



CONNECTICUT PROBATE ASSEMBLY

Regular meeting of the **Legislative Committee**

October 28, 2022
9:00 a.m.

Trumbull Town Hall
5866 Main Street
Trumbull, CT 06611-5416

Minutes

The regular meeting of the Legislative Committee was held on October 28, 2022 at the Trumbull Probate Court. Attending were co-chairs Judges Fox and T.R. Rowe and members Judges Bartlett, Gardner Riordan, Hamzy, Landgrebe, Maxham and Wright. Probate Court Administrator Streit-Kefalas and PCA Manager of Communications & Intergovernmental Relations Jim Polites also attended.

1. Convene Meeting:

The meeting was convened by Judge Rowe at approximately 9:23 a.m. Judge Rowe offered his sorrow and prayers for Judge Hamzy and his family on the tragic death of Alex Hamzy. A moment of silence was observed. Judge Hamzy spoke of his appreciation for the overwhelming support from his staff at his court as well as the public.

2. Approval of the Minutes of February 2, 2022 meeting:

A motion was made by Judge Gardner Riordan, seconded by Judge Landgrebe, and carried unanimously to accept the minutes of the February 2, 2022 meeting as presented.

3. Discuss 2023 legislative concepts

A. Judge Streit-Kefalas reported that the maintenance of normalized funding from the General Fund for the budget is the main goal of the next session. She is already building the budget to include compensation and COLA compensation adjustments. Additional expenses that will be considered are potential lease expenses for PCA facilities. There was discussion regarding funds carried over to the next fiscal year per statute.

B. The Committee discussed whether to include the following items in the Probate Court Operations Bill:

1. Restore probate courts authority to order genetic testing when parentage is at issue under CGS Section 46b-495 as it was omitted in the Parentage Act passed last year. The Committee agreed this should be addressed.
2. To increase the notice and hearing requirements under the Parentage Act section 46b-172a (former paternity petition) which requires service of certified copy of a petition on a birth parent not less than 5 days after filing of the petition. The Committee agreed that requirement is a burden and is not consistent with other notice provisions and should be addressed.
3. The foreign subpoena filing fee is \$100 under PA-22-26 for both probate and superior courts. The Committee agreed to leave this fee even though it is inconsistent with our typical fee schedules.
4. The implementer bill in 2021 did not include the authority to collect from the user any convenience fees charged for electronic checks. The Committee agreed we should include in the bill the ability to charge the user for any fees for electronic checks.
5. Judge Wright suggested the Committee recommend that the claims period in a decedent's estate be reduced from 150 days to 90 days in an effort to speed up the probate process. The Committee agreed to include this in the bill. The Committee also discussed proposing an increase in the amount allowed to process an estate as a small estate. It was agreed that this concept will require further study and will not be presented as part of the bill this session.

C. Judge Streit-Kefalas reported on the following bills that may be proposed this session by other groups and may have impact on Probate Courts:

1. DCF will propose revisions to the identified adoption statutes specifically expanding the financial support that may be paid by prospective adoptive parents. PCA has been working with DCF and adoption agencies on this proposal.
2. Unchained at Last may seek legislation to have marriage of a minor repealed.
3. CT Bar Association Estates and Probate Section may propose legislation to provide for automatic beneficiary severance in a divorce situation; irrevocable trust decanting currently not allowed in CT; no gift tax claw back; and a remote notarization statute.
4. Disability and legal rights advocacy groups may seek a variety of provisions related to conservator and commitment matters.

5. Collective bargaining for probate employees may be raised again. The Committee discussed how to ensure that all employees are well informed about benefits offered.

Judge Streit-Kefalas reported that the State Auditors completed the two-year audit and we are currently reviewing the draft findings. She also shared comments made that Probate Court employees are not required to adhere to the state code of ethics.

4. Meeting dates:

The Committee agreed that all future meetings will be in-person.

The 2023 meetings will be at the Trumbull Probate Court and begin at 9:00 a.m.:

February 3, 2023

May 12, 2023

December 1, 2023

5. Other Business:

None

6. Adjournment

Judge Wright moved to adjourn, seconded by Judge Fox which was unanimously carried. The meeting adjourned at 11:00 a.m.

Respectfully submitted,
Hon. Kathleen N. Maxham