



STATE OF CONNECTICUT

OFFICE OF THE
PROBATE COURT ADMINISTRATOR

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**Probate Court Rules of Procedure
Advisory Committee Subcommittee I
Meeting Minutes**

Wednesday, April 7, 2021
3:00 p.m.

Office of the Probate Court Administrator
186 Newington Road
West Hartford, CT
and via Webex videoconference

The meeting was convened at 3:07 p.m. by Judge Kathleen N. Maxham, Chair.

Other members in attendance: Judge Steven T. Zelman (retired), Attorneys Mary M. Ackerly, Douglas R. Brown, Caitlin Calder and Heather L. Dostaler, and Mr. Stephen A. Pedneault, CPA, CFE, CFF, FCPA.

Members not present: Attorney Greta E. Solomon.

Remarks of the Chair

Judge Maxham remarked that she is a new member of the Advisory Committee and new Chair, and would like to review briefly each rule to determine whether discussion or revisions are warranted.

Review of subcommittee process

The subcommittee agreed to review the List of Issues to develop consensus on the topics presented and make recommendations for drafting with subsequent review and approval of any proposed draft language. The subcommittee will also consider any additional issues that may arise.

Discussion of List of Issues

1. **Rule 1 (definitions):** Revise section 1.1(15) to clarify that electronic signature does not include juris number or conformed signature. There is consensus to draft language to clarify that an attorney cannot use a juris number in place of a signature and no party can use a conformed signature.

There was also consensus that a definition of “exemplified” be added to Rule 1 in light of proposed changes to Rule 7.1a.

2. **Rule 4.1 (parties): Include language to clarify that a person granted special notice under C.G.S. section 45a-127 is not a party.** There is consensus that the rule should be clarified that a person who receives special notice is not a party to the matter.
3. **Rule 5.5 (form of appearance):** There was consensus that Rule 5.5 should be revised consistent with recent changes to the appearance form requiring an attorney to identify the client along with providing the name, address and telephone number of the client. There was also a suggestion to cross reference Rule 16 to identify procedures to request redaction or sealed records in the event the client has safety concerns.
4. **Rule 7.1(d) (filing requirements): Revise section 7.1(d) to clarify that to correct a document a party must submit an amended document rather than a substitute page.** There was consensus that the user should be responsible for submitting an amended or substitute document if the court requires a corrected document rather than merely substitute a page.
5. **Rule 7.1a (filing requirements): Add exemplified copies in ancillary proceedings to the list of documents that may not be eFiled.** There was consensus that when a petitioner submits an exemplified copy of a will and record of proceedings in order to commence an ancillary estate under C.G.S. §45a-288, the exemplified copies should be submitted in paper form similar to other testamentary documents.
6. **Rule 8.6 (notice): Add a petition to excuse an account in a conservatorship when Title 19 eligible under Rule 33.17 to the list of matters for which a court may use streamline notice.** There was consensus that Rule 8.6 should be clear that petitions to excuse an account under Rule 33.17 may be streamlined as the petition is in lieu of a financial report or account which may be streamlined.
7. **Rule 13 (court-appointed guardian ad litem): Add a new section to include defined procedure for consideration and scope of guardian ad litem fees.** There was consensus that more clarity in the rule regarding scope and fees would be helpful and promote consistency. The subcommittee will review Rule 13 with specific reference to Rules 13.3 and 13.4 and reconvene the discussion at the next meeting.

Next Meeting

The subcommittee has agreed to meet for an hour per meeting and will next meet on Thursday, April 22, 2021 at 3:00 to 4:00 p.m.

Adjournment

The meeting was adjourned at 4:11 p.m.