

Statistics Committee

Meeting Minutes

April 13, 2017

Office of the Probate Court Administrator
186 Newington Road
West Hartford, CT

Meeting convened at 10:35 a.m. by Judge Andre D. Dorval, Chair.

Other members in attendance: Attorney Bonnie Bennet and Attorney Evan Brunetti

Members not in attendance: Judge Scott R. Chadwick, Judge Evelyn M. Daly, Judge John A. Keyes, Judge John J. McGrath, Jr., Judge Andrea Truppa and Judge Philip A. Wright, Jr. Judge O. James Purnell, III, and Ms. Sondra Waterman

Approval of the minutes of the February 10, 2017 meeting was tabled to the next meeting.

Although there were only three members in attendance, Judge Dorval and the members present decided to continue to assign weight to the decedents' estates activities to be reviewed by the full committee at the May meeting. There was nearly uniform agreement in assigning weight to the various activities beginning with "Allowance for Spouse or Family" in the Decedent Regular Estate Case Type and ending with the last activity in Decedent General Case Type. The members tabled discussion of the weight to be assigned to "Will Contest". The recommended weights are listed on the Tally Rules Document revised 4-13-17. In several instances the members recommended eliminating activities or tally rules which are designated by strike-outs. New activities, rules and the rationale for changes are also highlighted.

At the next meeting the committee will review the suggested weights assigned to the activities in the decedents' estates sections of the Tally Rules and begin review of the trust activities.

The next meeting will be held on Friday, May 12, 2017 at 10 a.m. at the NEWINGTON PROBATE COURT, 66 CEDAR STREET, NEWINGTON, Connecticut.

The meeting was adjourned at noon.

Submitted by Attorney Bonnie Bennet

Tally Rules Document 4-13-17

Type of Activity/Form	Rule	Include in Statistics Y/N	Current Weight	New Weight
Fee Waivers				
Fee Waiver		Y	.5	2
Decedent Estates				
Decedent Regular Estates				
Action on Probate Bond		Y	5	6
Administration Intestate	Only the first one counts.	Y	3	6
Administrative Closing		Y	0	2
Admit Will	Only the first one counts.	Y	3	6
Admit Will, Administration having been Granted		Y	2	4
Affidavit of Closing with Hearing		Y	0	3
Allowance for Spouse or Family		Y	2	4
Allowance of Account for Resigned or Removed Fiduciary	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Allowance of Final Account of Temporary Administrator	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Allowance of Financial Report for Resigned or Removed Fiduciary	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Allowance of Financial Report of Temporary Administrator	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Ancillary Administration		Y	3	6
Appointment of GAL on Petition of Party		Y	1	2
Appointment of Successor Fiduciary	Replaces 'Appointment of Successor for Deceased Fiduciary'.	Y	1	3
Approval/Instruction re: Action by Fiduciary	User must enter subject of petition. Replaces 'Advice/Approval of Action by Fiduciary'	Y	2	5
Appointment of Trustee of Missing Person	Inactive in Decedent Regular Estates.	Y	2	N/A
Approval of Affidavit in Lieu of Administration to Settle Estate	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Approval of Fees	This activity will not count if petition is heard in conjunction with an accounting, financial report or CO-17.	Y	2	4
Approval of Mutual Distribution Agreement		Y	2	4
Approval of Statement of No Assets to Settle Estate		Y	4	3
Articulation		Y	0	2
Ascertainment of Heirs	The activity will not count if it is heard in conjunction with petition on Administration, Probate of Will or account/financial report.	Y	2	4
Certificate Releasing Liens	Only if no estate tax return filed	Y	0	2
Claim by Fiduciary		Y	3	5
Closure for Dormancy		Y	0	2
Compel Account by Party		Y	2	3

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Type of Activity/Form	Rule	Include in Statistics Y/N	Current Weight	New Weight
Compel Account on Court's Own Motion	Inactive.	Y	0	4
Compel or Prohibit Action by Fiduciary	User must enter subject of petition.	Y	2	4
Compromise of Claim		Y	3	6
Construe Will		Y	3	6
Contempt	Civil contempt only	Y	2	6
CT-706 NT	Only the first return counts.	N	1	3
CT-706 NT Amendment (NEW)				1
CT-706/709	Only the first return counts.	N	1	3
CT-706/709 Amendment (NEW)				1
Cy Pres		Y	3	6
Determination of Claims Presented to Prior Fiduciary		Y	1	4
Determination of Domicile on DRS Motion		Y	3	6
Disclaimer by Fiduciary on behalf of the Estate		Y	1	3
Disclosure of Estate/Succession Tax Return		Y	3	5
Disclosure of Medical Information		Y	3	6
Discovery Motion	Does not count in Will Contests.	Y	2	4
Distribute Exempt Property to Spouse (Insolvent Estate)		Y	1	3
Establish Trust	Appointment of Testamentary Trustee is under case type TT. Available in other case types	Y	3	
Excuse Account of Temporary Administrator	Additional accounts/financial reports for the same time period are excluded.	Y	3	4
Extend Claims Period		Y	2	4
Extension of Time For Filing Form CT-706 NT		N	0	1
Final Account	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Final Financial Report	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Hearing Management Conference		Y	3	6
Hearing on Disallowed Claim		Y	3	7
Inoperative Trust		Y	0	2
Insolvent Estate with claims procedure		Y	3	7
Insolvent Estate without claims procedure (NEW)				4
Insolvent Estate Hearing on Fiduciary Report		Y	3	2
Interim Account	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Interim Financial Report	Additional accounts/financial reports for the same time period are excluded.	Y	4	8
Mediation		Y	0	2
Mortgage of Real Estate		Y	3	6
News Media Coverage		Y	3	7
Objection	User must enter subject of objection.	N	0	2

