



FROM THE OFFICE OF THE SECRETARY OF THE STATE  
165 Capitol Avenue, Hartford CT 06106

May 6, 2020

TO ALL TOWN CLERKS AND REGISTRARS OF VOTERS:

Re: Selection of Justices of the Peace

**How many JP's may your town select?**

Please see **Column 1** of the enclosed spreadsheet (Rev. 4/2020). Section 9-183a of the General Statutes specifies the number of justices of the peace for **Litchfield, Meriden, Trumbull and Waterbury** and provides that the number of justices of the peace in all other towns shall be 1/3 the number of jurors to which the town is entitled, unless the town has set a lesser number by charter or ordinance, but no less than 15. Section 51-220 provides in part: "The number of jurors to be chosen from each town shall be equal to a percentage of the town's population rounded off to the nearest whole number, such percentage to be determined by the Jury Administrator." According to an updated list of the number of jurors recently sent to us by the Jury Administration, the number of jurors for each town is set forth in **Column 8**; for reference, 1/3 of the jurors are set forth in **Column 9**. **Towns with an ordinance, charter or special act provision providing for a lesser number of justices will have the number of justices of the peace set forth in such ordinance, charter or special act, except that if the ordinance, charter or special act provides for less than 15 justices, such town shall be entitled to 15 justices.** Section 9-183a (b) (3) permits towns that have set the number of justices of the peace by charter or special act to change that number merely by passing an ordinance. Any change in the number of justices must be fully effective no later than May 11, 2020.<sup>1</sup>

**Column 1** of the enclosed spreadsheet sets forth the total number of justices of the peace each town may select this year based upon the various applicable statutes and the most current information we have on file in our office. **Column 6** shows the number of justices set by your town's most current charter, ordinance or special act provision on file with us. *If this information is inaccurate or outdated, please let us know immediately.* Section 9-183a (d) requires the town clerk to send the Secretary of the State a certified copy of any such ordinance. If **Column 6** contains a dash (-), our files show that your town has no special act, charter or ordinance provisions affecting the number of justices of the peace, and your town can select a number of justices equal to 1/3 the number of jurors your town is entitled to. **Column 7** sets forth either the date of your most recent justice of the peace enactment or the date filed with us. **Column 9** lists 1/3 of your town's juror quota as of April, 2020. If applicable, this number is carried to **Column 1** as the "Total JP's to Select in Town in 2020". If our information is inaccurate or outdated, please contact us immediately.

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<sup>1</sup> § 9-390 (a) requires that 5 days notice of a caucus held to endorse candidates be published in a newspaper having a general circulation in the town. The first day such a caucus can be held to endorse candidates for justices of the peace is May 19, 2020. The exact number of justices to be selected must be legally certain before such notice can be given. May 13, 2020 is, therefore, the last day on which a change in the number of justices can go into effect in time for town chairs to meet that 5 day notice requirement.

### **Allocation of JP positions within the town**

The allocation formulas have not changed. The Democratic and the Republican parties<sup>2</sup> share 2/3 thirds (rounded down) of your town's justices (**Columns 2 & 3**). If 2/3 of **Column 1** is an odd number, a "1" appearing in **Column 4** and which party gets the extra justice position is determined by the Democrats and Republicans drawing lots. The remaining 1/3 of the town's justices (**Column 5**) are reserved for unaffiliated electors and minor party members.

### **Nomination of JP's by Democratic & Republican Parties**

Justice of the peace candidates should be endorsed according to party rules during the endorsement period set forth in the election calendar (May 19 - 26, 2020). Certificates of endorsement must be filed with the town clerk by 4:00 PM on the **14<sup>th</sup> day** following the close of the meeting at which the endorsements were made. The endorsed slates are subject to primary by challenge slates consisting of at least a bare majority of the number of justices of the peace the party can nominate. Petitions must be signed by 5% of the enrolled party members in town and filed by 4:00 PM on June 9, 2020. If a primary is held, individual candidate names do not appear on the ballot, merely slate designations, such as "party-endorsed slate" or "B challenge slate". Either the endorsed slate, if no primary petition is filed or the victorious slate in the primary becomes justices. The office does not appear on the November ballot.

Vacancies in Democratic or Republican justice of the peace offices can be filled at any time during the term by the appropriate town committee, whether that vacancy is due to a justice leaving office before the end of the term or the justice position not being filled at the beginning of the term. § 9-184.

### **Appointment of Unaffiliated and Minor Party JP's by Town Clerk**

**1. *Notification of Incumbent Unaffiliated and Minor Party JP's about Reappointment Procedure***  
Not later than August 1 the Town Clerk must send all incumbent Unaffiliated and Minor Party justices of the peace, appointed under § 9-184c, written notice of the procedure for reappointment. A suggested Application (ED-622JP) is enclosed. There is no duty to inform incumbent major party justices of the peace, nor are they guaranteed renomination.

**2. *Appointment Process***

Between August 1, 2020 and November 1, 2020, inclusive, any unaffiliated elector or minor party elector in your town may apply to the Town Clerk for appointment as a justice of the peace. No one who is, or has been, on the Democratic or Republican enrollment list in your town on or after May 1, 2020 and before the appointment in November may apply for one of these appointive justice of the peace slots.

Pursuant to Section 9-184c, **ALL** incumbent minor party & unaffiliated justices of the peace who apply must be reappointed.<sup>3</sup> Any remaining minor party & unaffiliated slots should then be filled with non-incumbent applicants. If there are more such applicants than there are remaining appointive slots, the town clerk must, after 5 days public notice, hold a lottery on or before November 20, 2020 (15<sup>th</sup> business day of November). All non-incumbent applicants' names should be drawn, and a list

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<sup>2</sup>§ 9-183b provides that 2/3 of the justices in any town are to be selected, in equal portions, by major parties, as defined in subparagraph (B) of subdivision (5) of section 9-372. Such parties are those "...having, at the last-preceding election for Governor, a number of enrolled members on the active registry list equal to at least twenty percent of the total number of enrolled members of all political parties on the active registry list in the state..."; Presently only the Democratic and Republican parties meet that test.

<sup>3</sup>However, an incumbent justice of the peace originally appointed to an unaffiliated/minor party slot who has appeared on the Democratic or Republican enrollment list any time since May 1, 2020 can **NOT** be reappointed to one of those unaffiliated/minor party slots, but must seek a return to office through the nomination procedures of his/her own new party.

kept of their order of selection. The first ones drawn should be appointed to the remaining slots. The rest become alternates and will be appointed to fill vacancies in these minor-party/unaffiliated positions that occur during the term. If there are no extra applicants in November, there will be no alternates. Once this original list of alternates has been exhausted, no further vacancies in these minor-party/unaffiliated positions can be filled for the remainder of the term. §9-184c (b) & (d).

**The Term**

The terms of all justices of the peace selected this year will be 4 years, beginning on the first Monday of January in 2021 (January 4, 2021 to January 6, 2025).

**Less than 15 Justices (towns marked with an “x”)**

Towns whose current ordinance, charter, or special act provide for fewer than 15 justices (Column 6) have an “x” after their name on the chart. It is the opinion of this office that Section 9-183a(b) & (c) would override any ordinance, charter, or special act providing for less than 15 justices and set the number of a town’s justices at 15. For this reason, all towns whose current ordinance, charter, or special act provides for fewer than 15 justices will be selecting 15 justices in 2020.

Please let us know if the information on the enclosed spreadsheet is incorrect. Also, please share the information in this letter with all town chairmen.

Sincerely

Denise Merrill  
Secretary of the State

By \_\_\_\_\_  
Heather Augeri  
Elections Officer

Enclosures