

BIENNIAL REPORT OF THE PROBATE COURT ADMINISTRATOR

Progress through Professionalism



2012-2013



Dedication

JUDGE BRIAN T. GRIFFIN 1955-2012

The 2012-2013 Biennial Report is dedicated to Judge Brian Griffin, who died on February 20, 2012.

A compassionate and insightful man and an exemplary public servant, Judge Griffin served for 16 years, first as judge of the former Windsor Probate Court and, beginning in January 2011, as judge of the Greater Windsor Probate Court. He also served as acting judge of the former Windsor Locks Probate Court in 2008. Judge Griffin was among the most active members of the Connecticut Probate Assembly and brought a practical, common-sense approach to resolving issues confronting the system. His public service extended to the town of Windsor, where he was mayor for four years before he was elected judge, and to the countless children and families for whom he provided pro bono legal assistance. He is widely remembered as an outstanding judge and beloved friend.

Welcome to the first biennial report of the Connecticut Probate Courts, which documents our extraordinary progress during fiscal years 2011-12 and 2012-13. Transitioning from an annual report to a two-year reporting cycle, combined with a period of remarkable productivity, has yielded an unusually dynamic report. I am pleased to be able to share some of the details with you.

Let me return to July 2011, when we closed the financial books on the first full year of operations following court restructuring. In that watershed accomplishment, we consolidated 117 courts into 54 and replaced costly duplicative accounting systems with a streamlined central financial structure. The resulting savings exceed \$4 million a year. With vital support from the state's General Fund, the Probate Courts are now on a financially stable course for the long term. Most important, we managed the difficult process of merging courts without missing a beat in the high quality of service we provide to court users.

But restructuring was only a starting point for us. It paved the way for another key achievement with the publication of the new Probate Court Rules of Procedure. This total rewrite of our practice book, the first since 1974, establishes uniform procedures in all types of probate cases. It is written in plain language to make it easier to use the Probate Courts and introduces numerous simplified procedures to expedite cases and reduce costs.

Consider just some of our other successes: We spearheaded a multiagency effort to provide law enforcement authorities with up-to-date information about persons who are ineligible to purchase firearms due to mental illness. We turned ctprobate.gov, our website, into a rich resource for court users and added a statewide case-lookup function. We intensified our commitment to continuing education by presenting dozens of seminars with state and local bar groups so that attorneys were fully versed in the new rules of procedure. We worked with the cities and towns that host the Probate Courts to improve security at our

facilities. We began aligning the Code of Probate Judicial Conduct with the recently updated model code of ethics for judges.



A Message from **Judge** **Paul J. Knierim**

As we undertook these outward-looking projects, we were also investing in our most important resource: the dedicated employees who work in the Probate Courts. A critical piece of restructuring was to replace the widely varied pay and benefits policies of individual courts with a statewide compensation and benefits plan that is uniform, fair and competitive. In 2013, we further strengthened the uniform pay plan by completing an internal pay equity study. We also established a performance evaluation system designed to promote professional development for employees. Our compensation system is unusual for a government agency in that it includes a merit pay component by which employees are rewarded for excellent job performance.

If the result of these advancements can be summed up in a word, it is professionalism. Accountability, the highest ethical standards, teamwork, respect – these are among the hallmarks of professionalism, and they are reflected at every turn in the work of the Probate Courts in the past two years.

This progress would never have happened without the leadership of the judges and the initiative of court staff. Judges and clerks took on the whirlwind challenges of restructuring and then, without pausing, embraced the myriad opportunities that followed for improving the customer-service experience for all who pass through our doors. I am proud of their outstanding work and thank them for it.

We will continue to build on the momentum of the past two years. Guided by a deep-seated sense of professionalism, we remain committed to our mission of providing an accessible and approachable community court in which highly sensitive cases are decided with the utmost integrity.

Highlights of a Court System in Action

The professionalism that characterizes the Probate Courts was in place long before the restructuring of 2011, and it remains in place, strengthened, as the courts continue their 316-year-old tradition of serving the citizens of Connecticut. The successful restructuring was a launching pad for an ambitious agenda in 2012 and 2013. The Probate Courts' successes ranged from behind-the-scenes enhancements of core operations to those that received wide public attention, such as creating a mental health database for firearms eligibility. The advancements are part of the ongoing effort to find better ways to assist citizens, grounded in another hallmark of professionalism: teamwork. Here are three highlights from the biennium that underscore the Probate Courts' progress through professionalism.

EMPLOYEE COMPENSATION PLAN: COURT RESTRUCTURING IS COMPLETE

The Probate Courts completed the final steps of a new uniform compensation and benefits plan for employees in 2013. The plan replaced the former decentralized system in which each judge determined the pay of his or her staff with one that is more uniform and equitable, as the restructuring required. The expertise of the Probate Court Budget Committee and the staff of Probate Court Administration and input from staff and judges were critical to the effort, as was the support of the General Assembly and the Governor.

In 2011, the budget committee approved a pay plan that assigned court employees to one of 10 defined positions and



The Probate Court Rules Advisory Committee completed a comprehensive revision of the Probate Court Rules of Procedure, the first such revision to the rules in 38 years. The new rules became effective on July 1, 2013.

specified pay ranges for each position. Some disparities persisted, however, and the committee commissioned an internal pay equity study. The study formed the basis for one-time pay adjustments to ensure that each employee's rate of pay reflected his or her years of experience in the courts.

Another important part of the plan was merit pay adjustments based on an employee performance evaluation system. Merit pay promotes strong customer service and provides incentives to employees to build the knowledge and skills necessary to perform their job responsibilities. The budget committee adopted a performance evaluation system designed to ensure that courts administer merit pay fairly. Judges and chief clerks conduct annual performance reviews using uniform criteria, and a Web-based software application calculates individual merit pay adjustments. The Probate Courts secured funding for the wage adjustments during the 2013 legislative session.

The compensation changes are significant, especially for a government agency, because they replace the lockstep advancement of employees with an approach that rewards competence and excellent public service. The approach has many advantages for the Probate Courts beyond the equitable treatment of employees. It is the first step toward establishing a network for career development. A clearly defined, uniform set of positions and pay ranges means that court staff have more opportunities to advance and specialize in areas of probate jurisdiction. Opportunities for growth contribute to higher rates of job satisfaction and lower rates of staff turnover, and they help to keep the focus on superior service.

NEW PROBATE COURT RULES OF PROCEDURE TAKE EFFECT

November 7, 2012 was a day of distinction for the Probate Courts. That's when an increasingly obsolete, 38-year-old document describing procedures in Probate Courts began its journey to the archives, making way for a uniform set of guidelines for current-day practices in all areas of probate jurisdiction. The Supreme Court unanimously adopted a revised version of the Probate Court Rules of Procedure that day, capping a 17-month initiative that Probate Court Administrator Paul Knierim and the law department launched in mid-2011.

Three weeks later, on November 29, 2012, the Probate Assembly and Connecticut Bar Association introduced

the revised rules to the wider legal community in a seminar attended by some 500 clerks, judges and attorneys. Additional training in the rules followed at a steady pace, with eight internal trainings occurring in June 2013, just before the new rules took effect on July 1. In addition, many judges and PCA staff spoke to state agencies, local bar associations and other professional groups about the rules. The outreach has continued well beyond the rules' effective date.

The creation of an accessible, modern document that guides court users and court staff, judges and attorneys through the procedures of the Probate Courts reflects nearly two years of dedicated work by the Probate Court Rules Advisory Committee. Chaired by Judge Knierim, the 27-member committee comprises judges, clerks, attorneys, a law professor, a certified public accountant and other stakeholders. Committee members have been indefatigable in their intellectual rigor, attention to detail and commitment to the task. Given the scope of the overhaul, adjustments to the 122-page document are to be expected, and the committee continues to meet to consider improvements.

After the Supreme Court adopted the rules in late 2012, another committee shifted into high gear: the Procedures Review Committee, which ensures that forms used in the Probate Courts conform to statutory and other requirements. With the adoption of the rules, scores of forms required review and many had to be created. By July 2013, the committee had prepared more than 100 forms.

