



## Senate

General Assembly

**File No. 13**

February Session, 2002

Substitute Senate Bill No. 522

*Senate, March 8, 2002*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING THE MERGER OF THE PROBATE DISTRICTS OF WOODBURY AND WATERTOWN, THE MERGER OF THE PROBATE DISTRICTS OF NEW FAIRFIELD AND SHERMAN, THE MERGER OF THE PROBATE DISTRICTS OF PLAINFIELD, CANTERBURY AND STERLING AND THE MERGER OF THE PROBATE DISTRICTS OF COLCHESTER AND LEBANON.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-2 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 8, 2003*):

3 The probate districts of the state, for all purposes for which they  
4 were constituted, shall be as follows:

5 (a) Hartford County

6 The district of Hartford, consisting of the town of Hartford.

7 The district of Avon, consisting of the town of Avon.

8 The district of Berlin, consisting of the towns of Berlin and New  
9 Britain.

10 The district of Bloomfield, consisting of the town of Bloomfield.

11 The district of Bristol, consisting of the town of Bristol.

12 The district of Burlington, consisting of the town of Burlington.

13 The district of Canton, consisting of the town of Canton.

14 The district of East Granby, consisting of the town of East Granby.

15 The district of East Hartford, consisting of the town of East  
16 Hartford.

17 The district of East Windsor, consisting of the towns of East  
18 Windsor and South Windsor.

19 The district of Enfield, consisting of the town of Enfield.

20 The district of Farmington, consisting of the town of Farmington.

21 The district of Glastonbury, consisting of the town of Glastonbury.

22 The district of Granby, consisting of the town of Granby.

23 The district of Hartland, consisting of the town of Hartland.

24 The district of Manchester, consisting of the town of Manchester.

25 The district of Marlborough, consisting of the town of Marlborough.

26 The district of Newington, consisting of the towns of Newington,  
27 Rocky Hill and Wethersfield.

28 The district of Plainville, consisting of the town of Plainville.

29 The district of Simsbury, consisting of the town of Simsbury.

30 The district of Southington, consisting of the town of Southington.

31 The district of Suffield, consisting of the town of Suffield.

32 The district of West Hartford, consisting of the town of West  
33 Hartford.

34 The district of Windsor, consisting of the town of Windsor.

35 The district of Windsor Locks, consisting of the town of Windsor  
36 Locks.

37 (b) New Haven County

38 The district of New Haven, consisting of the town of New Haven.

39 The district of Bethany, consisting of the town of Bethany.

40 The district of Branford, consisting of the town of Branford.

41 The district of Cheshire, consisting of the towns of Cheshire and  
42 Prospect.

43 The district of Derby, consisting of the towns of Derby, Ansonia and  
44 Seymour.

45 The district of East Haven, consisting of the town of East Haven.

46 The district of Guilford, consisting of the town of Guilford.

47 The district of Hamden, consisting of the town of Hamden.

48 The district of Madison, consisting of the town of Madison.

49 The district of Meriden, consisting of the town of Meriden.

50 The district of Milford, consisting of the town of Milford.

51 The district of Naugatuck, consisting of the towns of Naugatuck and  
52 Beacon Falls.

53 The district of North Branford, consisting of the town of North  
54 Branford.

55 The district of North Haven, consisting of the town of North Haven.

56 The district of Orange, consisting of the town of Orange.

57 The district of Oxford, consisting of the town of Oxford.

58 The district of Southbury, consisting of the town of Southbury.

59 The district of Wallingford, consisting of the town of Wallingford.

60 The district of Waterbury, consisting of the towns of Waterbury,  
61 Middlebury and Wolcott.

62 The district of West Haven, consisting of the town of West Haven.

63 The district of Woodbridge, consisting of the town of Woodbridge.

64 (c) New London County

65 The district of New London, consisting of the towns of New London  
66 and Waterford.

67 The district of Norwich, consisting of the towns of Norwich,  
68 Franklin, Lisbon, Preston, Sprague and Voluntown.

69 The district of Bozrah, consisting of the town of Bozrah.

70 The district of Colchester, consisting of the [town] towns of  
71 Colchester and Lebanon.

72 The district of East Lyme, consisting of the town of East Lyme.

73 The district of Griswold, consisting of the town of Griswold.

74 The district of Groton, consisting of the town of Groton.

75 [The district of Lebanon, consisting of the town of Lebanon.]

