

# CONNECTICUT PROBATE ASSEMBLY MEETING

## June 16, 2020

1. **Call to Order:** The meeting was called to order by Judge Brandt at 9:46 a.m.
2. **Pledge of Allegiance** was led by Judge Wright.

### **Roll call of the Judges**

Thirty-eight judges were present by telephone for the meeting, including Probate Court Administrator Judge Streit-Kefalas, Attorney Bonnie Bennett and Director of Communications Melissa Riley.

3. **Approval of the April 23, 2020 Annual Meeting Minutes**

Judge Yamin moved to approve the minutes as presented, seconded by Judge Daly. The motion passed unanimously with no abstentions.

4. **Report of the Treasurer**

Judge Brandt reported that due to Judge Magistrali's absence the Treasurer's Report will be passed. Several months of reports will be presented for approval at the September Assembly meeting.

5. **Committee Reports**

### **Continuing Education**

Judge Becker reported that the committee is discussing options for outdoor venues for the September meeting. The committee will meet again at the end of June to finalize programs through 2020. Chief Justice Robinson and Justice Kahn have agreed to present for the September meeting. They will speak on the topic of diversity, micro-aggression and implicit bias.

### **Ethics**

No Report

### **Legislative**

Judges Rowe and Fox reported that the budget and the sweep of the Probate Court Administration Fund are the big issues. No bills were passed during the past legislative session and there is no special session scheduled but it is anticipated that there will be one called. Judges Rowe and Fox along with Judge Streit-Kefalas and Melissa Riley have continued to meet with legislative leaders to encourage a suspension of the sweep. Judge Fox remarked that if a sweep suspension has not occurred before June 30, it may be possible to accomplish it later in the summer.

### **Nominating**

No Report

### **Planning Committee**

No Report

### **Procedures Review Committee**

No Report

### **Public Information**

No Report

## **Conservator Guidelines**

No Report

## **Court Security**

Judge Calabrese remarked that the courts can still schedule a security assessment done by local law enforcement even if a court had one a few years ago. There is an opportunity now to have a court retrofitted due to available funding for the pandemic. Judge Calabrese referred judges to an email from Judge Streit-Kefalas on June 4 detailing pandemic grants that may be available to pay for the work.

## **Floating Clerks**

No Report

## **Hospitality**

Judge DeGennaro remarked that Assembly has not expended its full annual budget and is hopeful that in the future some seminar money can be used for hospitality. He reported that he was looking at venues for a social gathering but with social distancing needs, he stopped looking in March.

## **6. Remarks of the Probate Court Administrator**

Judge Streit-Kefalas thanked all judges for participating in the remote meeting. She reported that several important issues need to be addressed.

She has seen heightened sensitivity felt by many of us to many issues including anxiety from COVID-19 and these stressors underscore the fear, hatred, and violence persons of color experience on a daily basis. She reminded judges that we are a system of service to all persons from all walks of life with all kinds of needs. We need to continue to come together and serve our constituents and each other with dignity, respect, and empathy and to strive for a more inclusive world.

She reminded all judges to be cognizant of and to adhere to the Code of Probate Judicial Conduct.

The Office of the Probate Court Administrator continues to work with the public, the Bar Association and state stakeholders to keep them aware that all 60 courts remain open. This is a key to budget issues. She encouraged judges to keep up the good press of the Probate Courts in the news.

Judge Streit-Kefalas reminded judges that Kinship and Respite funds are available for assistance to guardians. Judges should encourage guardians to seek these funds.

Judge Patrick Carroll, Chief Court Administrator, approved the Probate Court system budget for fiscal year ending June 30, 2021 with a caveat that we should be prepared for a budget contraction. Probate Courts may bear a proportionate share of judicial branch cut backs in the future. Court revenues are still down but Judge Streit-Kefalas is hopeful that the revenue is deferred, not lost and that it will increase as staff returns fully to work.

Judge Streit-Kefalas remarked that [ct.gov/coronavirus](http://ct.gov/coronavirus) website continues to be a great resource both for personal and court operations. Judges should continue audio/video hearings but the goal is to get back to in-person hearings safely. She urged the judges to share with the public information about registering for eFiling.

State auditors submitted a draft report of a three year audit of the Probate Court system that includes the Connecticut Probate Assembly, Probate Courts, personnel records and PCA office records. Overall it was a positive audit report. Only 2 findings need attention: Judges must obtain a medical certificate for employees absent for 5 days or more to support the absence. There was also a billing issue in CMS with interest charged in cases with prepaid fees, that has been already been addressed. There is a Webinar on this issue set for June 24, 2020.

**7. Remarks of the President-Judge:**

Judge Brandt thanked the Office of the Probate Court Administrator for its patience and protective gear package, its efforts with the legislature, budget committee and the assembly. He thanked all judges for participating in this meeting.

He remarked that it has been a rocky start to his tenure as President but pointed out it actually began during Judge Wright's tenure. He is optimistic about the future of the Probate Courts. Reliability on our courts for assistance will be crucial in our continued role. Judge Brandt is optimistic that the State of CT will come out of the pandemic in a better place.

Judge Brandt encouraged judges to sign up for committees. Participation by judges will improve the probate court system.

Judge DeGennaro asked to review procedures due to COVID-19. Judge Brandt will consider setting up an ad hoc committee to address these concerns.

September is the next meeting, hopefully in person.

**8. Any business to come before the Assembly:**

Judge DeGennaro presented a proposal including three issues that he believes require only a change in regulations: the requirement for completion of 15 hours of continuing education during the pandemic; judge's recording of hours when facilities are closed; and adjustment of judge's income based on weighted workload during the pandemic.

Judge DeGennaro encouraged all judges to review details of his proposals as sent in an email to all judges before the meeting and send comments to him or Judge Brandt. Judge Brandt will set up an ad hoc committee to address these issues and determine if temporary or permanent changes to regulations should be proposed.

Judge Yamin reported that NCPJ will be sending members a poll regarding a possible conference in November. She asked the judges to look for the poll and respond.

**9. Adjourn:**

Motion was made by Judge DeGennaro and seconded by Judge Daly to adjourn. Motion unanimously carried.

Meeting adjourned at 10:27 a.m.

Respectfully submitted,  
Hon. Kathleen N. Maxham  
Recording Secretary