The revision of the rules illustrates how the Probate Courts seek to fulfill their mission of advancing justice quickly, economically and equitably and ensuring that the courts are accessible and approachable to all who use them. The Probate Courts are grateful to Supreme Court Justice Peter Zarella, the high court's liaison to the rules advisory committee, for sharing his expertise in court rules and supporting the project.

PROBATE COURTS BUILD A MENTAL HEALTH DATABASE TO DETERMINE FIREARMS ELIGIBILITY

Beginning in 2011, the Probate Courts spearheaded a multiagency effort to create a computer database for use in checking the mental health backgrounds of citizens who seek to buy or own firearms. The project, overseen by Vincent Russo, PCA manager of communications and intergovernmental relations, is part of a larger federally

funded project known as NARIP – the National Instant Criminal Background Check System (NICS) Act Record Improvement Program.

The goal was to create a database of individuals who are ineligible to buy or own firearms due to a finding in the Probate Court or Superior Court of mental impairment. The database compiles the information in a format that agencies can share while also improving the completeness, automation and timely transmission of the mental health and court records that law enforcement authorities use to determine firearms eligibility.

The Web-based secure module captures mental health adjudications in probate and criminal proceedings, including commitments to a facility for mental health treatment, appointments of involuntary conservators and findings of incompetency to stand trial or not guilty by reason of insanity. By June 2013, the research team had examined more than 60,000 records in 54 courts, including all Probate Court conservatorship and commitment proceedings during the past 20 years. The database became operational at the end of 2013.

Connecticut received two grants totaling about \$4.9 million from the U.S. Department of Justice to build the database and otherwise improve court and law enforcement record-keeping. The Office of Policy and Management coordinated the grants, with participation from the Department of Mental Health and Addiction Services, the Department of Emergency Services and Public Protection and the Judicial Branch.

The adoption of a database design that is cost-efficient and as error-proof as possible became especially salient following the loss of life during an elementary school shooting in Newtown in December 2012. The database received media attention, and Connecticut's efforts to improve its record-keeping though the database stood out from efforts underway in many other states.

Office of the Probate Court Administrator



The Connecticut General Assembly established the Office of the Probate Court Administrator in 1967 to provide administrative and legal support to the courts and promote uniform procedures throughout the Probate Court system. The Chief Justice appoints the probate court administrator from among the sitting probate judges.

The functions of the office are many and include:

- Administrative and legal support
- Technological and computer support
- Financial oversight, analysis and projections
- Centralized budget administration, banking management and payroll
- Educational programs
- Policy leadership and legislative initiatives
- Establishment of uniform procedures
- Publication of materials to assist court users

The office has four departments: law, financial, information technology (IT) and communications and intergovernmental relations. The main initiatives of each department in 2012 and 2013 are described below.

LAW DEPARTMENT: PROVIDING LEGAL GUIDANCE FOR COMPLEX TIMES

Attorneys in the law department provide advice and expertise to judges, court staff and the Connecticut Probate Assembly committees. They supervise the operations of the regional children's probate courts, conduct regular court visits, ensure that

Probate Court documents and forms are consistent with new laws and regulations and collaborate with state agencies. A signature effort was the comprehensive revision of the Probate Court Rules of Procedure, the first in 38 years.

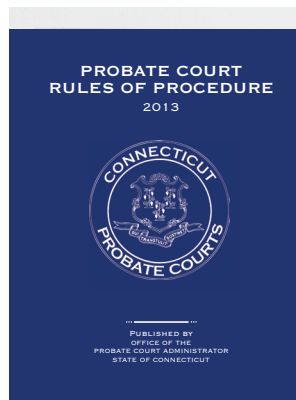
Court Visits

State law requires the probate court administrator or his designee to visit each Probate Court every two years. In 2011, the first year of court restructuring, PCA attorneys visited all of the courts. A biennial schedule then resumed, with PCA attorneys visiting half of the courts in 2012 and half in 2013.

Updated Publications and Forms

Probate Clerk's Manual: Staff revises the Probate Clerk's Manual quarterly to update court personnel on administrative matters, new procedures and changes required by legislation. In October 2011, PCA published a more comprehensive revision due to the phase-out of transmittal memoranda (TRs). Two dozen TRs formed the basis for a new Clerk's Manual appendix; many other TRs were incorporated into the text. With the July 1, 2013 publication of the Probate Court Rules of Procedure on the horizon, the law department began planning a major overhaul of the Clerk's Manual in 2013, which will include a more user-friendly format.

Forms: Working with the Probate Assembly's Procedures Review Committee, staff created and revised court forms to ensure compliance with statutory requirements for probate procedures. By June 2013, the committee had revised 62 forms and created 42 new ones, mainly in response to the revised Probate Court Rules of Procedure.



Collaboration with Other Agencies

Collaboration with several state agencies increased in 2012 and 2013 as a result of several PCA initiatives and multiagency projects. They included revising the Probate Court Rules of Procedure, in which the Department of Revenue Services, Department of Children and Families (DCF) and Attorney General participated; creating the NARIP firearms-reporting database, which involved the Judicial Branch, the Department of Mental Health and Addiction Services, the Department

of Emergency Services and Public Protection and the Office of Policy and Management, as well as the U.S. Department of Justice; and archiving the paper records of some courts at the State Library.

Collaboration with DCF occurs regularly. Probate Court Administrator Paul Knierim and law department staff meet quarterly with Commissioner Joette Katz and her staff to foster coordination and develop policies affecting the courts and DCF. Other state agencies with which PCA works closely include the Department of Administrative Services, the Department of Developmental Services and the Department of Public Health.

Gross v. Rell Amicus Curiae Brief

The Connecticut Supreme Court ruled in April 2012 in *Gross v. Rell* that conservators are entitled to quasi-judicial immunity for actions that are approved or ratified by the Probate Court, but not for discretionary acts. The decision was in line with the position set forth in an amicus curiae brief filed by the Probate Assembly and reassures conservators that if their actions on behalf of a conserved person are conducted pursuant to a Probate Court's order, the results should carry no personal liability for the conservator. Chief Counsel Thomas Gaffey discussed the decision at seminars sponsored by the Probate Assembly, Connecticut Bar Association and New Haven County Bar Association.

FINANCIAL SERVICES DEPARTMENT: STREAMLINING ACCOUNTABILITY

The financial services department is responsible for budgeting, revenue collection, payroll, benefits administration and accounts payable. In 2012, the Office of the State Comptroller praised the department's work, noting that of the 87 business units statewide, PCA's results were "far and above better than any other business unit in the Core-CT accounting system." The recognition was all the more important for applying, as it did, to the first year of court restructuring and a centralized financial system.

Remote Bank Scanning Equipment

The department unveiled new check-scanning technology on a pilot basis in 2013, creating time efficiencies for participating courts. The check scanners enable clerks to deposit fee payments in the form of checks into the Probate Court Administration Fund immediately upon receipt without going to a bank. The technology saves staff time and mileage expenses and enhances compliance with state rules on the frequency of deposits. All courts eventually will have scanners.

Employee Procedures and Benefits

Workers' compensation: In 2012, PCA replaced the separate insurance policies the courts maintained before restructuring with a single workers' compensation insurance policy. The move reduced premium expenses by more than 50 percent for a savings

of \$35,000 annually and eliminated duplicative efforts to procure individual court policies and respond to annual audit inquiries by insurance carriers.

Online benefits administration system: In 2012, PCA partnered with BeneTrac, an affiliate of PayChex, to provide judges and court staff with online access to health benefits information on a 24/7 basis. The online system is integrated with existing timekeeping and payroll systems and simplifies the earlier paper-intensive process of benefits administration.

Flexible spending accounts: In 2013, PCA offered judges and court staff the option of participating in flexible spending account plans for health care and dependent care. Employees may use money withheld from their paychecks on a pre-tax basis to pay unreimbursed expenses for medical care or dependent care or both. PayChex oversees the accounts.

Court Audits

The review of the Probate Courts for the 2012 fiscal year by PCA accountants revealed that the courts had done an excellent job of applying the new policies and procedures instituted as part of restructuring. For the 2013 fiscal year, financial staff switched to a biennial review schedule and reviewed 30 courts, including the six regional children's probate courts. Staff will visit the rest of the courts in 2014. The most recent reviews focus on management of accounts receivable and proper segregation of duties to ensure the integrity of the financial system.

