the remainder of the month of October, the

clerks of the courts at the various courthouse locations completed forms and forwarded these forms to the CCJM to indicate the time that the courtrooms were in session.

If the courtroom was in session for any period of time during the morning (10:00 a.m. to 1:00 p.m. usually), it would be recorded as in session for the morning regardless of the total time period involved. The same is true with respect to the afternoon session (2:00 to 4:30 p.m. usually).

The Superior and Common Pleas courtrooms are not usually used on Monday of the week; however on certain Mondays the Bureau of Support of the Court of Common Pleas will process support cases in Hartford and New Haven.

For purposes of calculation, the month of October was determined to have 44 courtroom units of time (two per day times 22 days) excluding October 8, which was a holiday. The Superior and Common Pleas Courts were closed on October 23 to allow judges and attorneys to attend the annual meeting of the Connecticut Bar Association but this day was considered for percentage usage since most months contain a holiday or a conference day. The Superior and Common Pleas courtrooms were considered to be available for use on Mondays even though traditionally not used.

In reviewing this data on courtroom usage, it must be understood that this does not reflect the full activity of the courts. The judges frequently conduct

a great deal of the court business in their chambers wherein they meet with litigants and attempt to effect settlement or other disposition without actual trial or attempt to reduce issues. In addition some judges spend a considerable amount of time in administrative matters affecting their courts, and opinion writing also requires time on the part of judges, particularly in the Superior Court.

In addition to the regular judges of the Courts, there are referees or retired judges who sit in any available facility including empty courtrooms, empty jury rooms, hearing rooms and the like for the purposes of hearing those cases which are specifically assigned to them. In some instances in October 1973 more judges were assigned to a courthouse location than there were available courtrooms so that proceedings were conducted in jury rooms and judges chambers as well as small conference rooms.

The key information obtained from the physical survey of the facilities and from the survey of time of courtroom usage during the month of October 1973 has been extracted and consolidated by courthouse into Table A. In Table B, the data is consolidated by town.

CONSOLIDATED COURTROOM SURVEY DATA

TABLE A

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
LITCHFIELD COUNTY												
Litchfield												
Superior Court Bldg.	State			Fair	Good	Fair						
Sup. Court		Yes	L			Good	No	Poor	No	9	38	53
Comm. Pleas		Yes	L			Good	No	Poor	No	20	0	80
Torrington												
18th Cir, Town Hall	Leased			Fair	Fair	Fair						
Room #1		Yes	S			Fair	No	Poor	No	6	25	69
Winsted												
18th Cir, Town Hall	Leased			Fair	Fair	Good						
Room #1		Yes	M			Fair	No	Fair	No	36	14	50
New Milford												
3rd Cir, Town Hall	Leased			Fair	Good	Good						
Room #1		Yes	L			Good	No	Fair	No	0	9	91
COUNTY TOTAL:		5 Jury					TOTAL USAGE:			14	17	69
NEW LONDON COUNTY												
New London												
Superior Court Bldg.	State			Fair	Good	Inadeq						
Superior #1		Yes	L			Fair	No	Fair	No	55	11	34
Comm. Pleas#1		Yes	M			Good	Yes	Good	No	43	0	57
10th Cir, Police Bldg	Leased			Good	Fair	Poor						
Room #1		No	L			Poor	No	Poor	No	0	68	32
Norwich												
City Hall	Shared			Fair	Fair	Inadeq						
Sup. Court #1		Yes	L			Fair	No	Goo	No	0	36	64
Comm. Pleas#1		Yes	M			Fair	No	Good	No	0	2	98
Cir. Court		Yes	L			Fair	No	Good	No	5	52	43
Groton												
10th Cir, Town Hall	Leased			Fair	Good	Inadeq						
Room #1		No	L		Good	Good	No	Good	No	0	16	84
COUNTY TOTAL:		0(5)J 0(2)NJ					TOTAL USABLE:			0	0	0
							NON-USABLE:			15	26	59

