

CONNECTICUT PROBATE ASSEMBLY MEETING

November 18, 2020

1. **Call to Order:** The meeting was called to order by Judge Brandt at 11:50 a.m.
2. **Pledge of Allegiance** was led by Judge Yamin.

Judge Brandt offered his congratulations to Judge Yamin for her election as Secretary-Treasurer of the NCPJ.

Judge Brandt offered his congratulations and a welcome to Judge-Elect Leamon of the Southeastern CT Regional Probate Court, who will be replacing Judge Nicholas Kepple when he retires and to Judge-Elect William Hamzy who will be taking over for Judge Dorval on his retirement in Region #19.

Roll call of the Judges

Thirty judges were present by Cisco Webex video conference for the meeting, including Probate Court Administrator Judge Streit-Kefalas. Attorneys Bonnie Bennet and Heather Dostaler, Director of Communications Melissa Riley and Judge-Elect Beth Leamon and Judge-Elect William Hamzy also attended.

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

Judge Riordan moved and Judge DeGennaro seconded a motion to approve the minutes as presented. The motion passed unanimously.

4. **Report of the Treasurer**

Judge Magistrali presented a Treasurer's Report for the month of September 2020 reflecting the budget adopted at the annual meeting showing no activity. Judge Landgrebe moved and Judge Darby seconded a motion to approve the Treasurer's Report as presented. The motion passed unanimously.

5. **Committee Reports**

Continuing Education

Judge Becker reported that continuing education webinars will continue to be presented into the beginning of next year. She hopes at some point to be able to gather in person. A committee meeting is scheduled for next week. The program with Dr. Morgan held prior to the Assembly meeting completed the webinars for this year.

Ethics

Judge Magistrali reported that the Ethics Committee has not met and there is no report of the Committee. Judge Brandt said he appreciates the ethics opinions that Judge Magistrali forwards to the judges from time to time.

Legislative

Judge Streit-Kefalas reported that there is a Committee meeting scheduled for November 20, 2020 at 10 a.m. at the Trumbull Probate Court in person or via Webex. Judge Brandt asked anyone who had suggestions for new legislation to reach out to either Judge Fox or Judge Rowe.

Nominating

Judge McGrath reported that Judge Magistrali is the only officer stepping down for the typical second term as an officer. He is nominated to serve on the Executive Committee for the Litchfield County.

Judge Robert Randich is nominated to serve as treasurer. A full report was given at the last Executive Committee meeting.

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 February 1, 2021 at 9:00 a.m.

Public Information

No Report

Conservator Guidelines

No Report

Court Security

Judge Streit-Kefalas delivered Judge Calabrese's report in which all judges were reminded to schedule a court security assessment. An assessment should be done periodically by local or state law enforcement. It introduces the law enforcement officials to the court locations and operations and increases awareness of court staff and judges for emergency procedures.

Floating Clerks

No Report

Hospitality

No Report

Modifications for Pandemic/Extraordinary Circumstances

Judge Dorval thanked all committee members and Bonnie Bennet for all their contributions to the Committee.

Judge Dorval reported that the Executive Committee approved a resolution to request that the Judicial Education Standards Committee grant a blanket exemption for judges from continuing education requirements as set forth in Probate Regulation 26.3(a) up to a total exemption of 15 hours for this year in view of the ongoing pandemic. The second recommendation was basically the same as it pertains to all court staff to waive the required 6 hours of continuing education.

He further reported that the Committee also looked into the possible effect of the pandemic on judges with salaries based on weighted workload. The Committee determined that 5 judges were potentially affected but only Judges Blick and Wright were actually adversely affected. The Committee determined that any remedy would require statutory and regulatory changes and could not help the judges retroactively. This issue was tabled. It was also determined that elimination of weighted workload was beyond the scope of the Committee.

The Committee looked into facilities closures due to snow or the pandemic and its effect on judges' certification of 20 hours per week. The regulations do not authorize credit for court closure. All judges were able to meet the threshold of 20 hours so there was no adverse effect from court closures.