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Type of Activity/Form	Rule	Include in Statistics Y/N	Current Weight	New Weight
Objection to Inventory	This activity will not count if it is heard in conjunction with a final financial report or final account.	Y	3	6
Objection to Succession Tax Assessment		Y	3	6
Order for Examination of Estate by Surety or Other Person		Y	2	4
Partial Distribution without Account		Y	3	5
Partition/Sale of Undivided Interest		Y	3	6
Permission to List Real Estate	Approval of Action by Fiduciary	Y	0	
Presumption of Death	Not separate motion – part of petition for administration	Y	1	
Pro Hac Vice		Y	0	2
Reconsider, Modify, Revoke Court Order		Y	3	6
Recusal with Hearing		Y	4	8
Reformation of Will		Y	3	6
Release of Certificate of Surety		Y	0	2
Release of Funds	If this activity is ex parte, it is 1 point and the fee is 0.00.	Y	1 or 3	2 or 5
Removal of Fiduciary		Y	3	6
Removal of Fiduciary on Court's Own Motion		Y	3	6
Re-Open Estate for Appointment of Successor Fiduciary	See Appointment of Successor Fiduciary	Y	1	
Request for Reduction/Release of Bond		Y	0	2
Resignation of Fiduciary and Appointment of Successor		Y	1	3
Revoke Decree Admitting Will and Admit Later Will		Y	2	4
S-1	Only the first return counts.	N	1	3
S-2	Only the first return counts.	N	1	3
Sale of Personal Property		Y	3	6
Sale of Real Estate		Y	3	6
Seal File		Y	3	6
Set Bond	This activity will not count if it heard in conjunction with the appointment of the fiduciary.	Y	1	2
Status Conference	User must enter subject of conference.	Y	2	4
Stay		Y	3	6
Substitution of New Bond		Y	1	2
Summon to Appear and Give Testimony		Y	3	6
Temporary Administration		Y	3	6
Try Title		Y	3	6
Unseal File		Y	3	6
Will Contest	Points given for Discovery Motion and Hearing Management Conference; is separate activity still needed?	Y	5	TABLED
Decedent Estate Affidavit and TPO				

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Type of Activity/Form	Rule	Include in Statistics Y/N	Current Weight	New Weight
Affidavit Estate	The first Affidavit Estate counts as 2. Supplemental Estate Affidavit counts as 1.	Y	2	5
Allowance for Spouse or Family		Y	2	4
Articulation		Y	0	2
Certificate Releasing Liens		Y	0	2
CT-706 NT	Only the first return counts.	N	1	3
CT-706 NT Amendment				1
CT-706/709	Only the first return counts.	N	1	3
CT-706/709 Amendment				1
Disclosure of Estate/Succession Tax Return		Y	3	5
Extension of Time For Filing Form CT-706 NT		N	0	1
Objection	User must enter subject of objection.	N	0	2
Objection to Succession Tax Assessment		Y	3	6
S-1	Only the first return counts.	N	1	3
S-2	Only the first return counts.	N	1	3
Seal File		Y	3	6
Status Conference	User must enter subject of conference.	Y	2	4
Supplemental Estate Affidavit		Y	1	2
Unseal File		Y	3	6
Decedent Estates Tax Purposes Only				
Articulation		Y	0	2
Certificate Releasing Liens		Y	0	2
CT-706 NT	Only the first return counts.	N	1	3
CT-706 NT Amendment				1
CT-706/709	Only the first return counts.	N	1	3
CT-706/709 Amendment				1
Extension of Time For Filing Form CT-706 NT		N	0	2
Objection	User must enter subject of objection.	N	0	2
Objection to Succession Tax Assessment		Y	3	6
S-1	Only the first return counts.	N	1	3
S-2	Only the first return counts.	N	1	3
Status Conference	User must enter subject of conference.	Y	2	4
TPO Estate		Y	0	0
Decedent Estate 4a-16 Case				
4a-16 Petition		Y	0	2
Status Conference	User must enter subject of conference.	Y	2	4
Decedent Estate Will for Filing Only				
Affidavit and Will are entered as form received.		Y	0	1
Decedent General				
Access to Jointly-Owned Assets in Safe Deposit Box		Y	3	6

Tally Rules Document 4-13-17

Type of Activity/Form	Rule	Include in Statistics Y/N	Current Weight	New Weight
Access To Safe Deposit Box to Obtain Will/Cemetery Deed		Y	0	2
Articulation		Y	0	2
Custody of Remains	Replaces both 'Custody of Remains by Official Designated by Statute with Notice/Hearing' and 'Custody of Remains by Relative or Designated Person with Notice/Hearing'.	Y	1	4
Estate Examiner for Limited Purposes		Y	2	4
News Media Coverage		Y	3	7
Objection	User must enter subject of objection.	N	0	2
Reconsider, Modify, Revoke Court Order		Y	3	6
Recusal with Hearing		Y	4	8
Seal File		Y	3	6
Status Conference	User must enter subject of conference.	Y	2	4
Stay		Y	3	6
Unseal File		Y	3	6