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
TOLLAND COUNTY												
Rockville												
Superior Court Bldg	Leased			Good	Good	Good						
Sup. Court		Yes	M			Good	Yes	Good	No	29	25	46
Comm. Pleas		Yes	M			Good	Yes	Good	No	16	14	70
*Hearing Room		No	S			Good	Yes	Good	No	--	--	--
12th Cir, Town Hall	Leased			Fair	Fair	Inadeq						
Room #1		No	L			Poor	No	Poor	No	0	7	93
Stafford Springs												
12th Cir, Town Hall	Leased			Fair	Poor	Poor						
Room #1		No	S			Poor	No	Good	No	0	5	95
COUNTY TOTAL:	2J	1(2)NJ					TOTAL USABLE:			23	19	58
							NON-USABLE:			0	6	94
WINDHAM COUNTY												
Willimantic												
Superior Court Bldg.	State			Fair	Good	Good						
Sup. Court		Yes	L			Good	Yes	Good	No	0	0	100
Comm. Pleas		Yes	S			Good	Yes	Good	No	0	0	100
11th Cir, Town Hall	Leased			Fair	Good	Inadeq						
Room #1		Yes	M			Fair	No	Good	No	5	25	70
Putnam												
Superior Court Bldg.	State			Good	Good	Good						
Sup. Court		Yes	M			Good	Yes	Good	No	27	46	27
Comm. Pleas		Yes	L			Good	Yes	Good	No	0	0	100
Danielson												
11th Cir, Town Hall	Leased			Fair	Fair	Fair						
Room #1		Yes	L			Good	No	Good	No	0	34	66
COUNTY TOTAL:	6J	0NJ					TOTAL USABLE:			5	17	78

CONSOLIDATED COURTROOM SURVEY DATA

TABLE A

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
MIDDLESEX COUNTY												
Middletown												
Superior Court Bldg.	State			Poor	Fair	Good						
Sup. Court #112		Yes	S			Good	Yes	Good	Yes	23	43	34
Comm. Pleas #115		No	S			Good	Yes	Good	Yes	9	11	80
9th Cir, Sep. Bldg.	Leased			Poor	Poor	Fair						
Room #1		No	M			Fair	Yes	Good	Yes	7	86	7
Room #2		Yes	M			Fair	Yes	Good	Yes	43	0	57
COUNTY TOTAL:	2J	2NJ					TOTAL USABLE:			21	35	44
HARTFORD COUNTY												
Hartford												
Superior Court Bldg.	State			Fair	Good	Good						
Sup. Court #1		Yes	L			Good	Yes	Fair	No	9	64	27
Sup. Court #2		Yes	L			Good	Yes	Fair	No	43	34	23
Sup. Court #3		Yes	L			Good	Yes	Fair	No	52	7	41
Sup. Court #4		Yes	M			Good	Yes	Fair	No	0	59	41
Sup. Court #5		No	M			Good	Yes	Poor	No	0	64	36
Sup. Court #6		Yes	L			Good	Yes	Poor	No	73	0	27
Sup. Court #7		Yes	L			Good	Yes	Poor	No	59	0	41
Sup. Court #8		Yes	M			Good	Yes	Poor	No	30	9	61
Comm. Pleas #1		Yes	L			Good	Yes	Fair	No	41	0	59
Comm. Pleas #2		Yes	L			Good	Yes	Fair	No	0	34	66
Comm. Pleas #3		No	S			Good	Yes	Fair	No	39	0	61
Trinity Street Bldg.	Leased			Poor	Good	Good						
Sup. Ct. -Fam. Rel.		No	M			Good	Yes	Poor	No	0	30	70
Comm. Pleas		No	M			Good	Yes	Good	No	0	55	45
14th Cir, Police Sta.	Leased			Fair	Poor	Inadeq						
Room #1		No	L			Poor	No	Fair	No	0	77	23
Room #2		Yes	L			Poor	No	Fair	No	0	66	34
Room #3		Yes	L			Poor	No	Fair	No	14	34	52
Room #4		No	L			Poor	No	Fair	No	48	27	25
HTFD. CITY USABLE TOTAL:	9(2)J	4(2)NJ					CITY TOTAL USABLE:			26	26	48
							CITY TOTAL NON-USABLE:			15	52	33