76 The district of Ledyard, consisting of the town of Ledyard.

77 The district of Lyme, consisting of the town of Lyme.

78 The district of Montville, consisting of the town of Montville.

79 The district of North Stonington, consisting of the town of North  
80 Stonington.

81 The district of Old Lyme, consisting of the town of Old Lyme.

82 The district of Salem, consisting of the town of Salem.

83 The district of Stonington, consisting of the town of Stonington.

84 (d) Fairfield County

85 The district of Bridgeport, consisting of the town of Bridgeport.

86 The district of Danbury, consisting of the town of Danbury.

87 The district of Bethel, consisting of the town of Bethel.

88 The district of Brookfield, consisting of the town of Brookfield.

89 The district of Darien, consisting of the town of Darien.

90 The district of Fairfield, consisting of the town of Fairfield.

91 The district of Greenwich, consisting of the town of Greenwich.

92 The district of New Canaan, consisting of the town of New Canaan.

93 The district of New Fairfield, consisting of the [town] towns of New  
94 Fairfield and Sherman.

95 The district of Newtown, consisting of the town of Newtown.

96 The district of Norwalk, consisting of the towns of Norwalk and  
97 Wilton.

98 The district of Redding, consisting of the town of Redding.

99 The district of Ridgefield, consisting of the town of Ridgefield.

100 The district of Shelton, consisting of the town of Shelton.

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- 101 [The district of Sherman, consisting of the town of Sherman.]
- 102 The district of Stamford, consisting of the town of Stamford.
- 103 The district of Stratford, consisting of the town of Stratford.
- 104 The district of Trumbull, consisting of the towns of Trumbull,  
105 Easton and Monroe.
- 106 The district of Westport, consisting of the towns of Westport and  
107 Weston.
- 108 (e) Windham County
- 109 The district of Windham, consisting of the towns of Windham and  
110 Scotland.
- 111 The district of Ashford, consisting of the town of Ashford.
- 112 The district of Brooklyn, consisting of the town of Brooklyn.
- 113 [The district of Canterbury, consisting of the town of Canterbury.]
- 114 The district of Eastford, consisting of the towns of Eastford and  
115 Chaplin.
- 116 The district of Hampton, consisting of the town of Hampton.
- 117 The district of Killingly, consisting of the town of Killingly.
- 118 The district of Plainfield, consisting of the [town] towns of  
119 Plainfield, Canterbury and Sterling.
- 120 The district of Pomfret, consisting of the town of Pomfret.
- 121 The district of Putnam, consisting of the town of Putnam.
- 122 [The district of Sterling, consisting of the town of Sterling.]
- 123 The district of Thompson, consisting of the town of Thompson.

- 124 The district of Woodstock, consisting of the town of Woodstock.
- 125 (f) Litchfield County
- 126 The district of Litchfield, consisting of the towns of Litchfield,  
127 Morris and Warren.
- 128 The district of Barkhamsted, consisting of the town of Barkhamsted.
- 129 The district of Canaan, consisting of the towns of Canaan and North  
130 Canaan.
- 131 The district of Cornwall, consisting of the town of Cornwall.
- 132 The district of Harwinton, consisting of the town of Harwinton.
- 133 The district of Kent, consisting of the town of Kent.
- 134 The district of New Hartford, consisting of the town of New  
135 Hartford.
- 136 The district of New Milford, consisting of the towns of New Milford  
137 and Bridgewater.
- 138 The district of Norfolk, consisting of the town of Norfolk.
- 139 The district of Plymouth, consisting of the town of Plymouth.
- 140 The district of Roxbury, consisting of the town of Roxbury.
- 141 The district of Salisbury, consisting of the town of Salisbury.
- 142 The district of Sharon, consisting of the town of Sharon.
- 143 The district of Thomaston, consisting of the town of Thomaston.
- 144 The district of Torrington, consisting of the towns of Torrington and  
145 Goshen.
- 146 The district of Washington, consisting of the town of Washington.

147 [The district of Watertown, consisting of the town of Watertown.]

