

## Justices of the Peace - Connecticut Law

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### Issue

How are justices of the peace selected in Connecticut and what are their duties? (This report updates and expands OLR report [2016-R-0004](#).)

### Summary

In Connecticut, the process of selecting a justice of the peace is prescribed by statute ([CGS § 9-183a](#) et seq.). Justices are selected during presidential election years and serve a four-year term. By law, two-thirds of the justices of the peace are selected by major political parties and one-third of the positions are reserved for electors who are not members of the major parties (i.e. unaffiliated voters or minor party members).

Generally, the number of justices of the peace for each town must be equal to one-third the number of jurors to which the town is entitled by law. A town, by ordinance, may allow a lower number of justices of the peace, but not less than 15.

The duties of a justice of the peace are prescribed by statute. These include administering oaths, acknowledging certain legal documents, and issuing tax warrants.

For more information on the selection process and duties, please see the secretary of the state's [Justice of the Peace Manual](#) (Rev. 2021).

# Justice of the Peace Selection Process

## ***Major Party Nominations***

State law defines a major party as a party whose (1) last candidate for governor received at least 20% of the total votes cast for the office of governor at the last election or (2) enrolled membership comprises at least 20% of all active enrolled party members in the state ([CGS § 9-372\(5\)](#)).

Two-thirds of a municipality's justices of the peace (rounded down) are selected by major political parties. For the purposes of selecting justices of the peace, a party qualifies as major only if its enrolled members comprise at least 20% of all active enrolled party members. Only the Democratic and Republican parties currently qualify as major. Thus, each selects one-third of the justices of the peace in each municipality ([CGS § 9-183b](#)).

The major party candidates for justice of the peace are endorsed according to the parties' rules. The Democrats and the Republicans are endorsed by the party town committee, a caucus of enrolled party members, or party convention between the 84th and 77th days before a primary election, if applicable ([Justice of the Peace Manual](#), page 3 and [CGS § 9-391](#)).

The names of justice of the peace candidates do not appear on the November election ballot. However, the candidates are voted on in a primary election. The winners of the primary election are the nominees of the party and become qualified to act as justices of the peace. If no person successfully petitions to challenge the party-endorsed candidates ([CGS § 9-405](#)), the party-endorsed candidates become the nominees and are qualified to serve as justices of the peace ([Justice of the Peace Manual](#), page 3 and [CGS § 9-183b](#)).

***Minor Party Exception.*** If a party qualifies as a major party because it's last candidate for governor received at least 20% of the total votes cast, that party may nominate candidates for 20% of the remaining offices not filled by the major parties as described above. If this occurs, the other 80% would be selected by the town clerk as described below ([CGS § 9-183c](#)).

## ***Town Clerk Appointments***

If no party qualifies as a major party based solely on gubernatorial votes, the last one-third (rounded up) of the positions in each municipality are selected by the town clerk from electors who are not members of the major parties. These minor party members and unaffiliated electors can become justices by applying to their town clerk between August 1 and November 1 of a presidential election year. If more applicants apply than there are positions, all current justices of the peace are reappointed if there are sufficient openings. The town clerk must hold a lottery to fill the remaining

offices. Those applications drawn first are appointed justices until all non-major-party slots have been filled. The lottery continues until all applications are drawn so that a list can be established for filling vacancies ([CGS § 9-184c](#)).

## ***Vacancies***

If there is a vacancy in an office for justice of the peace that was selected by a major party, the town committee for that party may appoint a person for the remainder of the term ([CGS § 9-184](#)). Any office that becomes vacant, which was initially appointed by the town clerk, must be filled by the town clerk with the person who was next in order based on the lottery ([CGS § 9-184c](#)).

## **Number of Justices of the Peace for Each Town**

The number of justices of the peace for each town generally must be equal to one-third the number of jurors the town is entitled to by law (which is annually determined by the jury administrator based on the estimated need for jurors and the town's proportionate share of the population in the judicial district, among other factors ([CGS §§ 51-219b](#) & [-220](#))).

However, state law establishes the required number of offices for four towns as shown in table 1 below.

**Table 1: Required Number of Justices for Specified Towns**

Town	Justices of the Peace
Litchfield	15
Meriden	36
Trumbull	30
Waterbury	69

By law, any town, by ordinance, may allow the selection of a lower number of justices of the peace for the town, but it cannot be less than 15 ([CGS § 9-183a](#)).

## **Duties Performed by Justices of the Peace**

A justice of the peace's duties are authorized by statute. Among other things, a justice of the peace may:

1. administer oaths ([CGS § 1-24](#)),
2. sign affidavits after administering oaths ([CGS § 1-24](#)),
3. acknowledge legal written documents ([CGS § 1-29](#)),

4. perform marriage ceremonies ([CGS § 46b-22](#)),
5. take depositions and issue subpoenas to compel witnesses to attend such depositions ([CGS §§ 52-148c & -148e](#)),
6. subpoena witnesses to appear before the board of police commissioners of any municipality ([CGS § 7-279](#)), and
7. issue tax warrants ([CGS § 12-130](#)).

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