



# House of Representatives

General Assembly

**File No. 615**

*January Session, 2003*

Substitute House Bill No. 5504

*House of Representatives, May 1, 2003*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT ESTABLISHING THE NORTHWEST CORNER PROBATE DISTRICT AND A BLUE RIBBON COMMISSION ON THE PROBATE COURT SYSTEM.***

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 Section 45a-2 of the general statutes is repealed and the  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 3, 2007*):

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 Manchester, consisting of the town of Manchester.
- 24 The district of Marlborough, consisting of the town of Marlborough.
- 25 The district of Newington, consisting of the towns of Newington,  
26 Rocky Hill and Wethersfield.
- 27 The district of Plainville, consisting of the town of Plainville.
- 28 The district of Simsbury, consisting of the town of Simsbury.
- 29 The district of Southington, consisting of the town of Southington.
- 30 The district of Suffield, consisting of the town of Suffield.
- 31 The district of West Hartford, consisting of the town of West  
32 Hartford.

- 33 The district of Windsor, consisting of the town of Windsor.
- 34 The district of Windsor Locks, consisting of the town of Windsor  
35 Locks.
- 36 (b) New Haven County
- 37 The district of New Haven, consisting of the town of New Haven.
- 38 The district of Bethany, consisting of the town of Bethany.
- 39 The district of Branford, consisting of the town of Branford.
- 40 The district of Cheshire, consisting of the towns of Cheshire and  
41 Prospect.
- 42 The district of Derby, consisting of the towns of Derby, Ansonia and  
43 Seymour.
- 44 The district of East Haven, consisting of the town of East Haven.
- 45 The district of Guilford, consisting of the town of Guilford.
- 46 The district of Hamden, consisting of the town of Hamden.
- 47 The district of Madison, consisting of the town of Madison.
- 48 The district of Meriden, consisting of the town of Meriden.
- 49 The district of Milford, consisting of the town of Milford.
- 50 The district of Naugatuck, consisting of the towns of Naugatuck and  
51 Beacon Falls.
- 52 The district of North Branford, consisting of the town of North  
53 Branford.
- 54 The district of North Haven, consisting of the town of North Haven.
- 55 The district of Orange, consisting of the town of Orange.

- 56 The district of Oxford, consisting of the town of Oxford.
- 57 The district of Southbury, consisting of the town of Southbury.
- 58 The district of Wallingford, consisting of the town of Wallingford.
- 59 The district of Waterbury, consisting of the towns of Waterbury,  
60 Middlebury and Wolcott.
- 61 The district of West Haven, consisting of the town of West Haven.
- 62 The district of Woodbridge, consisting of the town of Woodbridge.
- 63 (c) New London County
- 64 The district of New London, consisting of the towns of New London  
65 and Waterford.
- 66 The district of Norwich, consisting of the towns of Norwich,  
67 Franklin, Lisbon, Preston, Sprague and Voluntown.
- 68 The district of Bozrah, consisting of the town of Bozrah.
- 69 The district of Colchester, consisting of the towns of Colchester and  
70 Lebanon.
- 71 The district of East Lyme, consisting of the town of East Lyme.
- 72 The district of Griswold, consisting of the town of Griswold.
- 73 The district of Groton, consisting of the town of Groton.
- 74 The district of Ledyard, consisting of the town of Ledyard.
- 75 The district of Lyme, consisting of the town of Lyme.
- 76 The district of Montville, consisting of the town of Montville.
- 77 The district of North Stonington, consisting of the town of North  
78 Stonington.

