



Judge
DIANNE E. YAMIN

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PROBATE COURT
DISTRICT OF DANBURY

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JUDICIARY COMMITTEE

COMMENTS OF JUDGE DIANNE E. YAMIN, PROBATE JUDGE, DISTRICT OF DANBURY

MARCH 17, 2006

I AM JUDGE DIANNE YAMIN. I WILL ADDRESS RAISED BILL # 431 AND # 5598.

I AM THE PROBATE JUDGE FOR THE DISTRICT OF DANBURY SINCE 1990, 16 YEARS. I AM CURRENTLY FIRST VICE PRESIDENT OF THE PROBATE ASSEMBLY, THE ORGANIZATION OF THE 123 PROBATE COURTS, AND AM THE ENDORSED CANDIDATE FOR PRESIDENT OF THE ASSEMBLY WITH ELECTIONS COMING UP IN APRIL.

HOWEVER TODAY I AM HERE PURELY IN MY CAPACITY AS PROBATE JUDGE FOR THE DISTRICT OF DANBURY, AS THE PROBATE ASSEMBLY HAS NOT HAD AN OPPORTUNITY TO DISCUSS AND VOTE ON THE BILLS WHICH ARE BEFORE YOU TODAY.

I SUPPORT RAISED BILL # 431.

PAGE 1, SECTION 1 A AND B PROVIDES RETIREMENT INCENTIVES FOR PROBATE JUDGES AND EMPLOYEES WHO MERGE WITH OTHER PROBATE DISTRICTS. I AM IN AGREEMENT WITH AWARDED OF SUCH INCENTIVES AND I AM ALSO IN AGREEMENT WITH VOLUNTARY CONSOLIDATION OF PROBATE COURTS. SOME COURTS AND TOWNS MAY AGREE THIS IS THE BEST OPTION FOR THEM AND SUCH VOLUNTARY CONSOLIDATION CAN MAKE MORE COST EFFECTIVE COURTS AND HELP PRESERVE THE WONDERFUL, 300 YEAR OLD, LOCAL BASED SYSTEM OVERALL.

PAGE 2, SECTION 2 MAKES SOME CHANGES TO THE CT ESTATE TAX WHICH HAVE CONCERNED ME SINCE IT WAS ENACTED LAST SUMMER. I HAD IMMEDIATELY BEEN TROUBLED BY THE INCLUSION OF LIFE INSURANCE FOR THE FIRST TIME IN THE ESTATE TAX CALCULATION, AS WELL AS THE INCLUSION OF PROPERTY LOCATED IN OTHER STATES (WHICH I BELIEVE IS UNCONSTITUTIONAL). I WAS ALSO CONCERNED THAT THERE WAS NO DEDUCTION FOR MORTGAGES ON REAL ESTATE. SEC 2 OF

THIS BILL CORRECTS THESE CONCERNS BY DELETING LIFE INSURANCE, DELETING OUT OF STATE PROPERTY AND ALLOWING A DEDUCTION FOR MORTGAGES.

LASTLY, REGARDING BILL #431, I SUPPORT THE PROVISION ADDING JURISDICTION TO THE PROBATE COURTS WHERE A HOSPITAL IS LOCATED OVER CONSERVATORSHIPS, WHEN A PERSON IS ADMITTED TO A HOSPITAL. THE CURRENT LAW PROVIDES JURISDICTION SOLELY WHERE THE PERSON RESIDES, AND THIS BILL ALLOWS THE TOWN WHERE A HOSPITAL IS LOCATED, IF THAT PERSON IS ADMITTED TO A HOSPITAL TO ALSO HAVE JURISDICTION.

RAISED BILL #5598

BILL #5598, AN ACT CONCERNING ADMINISTRATION OF THE PROBATE COURTS, IS PREMATURE.

JUST RECENTLY THE LEGISLATIVE PROGRAMS REVIEW AND INVESTIGATIONS COMMITTEE MADE RECOMMENDATIONS FOR THE PROBATE COURTS, INCLUDING ISSUES SUCH AS SALARIES AND MINIMUM COURT STANDARDS. MANY OF THE RECOMMENDATIONS WERE TO BE MADE WITH THE COOPERATION OF THE PROBATE COURT ADMINISTRATOR AND THE PROBATE ASSEMBLY WITH DEADLINES FOR SOME OF THE ITEMS IN SEPTEMBER OF 2006, SIX MONTHS FROM NOW.

I AM CURRENTLY COCHAIRING A PROBATE ASSEMBLY WORKING GROUP OF APPROXIMATELY 28 JUDGES AND THE PRESIDENT OF THE CLERK'S ASSOCIATION, RESPONDING TO THE RECOMMENDATIONS OF PROGRAM REVIEW.

WE WILL BE INTENSELY WORKING ON THESE ISSUES IN THE UPCOMING MONTHS.

A BILL AS IMPORTANT AS THIS REGARDING THE ADMINISTRATION OF THE PROBATE COURT SYSTEM SHOULD HAVE THE VALUABLE INPUT OF THE JUDGES OF THE AFFECTED COURT SYSTEM.

I ASK THAT THE BILL BE PUT ASIDE UNTIL NEXT YEAR, ALLOWING THE PROBATE ASSEMBLY TO GIVE THEIR INPUT.

THANK YOU VERY MUCH FOR YOUR TIME AND CONSIDERATION AND HAPPY ST PATRICK'S DAY.

DIANNE E YAMIN, PROBATE JUDGE DISTRICT OF DANBURY