



General Assembly

Substitute Bill No. 6548

January Session, 2021



**AN ACT CONCERNING THE RECOMMENDATIONS OF THE JURY
SELECTION TASK FORCE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-217 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) All jurors shall be electors, individuals lawfully admitted for
4 permanent residence, as defined in 8 USC 1101(a)(20), as amended from
5 time to time, or citizens of the United States, who are residents of this
6 state having a permanent place of abode in this state and appear on the
7 list compiled by the Jury Administrator under subsection (b) of section
8 51-222a, who have reached the age of eighteen. A person shall be
9 disqualified to serve as a juror if such person: (1) Is found by a judge of
10 the Superior Court to exhibit any quality which will impair the capacity
11 of such person to serve as a juror, except that no person shall be
12 disqualified because the person is deaf or hard of hearing; (2) [has been
13 convicted of a felony within the past seven years or is a defendant in a
14 pending felony case or is in the custody of the Commissioner of
15 Correction] is in the physical custody of the Commissioner of Correction
16 within a correctional facility or other similar facility; (3) is not able to
17 speak and understand the English language; (4) is the Governor,
18 Lieutenant Governor, Secretary of the State, Treasurer, Comptroller or

19 Attorney General; (5) is a judge of the Probate Court, Superior Court,
20 Appellate Court or Supreme Court, is a family support magistrate or is
21 a federal court judge; (6) is a member of the General Assembly, provided
22 such disqualification shall apply only while the General Assembly is in
23 session; (7) is a registrar of voters or deputy registrar of voters of a
24 municipality, provided such disqualification shall apply only during the
25 period from twenty-one days before the date of a federal, state or
26 municipal election, primary or referendum to twenty-one days after the
27 date of such election, primary or referendum, inclusive; (8) is [seventy]
28 seventy-five years of age or older and chooses not to perform juror
29 service; (9) is incapable, by reason of a physical or mental disability, of
30 rendering satisfactory juror service; or (10) for the jury year commencing
31 on September 1, 2017, and each jury year thereafter, has served in the
32 United States District Court for the District of Connecticut as (A) a
33 federal juror on a matter that has been tried to a jury during the last three
34 preceding jury years, or (B) a federal grand juror during the last three
35 preceding jury years. Any person claiming a disqualification under
36 subdivision (9) of this subsection shall submit to the Jury Administrator
37 a letter from a licensed health care provider stating the health care
38 provider's opinion that such disability prevents the person from
39 rendering satisfactory juror service. In reaching such opinion, the health
40 care provider shall apply the following guideline: A person shall be
41 capable of rendering satisfactory juror service if such person is able to
42 perform a sedentary job requiring close attention for six hours per day,
43 with short work breaks in the morning and afternoon sessions, for at
44 least three consecutive business days. Any person claiming a
45 disqualification under subdivision (10) of this subsection shall supply
46 proof of federal jury service satisfactory to the Jury Administrator.

47 (b) The Jury Administrator may determine, in such manner and at
48 such times as the Jury Administrator deems feasible, whether any
49 person is qualified to serve as juror under this section and whether any
50 person may be excused for extreme hardship.

51 (c) The Jury Administrator shall have the authority to establish and

52 maintain a list of persons to be excluded from the summoning process,
53 which shall consist of (1) persons who are disqualified from serving on
54 jury duty on a permanent basis due to a disability for which a licensed
55 physician or an advanced practice registered nurse has submitted a
56 letter stating the physician's or advanced practice registered nurse's
57 opinion that such disability permanently prevents the person from
58 rendering satisfactory jury service, (2) persons [seventy] seventy-five
59 years of age or older who have requested not to be summoned, (3)
60 elected officials enumerated in subdivision (4) of subsection (a) of this
61 section and judges enumerated in subdivision (5) of subsection (a) of
62 this section during their term of office, and (4) persons excused from
63 jury service pursuant to section 51-217a who have not requested to be
64 summoned for jury service pursuant to said section. Persons requesting
65 to be excluded pursuant to subdivisions (1) and (2) of this subsection
66 must provide the Jury Administrator with their names, addresses, dates
67 of birth and federal Social Security numbers for use in matching. The
68 request to be excluded may be rescinded at any time with written notice
69 to the Jury Administrator.

70 Sec. 2. Section 51-220 of the general statutes is repealed and the
71 following is substituted in lieu thereof (*Effective July 1, 2023*):

72 (a) The number of jurors to be chosen from each town shall be equal
73 to a percentage of the town's population rounded off to the nearest
74 whole number, such percentage to be determined by the Jury
75 Administrator [Such population figures shall derive from the last
76 published census of the United States government.] in accordance with
77 the provisions of this section and section 51-220a, as amended by this
78 act. The number of jurors chosen from each town shall reflect the
79 proportional representation of the population of each town within the
80 judicial district. The Jury Administrator shall calculate such percentage
81 by determining each town's proportional share of the population of the
82 judicial district and dividing that proportional share by the town's yield
83 ratio. A town's yield ratio shall be calculated by dividing the number of
84 jurors from such town who, when summoned during the previous

85 calendar year, complied with the summons to appear for jury service,
86 by the product that results when the town's proportional share of the
87 population of the judicial district is multiplied by the total number of
88 jurors summoned in the judicial district in the previous calendar year.