- 79 The district of Old Lyme, consisting of the town of Old Lyme.
- 80 The district of Salem, consisting of the town of Salem.
- 81 The district of Stonington, consisting of the town of Stonington.
- 82 (d) Fairfield County
- 83 The district of Bridgeport, consisting of the town of Bridgeport.
- 84 The district of Danbury, consisting of the town of Danbury.
- 85 The district of Bethel, consisting of the town of Bethel.
- 86 The district of Brookfield, consisting of the town of Brookfield.
- 87 The district of Darien, consisting of the town of Darien.
- 88 The district of Fairfield, consisting of the town of Fairfield.
- 89 The district of Greenwich, consisting of the town of Greenwich.
- 90 The district of New Canaan, consisting of the town of New Canaan.
- 91 The district of New Fairfield, consisting of the towns of New  
92 Fairfield and Sherman.
- 93 The district of Newtown, consisting of the town of Newtown.
- 94 The district of Norwalk, consisting of the towns of Norwalk and  
95 Wilton.
- 96 The district of Redding, consisting of the town of Redding.
- 97 The district of Ridgefield, consisting of the town of Ridgefield.
- 98 The district of Shelton, consisting of the town of Shelton.
- 99 The district of Stamford, consisting of the town of Stamford.
- 100 The district of Stratford, consisting of the town of Stratford.

101 The district of Trumbull, consisting of the towns of Trumbull,  
102 Easton and Monroe.

103 The district of Westport, consisting of the towns of Westport and  
104 Weston.

105 (e) Windham County

106 The district of Windham, consisting of the towns of Windham and  
107 Scotland.

108 The district of Ashford, consisting of the town of Ashford.

109 The district of Brooklyn, consisting of the town of Brooklyn.

110 The district of Eastford, consisting of the towns of Eastford and  
111 Chaplin.

112 The district of Hampton, consisting of the town of Hampton.

113 The district of Killingly, consisting of the town of Killingly.

114 The district of Plainfield, consisting of the towns of Plainfield,  
115 Canterbury and Sterling.

116 The district of Pomfret, consisting of the town of Pomfret.

117 The district of Putnam, consisting of the town of Putnam.

118 The district of Thompson, consisting of the town of Thompson.

119 The district of Woodstock, consisting of the town of Woodstock.

120 (f) Litchfield County

121 The district of Litchfield, consisting of the towns of Litchfield,  
122 Morris and Warren.

123 [The district of Canaan, consisting of the towns of Canaan and  
124 North Canaan.

- 125 The district of Cornwall, consisting of the town of Cornwall.]
- 126 The district of Harwinton, consisting of the town of Harwinton.
- 127 The district of Kent, consisting of the town of Kent.
- 128 The district of New Milford, consisting of the towns of New Milford  
129 and Bridgewater.
- 130 The district of Norfolk, consisting of the town of Norfolk.
- 131 The district of the Northwest Corner, consisting of the towns of  
132 Canaan, Cornwall, North Canaan, Salisbury and Sharon.
- 133 The district of Plymouth, consisting of the town of Plymouth.
- 134 The district of Roxbury, consisting of the town of Roxbury.
- 135 [The district of Salisbury, consisting of the town of Salisbury.
- 136 The district of Sharon, consisting of the town of Sharon.]
- 137 The district of Thomaston, consisting of the town of Thomaston.
- 138 The district of Torrington, consisting of the towns of Torrington and  
139 Goshen.
- 140 The district of Washington, consisting of the town of Washington.
- 141 The district of Winchester, consisting of the towns of Winchester  
142 and Colebrook.
- 143 The district of Woodbury, consisting of the towns of Woodbury,  
144 Bethlehem and Watertown.
- 145 (g) Middlesex County
- 146 The district of Middletown, consisting of the towns of Middletown,  
147 Cromwell, Durham and Middlefield.
- 148 The district of Clinton, consisting of the town of Clinton.