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
HARTFORD COUNTY (CONTINUED)												
New Britain												
Superior Court Bldg.	Leased			Fair	Good	Good						
Sup. Court #1		Yes	L			Good	Yes	Good	Yes	52	16	32
Sup. Court #2		Yes	M			Good	Yes	Good	Yes	5	55	40
Comm. Pleas #3		Yes	M			Good	Yes	Good	Yes	27	5	68
15th Cir, Munpl Bldg.	Leased			Fair	Good	Good						
Room #1		Yes	M			Good	Yes	Good	No	0	82	18
Room #2		Yes	S			Good	Yes	Good	No	0	43	57
West Hartford												
16th Cir, Town Hall	Leased			Fair	Good	Inadeq						
Room #1		Yes	S			Good	Yes	Good	No	9	57	34
*Sm. Claims		No	S			Fair	Yes	Good	No	--	--	--
Bristol												
17th Cir, Town Hall	Leased			Good	Good	Good						
West		Yes	M			Good	Yes	Good	No	0	61	39
East		No	S			Good	Yes	Good	No	32	16	52
East Hartford												
12th Cir, Police Bldg.	Leased			Fair	Good	Good						
Room #1		Yes	L			Good	Yes	Good	No	46	36	18
Manchester												
12th Cir, Police Bldg.	Leased			Good	Good	Inadeq						
Room #1		No	L			Poor	Yes	Good	No	0	68	32
Windsor												
13th Cir, Town Hall	Leased			Good	Good	Good						
Room #1		Yes	L			Good	Yes	Good	No	29	55	16
COUNTY TOTAL:	18(2) J	6(3)NJ					COUNTY TOTAL USABLE:			23	33	44
							NON-USABLE:			13	54	33

CONSOLIDATED COURTROOM SURVEY DATA

TABLE A

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
NEW HAVEN COUNTY												
New Haven												
Present Sup. Ct. Bldg.	State			Poor	Good	Good						
Sup. Court #2		No	S			Fair	Yes	Good	No	0	70	30
Comm. Pleas #4		No	S			Fair	Yes	Good	No	4	66	30
Sup. Court #15		Yes	L			Fair	Yes	Good	No	55	9	36
Comm. Pleas #16		Yes	M			Fair	Yes	Good	No	68	2	30
Sup. Court #11		Yes	L			Fair	Yes	Good	No	66	9	25
Sup. Court #48		Yes	M			Fair	Yes	Good	No	18	46	36
Sup. Court #47		Yes	M			Fair	Yes	Good	No	52	5	43
Sup. Court #43		Yes	M			Fair	Yes	Good	No	68	0	32
Sup. Court #34		Yes	S			Fair	Yes	Good	No	36	0	64
Sup. Ct. Temp. Bldg.	State			Poor	Good	Temp.						
Sup. Court #10		Yes	S			Good	Yes	Good	No	57	0	43
Comm. Pleas #12		Yes	S			Good	Yes	Good	No	34	0	66
6th Cir. T. Hall Annex				Poor	Fair	Poor						
Room #1		Yes	L			Poor	No	Poor	No	2	78	20
Room #2		Yes	S			Poor	No	Poor	No	0	66	34
Room #3		Yes	S			Poor	No	Poor	No	7	50	43
Small Claims		No	S			Poor	No	Poor	No	0	14	86
New Sup. Court Bldg.	State			Fair	Good	Good						
Room #309		Yes	S			Good	Yes	Good	Yes			
Room #320		Yes	S			Good	Yes	Good	Yes			
Room #334		Yes	S			Good	Yes	Good	Yes			
Room #340		No	S			Good	Yes	Good	Yes			
Room #351		No	S			Good	Yes	Good	Yes	NOT YET		
Room #409		Yes	S			Good	Yes	Good	Yes	IN		
Room #420		Yes	S			Good	Yes	Good	Yes	OPERATION		
Room #434		Yes	S			Good	Yes	Good	Yes			
Room #440		No	S			Good	Yes	Good	Yes			
Room #451		No	S			Good	Yes	Good	Yes			
Room #510		Yes	S			Good	Yes	Good	Yes			
NEW HAVEN COUNTY (CONTINUED)												
New Sup. Court Bldg. (Continued)												
Room #518		Yes	S			Good	Yes	Good	Yes			
Room #531		Yes	S			Good	Yes	Good	Yes			
Room #537		No	S			Good	Yes	Good	Yes			
Room #547		Yes	S			Good	Yes	Good	Yes	NOT YET		
Room #609		Yes	M			Good	Yes	Good	Yes	IN		
Room #620		Yes	S			Good	Yes	Good	Yes	OPERATION		
Room #634		Yes	S			Good	Yes	Good	Yes			
Room #640		No	S			Good	Yes	Good	Yes			
Room #650		Yes	S			Good	Yes	Good	Yes			
NEW HAVEN TOTAL-												
(After Move Into New Bldg.):		23J	8NJ							PRESENT TOTAL USAGE-		
(Prior to Move):		9(3)J	2(1)NJ							USABLE:	42	19 39
										NON-USABLE:	2	52 46
Meriden												
7th Cir, Munpl Bldg.	Leased			Fair	Fair	Good						
Sm. Claims #1		No	S			Good	Yes	Good	No	--	--	--
Sm. Claims #2		No	S			Good	Yes	Good	No	--	--	--
Room #1		No	M			Good	Yes	Good	No	14	25	61
Room #2		Yes	L			Good	Yes	Good	No	0	52	48
Room #3		Yes	L			Good	Yes	Good	No	9	20	71
Milford												
5th Cir, Police Bldg.	Leased			Good	Good	Good						
Room #1		Yes	L			Good	Yes	Good	No	32	43	25
West Haven												
8th Cir, City Hall	Leased			Good	Good	Good						
West		Yes	L			Good	Yes	Good	Yes	23	61	16
East		Yes	M			Good	Yes	Good	Yes	36	27	37
Ansonia												
5th Cir, City Hall	Leased			Fair	Good	Fair						
Room #1		Yes	M			Fair	No	Fair	No	0	57	43