148 The district of Winchester, consisting of the towns of Winchester  
149 and Colebrook.

150 The district of Woodbury, consisting of the towns of Woodbury,  
151 [and] Bethlehem and Watertown.

152 (g) Middlesex County

153 The district of Middletown, consisting of the towns of Middletown,  
154 Cromwell, Durham and Middlefield.

155 The district of Clinton, consisting of the town of Clinton.

156 The district of Deep River, consisting of the town of Deep River.

157 The district of East Haddam, consisting of the town of East  
158 Haddam.

159 The district of East Hampton, consisting of the town of East  
160 Hampton.

161 The district of Essex, consisting of the town of Essex.

162 The district of Haddam, consisting of the town of Haddam.

163 The district of Killingworth, consisting of the town of Killingworth.

164 The district of Old Saybrook, consisting of the town of Old  
165 Saybrook.

166 The district of Portland, consisting of the town of Portland.

167 The district of Saybrook, consisting of the town of Chester.

168 The district of Westbrook, consisting of the town of Westbrook.

169 (h) Tolland County

170 The district of Tolland, consisting of the towns of Tolland and

171 Willington.

172 The district of Andover, consisting of the towns of Andover, Bolton  
173 and Columbia.

174 The district of Ellington, consisting of the towns of Ellington and  
175 Vernon.

176 The district of Hebron, consisting of the town of Hebron.

177 The district of Mansfield, consisting of the towns of Coventry and  
178 Mansfield.

179 The district of Stafford, consisting of the towns of Stafford, Somers  
180 and Union.

181 Sec. 2. (NEW) (*Effective from passage*) The towns of Woodbury,  
182 Bethlehem and Watertown shall, on and after the first Wednesday  
183 following the first Monday of January, 2003, constitute a probate  
184 district by the name of the probate district of Woodbury. In 2002, and  
185 quadrennially thereafter, a judge of probate for said district shall be  
186 elected at the time and in the manner provided by law for the election  
187 of judges of probate. From and after the first Wednesday following the  
188 first Monday of January, 2003, the probate court for the district of  
189 Woodbury shall have the jurisdiction of all probate business arising in  
190 the towns of Woodbury, Bethlehem and Watertown.

191 Sec. 3. (NEW) (*Effective from passage*) The towns of New Fairfield and  
192 Sherman shall, on and after the first Wednesday following the first  
193 Monday of January, 2003, constitute a probate district by the name of  
194 the probate district of New Fairfield. In 2002, and quadrennially  
195 thereafter, a judge of probate for said district shall be elected at the  
196 time and in the manner provided by law for the election of judges of  
197 probate. From and after the first Wednesday following the first  
198 Monday of January, 2003, the probate court for the district of New  
199 Fairfield shall have the jurisdiction of all probate business arising in  
200 the towns of New Fairfield and Sherman.

201       Sec. 4. (NEW) (*Effective from passage*) The towns of Plainfield,  
 202 Canterbury and Sterling shall, on and after the first Wednesday  
 203 following the first Monday of January, 2003, constitute a probate  
 204 district by the name of the probate district of Plainfield. In 2002, and  
 205 quadrennially thereafter, a judge of probate for said district shall be  
 206 elected at the time and in the manner provided by law for the election  
 207 of judges of probate. From and after the first Wednesday following the  
 208 first Monday of January, 2003, the probate court for the district of  
 209 Plainfield shall have the jurisdiction of all probate business arising in  
 210 the towns of Plainfield, Canterbury and Sterling.

211       Sec. 5. (NEW) (*Effective from passage*) The towns of Colchester and  
 212 Lebanon shall, on and after the first Wednesday following the first  
 213 Monday of January, 2003, constitute a probate district by the name of  
 214 the probate district of Colchester. In 2002, and quadrennially  
 215 thereafter, a judge of probate for said district shall be elected at the  
 216 time and in the manner provided by law for the election of judges of  
 217 probate. From and after the first Wednesday following the first  
 218 Monday of January, 2003, the probate court for the district of  
 219 Colchester shall have the jurisdiction of all probate business arising in  
 220 the towns of Colchester and Lebanon.

|  |                        |
|--|------------------------|
| This act shall take effect as follows: |                        |
| Section 1                              | <i>January 8, 2003</i> |
| Sec. 2                                 | <i>from passage</i>    |
| Sec. 3                                 | <i>from passage</i>    |
| Sec. 4                                 | <i>from passage</i>    |
| Sec. 5                                 | <i>from passage</i>    |

**JUD**       *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

| Fund-Type      | Agency Affected | Current FY \$ | FY 03 \$ | FY 04 \$ |
|----------------|-----------------|---------------|----------|----------|
| PCAF - Savings | None            | None          | 11,000   | 11,000   |

Note: PCAF=Probate Court Administration Fund

**Municipal Impact:**

| Effect  | Municipalities  | Current FY \$ | FY 03 \$ | FY 04 \$ |
|---------|---|---------------|----------|----------|
| Savings | Lebanon;<br>Canterbury;<br>Sherman;<br>Sterling;<br>Watertown | Minimal       | Minimal  | Minimal  |

