

CONNECTICUT PROBATE ASSEMBLY MEETING

September 30, 2020

1. **Call to Order:** The meeting was called to order by Judge Brandt at 11:33 a.m.
2. **Pledge of Allegiance** was led by Judge Dorval.

Roll call of the Judges

Forty-two judges were present by Cisco-Webex video conference for the meeting, including Probate Court Administrator Judge Streit-Kefalas. Attorney Bonnie Bennett and Director of Communications Melissa Riley also attended.

3. **Approval of the June 16, 2020 Meeting Minutes**

Judge Anthony moved to approve the minutes as presented. The motion was seconded by Judge Gardner Riordan and unanimously passed.

4. **Report of the Treasurer**

Judge Magistrali's Treasurer's Report covered several months. The Financial Reports for the months of April, May and the Final Report for fiscal year ending June 30, 2020 were all the same: total funds of \$35,000, expenditures of \$11,012.45 leaving a balance of \$23,987.55 restored to the Probate Court Administration Fund (PCAF).

Judge Magistrali reported that the Executive Committee approved a quarterly reporting period rather than monthly that will coincide with the quarterly Probate Assembly meetings. He verbally reported that there were no expenditures in July or August.

A motion to approve the April, May and Final Financial Reports for FYE June 30, 2020 was made by Judge Blick, seconded by Judge Wright and unanimously approved.

A motion to approve the July and August 2020 Financial Reports was made by Judge Wright and seconded by Judge Marino and unanimously approved.

5. **Committee Reports**

Continuing Education

Judge Becker reported that continuing education webinars will be presented until the end of the year.

Judge Forgione presented a webinar this morning on conducting Cisco Webex hearings.

The next webinars are:

October 15, 2020 - Indian Child Welfare Act;

October 22, 2020 - Roundtable with 2 sessions;

October 28, 2020 - Special Juvenile Immigrant Status;

November 18, 2020 - Dr. Harry Morgan on Conservatorships.

The committee will meet again on October 7, 2020 at 2:30 PM. Judge Becker asked all to reach out to Evan for information if they want to attend the meeting.

Bonnie Bennet reported that Chief Justice Robinson will present a webinar on November 12, 2020 at 1:00 PM.

Ethics

The Ethics Committee has not met. No report of the Committee.

Judge Magistrali reported that he was the first presenter with the new Cisco Webex Events platform on September 16, 2020. He addressed the Code of Probate Judicial Conduct as it relates to social media and political unrest.

Legislative

Judge Rowe indicated he had nothing new to report. The General Assembly was slated to go into Special Session today with limited matters on the agenda, none of which directly affects probate.

Nominating

No Report

Planning Committee

No Report

Procedures Review Committee

Judge Berkenstock reported that the Committee is continuing to do its usual work on revising forms. The next meeting is on Monday, October 5, 2020 at 9:00 AM.

Public Information

Judge Blick had no report but indicated she will be reaching out to new committee members.

Conservator Guidelines

No Report

Court Security

No Report

Floating Clerks

No Report

Hospitality

No Report

Modifications for Pandemic/Extraordinary Circumstances

Judge Dorval reported that the Committee met two times in September. They are addressing pandemic related topics including continuing education requirements for judges and judges' salaries affected by weighted workload. Judge Dorval hopes to make a recommendation to the Executive Committee at the November meeting. The weighted workload issues will be addressed when the statistics are available.

NCPJ

Judge Brandt reported that the NCPJ fall conference in Florida has been cancelled. All judges should expect a membership questionnaire in their email. He asked all judges to respond to the questionnaire. Judge Yamin will be elected Secretary/Treasurer at a zoom meeting on November 12, 2020 at noon. The spring conference will hopefully take place on May 11-14, 2021 in Arizona.

6. Remarks of the Probate Court Administrator

Judge Streit-Kefalas indicated she had a lot to report since the last meeting on June 16, 2020.

In late June she testified before the Appropriations Committee about the continuing funding needs of the probate system. She highlighted the good work probate has continued to do by remaining open and the ongoing fluctuation in revenue. Chief Administrative Judge Patrick Carroll also testified on behalf of the Judicial Branch and was able to hear her testimony.

Judge Streit-Kefalas has and will continue to participate on conference calls with legislative leaders, chairs of the Appropriations Committee and the Governor's Office of Policy and Management regarding the budget issues.

Judge Streit-Kefalas commented that the statewide budget deficit for the next 2 year budget cycle (fiscal year 2022-2023) is projected to be in excess of \$2 billion and indicated that the Governor has requested all agencies to cut their budget by 10%. This will be addressed in the next full legislative session in January 2021. Judge Streit-Kefalas is already preparing the budget and talking points.