- 149 The district of Deep River, consisting of the town of Deep River.
- 150 The district of East Haddam, consisting of the town of East  
151 Haddam.
- 152 The district of East Hampton, consisting of the town of East  
153 Hampton.
- 154 The district of Essex, consisting of the town of Essex.
- 155 The district of Haddam, consisting of the town of Haddam.
- 156 The district of Killingworth, consisting of the town of Killingworth.
- 157 The district of Old Saybrook, consisting of the town of Old  
158 Saybrook.
- 159 The district of Portland, consisting of the town of Portland.
- 160 The district of Saybrook, consisting of the town of Chester.
- 161 The district of Westbrook, consisting of the town of Westbrook.
- 162 (h) Tolland County
- 163 The district of Tolland, consisting of the towns of Tolland and  
164 Willington.
- 165 The district of Andover, consisting of the towns of Andover, Bolton  
166 and Columbia.
- 167 The district of Ellington, consisting of the towns of Ellington and  
168 Vernon.
- 169 The district of Hebron, consisting of the town of Hebron.
- 170 The district of Mansfield, consisting of the towns of Coventry and  
171 Mansfield.
- 172 The district of Stafford, consisting of the towns of Stafford, Somers  
173 and Union.

174 (i) Litchfield and Hartford Counties

175 The district of New Hartford, consisting of the towns of New  
176 Hartford, Barkhamsted and Hartland.

177 Sec. 2. (NEW) (*Effective from passage*) The towns of Canaan,  
178 Cornwall, North Canaan, Salisbury and Sharon shall, on and after the  
179 first Wednesday following the first Monday of January, 2007,  
180 constitute a probate district by the name of the probate district of the  
181 Northwest Corner. In 2006, and quadrennially thereafter, a judge of  
182 probate for said district shall be elected at the time and in the manner  
183 provided by law for the election of judges of probate. From and after  
184 the first Wednesday following the first Monday of January, 2007, the  
185 probate court for the district of the Northwest Corner shall have the  
186 jurisdiction of all probate business arising in the towns of Canaan,  
187 Cornwall, North Canaan, Salisbury and Sharon.

188 Sec. 3. (*Effective from passage*) (a) There is established a Blue Ribbon  
189 Commission on the Probate Court System. The commission shall  
190 conduct a study of the probate court system in this state, including, but  
191 not limited to, an examination of issues regarding probate court venue  
192 and jurisdiction and the future of the probate court system.

193 (b) The commission shall consist of the following members:

194 (1) Two appointed by the speaker of the House of Representatives;

195 (2) Two appointed by the president pro tempore of the Senate;

196 (3) One appointed by the majority leader of the House of  
197 Representatives;

198 (4) One appointed by the majority leader of the Senate;

199 (5) One appointed by the minority leader of the House of  
200 Representatives;

201 (6) One appointed by the minority leader of the Senate;

202 (7) The Probate Court Administrator, or a designee of the Probate  
203 Court Administrator; and

204 (8) Two persons appointed by the Governor.

205 (c) Any member of the commission appointed under subdivision  
206 (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a  
207 member of the General Assembly. The members appointed under  
208 subsection (b) of this section shall include at least one judge of probate  
209 representing a large size probate district, at least one judge of probate  
210 representing a medium size probate district and at least one judge of  
211 probate representing a small size probate district, as such district sizes  
212 are determined by the appointing authority in consultation with the  
213 Probate Court Administrator, provided such district sizes shall be  
214 represented equally among such member judges.

215 (d) All appointments to the commission shall be made no later than  
216 thirty days after the effective date of this section. Any vacancy shall be  
217 filled by the appointing authority.

218 (e) The speaker of the House of Representatives and the president  
219 pro tempore of the Senate shall select the chairpersons of the  
220 commission, from among the members of the commission. Such  
221 chairpersons shall schedule the first meeting of the commission, to be  
222 held no later than sixty days after the effective date of this section.

223 (f) The administrative staff of the joint standing committee of the  
224 General Assembly having cognizance of matters relating to judiciary  
225 shall serve as administrative staff of the commission.

226 (g) Not later than January 1, 2004, the commission shall submit a  
227 report on its findings and recommendations to the joint standing  
228 committee of the General Assembly having cognizance of matters  
229 relating to judiciary, in accordance with the provisions of section 11-4a  
230 of the general statutes. The commission shall terminate on the date that  
231 it submits such report or January 1, 2004, whichever is earlier.