PCA Policy Manual

The department continues to update the online PCA Policy Manual it created in 2011 to guide judges and court staff through changes in financial and administrative operations required by restructuring. The manual covers compensation, benefits, court staffing, payroll administration, accounts receivable and banking, court expenditures, and other financial and operational matters.

IT DEPARTMENT: ADVANCING CUSTOMER SERVICE

The IT department maintains the Probate Courts' computer network, develops the software applications used to manage cases and operates a help desk for judges and court staff. Several major improvements in 2012 and 2013 strengthened the courts' ability to offer the public efficient, user-friendly service.

Case Management System (CMS) Improvements

CMS is the organizational heart of the Probate Courts' system of managing the files of the approximately 80,000 matters the

courts handle each year. Changes to CMS are made in response to new legislation, regulations and policies and suggestions from judges and court staff. The adoption of the revised Probate Court Rules of Procedure in 2013 prompted countless changes to CMS. The 2013 updates also reflected another huge undertaking: providing courts with a highly detailed view of the matters they handle by more thoroughly capturing the discrete tasks involved in processing matters. As a result of the Weighted Workload Committee's comprehensive review of the tasks involved in processing cases, newly adopted Regulation 8A now contains an exhaustive list of activities with updated weight assignments based on the relative difficulty of matters. CMS now captures information about the activities with far greater specificity and can produce system-wide statistics that more accurately reflect the workload of the Probate Courts.

Off-Site Computer Backup and Server Monitoring

In 2013, the department installed a computer-server monitoring system to help identify potential data-corrupting problems on court servers before they occur. The early detection system enables technicians to prevent or mitigate a problem before an intensive server rebuild is necessary to recover lost data. To further improve data security and plan for disaster recovery, staff are replacing obsolete tape back-up drives with off-site back-up technology. Local servers connect through a secure line to a data storage center equipped with the latest hardware that stores the data in an easily recoverable manner.

Digital Documents Storage System

State law requires case records to be preserved in two formats, and current practice is to scan records into a digital document management system and maintain a microfilm backup. A project to digitize court records dating back to 1921 is continuing. In 2012 and 2013, paper records of the courts that were merged during restructuring were converted to a digital format using Laserfiche software. Those efforts were 90 percent complete by year's end. Scanned records are retrievable from court work stations and the public access computers in the courts. Digitizing the information eliminates the expense of publishing record books and avoids future needs for costly additions to vault space. An updated records retention policy, developed with the public records administrator, allows many administrative records to be maintained in digital format, which will further reduce space needs.

Digital Audio Recordings of Hearings

By 2013, all Probate Courts were equipped with digital audio recording devices for use during hearings. The devices are portable, and judges can carry them to hearings conducted

at nursing homes, hospitals and other venues. Court staff download the digital record of the hearing to a computer server, where it is saved in CMS. The information is easily transferred to a CD.

COMMUNICATIONS AND INTERGOVERNMENTAL RELATIONS DEPARTMENT: COMMUNICATING EXCELLENCE

The department organizes efforts to collaborate between the Probate Court system and other state, federal and municipal agencies. It maintains the website, publishes user guides and disseminates information to the media. Key accomplishments include participating in the NARIP project to ensure that the database used to determine eligibility for firearms purchase is current and accurate. The department also develops the legislative initiatives of the Probate Courts. (See page 13.)

Revised Website

The Probate Courts launched ctprobate.gov in 2013. The new website is easier to navigate, written for a general audience in accessible language and updated continually. A searchable database provides information about decedents' estates and trusts through a case lookup function. Other helpful features include online fillable forms, answers to commonly asked questions about the Probate Courts, materials for attorneys and persons serving as conservators and a directory of court locations, hours of operation and contact information.



Probate Courts in the Community



REGIONAL CHILDREN'S PROBATE COURTS

The dedication of the Hartford Regional Children's Probate Court on September 12, 2012 marked the formal opening of the sixth children's court in Connecticut. Eleven Probate Courts comprising 28 municipalities are participating in the Hartford children's court: Andover, Avon, Bloomfield, Bolton, Burlington, Canton, Columbia, East Granby, East Hartford, East Windsor, Farmington, Glastonbury, Granby, Hartford, Hebron, Manchester, Newington, Rocky Hill, Simsbury, Somers, South Windsor, Stafford, Suffield, Union, West Hartford, Wethersfield, Windsor and Windsor Locks. The court is located at the Hartford Probate Court, and Judge Steven Zelman of the Tobacco Valley Probate Court is the administrative judge.

The children's court in Hartford, like the five other regional children's probate courts, provides a venue for families to arrange for the care of children when parents are unable to do so. Informal hearings, comfortable court facilities and compassionate judges and court staff put families at ease as they work out problems. A family conference conducted by a court employee with advanced training in child and family dynamics is scheduled shortly after the case commences. The conference brings together the family, representatives from the Department of Children and Families (DCF) and court-appointed attorneys to develop the most beneficial plan for the care of children. The goal is to keep children, whenever possible, in the care of family members in a safe and familiar home environment. Court employees also help families obtain needed services and monitor progress toward the goals set by the court.

Program Manager for Mental Health and Family Programs Stephanie Janes and Chief Clerk for Children's Matters Amy Benjamin provide support for the staff and judges, arrange continuing education programs and coordinate efforts with DCF and community agencies that provide services to children and families.

The five other regional children's probate courts are listed below.

- The New Haven Regional Children's Probate Court, which was the first children's court, opened in 2004. The court serves families from Bethany, Branford, East Haven, Hamden, Milford, New Haven, North Branford, North Haven, Orange and West Haven. New Haven Judge John Keyes is the administrative judge.
- The Central Connecticut Regional Children's Probate Court serves residents of Cromwell, Durham, East Haddam, East Hampton, Marlborough, Meriden, Middlefield, Middletown, Portland and Wallingford. Judge Philip Wright, Jr. of the Wallingford Probate Court is the administrative judge. The children's court opened in 2005 and expanded in 2009.
- The New London Regional Children's Probate Court serves families in East Lyme, Groton, Ledyard, Montville, New London, North Stonington, Old Lyme, Salem, Stonington and Waterford. Judge Jeffrey McNamara of the Niantic Regional Probate Court is the administrative judge. The court opened in 2006.
- The Northeast Regional Children's Probate Court has locations in Willimantic and Brooklyn to serve families in Ashford, Brooklyn, Canterbury, Chaplin, Colchester, Coventry, Eastford, Hampton, Killingly, Lebanon, Mansfield, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Tolland, Willington, Windham and Woodstock. Administrative Judge Leah Schad of the Northeast Probate Court oversees the children's court, which opened in 2007.
- The Waterbury Regional Children's Probate Court is overseen by Administrative Judge Thomas Brunnock of the Waterbury Probate Court. It serves residents in Bethlehem, Oxford, Roxbury, Southbury, Washington, Waterbury, Watertown, Woodbury and Wolcott. The children's court opened in 2007.

Truancy Clinic

Since 2008, the Waterbury Regional Children's Probate Court and the Waterbury public school system have conducted a truancy clinic for at-risk students. More recently, DCF has participated in the clinics. Under the leadership of Judge Thomas Brunnock, the voluntary program has worked with children in elementary schools and their parents and guardians to address health problems and other systemic causes of unexcused absence from the classroom. The clinic tailors its approach to each family and sets clear expectations for attendance.



In 2011, the General Assembly formally established a pilot truancy clinic under the auspices of the Waterbury children's court. The law requires the court's administrative judge to file an annual report on the clinic's effectiveness. Judge Brunnock's 2013 report states that 73 families from two elementary schools in Waterbury were referred to the program between September 2011 and February 2013. Among the 29 pupils who participated for 12 months with their parents, unexcused absences decreased by 75 percent, excused absences declined by about 45 percent and unexcused tardiness dropped by 30 percent at one school and 46 percent at the other.



As of June 2013, the New Haven Regional Children's Court and the New Haven public school district were preparing to launch a truancy clinic.

