



General Assembly

February Session, 2004

Raised Bill No. 129

LCO No. 597

00597_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING REGIONAL PROBATE COURT SERVICES
FOR CHILDREN'S MATTERS.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
2 section, "children's matters" means guardianship matters under
3 sections 45a-603 to 45a-625, inclusive, of the general statutes,
4 termination of parental rights matters under sections 45a-706 to 45a-
5 719, inclusive, of the general statutes, adoption matters under sections
6 45a-724 to 45a-733, inclusive, 45a-736 and 45a-737 of the general
7 statutes, claims for paternity under section 46b-172a of the general
8 statutes, emancipation matters under sections 46b-150 to 46b-150e,
9 inclusive, of the general statutes and voluntary admission matters
10 under section 17a-11 of the general statutes, as amended.

11 (b) The Probate Court Administrator shall, within available
12 resources, establish a regional children's court pilot program. The
13 Probate Court Administrator, after consultation with the probate
14 judges of the districts within a proposed region, shall establish one or
15 more regions for the purposes of such pilot program. Within each
16 region, the Probate Court Administrator may establish a regional

17 children's court in (1) any existing probate court facility within a
18 district located in such region, or (2) such other location in such region
19 as may be designated by the Probate Court Administrator as a regional
20 children's court. Such regional children's court shall be established and
21 operated with the advice of the administrative judge of such court and
22 the participating probate judges of the districts within such region.
23 Participation in such regional children's court shall be voluntary on the
24 part of each probate judge of a district within such region. The
25 administrative judge of such court and the participating probate
26 judges of the districts within such region shall serve as judges of such
27 regional children's court. Such judges shall hear and determine all
28 children's matters as may come before them on a docket separate from
29 other probate matters.

30 (c) The Probate Court Administrator may, subject to the provisions
31 of section 45a-84 of the general statutes, expend moneys from the
32 Probate Court Administration Fund established under section 45a-82
33 of the general statutes, as amended, to pay for necessary
34 improvements of a facility designated as a regional children's court, to
35 pay operating expenses of the regional children's courts and to
36 reimburse participating towns or cities for the costs of leasing office
37 space for a regional children's court, and necessary improvements
38 thereto, and for expenses under subsection (d) of this section.

39 (d) (1) The Probate Court Administrator, with the advice of the
40 participating probate judges of the districts within the applicable
41 region, shall appoint an administrative judge for each regional
42 children's court established under this section. Each administrative
43 judge shall be a probate judge at the time of such appointment. An
44 administrative judge who ceases to serve as a probate judge after such
45 appointment may continue to serve as administrative judge at the
46 pleasure of the Probate Court Administrator. Subject to the approval of
47 the Chief Court Administrator, the Probate Court Administrator shall
48 fix the compensation of each administrative judge and such
49 compensation shall be paid from the fund established under section

50 45a-82 of the general statutes, as amended. Such compensation,
51 together with the administrative judge's compensation as a probate
52 judge of the district to which he or she was elected, shall not exceed
53 the compensation provided under subsection (k) of section 45a-92 of
54 the general statutes. An administrative judge shall have such benefits
55 as may inure to him or her as a probate judge and shall receive no
56 additional benefits, except for compensation provided under this
57 section.

58 (2) An administrative judge shall be responsible for the
59 management of cases, coordination of social services, staff, financial
60 management and record keeping for such judge's regional children's
61 court. An administrative judge may, with the approval of the Probate
62 Court Administrator, purchase furniture, office supplies, computers
63 and other equipment and contract for services that the administrative
64 judge may deem necessary or advisable for the expeditious conduct of
65 the business of such judge's regional children's court. Such expenses
66 shall be paid for pursuant to section 45a-8 of the general statutes, as
67 amended. If a separate regional children's court facility is established
68 pursuant to subdivision (2) of subsection (b) of this section, the
69 participating town or city shall be reimbursed for such expenses from
70 the Probate Court Administration Fund upon presentation of vouchers
71 to the Probate Court Administrator.

72 (e) An administrative judge may, with the approval of the Probate
73 Court Administrator, employ such persons as may be required for the
74 efficient operation of such judge's regional children's court. Such
75 employees shall be employees of such regional children's court and
76 shall be entitled to the benefits of probate court employees under
77 chapter 801 of the general statutes. Such employees shall not be
78 deemed to be state employees.

79 (f) Any probate court within a region established under this section
80 may transfer children's matters to the regional children's court for such
81 region. A regional children's court may accept transfers and referrals of

82 children's matters from probate courts within its region.

83 (g) A regional children's court shall be considered a probate court
84 for the purposes of chapter 801 of the general statutes.

85 (h) The Probate Court Administrator shall establish policies and
86 procedures to implement the pilot program established under this
87 section. On or before January 3, 2007, the Probate Court Administrator
88 shall submit a report containing recommendations for the expansion of
89 such pilot program to the joint standing committee of the General
90 Assembly having cognizance of matters relating to the judiciary, in
91 accordance with section 11-4a of the general statutes.

92 (i) Nothing in this section shall be construed to limit the authority of
93 the Probate Court Administrator to establish and fund one or more
94 pilot programs for regional children's courts under any other provision
95 of law.

96 Sec. 2. Section 45a-1 of the general statutes is repealed and the
97 following is substituted in lieu thereof (*Effective from passage*):

98 As used in section 1 of this act and sections 45a-1 to 45a-12,
99 inclusive, 45a-18 to 45a-26, inclusive, 45a-34 to 45a-56, inclusive, 45a-62
100 to 45a-68, inclusive, 45a-74 to 45a-83, inclusive, 45a-90 to 45a-94,
101 inclusive, 45a-98, 45a-99, as amended, 45a-105, 45a-119 to 45a-123,
102 inclusive, 45a-128, 45a-130, 45a-131, 45a-133, 45a-199 and 45a-202,
103 "district" means probate district.

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

Statement of Purpose:

To authorize the Probate Court Administrator to establish a regional children's court pilot program in order to address the growing needs of children using the probate court system.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]