

**Probate Practice Book Advisory Committee  
Subcommittee III**

Meeting Minutes  
Monday, November 27, 2017  
1:30 p.m.

New Haven Regional Children's Probate Court  
873 State Street  
New Haven, CT

Judge Beverly Streit-Kefalas convened the meeting at 1:40 p.m.

Other members in attendance: Judge Robert Killian, Attorney Andrew Knott, Ms. Suzette Farrar, Attorney Gabriella Kiniry and Attorney Heather Dostaler

Members not present: Judge Gerald Fox, Jr. and Attorney Patricia Kaplan

The subcommittee agreed to conduct meetings as necessary.

The subcommittee began reviewing the list of issues pertaining to Subcommittee III from the document entitled "Probate Court Rules of Procedure List of Issues for 2019 Edition." Following discussion, the subcommittee reached the following conclusions:

**Section 30.6 (relating to notice in proceedings to admit will):**

- The subcommittee recommends that the rule be amended to clarify that, when an inter vivos trust is a beneficiary under a will, notice is sent to the trustee only and not the beneficiaries of the inter vivos trust.

**Section 31.2 (relating to requirements for estate tax forms for nontaxable estate)**

- The subcommittee recommends adding a requirement that the court notify all parties and attorneys of record when it grants a CT-706 EXT.

**Section 31.7 (relating to recording attachments to estate tax return)**

- The subcommittee recommends that the word "record" be removed and replaced with reference to the "permanent official record" to reflect current practices.
- The subcommittee recommends that the rule explicitly require the federal Form 706 and all schedules to be included in the permanent official record.

### **Rule 24, Estates of Minors**

- The subcommittee recommends that the court be allowed to order a criminal background check on a proposed guardian for an estate of a minor.
- The subcommittee tabled the discussion of guidance relating to liquidation of structured settlements under P.A. 17-136 so that the committee could review the public act, Conn. Gen. Stat. section 52-225k and other provisions relating to liquidation of structured settlements.

### **Rule 40, Children's Matters**

- The subcommittee recommends allowing a combined petition for a family relating to temporary custody and removal of guardian to minimize fees for related matters.
- The subcommittee recommends adding a requirement that the court notify all parties and attorneys of record when a parent rescinds a temporary guardianship, but not if the temporary guardianship has expired by operation of law.

### **Rule 41, Children's Matters: Regional Children's Probate Courts**

- The subcommittee recommends changing all references to probate court officer to family specialist consistent with statutory changes.
- The subcommittee recommends removing the limitation that family specialists may be used only in regional children's probate courts.

### **Rule 42, Children's Matters: Overlapping jurisdiction in Superior and Probate Courts**

- The subcommittee recommends that the protocol for matters where the Probate Court and Family Court have overlapping jurisdiction be attached to the rules of procedure as an Appendix.

### **Next Meeting**

The subcommittee will meet on Monday, January 22, 2018 at 1:30 p.m. at the New Haven Regional Children's Probate Court.

The meeting adjourned at 3:30 p.m.