KINSHIP FUND AND GRANDPARENTS AND RELATIVES RESPITE FUND

The Kinship Fund and the Grandparents and Relatives Respite Fund offer critical assistance to relatives serving as court-appointed guardians as they provide for the children in their care. The Children's Trust Fund, a state agency within the Department of Social Services that works to prevent child abuse and neglect, administered the funds through the Probate Courts until 2013, when the General Assembly appropriated the funds directly to the Probate Court system. Guardians must meet income guidelines to be eligible for the grants.



Kinship Fund grants award families up to \$500 per child annually to buy items and services for their children that would not be affordable otherwise. The grants are limited to \$2,000 per family. Typically, grants pay for expenses such as school uniforms, summer camp fees and dental care. The Grandparents and Relatives Respite Fund gives qualified guardians annual grants of up to \$2,000. The money may be spent on family expenses, such as housing, food, transportation and day care. The General Assembly funded the programs at \$2.05 million in

2012 and 2013, offering families additional help to provide safe and stable homes for at-risk children. In 2012, the kinship fund provided assistance to 1,411 families with 2,159 children, while grants from the respite fund benefited 1,443 families with 2,207 children. In 2013, grants from the kinship fund were awarded to 1,558 families, helping 2,381 children. Grants from the respite fund benefited 1,547 families with 2,300 children.

New Haven Probate Court Service Center

The New Haven Probate Court Service Center oversees the Kinship Fund and the Grandparents and Relatives Respite Fund in New Haven. The center also runs the Extended Family Guardianship and Assisted Care Program, which provides outreach to individuals who are interested in serving as guardians for non-relative children to avoid foster care placement outside of the home community. The program trains caregivers in conflict resolution, anger management, parenting and other skills. The service center hosts occasional events that cast light on program successes, including a benefit in the spring of 2012 to honor the achievements of participating children and guardians.

MELISSA'S PROJECT

Melissa's Project is a program of Guardian ad Litem Services, Inc. (GALS) that formed in 2002 to help people with serious and persistent mental health disorders who may be at risk for incarceration or hospitalization to live as independently as possible in the community. The project connects individuals for whom conservators have been appointed with an array of services to ensure the best possible access to health care and community support. Working in partnership with the Probate Courts and the Department of Mental Health and Addiction Services (DMHAS), Melissa's Project serves about 125 people a year, mainly in the Waterbury, Danbury, New Haven, Torrington, New Britain and Norwich areas.

In 2013, the General Assembly increased funding for Melissa's Project from \$713,000 in 2012 to \$1.55 million for each of the next two years. The increase came after a legislative panel that was formed after the Newtown school shooting in December 2012 recommended promoting programs that coordinate and manage services for individuals with mental illnesses who are living in the community. Melissa's Project was held out as a model program by the General Assembly's Bipartisan Task Force on Gun Violence Prevention and Children's Safety. By

mid-2013, Melissa's Project was poised to almost double the number of people it serves, to about 225 clients, and expand its reach to Hartford, Middletown, Bridgeport and other communities. The funding comes mainly through DMHAS, with a portion coming from the Probate Court Administration Fund.

Looking forward, PCA and GALS are preparing to launch a pilot program in fiscal year 2014 that will give some Probate Courts an additional resource as they appoint conservators for people with serious mental illness. Under the pilot program, GALS will serve as the court-appointed conservator of the person for a limited number of individuals in New Haven, Middletown and some neighboring communities.

CHILDREN IN PLACEMENT CONNECTICUT

The Children in Placement Connecticut program trains people to serve as volunteer guardians ad litem so they can advocate for the best interests of children who are in court as the victims of abuse or neglect. In 2012, the organization provided advocates for 109 children whose cases came before the Probate Courts, and in 2013, it provided advocates for 142 children. In November 2012, the Probate Courts received a Partner Award from Children in Placement in recognition of their efforts on behalf of Connecticut's children.

Probate Judges and Clerks in 2012 and 2013

PROBATE ASSEMBLY COMMITTEES

Continuing Education Committee

Judge Cynthia C. Becker, Chair

The Continuing Education Committee develops continuing education programs in cooperation with PCA on matters of probate law and related topics. The committee presents quarterly educational seminars in conjunction with Probate Assembly meetings. (See page 15.)



Ethics Committee

Judge Michael F. Magistrali, Chair

The Ethics Committee investigates referrals of ethics-related matters from the Connecticut Probate Assembly or the Probate Court Administrator and periodically reviews the Code of Probate Judicial

Conduct. In 2012, the committee launched a thorough review of the probate code, which dates to 1991, to align it with the Code of Judicial Conduct for the Superior, Appellate and Supreme courts. The proposed revisions to the probate code also incorporate statutory changes and changes stemming from the revised Probate Court Rules of Procedure. The committee was expecting to present the code revisions to the Probate Assembly in 2014.

Executive Committee

The Executive Committee guides the work of the Probate Assembly. Committee membership comprises the current assembly officers, the immediate past president, the chairs of the standing committees and nine voting members elected on a rotating basis (three per year) with representation from each county.

Legislative Committee

Judge Brian T. Mahon, Chair

The Legislative Committee develops and reviews legislative proposals that affect the Probate Courts. In 2012 and 2013, the committee worked closely with PCA to update several statutes. Budget matters were a major focus of the 2013 session, during which the Probate Courts secured funding to complete the final steps of the transition to a uniform compensation and benefits plan for court staff. (See page 13.)

Nominating Committee

Judge Joseph A. Egan, Jr., Chair

The Nominating Committee prepares the slate of candidates for Probate Assembly offices and Executive Committee members. Elections are conducted at the Probate Assembly's annual meeting in April.

Procedures Review Committee

Judge Philip A. Wright, Jr., Chair

The Procedures Review Committee works with PCA to develop and revise court forms to ensure compliance with legal requirements. The committee reviews new legislation and responds to suggestions from judges, court personnel and court users. In 2012 and 2013, the committee focused on creating and revising forms as required by the new Probate Court Rules of Procedure, which took effect on July 1, 2013. By June 30, 2013, the committee had revised 62 forms and created 42 new ones, mainly in response to the new rules of procedure. Legislation that required form changes in 2012 included Public Act 12-22, which clarifies jurisdiction to hear matters and transfer cases involving conserved persons who have contacts in more than one state, and Public Act 12-1, which authorizes Probate Courts to establish permanent guardianships for minors. The committee also revised forms to protect the confidentiality of Social Security numbers.

Public Information Committee

Judge Michael R. Brandt, Chair

The Public Information Committee works to enhance understanding of the Probate Courts. In 2013, the committee made portable informational display panels for judges to use at seminars, community open houses and other educational events. The panels, including a digital version, are part of a new library of materials to aid judges as they speak to groups

about the courts. The collection will include PowerPoint presentations and user guides for various types of probate matters. The committee also worked with PCA to prepare press releases and inform citizens about the services the Probate Courts provide.

Ad Hoc Bylaws Committee

Judge Daniel F. Caruso, Chair

The Bylaws Committee reviews the bylaws of the Probate Assembly. During the biennium, the committee began revising the bylaws to conform them to the requirements that stem from Probate Court restructuring.

Ad Hoc Floating Clerks Committee

Judge Jennifer L. Berkenstock, Chair

The Floating Clerks Committee formed in 2013 to help courts remain open when staffing emergencies threaten minimum operational requirements. The committee created a database of current and retired clerks who are available to provide emergency coverage. By the end of 2013, 10 clerks were participating in the program.

Ad Hoc Court Security Committee

Judge Anthony J. DePanfilis, Chair

The Court Security Committee convened in 2013 to strengthen safety and security at the courts. The committee surveyed the courts about past experiences with security issues and about security measures already in place. It made recommendations for obtaining security assessments from local police departments and making physical improvements in court buildings to minimize security risks. The committee also created a guide for handling emotionally fraught and dangerous situations.



Ad Hoc Weighted Workload Committee

Judge Beverly K. Streit-Kefalas, Chair

Following court restructuring in 2011, the Weighted Workload Committee began updating the weights assigned to the tasks associated with processing court matters. A weighted workload computation is a basis for ensuring equitable judicial compensation and setting staffing levels in the courts. A uniform weighted workload process also creates reliable statistics for each court. In 2011 and 2012, committee members analyzed the relative difficulty of Probate Court matters based on the courts' experience. The committee's recommendations were incorporated into Regulation 8A, which replaced Regulation 8 on July 1, 2013. The IT department made the necessary changes to the online case management system and installed the new version of CMS on court computers in January 2013. The early installation allowed court staff to become familiar with the new values six months before the July 1 effective date of the revised regulations.

