

Meeting Minutes

Legislative Committee
10:00 a.m. November 3, 2017
Trumbull Town Hall

In attendance: Judges Fox, Rowe, Ahlberg, Caruso, Dorval, Greene, Streit-Kefalas, Wexler, and Wright.

Non-voting attendees: Judge Knierim, Vincent Russo and Pete Smith

Judge Rowe convened the meeting at 10:06 a.m.

Judge Knierim presented the Probate Court's budget needs for the February 2018 legislative session. While a biennium budget has been adopted, judges, clerks and PCA must continue to advocate for a return to normal funding levels in the next biennial budget.

After the budget discussion, the committee reviewed the concepts listed on the agenda. The committee agreed to move forward on most of the items.

There was debate on whether the courts should charge a \$75 fee to a fiduciary when a court moves to remove the fiduciary on its own motion. Under current law, the fee would be \$225. Many more of these motions are expected due to the reminder letter project. The project will automatically produce reminder letters when fiduciaries have not submitted reports. The letters warn that the court will move to remove the fiduciary if the report is not submitted promptly.

Judge Rowe made the motion to charge a \$75 fee paid by the fiduciary when a court, on its own motion, moves to remove the fiduciary. Judge Fox seconded the motion. The motion passed.

Voting Yes: Judges Fox, Rowe, Caruso, Dorval, Streit-Kefalas, Wright

Voting No: Judges Ahlberg, Greene, Wexler

Judge Streit-Kefalas led a discussion concerning the elimination of interest on wrongful death proceeds when the tax return is filed late. There is currently no provision that allows a court to waive the interest penalty.

Judge Fox moved to eliminate interest on the funds in a decedent estate that are derived from a wrongful death suit. Judge Streit-Kefalas seconded the motion. The motion passed.

Voting Yes: Judges Fox, Rowe, Ahlberg, Caruso, Dorval, Streit-Kefalas, Wexler, Wright

Voting No: Judge Greene

The committee directed Probate Court Administration to conduct additional research on the following items:

- Review the Superior Court policy on credit card charges for its eFiling system and consider similar procedures.
- Before drafting language establishing a will registry, wait for a study by the Office of Legislative Research and reach out to the CBA for input. A revenue stream would be needed to support the additional expense of maintaining a registry.
- Review the denial letter that the Department of Developmental Services sends to individuals found ineligible to receive state services.
- Judge Streit-Kefalas suggested that PCA explore whether the notice to creditors can be eliminated. Judge Greene suggested a new provision requiring the Department of Revenue Services to issue a release for lien for taxable estates.

The meeting adjourned at 12:15 p.m.