

Meeting Minutes

Legislative Committee
2:00 p.m. September 18, 2018
CCSU/ITBD

In attendance: Judges Fox, Rowe, Daly, Forgione, Streit-Kefalas, Vaccarelli, Wexler and Wright.

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

Judge Rowe convened the meeting at 1:27 p.m.

The committee discussed the Probate Courts' budget needs for FY 20. Mr. Russo distributed talking points for the committee to review. The talking points highlight key concepts for judges to use when meeting with other state candidates during the campaign season. The committee directed Mr. Russo to email the taking points to all the judges.

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

One items concerned a respondent's assets being frozen in a conservatorship matter. There was strong concern that due process rights were not being followed and a mere letter to a bank to cut off a respondent's assets before a hearing is held. The committee asked Judge Forgione to work with Mr. Russo to develop some possible language for review at a subsequent meeting.

Another concept that earned a lot of discussion concerns the *re: Byrne* CT Supreme Court case and other matters regarding physician-patient privilege in the court context. Several probate matters, including conservator and civil commitment, require a doctor's evaluation. In some cases, medical records are subpoenaed and hospitals and doctors' offices provide the documents leading to HIPAA violations. After much discussion, the committee wasn't sure if the Probate Assembly is the appropriate organization to draft the legislation. The committee created a subcommittee to review the topic and offer suggestions to deal with the issue at the next meeting. The members of the subcommittee are Judges Forgione, Vaccarelli and Wexler.

Judge Wexler raised items related to judge's compensation. The committee discussed finding an opportunity to make these amendments but the current budget environment posed risks when dealing with compensation.

The meeting adjourned at 2:55 p.m.