CONNECTICUT ASSOCIATION OF PROBATE CLERKS (CAPC)

More than 200 clerks and judges are members of the Connecticut Association of Probate Clerks (CAPC), a professional group founded in 1983. As stated in its bylaws, the group seeks to "promote the interests of all clerks and assistant clerks of the Probate Courts throughout the state by the exchange of ideas and information." The association holds quarterly meetings, which usually have an educational component. (See page 16.) The current president is Chief Clerk Patricia Saviano of the Danbury Probate Court.



Legislative Summary 2012 and 2013

BUDGET ACTS

The Probate Courts operate under a budget that promotes cost control and planning, which proved critical during the tight economic conditions of 2011 and 2012. The General Fund appropriation for the Probate Courts decreased from a high of \$11.25 million before restructuring to \$7.5 million for fiscal year 2012 and \$6.5 million for fiscal year 2013. During the 2013 session, the General Assembly considerably increased the appropriation to the Probate Courts for each of the next two fiscal years, to \$9.35 million in 2014 and \$10.75 million in 2015. The legislature's support of the latest budget requests reflects the recognition by lawmakers that the Probate Courts have responsibly managed state budgetary support but face increasing costs to implement the new uniform pay plan and to pay for the services of conservators and attorneys appointed to assist indigent court users. The transfer of funding for the Kinship Fund and the Grandparents and Relative Respite Fund from the Department of Social Services to the Probate Courts accounts for \$2 million of the increase.

LEGISLATIVE SUMMARY

Of the new laws that affect the Probate Courts, Public Act 13-3 and Public Act 13-220 are among the most



noteworthy. The acts address gun violence prevention and children's safety and stemmed from the tragic shooting at an elementary school in Newtown in December 2012. Public Acts 13-3 and 13-220 make several changes to gun control

laws, provide avenues for schools to be more secure and create a task force to review mental health services in the state. Judge Robert Killian, Jr. was appointed to the General Assembly's Task Force to Study Behavioral Health Services for Young Adults in April 2013.

Below is a summary of the more significant acts passed in 2012 and 2013. A complete description of legislation affecting the Probate Courts can be found at ctprobate.gov.

2013 Legislative Report

Public Act 13-81, An Act Concerning Probate Court Operations

The act makes several technical and administrative changes to Probate Court statutes. It clarifies that all conservatorship matters are conducted on the record for appeal purposes, ensures that conserved persons have the right to attend all hearings involving their care and extends the rules of evidence to all conservatorship proceedings. The act also permits a parent or guardian of a minor child to petition for the appointment of an involuntary conservator within six months of the child's 18th birthday. The act increases the value for termination of small trusts from \$100,000 to \$150,000 to parallel the amount for charitable trusts.

Public Act 13-199, An Act Concerning Probate Fees

The act creates a \$250 fee for an out-of-state attorney to be admitted to handle a matter in the Probate Court.

Public Act 13-301, An Act Concerning the Inheritance Rights of a Child Who Is Born After the Death of a Married Parent

The act gives inheritance rights to a child conceived and born after the death of one of his or her married parents. The act requires a written document, signed by both parents, that authorizes the surviving spouse to use the decedent spouse's sperm or eggs to conceive a child posthumously and requires that the child must be in utero within one year of the parent's death.

Public Act 13-212, An Act Concerning Access to Jointly Owned Assets That Are Located in a Safe Deposit Box

The act permits an interested party to retrieve jointly owned stocks, bonds and some other financial instruments from a

decendent's solely owned deposit box when there are no probate proceedings for the estate.

Public Act 13-247, An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2015 Concerning General Government

The act requires Probate Courts to charge credit card users for processing the payment of court fees paid by credit card.

Special Act 13-11, An Act Establishing a Task Force on Alzheimer's Disease and Dementia

The act established a task force to study the care provided to persons in the state diagnosed with Alzheimer's disease and dementia. Judge Daniel Caruso served on the task force as the probate court administrator's designee.



Honoring Service

The Probate Assembly and PCA recognize supporters of the Probate Courts with the Public Service Award. In 2012, state Representative Toni Walker (shown above) and state Senator Toni Harp received the award. Also in 2012, the Probate Assembly introduced the Glenn E. Knierim Pro Bono Award, named after former Probate Court Administrator Glenn Knierim, whose tenure as the longest-serving administrator extended from 1973 to 1989. The award honors advocacy on behalf of children and families in probate matters. The first two recipients of the award were Norwalk attorney Stephen Keogh in 2012 and West Haven attorney Tony Karajanis in 2013.

2012 Legislative Report

Public Act 12-66, An Act Concerning Probate Court Operations

The act makes several technical and administrative changes to Probate Court statutes. It expands the courts' ability to transfer removal and termination matters to a regional children's probate court or the Superior Court. The act eliminates the requirement for court-appointed attorneys for individuals with an intellectual disability to file written reports and instead requires them to verify in writing whether they have met with their clients and notify the court if a hearing is requested.

Public Act 12-45, An Act Concerning Probate Fees

The act repeals the \$25 fee for multiple hearings on the same matter and the \$25 per hour fee for hearings exceeding one hour. It establishes a \$25 fee for a digital copy of an audio recording of a probate hearing.

Public Act 12-25, An Act Concerning the Appointment of a Guardian Ad Litem for a Person Who Is Subject to a Conservatorship Proceeding or a Proceeding Concerning Administration of Treatment for a Psychiatric Disability

The act prohibits the appointment of a guardian ad litem (GAL) in conservatorship matters before the court makes a determination of incapacity.

Public Act 12-82, An Act Concerning Revisions to Statutes Concerning the Department of Children and Families

The act permits the DCF commissioner to file a petition for adoption in Superior Court only when the Superior Court terminates parental rights. The commissioner may still file for adoption in the Probate Court.

Legislation passed in the June 2012 Special Session permits Probate Courts to establish a permanent guardianship for a minor under which a parent who has been removed but whose parental rights have not been terminated may not seek reinstatement as guardian. A minor who is 12 years old or older must consent to the appointment of a permanent guardian.

In addition, Judge Joseph Marino was appointed to a legislative task force established by Special Act 11-12 to examine the legal and social issues surrounding grandparents' visitation rights. The panel reported its findings to the General Assembly on February 1, 2012.

Continuing Education for Judges and Court Staff in 2012 and 2013

Continuing education is the linchpin for maintaining the high standards of professionalism to which the Probate Courts adhere. It is the most important avenue for promoting best practices and uniformity and reinforcing the mission of the Probate Courts. It informs all of the courts' accomplishments.

PCA redoubled its commitment to continuing education in 2012 and 2013. The Probate Assembly and PCA sponsored 151 hours of continuing education programs, including seminars, judges institutes, roundtable discussions, webinars and other training programs at various locations throughout Connecticut. At the sessions, judges, PCA staff and speakers from state agencies, advocacy organizations, academia and business provided Probate Court personnel with updates in areas of probate jurisdiction, service to the public and workplace policies.

Probate Court regulations require judges to earn at least 15 educational credit hours a year and court staff to earn at least six. Judges and clerks file annual reports confirming their compliance with the educational requirements. Court personnel meet the requirements by attending internal programs and qualifying programs of professional organizations, including the Connecticut Bar Association, the National College of Probate Judges and the Connecticut Association of Probate Clerks.

SPECIAL TRAINING EMPHASIS IN 2013: REVISED PROBATE COURT RULES OF PROCEDURE

Following the Supreme Court's adoption of the revised Probate Court Rules of Procedure in late 2012, PCA hosted a dozen programs about the ensuing changes in court procedures. The Probate Assembly and PCA introduced the revised rules at a seminar co-hosted with the Connecticut Bar Association, which some 500 judges, clerks and attorneys attended. PCA presented 11 more programs on the rules before they took effect on July 1, 2013. PCA staff and members of the Probate Court Rules Advisory Committee also led several sessions on rules-related changes at state and local bar associations.

