

EXECUTIVE COMMITTEE MEETING MINUTES

August 10, 2016

Attendees: Judges Mahon, Greene, DePanfilis, Marino, Magistrali, Elkin, Daly, Schad, Becker, Brandt, Keeney, Probate Court Administrator Knierim and Attorney Gaffey.

- 1. Call to Order:** The meeting was called to order at 9:55 a.m.
- 2. Approval of the Minutes:**
Minutes from June 8, 2016 meeting approved.
- 3. Correspondence:** None.
- 4. Treasurer's Report:**
2015-2016 Budget report – Only line items used were for meetings and awards. There was a budget surplus of \$24,753.00 for the fiscal year. The same budget line items will be used for the 2016-2017 budget. Motion to approve, approved.
- 5. Committee Reports:**
 - Continuing Education – Judge Becker
The next seminar is scheduled for September 20, 2016 and will cover children's matters.
 - Ethics – Judge Magistrali
No report.
 - Legislative – Judge Mahon
No report.
 - Nominating – Judge Marino
No report.
 - Planning – Judge Brandt
No report.
 - Procedures Review – Judge Wright
No report. Suggestion made by Judge Greene to request that the committee review the forms developed in the last year. Judge Mahon requested that PCA canvass the courts to see what issues and/or changes are brought up.
 - Public Information – Judge Purnell
No report.

Ad Hoc Committees:

- Conservatorship Guidelines – Judge DeGennaro
No report.
Discussion that it is too soon to have much feedback from courts on the new billing system. There is an FAQ document on the probate website that attorneys can be directed to for help.
- Court Security – Judge DePanfilis

The next meeting will be on October 5th following the Executive Committee meeting. The focus of the committee will be on courts that have not yet completed a security assessment. The committee also hopes to have an additional presentation on security similar to the active shooter training.

Floating Clerks – Judge Berkenstock

No report. Judge Greene suggested using existing probate employees to fill in at other courts needing assistance as a cost saving measure.

Hospitality – Judge Yamin

No report.

Judicial Selection Working Group – Judge Elkin

No report.

6. Comments of the Probate Court Administrator – Judge Knierim

PCA is currently working on several cost saving initiatives with OPM.

The first involves seeking a statutory and/or regulatory change to allow conservator fees to be paid as an allowable expense from applied income for conserved individuals on Title 19.

The second concerns developing a statutory conservator's lien. It would function similarly to a mechanic's lien by allowing conservators to record a lien in the land records as security for payment of compensation.

The third involves adding conservator fees paid by PCA to other state public assistance claimable by DAS for reimbursement from individuals receiving funds from a decedent's estate.

The Contract Conservator program has 10 entities enrolled, representing 1/3rd of all conservatorship cases.

The probate pension system is well funded at 107%. However, the State Retirement Commission has created a new policy that will require an increase in contributions in FY2018. The increase due from the probate system will be approximately \$600,000 annually.

Judge Greene inquired about the new hire at PCA for an entry level clerical position. Judge Knierim explained the necessity of the position and that it had been approved by the judicial branch as required.

Judge Greene also inquired about the probate fee lien release and the tax fee lien release and the necessity of providing them within 10 days of payment. Judge Knierim confirmed that the dealing is required by statute.

7. Comments of the President-Judge

Judge Mahon would like to consider the issue of filling vacancies when a judge retires, is ill, or passes away during their term. He requests input from all judges. Judge Daly suggested the training of all judges in handling psychiatric hospital matters.

Judge Mahon raised the issue of whether a guardian of the intellectually disabled can consent to psychotropic medications. The consensus was that a conservator can but only while the conserved is in a hospital setting.

8. Other Business to come before the Executive Committee

Judge Becker raised the issue of the new CLE requirements for members of the Connecticut Bar. These CLE rules require that all attorneys attend 12 hours of CLE, 2 hours of which must address ethics and professionalism.

The consensus of the committee was that the Continuing Education Committee should offer ethics hours to judges to satisfy the CLE requirements.

9. Adjournment:

A motion to adjourn was made.

Meeting adjourned at 11:05 a.m.

Respectfully submitted,

Hon. Leah Schad
Recording Secretary