CONSOLIDATED COURTROOM SURVEY DATA

TABLE A

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
NEW HAVEN COUNTY (CONTINUED)												
Waterbury												
Present Sup. Ct. Bldg.	State			Fair	Fair	Inadeq						
Sm. Ct. Room		No	S			Fair	No	Good	No	0	0	100
Sup. Court #1		Yes	M			Fair	Yes	Good	No	50	25	25
Sup. Court #2		Yes	M			Fair	No	Good	No	27	18	55
Comm. Pleas		Yes	M			Fair	No	Good	No	16	23	61
New Sup. Ct. Bldg.	State			Fair	Fair	Good						
Room #1		Yes	M			Good	Yes	Good	Yes			
Room #2		Yes	S			Good	Yes	Good	Yes	NOT YET		
Room #3		Yes	S			Good	Yes	Good	Yes	IN		
Room #4		No	S			Good	Yes	Good	Yes	OPERATION		
Room #5		Yes	S			Good	Yes	Good	Yes			
4th Cir, City Hall	Leased			Fair	Good	Inadeq						
Room #1		Yes	M			Fair	Yes	Poor	No	5	59	36
Room #2		Yes	L			Fair	Yes	Poor	Yes	41	32	27
*Sm. Claims #1		No	S			Fair	No	Fair	No	--	--	--
*Sm. Claims #2		No	S			Good	No	Fair	No	--	--	--
WATERBURY TOTAL-												
(Using New Building):		4(2)J	1(2)NJ							PRESENT TOTAL USAGE-		
(Using Present Building):		3(2)J	1(2)NJ							USABLE:	24	16 60
										NON-USABLE:	23	46 31
NEW HAVEN COUNTY TOTAL:	(Using Old Bldgs)	18(5)J	5(3)NJ							USABLE:	23	17 60
	(Old Buildings)									NON-USABLE:	23	46 31
Using New Buildings:	33(2)J	12(2)NJ										
FAIRFIELD COUNTY												
Bridgeport												
Superior Court Bldg.	State											
Criminal #1											68	0 32
Criminal #2											45	0 55
Comm. Pleas #25											11	53 36
Room #26		NOT SURVEYED									18	36 46
Jury #1		TO BE TURNED									68	0 32
Jury #2		OVER TO CITY									27	30 43
Jury #3											68	0 32
Comm. Pleas #58											55	2 43
Stratfield Motor											57	0 43
City Counc. Chamb.											0	57 43
New Sup. Court Bldg.	State			Fair	Good	Good						
Room 317		Yes	S			Good	Yes	Good	Yes			
Room 326		Yes	S			Good	Yes	Good	Yes			
Room 344		Yes	M			Good	Yes	Good	Yes			
Room 519		No	S			Good	Yes	Good	Yes			
Room 521		Yes	S			Good	Yes	Good	Yes			
Room 526		Yes	S			Good	Yes	Good	Yes			
Room 550		Yes	S			Good	Yes	Good	Yes	NOT YET		
Room 551		Yes	S			Good	Yes	Good	Yes	IN		
Room 619		No	S			Good	Yes	Good	Yes	OPERATION		
Room 621		Yes	S			Good	Yes	Good	Yes			
Room 629		Yes	S			Good	Yes	Good	Yes			
Room 647		Yes	S			Good	Yes	Good	Yes			
Room 652		Yes	S			Good	Yes	Good	Yes			
Room 656		No	S			Good	Yes	Good	Yes			
Cir. Ct. #2-Sep. Bldg.	Leased			Fair	Poor	Inadeq						
Room #1		No	M			Poor	No	Poor	No	0	84	16
Room #2		Yes	S			Poor	No	Poor	No	57	32	11
Room #3		Yes	S			Poor	No	Poor	No	36	27	37
Room #4		Yes	S			Poor	No	Poor	No	0	68	32
BRIDGEPORT TOTAL -												
(After New Courthouse Opened):		11(3)J	3(1)NJ							USAGE TOTAL:		
Present Total:	10(4)									(Based Upon Present Bridgeport Courthouse)		
										USABLE:	41	18 41
										NON-USABLE:	23	53 24