PROBATE ASSEMBLY SEMINARS

The Probate Assembly's Continuing Education Committee presents quarterly seminars to judges and clerks. Topics in 2012 and 2013 included the revised Probate Court rules; wills,

trusts and estates; financial-abuse protections for the elderly; veterans' benefits and services; communicating with individuals who are grieving; conservatorships; sexual harassment awareness; and the Department of Children and Families' (DCF's) differential response system.

JUDGES INSTITUTES

Judges institutes, which PCA organizes twice a year, update judges on developments in the law and provide a forum to discuss court management issues. Topics included the revised rules; ethical, medical and legal views of end-of-life decisions; trust accountings and evaluating investment performance; new legislation; managing and motivating employees; and the new employee performance evaluation system.

COURT STAFF TRAINING

PCA tailors this annual session to the specific needs of clerks. Topics included the revised rules; new legislation and case law relevant to the Probate Courts; IT and CMS developments; compensation, benefits and other employment issues; and workplace safety.

WEBINARS

PCA's training initiatives entered the virtual age in early 2012, when it added an efficient format, the webinar, to its continuing education docket. PCA staff broadcast three programs – on decedents' estates, insolvent estates and conservatorships – from the PCA library in 2012.

ROUNDTABLES

Clerks and judges gather at PCA-led roundtable discussions held in their regions to learn more about probate matters and to exchange ideas. Topics were children's matters; estate tax returns; billing and deposits; CMS and Windows 7 updates; changes in weighted workload calculations; and the revised rules of procedure.



CHILDREN'S COURT TRAINING PROGRAMS

PCA offers specialized training to the Probate Court officers (PCOs), judges and clerks who work in the regional children's probate courts. PCA organized three sessions on the revised rules as they relate to children's matters. Children's court personnel also participated in cross-agency training with DCF and local agencies to learn more about DCF's differential response system.

CONNECTICUT BAR ASSOCIATION

The Judicial Branch allocates vouchers enabling judges and court staff to attend for free Connecticut Bar Association programs relevant to probate law and procedure.

NATIONAL COLLEGE OF PROBATE JUDGES

The National College of Probate Judges focuses on improving probate law and the probate courts nationwide. The college convenes two conferences each year to address emerging issues of probate jurisdiction. Connecticut maintains a strong presence in the college. Judge Fred Anthony has served on the Executive Committee since 2008. He was elected secretary-treasurer in 2012 and was the curriculum co-chair for the 2011 fall conference. He will serve as president beginning in the fall of 2014. Judge Joseph Egan, Jr., a former president of the college, serves on the committee that oversees the Isabella Horton Grant Award, which recognizes achievements in the field of guardianships. Judge Dianne Yamin is the Connecticut representative to the college, whose membership includes 47 Connecticut probate judges.

CONNECTICUT ASSOCIATION OF PROBATE CLERKS

The Connecticut Association of Probate Clerks (CAPC) promotes the interests of its members through the exchange of ideas and information at quarterly meetings. Educational topics in 2012 and 2013 included the new Probate Court rules, decedents' estates, conservatorships, trust accountings, children's matters, legislation and DCF's voluntary services program. CAPC maintains a scholarship fund for furthering clerks' education in probate-related matters and awarded a \$500 scholarship to Assistant Clerk Alex LaValley of the Glastonbury-Hebron Probate Court in May 2013.

Continuing Education Participation in 2012 and 2013

Continuing education is a hallmark of the Probate Courts. The quantity and quality of the seminars led by experts speak to the courts' deep commitment to remaining abreast of changes in areas of probate jurisdiction, adopting the most efficient and effective workplace policies and serving the public with the greatest professionalism.

38

Credit hours offered for the new Probate Court rules (in 12 seminars)

119

Credit hours offered by state and local bar associations, state agencies and other professional organizations (in 36 seminars)

151

Credit hours offered by the Probate Assembly and PCA through seminars, judges institutes and programs for clerks and probate court officers (50 seminars)

2,857

Attendees of PCA- and Probate Assembly-sponsored programs

8,847

Credit hours logged by attendees of PCA- and Probate Assembly-sponsored programs

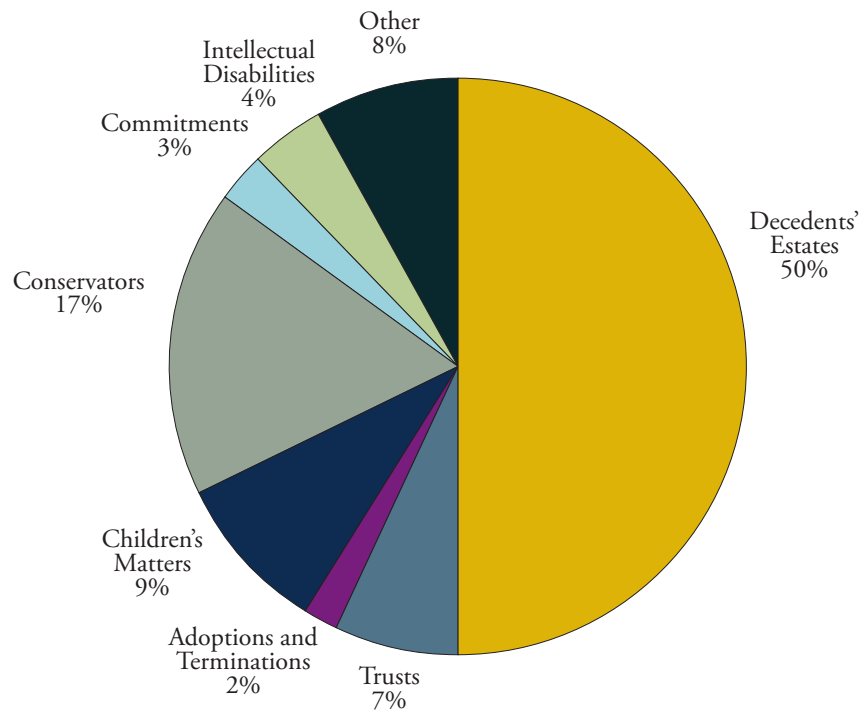
Probate Court Matters

CASE TYPE	FY12	FY13
DECEDENTS' ESTATES:		
Administration – Intestate	2,027	2,135
Probate of Will – Testate	8,087	8,311
Sale or Mortgage of Real Estate	1,320	1,299
Compromise of Claim	525	665
Allowance for Spouse and/or Family	47	59
Allowance of Account	9,605	9,819
Other Applications or Petitions	4,559	4,307
Small Estates Affidavit (Under \$40,000)	5,808	5,636
Section 4a-16 Estates	2,009	2,818
Tax Purposes Only	3,262	3,327
Will Contests	47	48
Informal Status Conferences	1,679	1,775
TRUSTEES:		
Appointment of Testamentary Trustee	487	473
Trust Accounts that Require a Hearing	3,604	3,251
Termination of Charitable Trusts	19	10
Other Trust Proceedings	944	927
Inter Vivos Trust Proceedings	20	19
Informal Status Conferences	210	170
ADOPTIONS AND TERMINATIONS:		
Termination of Parental Rights	435	483
Transfers to Superior Court – Juvenile Matters	1	1
Approval of Adoption – Stepparent/Co-Parent	198	197
Approval of Adoption – Relative	57	53
Approval of Adoption – Statutory Parent (Non-Id.) DCF	370	171
Approval of Adoption – Statutory Parent (Non-Id.) Private	61	52
Approval of Adoption – Statutory Parent (Identified) DCF	72	66
Approval of Adoption – Statutory Parent (Identified) Private	8	14
Other Applications or Petitions	206	185
Informal Status Conferences	27	19
CHILDREN'S MATTERS:		
Emancipation of Minors	14	20
Appointment of Guardian of the Estate	641	641
Temporary Guardianship	1,015	875
Appointment of Co-Guardians of the Person	109	101
Compromise of Claim – Guardian of the Estate	417	427
Removal of Guardian of the Person	751	766
Transfers to Superior Court	9	14
Allowance of Account – Guardian of the Estate	1,137	1,077
Other Applications or Petitions	931	880
Temporary Custody	713	648
Immediate Temporary Custody	213	169
Paternity Claims	83	66
Guardian of the Estate – Other Applications or Petitions	598	601
DCF Initial Permanency Hearing	178	183
DCF Subsequent Permanency Hearings	150	139
Informal Status Conferences	344	303

