



CONNECTICUT PROBATE ASSEMBLY

Meeting held January 26, 2023

1. Call to Order

The meeting was called to order by Judge Daly at 1:05 p.m.

2. Pledge of Allegiance

Judge Marino led the Probate Assembly in reciting the Pledge of Allegiance.

Roll call of the Judges

Forty-five judges attended the meeting held at Courtyard by Marriott-Cromwell. Probate Court Administrator Judge Streit-Kefalas, Attorneys Heather Dostaler, Evan Brunetti and Eric Rothausser also attended.

3. Approval of the November 30, 2022 Meeting Minutes

A motion was made by Judge Barrett and seconded by Judge DeGennaro to approve the minutes of the November 30, 2022 Assembly meeting. The motion carried unanimously.

4. Treasurer's Report

Judge Randich reviewed the Treasurer's Report for the second quarter (October 1 to December 31, 2022) of the fiscal year ending June 30, 2023. He noted 2 expenses for previous seminars. Judge DaSilva moved and Judge Hoyle seconded a motion to approve the Treasurer's report. The motion carried unanimously.

5. Nominating Committee

Judge Darby, Chair of the Nominating Committee, placed in nomination the names of the following judges to be elected, in accordance with the Bylaws, at the April 19, 2023 Annual meeting:

OFFICERS:

Term: 04/2023-04/2024

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|-------------------------------|------------------------------|
| • President-Judge | HONORABLE EVELYN M. DALY |
| • First Vice President-Judge | HONORABLE MICHAEL M. DARBY |
| • Second Vice President-Judge | HONORABLE PETER C. BARRETT |
| • Executive Secretary | HONORABLE ARIANA F. CENEVIVA |
| • Recording Secretary | HONORABLE KATHLEEN N. MAXHAM |
| • Treasurer | HONORABLE ROBERT A. RANDICH |

EXECUTIVE COMMITTEE:

Term: 04/2023- 04/2026

- Hartford
- Fairfield
- Windham

HONORABLE MATTHEW J. JALOWIEC
HONORABLE WILLIAM P. OSTERNDORF
HONORABLE JOHN J. MCGRATH, JR.

BUDGET COMMITTEE:

Term: 04/2023-04/2025

HONORABLE FRED J. ANTHONY

There were no nominations from the floor. Judge Marino moved and Judge DeGennaro seconded a motion to close the nominations. The motion carried unanimously. The slate will be elected at the Annual Meeting on April 19, 2023.

6. Committee Reports

Continuing Education

Judge Lewis, the new Chair of the committee reported that next Judges Institute is set for March 15, 2023. There will be a virtual seminar for Judges on CMS at the end of February. The next committee meeting is February 15, 2023 at 9:30 a.m. at PCA. All judges are encouraged to attend, join the committee and send suggestions for seminars to the committee.

Ethics

Judge Brandt, the new Chair of the committee indicated he had not yet scheduled a committee meeting. He encouraged all judges to join the committee.

Legislative

On behalf of the committee chairs, Judge Streit-Kefalas reported that the Judiciary Committee is reviewing the Probate Court operations bill. The biggest legislative issue this session is the proposed budget for the next two fiscal years. There are a number of bills that PCA is tracking including a bill to address the health insurance premium share of Probate Court employees to be aligned with state employees; proposal to eliminate Probate Court approval of electroconvulsive therapy (ECT) treatment for a patient who is unable to give informed consent; and a number of bills proposed by the Connecticut Bar Association. PCA is seeking to fill the position that serves as a legislative liaison. The next committee meeting is on Friday, February 2, 2023, at 8:30 a.m. in the Trumbull Probate Court.

Planning Committee

No Report

Procedures Review Committee

Judge Berkenstock reported that the committee meets quarterly, and the next meeting is March 6, 2023 at 9:00 a.m. in the PCA library. The mission is to revise forms to reflect recent legislation and to make them user friendly for the

public. Any suggested form changes may be submitted to Judge Berkenstock or staff Attorney Eric Rothauer.

Public Information

Judge Wexler, the new Chair of the committee stated that the mission is to educate the general public about the role of the courts. She invited all judges to join the committee. She indicated that she intends to invite Judge Streit-Kefalas to appear on her radio show.

Conservatorship Guidelines

No Report

Court Security

No Report

7. Remarks of the Probate Court Administrator

- a. Judge Streit-Kefalas commented on the following: A full-page ad was taken out in the Hartford Courant that was critical of probate judges in a conservatorship matter.
- b. Athena Nursing Homes that operate in Connecticut and Massachusetts have been fined for \$1.75 million by the Commonwealth of Massachusetts due to its failure to meet the needs of residents with substance use disorders, amongst other problems. It has been reported that its facilities in Connecticut have similar issues. The Athena facility in Newton, CT has been issued an Immediate Jeopardy order by the CT Department of Public Health. These allegations and problems are reminders of the importance of our courts to timely follow up on reports and reviews in conservator and GID matters and to be sure the conservators are visiting the protected persons. Courts need to follow procedures to ensure protection for individuals.
- c. All judges should reach out to their legislators to educate them on the probate system and encourage support for our budget.

8. Remarks of the President-Judge

Judge Daly congratulated the slate of nominees and welcomed all new judges. Judge Daly indicated that she is grateful to all who accepted positions in the committees and encouraged all new judges to participate.

9. Any business to come before the Assembly

Judge Burt asked all the new judges to stand and introduce themselves.

10. Adjourn

Judge DeGennaro made a motion to adjourn that was seconded by Judge Hoyle and unanimously carried. The Assembly adjourned at 1:41 p.m.

Respectfully submitted,
Hon. Kathleen N. Maxham
Recording Secretary