TABLE A

CONSOLIDATED COURTROOM SURVEY DATA

Court Room	Title	Jury	Size	Parking	N'br Hood	Gen. Cond.	Air Cond.	Audibility	Audio Equip	% Use J	% Use NJ	% Use Not
FAIRFIELD COUNTY (CONTINUED)												
Stamford												
Superior Court Bldg.	State			Fair	Fair	Good						
Room #1		Yes	M			Good	Yes	Good	No	27	39	34
Room #2		Yes	M			Good	Yes	Good	No	25	32	43
Room #3		Yes	M			Good	Yes	Good	No	34	20	46
1st Cir. Ct. -Sep. Bldg.	Leased			Poor	Fair	Good						
Room #1		Yes	S			Good	Yes	Good	No	5	66	29
Room #2		No	S			Good	Yes	Good	No	5	59	36
Room #3		Yes	S			Good	Yes	Good	No	23	41	36
Room #4		Yes	S			Good	Yes	Good	No	32	25	43
Room #5		No	S			Good	Yes	Good	No	0	9	91
										18	36	46
STAMFORD TOTAL:	6J	2NJ					TOTAL USAGE:					
Norwalk												
1st Cir. -Police Bldg.	Leased			Good	Good	Fair						
Room #1		Yes	M			Fair	Yes	Good	No	9	64	27
Stratford												
2nd Cir. -Police Bldg.	Leased			Good	Good	Good						
Room #1		No	L			Good	Yes	Good	No	41	16	43
Danbury												
Danbury Courthouse	State			Poor	Fair	Fair						
Cir. Court		Yes	M			Fair	No	Poor	No	0	86	14
Sup. Court		Yes	S			Fair	No	Poor	No	46	11	43
COUNTY TOTAL- (Using New Bridgeport Courthouse): Present Total: 22(4)		20(3)J	6(1)NJ				TOTAL USAGE- (Based Upon Present Bridgeport Courthouse): USABLE:			30	29	41
							NON-USABLE:			23	53	24

TABLE B

SUMMARY OF COURTROOM FACILITIES AND UTILIZATION BY TOWN

	Courtrooms* Jury	Courtrooms* Non-Jury	% Use*
NEW HAVEN COUNTY			
New Haven	9(3)	2(1)	61(54)
Meriden	2	3	40
Milford	1	--	75
West Haven	2	--	74
Ansonia	1	--	57
Waterbury	3(2)	1(2)	40(69)
FAIRFIELD COUNTY			
Bridgeport	10(4)	--	59(76)
Stamford	6	2	54
Norwalk	1	--	73
Stratford	--	1	57
Danbury	2	--	71
LITCHFIELD COUNTY			
Litchfield	2	--	34
Torrington	1	--	31
Winsted	1	--	50
New Milford	1	--	5
NEW LONDON COUNTY			
New London	(2)	(1)	(59)
Norwich	(3)	--	(32)
Groton	--	(1)	(16)
TOLLAND COUNTY			
Rockville	2	1(1)	43(7)
Stafford Springs	--	1	5
WINDHAM COUNTY			
Willimantic	3	--	10
Putnam	2	--	37
Danielson	1	--	34
MIDDLESEX COUNTY			
Middletown	2	2	56
HARTFORD COUNTY			
Hartford	9(2)	4(2)	52(67)
New Britain	5	--	56
West Hartford	1	1	66
Bristol	1	1	56
East Hartford	1	--	82
Manchester	--	(1)	(68)
Windsor	1	--	84

* Figures in parentheses indicate number of courtrooms considered unusable and the percentage of use of the courtrooms considered unusable.