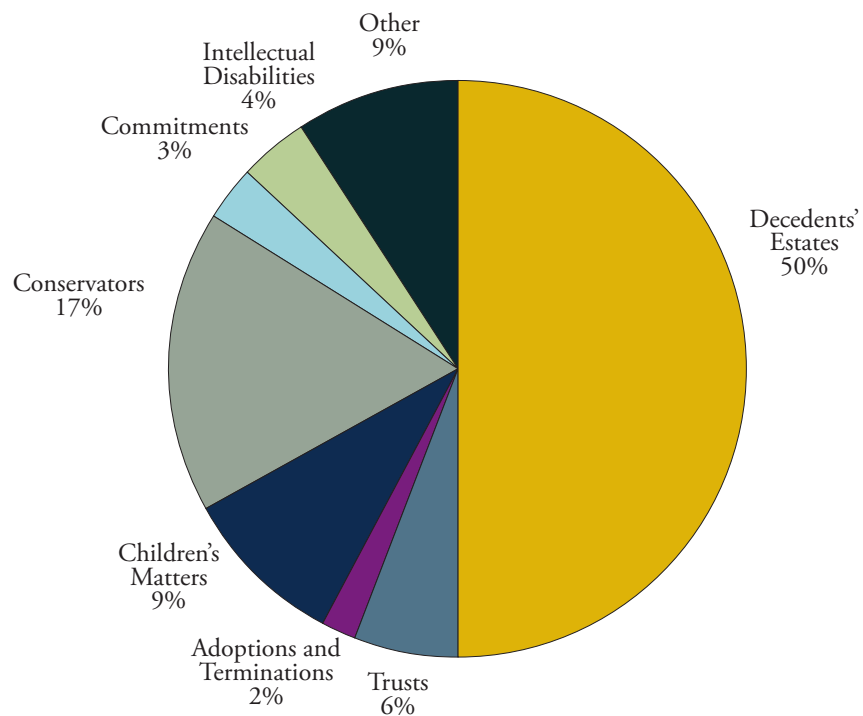
CASE TYPE	FY12	FY13
CONSERVATORS:		
Appointment of Conservator of the Person – Involuntary	325	319
Appointment of Conservator of the Person – Voluntary	80	81
Appointment of Conservator of the Estate – Involuntary	184	182
Appointment of Conservator of the Estate – Voluntary	324	385
Appointment of Conservator of the Person and Estate – Involuntary	1,630	1,527
Appointment of Conservator of the Person and Estate – Voluntary	418	503
Appointment of Temporary Conservator	328	257
Three-Year Review	1,857	1,747
Sale or Mortgage of Real Estate	341	310
Allowance of Account	3,064	3,248
Other Applications or Petitions	3,550	3,721
Permission for Medication	339	378
Orders Concerning Life Support Systems	17	22
Informal Status Conferences	642	704
COMMITMENTS – ADULTS:		
Application for Commitment – Drug and/or Alcohol Dependency	23	31
Application for Permission for Shock Therapy	94	61
Application for Commitment – Psychiatric Disabilities	1,074	1,121
Probable Cause Hearing	628	653
Warrants Issued	9	2
Annual Review – Redetermination Hearing	80	98
Biennial Review Hearing	1	0
Application by Patient for Release	2	4
Other Applications or Petitions	58	30
Informal Status Conferences	2	3
COMMITMENTS – CHILDREN (UNDER 16):		
Application for Commitment	13	8
Other Applications or Petitions	4	0
PERSONS WITH INTELLECTUAL DISABILITY:		
Placement of a Person with Intellectual Disability	22	24
Plenary Guardian of a Person with Intellectual Disability	511	549
Limited Guardian of a Person with Intellectual Disability	80	62
Temporary Limited Guardian of a Person with Intellectual Disability	6	2
Three-Year Review	1,842	2,016
Sterilization	6	1
Other Applications or Petitions	370	387
Informal Status Conferences	105	125
OTHER MATTERS:		
Change of Name Applications	2,522	2,461
Passport Applications	3,528	3,464
Marriage: Request for Permission (Minors)	0	4
Motions for Appeal	1	0
Action on a Probate Bond	14	31
Other Matters	20	69
Fee Waivers	6,104	5,955
Totals (excluding Passports)	79,687	80,281

Probate Court Matters FY12 and FY 13

Probate Court Matters FY 12



Probate Court Matters FY 13



Probate Court Administration Fund Activity

	FY11-12	FY12-13
FUND BALANCE – JULY 1	4,000,000	4,000,000
REVENUE:		
Probate Court Fees	31,237,753	30,064,691
General Fund Appropriation	7,450,024	6,475,000
Pass-Through Funding:		
Kinship/Respite Care, Children in Placement, Guardianship	2,099,999	1,900,582
Interest	42,580	138,212
Probate Court Assessments	331,820	116,720
Investment Income	12,249	11,491
Probate Court Miscellaneous Funds	61,381	1,458
TOTAL REVENUE	41,235,806	38,708,154
EXPENSES:		
<u>PCA Expenses</u>		
Personnel Expenses:		
Salaries and Wages	1,503,019	1,513,030
Fringe Benefits	880,247	1,007,635
Other Expenses:		
Computer Equipment and Services	244,204	252,194
Professional Services	96,257	64,988
Office Expenses	83,269	54,520
Building Repairs, Maintenance and Utilities	163,064	52,225
Training and Education – Judges, Clerks and PCA Staff	36,468	39,503
Dues and Subscriptions	15,961	11,108
Other	29,455	14,389
<u>Court Expenses</u>		
Personnel Expenses:		
Salaries and Wages	17,524,719	17,605,600
Fringe Benefits	4,775,829	4,882,922
Retirement Plan Funding	200,000	841,740
Work in Process Payments	533,606	186,952
Retirement Administration	67,623	142,159
Probate Magistrates	1,675	1,450
Other Expenses:		
Computer Equipment and Services	800,393	783,780
Court Office Expenses	1,023,017	508,844
Outside Services	73,459	101,462
Council on Probate Judicial Conduct	114,183	81,040
Mileage, Parking and Tolls Reimbursement	70,710	59,993
Rental of Records Storage Space	51,357	52,235
Other	40,181	121,443

Probate Court Administration Fund Activity

	FY11-12	FY12-13
Indigency Expenses:		
Conservators	2,374,179	2,910,114
Court-Appointed Counsel	2,382,683	2,411,738
Marshals and Newspapers	82,078	86,743
Pass-Through Funding:		
Kinship and Respite Care Program	2,049,999	1,750,582
Melissa's Project	156,856	156,856
Guardianship Pilot	N/A	100,000
Children in Placement	50,000	50,000
TOTAL EXPENSES	35,424,491	35,845,245
Transfer to General Fund	(5,811,315)	-
FUND BALANCE – JUNE 30	4,000,000	6,862,909

Probate Judges and Employees Retirement Fund

	FY11-12	FY12-13
Benefits paid to retired judges and employees	4,369,760	4,492,171
Refunds (upon death or termination)	12,965	8,192
Interest paid on refunds	1,452	1,054
Total Expenses	4,384,177	4,501,417

Judicial Directory - 2013

PROBATE JUDGE

DISTRICT

Alter, Peter Jay
Anthony, Fred J. Glastonbury-Hebron
Shelton

Becker, Cynthia C.
Berkenstock, Jennifer L.
Blick, Diane S.
Brandt, Michael R.
Brunnock, Thomas P.
Burt, Edward C. (since 8/20/13) Simsbury Regional
Region # 14
Litchfield Hills
East Haven-North Haven
Waterbury
Waterbury Regional Children's Probate Court*
Hamden-Bethany

Calabrese, Domenick N.
Caruso, Daniel F.
Chiota, John P. (through 2/16/13)
Clebowicz, Walter A. Region # 22
Fairfield
Trumbull
Berlin

Daly, Evelyn M.
Darby, Michael M.
DeGennaro, Mark J.
DePanfilis, Anthony J.
Diglio, Salvatore L. (through 8/19/13)
Dorval, Andre D.
Driscoll, Allan T. (through 12/31/13) Farmington-Burlington
Greater Manchester
West Haven
Norwalk-Wilton
Hamden-Bethany
Region # 19
East Hartford