Judge Streit-Kefalas reported that probate revenues have sustained significant unpredictability and fluctuation necessitating the need for additional money from the general fund in the future. It is disheartening to know the dire situation of the state budget but heartening to know that OPM recognizes the necessity for and needs of the probate system.

Judge Streit-Kefalas reported that probate revenues from May 24, 2020 through June 30, 2020 had 15% decline below the budget and at times was 40% below. On the positive side, courts are seeing a revenue recovery as a result of tax return filings that were due on July 15, 2020. She remains cautiously optimistic about a recovery and not loss of revenue. She anticipates a further decline from our budgeted revenue during the second and third quarters of this fiscal year due to an economic downturn affecting the value of estate assets.

It is important to note that during the fiscal year that just ended, staff received raises in July 2019 and COLA was applied in January 2020. In addition the Budget Committee met many times to adopt emergency compensation plans that resulted in staff receiving their full wages even when not working all regularly scheduled hours throughout the pandemic and the special benefit of COVID personal time for those who worked during shut down. She remains committed to additional compensation for court staff as the budget will allow in this current fiscal year.

Judge Streit-Kefalas reported that in-person court visits are in process and continuing as required by statute. She appreciates that all the courts are cooperating and following safety protocols. The financial reviews are underway and going smoothly as well. The financial audits are being conducted remotely.

Judge Streit-Kefalas reported that an actuarial study of our pension system shows, as of December 31, 2019 that the fund is 95.2% funded, thanks in large part to the good work of former Probate Court Administrator Judge Paul J. Knierim and retired Finance Director Andrea King for leaving it on such solid footing.

Judge Streit-Kefalas gave a huge shout out to the IT Department for all that they have handled from eFiling to CMS upgrades to remote hearings. To date the system has conducted thousands of Webex hearings. She encouraged all to utilize the video capabilities to the fullest extent, even considering requiring the professionals to attend via video. Webex Events has been rolled out with additional features to allow PowerPoint presentations and professionalize the format for multiple speakers. The department works around the clock to make sure the courts are running smoothly including combatting weather related outages and attempting to implement as many technological innovations as possible.

Judge Streit-Kefalas thanked all for their continued cooperation. We are six months into the pandemic with no end yet. She expressed a special thank you to all the court staff for their commitment to the public and the courts. She has been a judge for over 20 years during systematic changes with consolidation, has served in children's courts and served on countless committees. She knows, appreciates, values and is committed to the staff as the most valuable asset of our system. Judge Streit-Kefalas is also committed to insuring the probate system remains viable, vibrant and strong as budget challenges are navigated.

Judge Streit-Kefalas spoke at the CT Bar Association legal conference and shared some of the stories published in the Probate Press. She received great feedback on the small and significant measures courts have taken to meet the needs of the public and continue to operate despite the restrictions.

She understands and appreciates the stress all are under. It is likely the public health emergency measures will continue at least until February 9, 2021 and possibly longer. She expressed thanks to all judges for their dedication to our system and the public.

7. Remarks of the President-Judge

Judge Brandt thanked Judge Streit-Kefalas for her leadership. He thanked all judges for participating in this meeting and expressed his regret for not being able to meet in person.

He remarked that it has not been an easy year as Assembly President but appreciates the Executive Committee and other Assembly committees who continue to meet and improve the probate courts.

He reported that the Continuing Education Committee has adapted and presented educational webinars to judges and court staff. He encouraged all judges to attend as many as they can. He encouraged full attendance at the webinar on November 12, 2020 at 1:00PM given by Chief Justice Robinson.

He appointed Judge Dorval as chairman of the Committee to address consequences of the pandemic. The Committee is comprised of judges from all parts of the state and they have been able to find mutual resolutions for many concerns raised.

Judge Brandt commented that Webex video conferencing is the best solution for hearings. He commended the IT department for all they do including the additional platform Webex Events that will be helpful for webinars.

Judge Brandt has reached out CAPC leadership and is preparing to respond to the request for information. His goal is to allow further conversation and continued advocacy for clerks and staff. He recognizes the importance of the clerks in our courts and their concerns must be addressed.

Judge Brandt asked all to review policy number 701 on acceptable use of computers and email. He reminded all that we are a state entity and our email messages are public record. He commented that the telephone should be used for communications on personal matters.

Please call Judge Brandt with any concerns or questions as everyone continues to work though this together.

8. Any business to come before the Assembly

None

9. Adjourn

Motion was made seconded and unanimously carried to adjourn at 12:19 PM.

Respectfully submitted,
Hon. Kathleen N. Maxham
Recording Secretary