APPENDIX C

CASELOAD IN THE PRINCIPAL TRIAL COURTS

Based upon the statistics of the Judicial Department, tables have been prepared showing the caseload in the Superior, Common Pleas and Circuit Courts by the principal types of business, i.e. Civil, Criminal and Family Relations. In addition, there are presented statistical data concerning dispositions of the business through trials as well as by other forms of disposition (such as settlement), and the number of criminal cases entering the Superior Court through bench warrants.

In Table C, there is set forth the information concerning the Superior Court; in Table D, there is set forth the information concerning the Common Pleas Court; and Table E sets forth the information with respect to the Circuit Court and does not include data on small claims or motor vehicle matters.

As will be apparent from analysis of the data presented in the following tables, the Circuit Court does in fact bear the bulk of the load in the judicial system. It handles an annual average of 21,631 civil cases (exclusive of Small Claims) and 81,896 criminal and 144,496 motor vehicle cases. Just the criminal and civil cases (103,527) exceed three times the total caseload of the Superior and Common Pleas combined (31,917). Although it should be appreciated that the complexity of a major proportion of the Circuit Court cases does not approach that of the cases in

Superior Court, it should also be appreciated that some of the Circuit Court cases must be regarded as "serious" since this Court can hand down criminal sentences of up to five years and can award damages up to $10,000.

In analyzing the criminal data of the Superior Court, it will be appreciated that more than half of these criminal cases originate in the Circuit Court and are transferred to the Superior Court as a result of the defendants' being bound over after a hearing in probable cause or after a waiver of such a hearing. In either case, time of the Circuit Court is consumed for a matter which it will not subsequently handle.

Relatively few civil cases are disposed of by actual trials although judicial intervention may result in settlement without trial. Similarly, the great bulk of criminal cases involve disposals which do not result from trials, either by entering of a nolle prosequi by the prosecutor (he elects not to prosecute), or by a plea of guilty to some of the charges of a plea of guilty to substitute charges.

From these caseload tables, it can be seen that the courts were disposing of cases at a rate closely approximating the entry rates in 1971 and 1972. The effect of adding five judges to the Superior Court and six judges to the Circuit Court in 1972 may effect a significant reduction in backlog in 1974 and thereafter.

SUPERIOR COURT CASELOAD

TABLE C

COUNTY	CIVIL CASES* Entered	Tried	Otherwise Disposed Of	CRIMINAL CASES** Entered	Tried	Otherwise Disposed Of	Bench Warrant	FAMILY CASES Entered	Tried	Otherwise Disposed Of
FAIRFIELD										
1971	2394	275	2665	593	33	748	126	2877	49	3429
1972	2288	251	1225	479	21	420	171	3015	51	2750
Average	2341	263	1945	536	27	584	249	2946	50	3090
HARTFORD										
1971	2574	242	2422	1431	37	1581	253	2855	52	3490
1972	2642	219	1999	987	30	897	234	3252	159	2574
Average	2608	231	2211	1209	34	1239	244	3054	106	3032
WATERBURY										
1971	496	40	697	414	12	390	211	519	57	344
1972	376	26	364	416	6	339	246	787	1	710
Average	436	33	531	415	9	364	223	653	27	527
NEW HAVEN										
1971	1499	235	1736	813	33	969	244	2370	25	2566
1972	1505	244	1319	541	23	459	223	2073	146	2150
Average	1502	240	1528	677	28	714	234	2222	86	2358
LITCHFIELD										
1971	225	21	276	119	12	112	36	512	16	433
1972	221	14	176	111	6	102	38	495	1	471
Average	223	18	226	115	9	107	37	504	9	456
MIDDLESEX										
1971	322	31	231	122	8	127	34	521	23	485
1972	301	17	236	128	4	130	58	626	8	457
Average	312	24	234	125	6	129	46	574	15	471
NEW LONDON										
1971	407	10	436	354	15	337	133	1079	9	1417
1972	361	43	292	320	13	336	143	1100	11	1124
Average	384	27	364	337	14	337	138	1090	10	1271
TOLLAND										
1971	174	18	140	185	12	195	61	506	2	472
1972	194	9	143	99	8	109	58	537	1	447
Average	184	14	142	142	10	152	59	522	2	460
WINDHAM										
1971	130	11	178	149	5	164	14	362	2	360
1972	145	11	140	84	3	98	41	361	4	368
Average	138	11	159	117	4	131	28	361	3	364
TOTAL	8128	861	7340	3673	141	3757	1258	11926	308	12029

