



## CONNECTICUT PROBATE ASSEMBLY

### Regular Meeting of the **Legislative Committee**

Wednesday, December 6, 2021

**Office of the Probate Court Administrator**  
186 Newington Rd.  
West Hartford, CT 06110

## MINUTES

The regular meeting of the Legislative Committee was held on December 8, 2021 in person and via Cisco Webex due to the ongoing public health emergency. Attending were co-chairs, Judges Fox and Rowe and members Judges Streit-Kefalas, Baram, Bartlett, Gardner Riordan, Hamzy, Maxham and Wright. Also attending were Pete Smith and PCA Communications Manager Jim Polites.

### **1. Convene Meeting:**

The meeting was convened at 10:33 a.m.

### **2. Approval of the Minutes of November 20, 2020:**

A motion was made by Judge Gardner Riordan, seconded by Judge Bartlett and carried unanimously to accept the minutes of the November 20, 2020 meeting as presented.

### **3. Legislative Concepts**

Judge Fox welcomed all members to the meeting and explained that 2022 is a short legislative session beginning on February 9 and ending on May 4, 2022. The session is usually reserved for fiscal matters but we should be prepared for other bills as well.

Jim Polites introduced himself and gave the Committee his background in legislative affairs.

Pete Smith stated that the Probate Courts had tremendous success last year and is hopeful that the upcoming short legislative session will be the same and our budget will remain as approved.

Judge Rowe presented the following concepts that were discussed by the members for the probate operations bill:

- Modification of the certificate of devise statute to require the address rather than residence of the devisee.
- Modify regional children's probate courts' jurisdiction to hear petitions on marriage of a minor to have the benefit of the family specialists' expertise in those courts.

- Update identified adoption statutes (working with DCF and adoption agencies).
- Amend PA 21-2, Sec 94 to add election of probate judges to list of elections.
- Expand vaccination status disclosure to probate fiduciaries under PA 21-2, Sec 145 to allow DPH to disclose protected person's vaccination status to conservators and guardians.

Judge Baram raised an issue that DAS is no longer accepting mortgages to work out payments to recover state assistance claims in a decedent estate, asserting that the law no longer allows the agency to have such liens. PCA will review the position of DAS in light of the 2021 legislative changes on DAS liens.

Judge Fox moved and Judge Gardner Riordan seconded a motion to approve the probate operations bill concepts. The motion carried unanimously.

Other proposals that are of interest and PCA will monitor:

- Modify trust decanting statute. (Estate and Probate Section of CBA)
- Modify 45a-107b to protect unsuspecting buyer from inchoate estate tax lien.
- Probate court employee benefits.
- Committee members also indicated that they are interested in PCA gathering data from other states on a universal probate bond concept.
- Informal probate
- Reduction in creditors' claims period in decedent estates.

#### **4. Other Business:**

The co-chairs reminded all members to notify them if they come across of any statutes that may need modification.

The next meeting was set for February 2, 2022 at 10:00 a.m.

#### **5. Adjournment:**

A motion was made by Judge Baram and seconded by Judge Gardner Riordan and unanimously approved to adjourn. The meeting ended at 11:36 a.m.

Respectfully submitted,  
 Hon. Kathleen N. Maxham  
 Recording Secretary