This act shall take effect as follows:	
Section 1	<i>January 3, 2007</i>
Sec. 2	<i>from passage</i>
Sec. 3	<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:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Probate Court	PCAF - Savings	Up to 100,000	Up to 100,000

Note: PCAF=Probate Court Administration Fund

**Municipal Impact:** None

### Explanation

The bill eliminates the probate districts of Canaan, Cornwall, Salisbury and Sharon and establishes the probate district of the Northwest Corner. Passage of the bill would result in savings to the Probate Court Administration Fund, a non-General Fund account. These savings are the result of reductions in judge compensation (including health insurance) and other expenses related to operating costs. The table below provides budgetary information on the districts that the bill merges.

*Table: Probate Court District Budgets*

	Gross Receipts	Expenses	Net Income	Assessment	Judge Compensation
Canaan	27,008	13,290	13,719	1	13,718
Cornwall	14,072	926	13,146	598	12,548
Salisbury	111,127	22,229	88,898	47,900	40,998
Sharon	34,552	6,894	27,658	2,589	25,069
Total	186,759	43,339	132,421	51,088	92,333

The total gross receipts for all four probate districts is below the

average for all existing probate districts.<sup>1</sup>

The bill also establishes an 11-member commission to study the probate court system. Passage of this portion of the bill would not result in the need for additional resources.

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<sup>1</sup> Last year, Greenwich had the highest gross receipts at \$1.3 million and Hampton had the lowest at \$3,063. The average gross receipts for the state's 130 probate districts is about \$200,000.

**OLR Bill Analysis**

sHB 5504

***AN ACT ESTABLISHING A BLUE RIBBON COMMISSION ON THE PROBATE COURT SYSTEM*****SUMMARY:**

This bill establishes an 11-member Blue Ribbon Commission to study the probate court system, including issues regarding venue and the system's future. It must submit its findings and recommendations to the Judiciary Committee by January 1, 2004. The commission terminates on the date it submits its report, or January 1, 2004, whichever is earlier.

The bill consolidates four probate districts and places the five towns that make up these districts in the newly created probate district of the Northwest Corner. It eliminates the probate districts of (1) Canaan, which consists of the towns of Canaan and North Canaan; (2) Cornwall, which consists of the town of Cornwall; (3) Salisbury, which consists of the town of Salisbury; and (4) Sharon, which consists of the town of Sharon.

The bill requires the probate judge for the Northwest Corner district to be elected in November 2006 and makes the newly constituted district effective January 3, 2007. It directs the district to elect a probate judge every four years after the first election in 2006.

The bill gives the new probate district jurisdiction over all probate business arising in Canaan, Cornwall, North Canaan, Salisbury, and Sharon, effective January 3, 2007.

**EFFECTIVE DATE:** Upon passage, except for the new probate district provision, which becomes effective January 3, 2007.

**BLUE RIBBON COMMISSION**

The bill requires the House speaker and the Senate president pro tempore to appoint two members each, the House and Senate majority and minority leaders to appoint one member each, and the governor to

appoint two members to the Blue Ribbon Commission. The bill specifies that any of the legislative appointees may be members of the General Assembly. The appointees must include at least one judge representing a large probate district, one representing a medium-sized district, and one representing a small district. The bill directs district size to be determined by the appointing authority in consultation with the Probate Court Administrator and be represented equally among member judges. It also places the Probate Court Administrator, or his designee, on the commission.

Appointments must be made within 30 days after the governor signs the bill and those who make the initial appointments must fill any vacancies. The bill requires the House speaker and Senate president pro tempore to select chairpersons, who must schedule the first commission meeting within 60 days after the governor signs the bill. It also requires the Judiciary Committee's administrative staff to serve as the commission's administrative staff.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 37      Nay 0