

EXECUTIVE COMMITTEE MEETING MINUTES

May 10, 2017

Attendees: Judges Mahon, Wright, Calabrese, Elkin, Marino, Keeney, Brandt, Magistrali, Randich, Marino, Darby, Ganim, Fox, Forgione, Streit-Kefalas, Schad, Probate Court Administrator Knierim and Attorney Tom Gaffey.

1. **Call to Order:** The meeting was called to order at 9:45 a.m.
2. **Approval of the Minutes:**
Minutes from April 12, 2017 meeting approved.
3. **Correspondence:** None.
4. **Treasurer's Report:**
The only funds expended to date are for educational meetings. Report approved.
5. **Committee Reports:**
 - Continuing Education – Judge Becker
Judge Elkin reported the next educational seminar on June 22 will have a section on ethics. The joint CBA/Probate program is scheduled for November 29.
 - Ethics – Judge Magistrali
The committee is working on guidelines for the use of social media by judges.
 - Legislative – Judge Fox and Judge Rowe
Judge Fox reported on the progress of the legislative proposals are put forth by the probate system: (1) the probate court operations bill is out of the house (2) the bill to increase funding for conservators through Title 19 is tied up in the budget process.
The next round of budget proposals has yet to be released.
Judge Mahon encouraged all judges to continue to contact their legislators.
Discussion over proposed law concerning under age marriage.
 - 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 PCA has deferred submission of the proposed budget for the Probate Court system to the Chief Court Administrator until the state budget is resolved.

The state auditors have just completed an audit of PCA for fiscal years 2013-2016. The only repeat issue was the lack of whistleblower protection for court employees, which requires a statutory change. PCA has proposed such legislation for the last two years, but it was not adopted. The only new significant issue raised by the auditors was the large percentage of errors in the calculation of the probate fees on decedents' estates. Of the files reviewed by the auditors, 27% had fees that were calculated incorrectly. In response, PCA agreed to a mandatory review process for bills. A process will be installed into CMS that will require that fee calculations will be checked by a second clerk. A suggestion was made that PCA notify all clerks of this problem and the intended CMS requirement.

Judge Knierim reported that PCA has received a draft report from a consultant regarding the implementation of e-filing. The consultant, Jim McMullen, of the National Center for State Courts, advised keeping the current CMS system, but centralizing the database and instead of the existing system of local repositories. The consultant also advised providing each judge with a portable device to carry to hearings with full access to all files. Discussion over the e-filing development process, issues with using the Superior Court platform and budgetary impact. The consensus was to keep some separation between the Superior Court system and the proposed Probate system.

The Contract Conservator pilot program has been a success and is being expanded. The minimum number of cases required to enroll has been eliminated and the minimum number of cases a conservator is required to take is reduced to 10. Applicants can sign up at the beginning of each quarter. Discussion over issues concerning contract conservators.

7. Comments of the President-Judge: Judge Mahon

Discussion over recent current events that may affect the courts.

Discussion over rescheduling of summer meetings was tabled until June.

8. Other Business to come before the Executive Committee:

None.

9. Adjournment:

A motion to adjourn was made.

Meeting adjourned at 10:55 a.m.

Respectfully submitted,

Hon. Leah Schad
Recording Secretary