*Calendar Year begins September 1 **Calendar Year begins July 1

COMMON PLEAS CIVIL CASELOAD

TABLE D

COUNTY	Cases Entered	Tried	Otherwise Disposed Of
FAIRFIELD			
1970*	2445	361	1916
1971	2461	294	1984
Average	2453	328	1950
HARTFORD			
1970	2089	299	2333
1971	1955	282	1660
Average	2022	291	1997
WATERBURY			
1970	506	116	418
1971	551	90	552
Average	526	103	485
NEW HAVEN			
1970	2290	286	1981
1971	2180	306	2653
Average	2235	296	2317
LITCHFIELD			
1970	241	17	165
1971	160	35	134
Average	201	26	150
MIDDLESEX			
1970	130	14	100
1971	113	20	116
Average	121	17	108
NEW LONDON			
1970	405	45	545
1971	410	47	310
Average	408	46	428
TOLLAND			
1970	164	15	124
1971	128	23	47
Average	146	19	86
WINDHAM			
1970	86	2	74
1971	70	8	58
Average	78	5	66
TOTAL	8190	1131	7587

*Court Year Beginning September 1

TABLE E

CIRCUIT COURT CASELOAD

CIRCUIT	YEAR	CIVIL CASES*	CRIMINAL CASES				MOTOR VEHICLE CASES
		Entered	Entered	Tried Jury	Tried Non-Jury	Bound Over	Entered
1st	1971**	2028	6657	15	230	109	14847
	1972	1944	7077	15	267	103	19235
	Average	1986	6867	15	248	106	17041
2nd	1971	3635	7784	26	100	92	15221
	1972	2775	8061	16	39	48	17539
	Average	3205	7923	21	70	70	16380
3rd	1971	733	2322	6	74	20	5512
	1972	576	2397	8	37	30	7323
	Average	655	2360	7	56	25	6418
4th	1971	1202	4216	32	34	4	4942
	1972	926	4110	21	45	11	5408
	Average	1064	4163	27	40	8	5175
5th	1971	785	2868	4	54	9	5685
	1972	679	2985	8	33	2	7071
	Average	732	2927	6	44	6	6378
6th	1971	2460	9962	33	60	33	12558
	1972	2089	11082	46	61	19	15689
	Average	2275	10522	40	61	26	14124
7th	1971	1018	3089	11	32	17	7678
	1972	861	3798	11	48	23	8768
	Average	940	3444	11	40	20	8223
8th	1971	651	2189	11	24	17	3242
	1972	652	2441	7	36	6	4398
	Average	652	2315	9	30	12	3820
9th	1971	475	2411	7	129	13	5434
	1972	436	2534	11	144	22	6144
	Average	456	2473	9	137	18	5789
10th	1971	998	6340	29	197	22	9372
	1972	925	6572	24	159	9	11176
	Average	962	6456	27	180	16	10274
11th	1971	388	2117	14	61	20	2383
	1972	370	2016	7	42	12	3277
	Average	379	2067	11	52	16	2830
12th	1971	1196	3933	18	81	95	6835
	1972	998	3796	13	62	58	7772
	Average	1097	3865	16	72	77	7304
13th	1971	455	2157	19	127	27	5420
	1972	405	2467	11	100	21	5989
	Average	430	2312	15	114	24	5705
14th	1971	3965	15516	13	35	27	14245
	1972	3732	14633	14	67	33	15061
	Average	3849	15075	14	51	30	14653
15th	1971	2201	3665	15	82	37	6819
	1972	910	3453	14	134	44	7150
	Average	1556	3559	15	108	41	6985
16th	1971	631	1617	7	45	14	5251
	1972	552	1701	8	46	13	6406
	Average	592	1659	8	46	14	5829
17th	1971	548	2135	13	73	15	4178
	1972	495	2295	11	46	18	4670
	Average	522	2215	12	60	17	4424
18th	1971	295	1673	26	60	3	2954
	1972	262	1714	12	46	4	3333
	Average	279	1694	19	53	4	3144
TOTAL		21631	81896	282	1462	530	144496

*Does Not Include Small Claims

**Year Beginning July 1

END