89 (b) The Jury Administrator shall derive population figures from the
90 most recent decennial census.

91 Sec. 3. Section 51-220a of the general statutes is repealed and the
92 following is substituted in lieu thereof (*Effective October 1, 2022*):

93 (a) Electronic data processing and similar equipment may be used in
94 the selection, drawing and summoning of jurors under this chapter. At
95 [his] the Jury Administrator's election, the Jury Administrator may enter
96 into a computerized data processing file the names of persons appearing
97 on the list compiled under subsection (b) of section 51-222a, in order to
98 perform any of the duties prescribed in this chapter.

99 (b) In carrying out the duties prescribed in section 51-220, as
100 amended by this act, the Jury Administrator annually shall compile the
101 number of jurors summoned from each town who complied with the
102 summons and appeared for jury service.

103 Sec. 4. Section 51-232 of the general statutes is repealed and the
104 following is substituted in lieu thereof (*Effective July 1, 2022*):

105 (a) The Jury Administrator shall send to each juror drawn, by first
106 class mail, a notice stating the place where and the time when he or she
107 is to appear and such notice shall constitute a sufficient summons unless
108 a judge of said court directs that jurors be summoned in some other
109 manner.

110 (b) Such summons or notice shall also state the fact that a juror has a
111 right to one postponement of the juror's term of juror service for not
112 more than ten months and may contain any other information and
113 instructions deemed appropriate by the Jury Administrator. If the date
114 to which the juror has postponed jury service is improper, unavailable

115 or inconvenient for the court, the Jury Administrator shall assign a date
116 of service which, if possible, is reasonably close to the postponement
117 date selected by the juror. Such notice or summons shall be made
118 available to any party or to the attorney for such party in an action to be
119 tried to a jury. The Jury Administrator may grant additional
120 postponements within or beyond said ten months but not beyond one
121 year from the original summons date.

122 (c) The Jury Administrator shall send to a prospective juror a juror
123 confirmation form and a confidential juror questionnaire. Such
124 questionnaire shall include questions eliciting the juror's name, age, race
125 and ethnicity, occupation, education and information usually raised in
126 voir dire examination. The questionnaire shall inform the prospective
127 juror that information concerning race and ethnicity is required solely
128 to enforce nondiscrimination in jury selection, that the furnishing of
129 such information is not a prerequisite to being qualified for jury service
130 and that such information need not be furnished if the prospective juror
131 finds it objectionable to do so. Such juror confirmation form and
132 confidential juror questionnaire shall be signed by the prospective juror
133 under penalty of false statement. Copies of the completed
134 questionnaires shall be provided to the judge and counsel for use during
135 voir dire or in preparation therefor. Counsel shall be required to return
136 such copies to the clerk of the court upon completion of the voir dire.
137 Except for disclosure made during voir dire or unless the court orders
138 otherwise, information inserted by jurors shall be held in confidence by
139 the court, the parties, counsel and their authorized agents. Such
140 completed questionnaires shall not constitute a public record.

141 (d) The number of jurors in a panel may be reduced when, in the
142 opinion of the court, such number of jurors is in excess of reasonable
143 requirements. Such reduction by the clerk shall be accomplished by lot
144 to the extent authorized by the court and the jurors released shall be
145 subject to recall for jury duty only if and when required.

146 (e) In each judicial district, the Chief Court Administrator shall
147 designate one or more courthouses to be the courthouse to which jurors

148 [shall] originally shall be summoned. The court may assign any jurors
149 of a jury pool to attend any courtroom within the judicial district.

150 (f) On and after July 1, 2022, and until June 30, 2023, for each jury
151 summons the Jury Administrator finds to be undeliverable, the Jury
152 Administrator shall cause an additional randomly generated jury
153 summons to be sent to a juror having a zip code that is the same as to
154 which the undeliverable summons was sent.

155 Sec. 5. Subsection (c) of section 51-232 of the general statutes is
156 repealed and the following is substituted in lieu thereof (*Effective October*
157 *1, 2022*):

158 (c) (1) The Jury Administrator shall [send] provide to a prospective
159 juror a juror confirmation form and a confidential juror questionnaire.
160 Such questionnaire shall include questions eliciting the juror's name,
161 age, race and ethnicity, gender, occupation, education, [and]
162 information usually raised in voir dire examination and such other
163 demographic information determined appropriate by the Judicial
164 Branch. The questionnaire shall inform the prospective juror that
165 information concerning race and ethnicity is required solely to enforce
166 nondiscrimination in jury selection, that the furnishing of such
167 information is not a prerequisite to being qualified for jury service and
168 that such information need not be furnished if the prospective juror
169 finds it objectionable to do so. Such juror confirmation form and
170 confidential juror questionnaire shall be signed by the prospective juror
171 under penalty of false statement. Copies of the completed
172 questionnaires shall be provided to the judge and to counsel for use
173 during voir dire or in preparation therefor. Counsel shall be required to
174 return such copies to the clerk of the court upon completion of the voir
175 dire. Except for disclosure made during voir dire or unless the court
176 orders otherwise, information inserted by jurors shall be held in
177 confidence by the court, the parties, counsel and their authorized agents.
178 Such completed questionnaires shall not constitute a public record.