**Explanation**

The bill, which eliminates five probate districts through merging them with other existing districts, would result in savings to the Probate Court Administration Fund (PCAF) of approximately \$11,000 per year (see table below). The administration of the probate court system is paid for through the PCAF, which is non-General Fund.

| Probate District <sup>1</sup> | FY 00Gross Receipts <sup>2</sup> | FY 00 PCAF Expenses <sup>3</sup> | Post Merger Est'd. Expenses <sup>4</sup> |
|-------------------------------|----------------------------------|----------------------------------|--|
|-------------------------------|----------------------------------|----------------------------------|--|

<sup>1</sup> There are currently 130 probate districts and each district is rated based on workload volume. The intent of the bill is to merge several of the low volume courts.

|                              |           |          |                       |
|------------------------------|-----------|----------|-----------------------|
| <b>Woodbury</b> <sup>5</sup> | \$118,051 | \$7,678  | \$9,214               |
| Watertown                    | \$111,444 | \$10,484 | 0                     |
| <b>New Fairfield</b>         | \$61,007  | \$131    | \$6,507               |
| Sherman                      | \$45,231  | \$7,923  | 0                     |
| <b>Plainfield</b>            | \$44,027  | \$1,505  | \$1,806               |
| Canterbury                   | \$9,653   | \$190    | 0                     |
| Sterling                     | \$6,417   | \$804    | 0                     |
| <b>Colchester</b>            | \$63,629  | \$4,786  | \$5,743               |
| Lebanon                      | \$19,338  | \$634    | 0                     |
| <i>Total</i>                 |           | \$34,134 | \$23,270 <sup>6</sup> |

*Note: The bolded probate districts represent those courts that will continue.*

The bill would also result in savings to the towns of Watertown, Sherman, Canterbury, Sterling and Lebanon. These towns would recoup the space and forego the expenses associated with maintaining and operating a probate district.<sup>7</sup> Most municipalities conduct probate business out of their respective town halls.

Probate judges are elected for four-year terms. The next elections will occur in November 2002. It is expected that the current judges in Watertown, Sherman, Canterbury and Sterling will not seek re-election and the current probate judge in Lebanon is expected to retire.

<sup>2</sup> In FY 00, the average probate court gross receipts were \$165,591.

<sup>3</sup> These PCAF expenses primarily consist of payroll taxes and educational expenses for judges.

<sup>4</sup> This estimate assumes that the workload in these districts will remain comparable to FY 00.

<sup>5</sup> The Woodbury Probate District currently includes the towns of Woodbury and Bethlehem.

<sup>6</sup> This represents an approximate savings of \$10,864.

<sup>7</sup> Section 45a-8 of the Connecticut General Statutes requires the town or towns that comprise each probate districts to provide court facilities that meet certain minimum standards. According to the statute, "court facilities" include office space to conduct judicial business and proceedings; a separate room for court staff; appropriate furniture and furnishings, use and maintenance of copy machine, office supplies, and microfilming equipment; necessary stationery and postage; typing equipment and basic telephone service and adequate liability insurance for furnishings, equipment and court records.

**OLR Bill Analysis**

sSB 522

***AN ACT CONCERNING THE MERGER OF THE PROBATE DISTRICTS OF WOODBURY AND WATERTOWN, THE MERGER OF THE PROBATE DISTRICTS OF NEW FAIRFIELD AND SHERMAN AND THE MERGER OF THE PROBATE DISTRICTS OF PLAINFIELD, CANTERBURY AND STERLING AND THE MERGER OF THE PROBATE DISTRICTS OF COLCHESTER AND LEBANON*****SUMMARY:**

This bill eliminates five single-town probate districts and adds these towns into four existing probate districts. The bill eliminates the (1) probate district of Lebanon and adds Lebanon to the probate district of Colchester, which currently is limited to Colchester; (2) probate district of Sherman and adds Sherman to the probate district of New Fairfield, which is currently limited to New Fairfield; (3) probate districts of Canterbury and Sterling and adds Canterbury and Sterling to the probate district of Plainfield which currently is limited to Plainfield; and (4) probate district of Watertown and adds Watertown to the probate district of Woodbury, which currently consists of Woodbury and Bethlehem.

The bill requires probate judges to be elected to serve their combined districts in November 2002 and makes the newly constructed districts effective January 8, 2003.

The bill makes the elimination and additions effective January 8, 2003.

EFFECTIVE DATE: Upon passage except the provisions eliminating the current districts and merging them with existing ones becomes effective January 8, 2003.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 26 Nay 0

