



STATE OF CONNECTICUT
OFFICE OF THE
PROBATE COURT ADMINISTRATOR

BEVERLY K. STREIT-KEFALAS
Probate Court Administrator

HEATHER L. DOSTALER
Chief Counsel

EVAN C. BRUNETTI
Attorney

ERIC H. ROTHAUER
Attorney

186 NEWINGTON ROAD
WEST HARTFORD, CT 06110

TEL (860) 231-2442
FAX (860) 231-1055
ctprobate.gov

Regular Meeting of the
**Probate Court Rules
Advisory Committee**

**Tuesday, September 26, 2023
3:00 p.m. - 4:30 p.m.**

**Quinnipiac University School of Law
370 Bassett Road, North Haven, CT 06473**

Minutes

The meeting was convened at 3:06 p.m. by Hon. Beverly Streit-Kefalas, Probate Court Administrator and Chair.

Other members in attendance: Attorney Molly Ackerly, Hon. Peter Barrett, Attorney David D. Biklen, Attorney Evan Brunetti, Assistant Attorney General Rebekah Burgio, Chief Counsel Heather Dostaler, Attorney James Dougherty, Attorney Alice Fitzpatrick, Attorney Andrew Knott, Hon. Kathleen N. Maxham, Attorney Melissa Nixon, Mr. Stephen Pedneault, Attorney Carmine Perri, Attorney Eric Rothauser.
Members absent: Attorney Douglas Brown, Mr. Ned Bixler, Professor Jeffrey Cooper, Attorney Gabriella Kiniry, Attorney Janie L. McDermott, Hon. John McGrath, Hon. Brian Mahon (ret.), Hon. Robert Randich, Attorney Greta Solomon, Ms. Suzette Threet, Hon. Steven Zelman (ret.).

Remarks of the Chair

Judge Streit-Kefalas thanked the committee members for their continued energy and commitment. The work of the Advisory Committee is one of the best processes in the system. The development of the Probate Court Rules of Procedure is not just for uniformity and consistency, but also to allow for meaningful access to the courts by self-represented parties.

Approval of minutes of September 5, 2023 meeting

The minutes of the September 5, 2023 meeting were reviewed and approved by all members of the committee present at the meeting without change.

Continued review of concepts for revision for the 2024 edition

The committee continued to review the proposed concepts for rules from the last meeting. The full committee offered feedback on the following topics:

- Regarding petitions for restoration of a person under involuntary conservatorship, the full committee discussed the issue and the need to have plainly-written language setting forth the process and procedure to request restoration. No such language exists in the statute. The consensus of the full committee is to draft language and have continued discussion.
- Regarding uniform procedures for probate bonds, the full committee noted that there does not appear to be a clear statement of process and procedure in the courts regarding the consideration and implementation of a bond after the initial petition. After discussion, the full committee, by consensus, determined that the language of Rule 35.8 should be revised and expanded to address this issue.
- Regarding procedural changes to reinstatement of parents or guardians in guardianship of minor proceedings, the full committee discussed the need to clarify and potentially modify Rule 40.7 to comply with the court decisions of *In re Zakai*, 336 Conn. 272 (2020) and *In re Paulo T.*, 347 Conn. 311 (2023). The committee will continue discussions with drafted language to be reviewed.
- Regarding foreign subpoenas, the full committee noted the recent adoption of the uniform Interstate Depositions and Discovery Act at General Statutes § 52-655, et seq. By consensus, the full committee determined that language should be drafted for incorporation in the 2024 revisions.
- Finally, regarding participation in probate hearings by electronic means under Rule 66, Judge Streit-Kefalas introduced the concept as a good issue to discuss as the rule was developed and debated extensively during the last revision. A review and discussion of how the rule has since performed will occur at the next meeting.

Next Meeting

The next meeting of the full committee will be October 10, 2023 at Quinnipiac University School of Law, 370 Bassett Road, North Haven, CT 06473 from 3:00 to 4:30 p.m.

Other Business

No other business was discussed.

Adjournment

The meeting was adjourned at 4:31 p.m.