179 (2) The Judicial Branch shall compile a record of the demographic

180 characteristics of all persons who: (A) Are summoned for jury service,
181 (B) participated in a panel, (C) are subject to a peremptory challenge, (D)
182 are subject to challenge for cause, and (E) serve on a jury. Such record
183 shall exclude personally identifiable information and shall be
184 maintained in a manner that provides free and open access to the
185 information on the Internet. As used in this subdivision, "personally
186 identifiable information" means any identifying information that is
187 linked or linkable to a specific individual.

188 Sec. 6. Section 51-247 of the general statutes is repealed and the
189 following is substituted in lieu thereof (*Effective October 1, 2021*):

190 (a) Each full-time employed juror shall be paid regular wages by the
191 juror's employer for the first five days, or part thereof, of jury service.
192 Such payment shall be subject to the requirements of section 31-71b and
193 any employer who violates this section shall be subject to the provisions
194 of sections 31-71g and 31-72. A person shall not be considered a full-time
195 employed juror on any day of jury service in which such person (1)
196 would not have accrued regular wages to be paid by the employer if
197 such person were not serving as a juror on that day, or (2) would not
198 have worked more than one-half of a shift which extends into another
199 day if such person were not serving as a juror on that day. Each part-
200 time employed or unemployed juror who has no source of
201 compensation for the first five days of jury service shall receive a flat fee
202 equal to the minimum fair wage, as defined in section 31-58, in effect on
203 the days of jury service, based on an eight-hour day. Each juror not
204 considered a full-time employed juror on a particular day of jury service
205 pursuant to subdivision (1) or (2) of this subsection shall be reimbursed
206 by the state for necessary out-of-pocket expenses incurred during that
207 day of jury service. [provided such day of service is within the first five
208 days, or part thereof, of jury service.] Each part-time employed juror and
209 unemployed juror shall be reimbursed by the state for necessary out-of-
210 pocket expenses incurred during the first five days, or part thereof, of
211 jury service. Necessary out-of-pocket expenses shall include, but not be
212 limited to, [twenty cents] family care at a rate established by the Jury

213 Administrator under subsection (b) of this section and travel expenses,
214 based on the privately owned vehicle mileage reimbursement rate
215 established by the federal General Services Administration, for each
216 mile of travel from the juror's place of residence to the place of holding
217 the court and return and shall exclude food. The mileage shall be
218 determined by the shortest direct route either by highway or by any
219 regular line of conveyance between the points. A reimbursement award
220 under this subsection for each day of service shall not be less than
221 twenty dollars or more than [fifty dollars] the minimum fair wage, as
222 defined in section 31-58, in effect on the days of jury service, based on
223 an eight-hour day. For the purposes of this subsection, "full-time
224 employed juror" means an employee holding a position normally
225 requiring thirty hours or more of service in each week, which position
226 is neither temporary nor casual, and includes an employee holding a
227 position through a temporary help service, as defined in section 31-129,
228 which position normally requires thirty hours or more of service in each
229 week, who has been working in that position for a period exceeding
230 ninety days, and "part-time employed juror" means an employee
231 holding a position normally requiring less than thirty hours of service
232 in each week or an employee working on a temporary or casual basis.
233 In the event that a juror may be considered to be both a full-time
234 employed juror and a part-time employed juror for any day of the first
235 five days, or part thereof, of jury service, such juror shall, for the
236 purposes of this section, be considered to be a full-time employed juror
237 only.

238 (b) The Jury Administrator shall establish guidelines for
239 reimbursement of expenses pursuant to this section.

240 (c) Each juror who serves more than five days who is not paid by his
241 or her employer after the fifth day shall be paid by the state for the sixth
242 day and each day thereafter [at a rate of fifty dollars] a flat fee equal to
243 the minimum fair wage, as defined in section 31-58, in effect on the days
244 of jury service, based on an eight-hour day, per day of service. A juror
245 receiving payment under this subsection shall not be entitled to any

246 additional reimbursement. An unemployed or part-time employed
247 juror who serves more than five days shall also be entitled to family care
248 and travel expenses paid at the rate specified in subsection (a) of this
249 section and subject to the guidelines established in subsection (b) of this
250 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	51-217
Sec. 2	<i>July 1, 2023</i>	51-220
Sec. 3	<i>October 1, 2022</i>	51-220a
Sec. 4	<i>July 1, 2022</i>	51-232
Sec. 5	<i>October 1, 2022</i>	51-232(c)
Sec. 6	<i>October 1, 2021</i>	51-247

JUD *Joint Favorable Subst.*