

## **EXECUTIVE COMMITTEE MEETING MINUTES**

### **February 14, 2018**

Attendees: Judges Wright, Streit-Kefalas, Forgione, Magistrali, Darby, Randich, Calabrese, Keeney, Ganim, Truppa, McNamara, Daly, Brandt, Schad, Probate Court Administrator Knierim and Attorney Tom Gaffey.

1. **Call to Order:** The meeting was called to order at 9:48 a.m.
2. **Approval of the Minutes:**  
Minutes from January 10, 2018 meeting approved.
3. **Correspondence:** None.
4. **Treasurer's Report:**  
The Treasurer's report dated February 14, 2018 is approved.
5. **Committee Reports:**
  - Continuing Education – Judge Becker  
No report.
  - Ethics – Judge Magistrali  
No report.
  - Legislative – Judge Fox and Judge Rowe  
Judge Knierim presented the proposed Probate Court Operations bill to the Executive Committee for approval.  
There was discussion over the proposed language. As to Sec. 2, Judge Forgione made a motion to amend the language to remove all fees for any motions to remove a fiduciary for failure to file documents made on the Court's motion. The motion passed 7-5, with 1 abstention.  
The Executive Committee voted to approve the proposed Probate Court Operations bill as amended.  
Judge Forgione raised the possibility of changing statutory language in a future bill with respect to adoptions. He advocated for a change to allow a non-relative guardian to give a child in adoption to an unrelated person. The current law requires the appointment of a statutory parent.
  - Nominating – Judge Marino  
No report.
  - Planning – Judge Brandt  
No report.
  - Procedures Review – Judge Berkenstock  
No report.
  - Public Information – Judge Purnell  
No report.
6. **Comments of the Probate Court Administrator** – Judge Knierim

Judge Knierim reported that the current budget proposed by the Governor is essentially flat.

Judge Knierim reported that it is probable that legislation will be proposed creating jurisdiction to allow voluntary guardianship petitions by unmarried individuals ages 18-21. This legislation is designed to assist Special Immigration Status applicants. Discussion followed on other unforeseen impacts this could have on the Courts. Concern was raised that if such a petition is filed, judges should have the authority to order a DCF study.

The CT Bar Association is working to advance a bill involving trusts, including adoption of the Uniform Trust Code. PCA is still reviewing the proposed language and assessing impact.

Judge Knierim reports on the Supreme Court's recent decision in *Valliere v. Commissioner of Social Services*. The Court ruled that DSS was to adhere to a spousal support order granted by a Probate Court before the conserved person applied for Title 19. PCA had filed an amicus brief supporting that position. PCA will include the case in a future CLE.

The annual Probate Court Assembly meeting is scheduled for April 25<sup>th</sup>, 2018.

On April 20, 2018, the Quinnipiac Law School and the CT Bar Foundation are sponsoring a symposium on "Exploring Unsupervised Probate." There will be a presentation in the morning and a panel discussion in the afternoon. Judge Knierim encourages attendance by all judges.

**7. Comments of the President-Judge**

No comments.

**8. Other Business to come before the Executive Committee**

Judge Darby raised the issue of GID matters in which DDS is raising the issue that the IQ of the respondent has changed to above the eligibility limits for services or the individual was never eligible. No other judges have had these issues raised.

**9. Adjournment:**

A motion to adjourn was made.

Meeting adjourned at 11:05 a.m.

Respectfully submitted,

Hon. Leah Schad  
Recording Secretary