Egan, Joseph A., Jr.
Elkin, Sydney W. Northern Fairfield County
West Hartford

Forgione, Frank J.
Fox, Gerald M., Jr. Branford-North Branford
Stamford

Ganim, Paul J.
Greene, Mathew H.
Griffin, Brian T. (through 2/19/12)
Griffiths, David A. Bridgeport
New London
Greater Windsor
Plainfield-Killingly Regional

Helander, Joel E.
Hopper, David W.
Hoyle, Clifford D. Madison-Guilford
Greenwich
Derby

Jalowiec, Matthew J. Cheshire-Southington

Keeney, Timothy R.
Kepple, Nicholas F.
Keyes, John A.
Killian, Robert K., Jr.
Kurmay, F. Paul North Central CT
Southeastern CT Regional
New Haven
New Haven Regional Children's Probate Court*
Hartford
Stratford

PROBATE JUDGE

DISTRICT

Landgrebe, Martin F.
Lassman Fisher, Marianne (since 8/23/12)
Lomme, Terrance D. Housatonic
Greater Windsor
Saybrook

Magistrali, Michael F.
Mahon, Brian T.
Mariano, Peter E.
Marino, Joseph D.
McGrath, John J.
McNamara, Jeffrey A.
Murray, Michael P. Torrington Area
Meriden
Naugatuck
Middletown
Windham-Colchester
Niantic Regional
New London Regional Children's Probate Court*
Darien-New Canaan

Norris, Charles K. Norwich

O'Grady, Kevin M. (through 4/10/13) Westport

Purnell, O. James, III Ellington

Randich, Robert A.
Rowe, T. R. (since 2/17/13) Newington
Trumbull

Schad, Leah P. Northeast
Northeast Regional Children's Probate Court*
Milford-Orange

Streit-Kefalas, Beverly K. Milford-Orange

Twerdy, Claire C. Tolland-Mansfield

Wexler, Lisa K. (since 11/13/13)
Wright, Philip A., Jr. Westport
Wallingford
Central Connecticut Regional Children's Probate Court*

Yamin, Dianne E. Danbury

Zelman, Steven M. Tobacco Valley
Hartford Regional Children's Probate Court*

*Administrative Judge

For the complete Probate Court Directory, please see
ctprobate.gov/Pages/Directory

Office of the
Probate Court Administrator

HON. PAUL J. KNIERIM
Probate Court Administrator

THOMAS E. GAFFEY
Chief Counsel

JODI L. ALBERT
Help Desk Analyst

PAULA M. GILROY
Administrative Clerk II

AMY L. BENJAMIN
Chief Clerk for Children's Matters

ALISON J. GREEN
Staff Assistant

HELEN B. BENNET
Attorney

ROBERT F. GUZZO
Accountant II

ALISON J. BLAIR
Administrative Clerk II

STEPHANIE A. JANES
Program Manager for Mental Health
and Family Programs

ANN C. BRENNAN
Computer Training Specialist

ANDREA M. KING
Director of Financial Services

ALYCE E. CARISEO
Manager of Human Resources and
Senior Financial Analyst

S. JANE OBERT
Administrative Services Coordinator I

DEBRA COHEN
Attorney

VINCENT J. RUSSO
Manager of Communications
and Intergovernmental Relations

SUSAN A. DORNFRIED
Executive Assistant

SUSAN T. SCOTTI
Platform Analyst I

GEORGE FERNANDES
Manager of Information Technology

CATHERINE E. TOPPER
Fiscal Administration Coordinator

COLLEEN M. FITZPATRICK
Communications Assistant

WILLETTE Y. FRANK
Administrative Clerk II

Overview of Connecticut's Probate Courts

EVOLUTION OF PROBATE DISTRICTS

Connecticut's Probate Courts have a long history. The first separate forums for the administration of decedents' estates and the appointment of guardians were established in 1698 as offshoots of the county courts. In 1716, these courts were officially established as the Probate Courts. One court with one judge was established in each of the state's four counties at the time: Hartford, Fairfield, New Haven and New London.

The first probate districts comprising less than a full county were established in 1719, due in part to the transportation needs of a growing population. As the years passed, probate districts became progressively smaller and more local in character. This trend continued until 1987, when the legislature established the 133rd probate district. After that time the trend began to reverse, mainly for economic reasons, and a number of districts consolidated with other districts. In 2009, the General Assembly established a process to further consolidate the Probate Courts, and Public Act 09-1 reduced the number of probate districts from 117 to 54, effective January 5, 2011.

PROBATE COURT JURISDICTION

The Probate Courts derive their jurisdiction and authority from the state legislature. Originally, the courts only administered decedents' estates and guardianships. The jurisdiction of the courts has since increased dramatically. Today, the courts handle a variety of matters that affect Connecticut's citizens from birth to death. These matters include:

- Decedents' estates
- Trusts
- Conservatorships
- Guardianships of persons with intellectual disability
- Terminations of parental rights
- Adoptions
- Removal of parents as guardians
- Paternity
- Emancipation of minors
- Commitment of persons with psychiatric disabilities
- Commitments for treatment of drug and alcohol abuse and treatment of tuberculosis
- Name changes

PROBATE COURT PROCEEDINGS

The proceedings in Probate Courts are generally informal, and hearings tend to be relatively brief. The benefit of this informality is that matters are able to proceed more quickly and with less cost.

PROBATE JUDGES

The state constitution requires that probate judges be elected, and the term of office is four years. The mandatory retirement age for judges is 70. Since 2011, any new candidate for the office of probate judge must be an attorney. The Code of Probate Judicial Conduct establishes ethical standards for judges, and the Council on Probate Judicial Conduct hears complaints alleging judicial misconduct.

PROBATE CLERKS

Probate clerks have often been described as the backbone of the courts. Hired by judges, clerks manage court files and help the public with general questions about court procedures. As a Probate Court employee, a clerk may serve a number of judges during his or her career. Several clerks have served for 25 years or more.

A MOUNT VERNON TREASURE IN A CONNECTICUT HOME

The pen-and-ink sketch depicting the destruction of the Bastille was missing from Mount Vernon.

The drawing had hung in the home of George Washington, a gift to the president from French General Lafayette who wrote in an accompanying letter, "Give me leave, my dear general, to present you with a picture of the Bastille, just as it looked a few days after I ordered its demolition, with the main key of the fortress of despotism. It is a tribute which I owe as a son to my adoptive father – as an aide-de-camp to my general – as a missionary of liberty to its patriarch."

The sketch by French architect Cathala, whom Lafayette had commissioned to raze the famous prison, remained at Mount Vernon from 1790 until 1859, when a descendent of Washington and the last family member to occupy the homestead packed it with his belongings and moved. His family sold the sketch at an auction in 1891 and it disappeared from the public eye.

The sketch surfaced 84 years later at a mobile home park in Killingworth. Chester Norback and his wife were visiting neighbors Allen and Dorothy Carswell in 1975, and Norback asked about a framed drawing on the wall. Allen Carswell, a builder, said it was a gift from a watchman employed by William Randolph Hearst, for whom Carswell had done work. Carswell showed the Norbacks a 1958 New York Times photo of the sketch and a caption that said Mount Vernon's curators were searching for it. For whatever reason, the Carswells never contacted Mount Vernon.

In 1985, a widowed Dorothy Carswell moved from Jensen's Mobile Home Park to a nursing home in Chester and gave Norback power of attorney over her affairs. When Carswell died, Norback told the executor of the estate that she had wanted the sketch returned to Mount Vernon. But Carswell's will made no mention of her wish, and the drawing went with her estate to the two charities named in her will. Ultimately, the charities loaned the drawing to the historic estate.

The judge who handled the estate, Judge Florence Marrone of the former Killingworth Probate Court, was invited to Mount Vernon to a private showing of "Destruction of the Bastille" in 1989, before it was unveiled to the public. "It's amazing that an item of such historical interest would be found at a little Connecticut town and in a mobile home, no less," Judge Marrone said at the time.

This account is based on stories published in the Clinton Recorder by William Warren on March 7, 1989 and by Camilla Howes.