No future meetings are scheduled for the Committee but it will remain in existence for the future.

Judge Brandt reported that the exemption requests have been submitted to Judicial Education Standards Committee and both exemptions were approved for the 2020 year. Judge Brandt thanked Judge Dorval and all committee members for their work.

Judge Becker added that she believes that judges will receive a report of the hours of education they did complete.

6. Remarks of the Probate Court Administrator

Judge Streit-Kefalas reported that the election has occurred and welcomed the two new judges. She shared that they were able to attend the seminar held before the Assembly meeting. She also commented that Chief Justice Robinson expanded our awareness during his recent webinar about cultural competency not only as we meet the needs of our constituents but also as individuals in society. Thanks to the Continuing Education for all of the webinars.

Judge Streit-Kefalas remarked that the legislature will open on January 6, 2021 for a long session. It will address the biennial budget and bills that were not addressed in the short session this year in addition to anything else that has transpired in the interim. There is new leadership in the House and Senate. The Speaker of the House will be Matt Ritter; Majority Leader will be Jason Rojas; House Minority Leader will be Vincent Candelora. The President Pro Tem of the Senate will remain Martin Looney and the Majority Leader remains Bob Duff. The Minority Leader will be Kevin Kelly and his Deputy will be Paul Formica.

The first quarter of this fiscal year beginning in July 2020 has trended well so that the Probate Court Budget Committee approved merit pay adjustments for court staff and applied it retroactively. She reported that the Budget Committee was very pleased to be able to implement the critical and deserved adjustments for the court staff. A fact sheet will be available for each judge to furnish to court staff members once the adjustments are entered into the payroll system.

Judge Streit-Kefalas commented that we are all incredibly fatigued with COVID-19 but we cannot let down our guard. A large majority of our cities and towns are on a red or orange alert status. She reminded us to be prepared. Judges should get to know their local health director so if guidance is needed for a situation it will only take a phone call to get guidance. Contact tracing is a critical component of trying to manage the spread of COVID-19. Probate Administration will be sharing a form with all court members on this issue and all were encouraged to maintain their daily contact information sheet.

She reminded all judges to read the Policy Manual especially 309 that references Regulation 18A regarding work hours for judges. The pandemic has triggered increased awareness of many policies. Each judge should take time to read the manual to assist with operations of the court and meet the needs of the staff. The 903 leave policy, for example, was recently changed to allow intermittent leave.

Judge Streit-Kefalas wished all a happy and safe Thanksgiving with a reminder to adhere to guidance that will keep everyone safe and well.

7. Remarks of the President-Judge

Judge Brandt remarked that this is the final Assembly meeting of 2020 and he is not sure 2021 will start off any better. He remarked that it has been a difficult year. Our courts have stayed open and we all seem to be very busy.

He reported that the Continuing Education Committee has presented educational webinars to judges and court staff. The webinar before today's Assembly meeting by Dr. Harry Morgan was very good and informative. Last week we heard from Chief Justice Robinson on implicit bias. He thanked the panelists who assisted with the presentation. He thanked Chief Clerk Idaliz Gomez for her geometry skills and apologized to Judge Rowe for the length of time he was on camera.

Judge Brandt reported that many judges have completed the required continuing education hours but thanked the Judicial Educations Standards Committee for approving the waiver of hours.

Judge Brandt congratulated the newly elected judges and stated he was looking forward to working with them in the coming years. He thanked Judge Streit-Kefalas and the Budget Committee for approving merit raises for 2020 for court staff as raises will go a long way to show our appreciation.

He thanked all judges for working hard to keep courts going all year. He asked all to enjoy Thanksgiving and all of the holiday season while remaining cautious about COVID-19.

8. Any business to come before the Assembly

None

9. Adjourn

Motion was made by Judge Wright seconded by Judge Hoyle and unanimously carried to adjourn at 12:30 PM.

Special thanks from the Recording Secretary to Judge Leah Schad for stepping in and taking the minutes in my absence!

Respectfully submitted,
Hon. Kathleen N. Maxham
Recording Secretary