



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

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**Testimony of Judge William J. Lavery  
Judiciary Committee Public Hearing  
March 30, 2007**

**House Bill 7382, An Act Concerning Health Insurance Coverage  
for Probate Court Judges and Employees**

Thank you for the opportunity to submit written testimony in opposition to **House Bill 7382, An Act Concerning Health Insurance Coverage for Probate Court Judges and Employees.**

The Judicial Branch is opposed to this proposal because it would provide support for the Probate Court Administration fund without requiring increased accountability. The Judicial Branch is responsible for approving the Probate Court Administrator's budget, which includes not only the funding for the operation of the Administrator's office, but also the fund's projected revenue and expenses. We review the proposed budget annually and are well aware of the Fund's downward trend; we have repeatedly brought it to the attention of the Office of Policy and Management and the Legislature.

One of the structural problems with the current Probate Court system is the fact that the Probate Court Administration Fund is required to make up for fiscal deficiencies in a number of local probate courts with no concomitant control over expenses. There are no statutory standards in place to ensure that local probate courts are run efficiently and in a fiscally sound manner. While it is true that the fund is made up of fees collected by the local probate courts, under the current statutory scheme

there is no relationship between what a court contributes and what it gets back. Thus, there is little incentive for courts to operate efficiently. The Probate Court Administrator's Office has conducted a comprehensive analysis of the funding and expenditures of the local courts which demonstrates in detail the seriousness of the problem.

This proposal would require the state to step in and support an inefficient and unaccountable system. The current system is akin to one in which all the agencies of the state would set their own budget without any oversight or control.

The solution to the problems of the Probate System must be both comprehensive and long-term. Local courts need to be efficient, self-sustaining and accountable. This proposal is a stop-gap measure which would provide short-term temporary relief to the Fund while doing nothing to correct the structural deficiencies in the Probate System.

In conclusion, I urge the Committee not to act favorably on this proposal.