

**STATEMENT IN SUPPORT OF RAISED S.B. 1439  
AN ACT CONCERNING CONSERVATORS AND PROBATE APPEALS  
SUBMITTED BY COMPANIONS & HOMEMAKERS, INC.**

Companions & Homemakers, Inc. ("C&H"), a provider of homecare services for the elderly and infirm since 1990, respectfully submits this testimony in support of S.B.1439 and, in particular, Section 11 of the bill which reads:

**Sec. 11. (NEW) (Section 45a-644a. Recording of probate proceedings.)**

A Court of Probate shall cause a recording to be made of all proceedings held under sections 45a-644 to 45a-663, inclusive. The recording shall be part of the court record and shall be made and retained in a manner approved by the Probate Court Administrator.

C&H strongly supports this section of the Bill. Conservatorships deprive the incapacitated or disabled person of many civil rights. It is thus a drastic action and may have far-reaching implications for all persons involved. Probate judges, therefore, must exercise such great powers carefully, rationally, and with restraint. However, despite the extraordinary nature of these proceedings, often times there is no record of the proceedings.

C&H believes that keeping a recording of such hearings will bring a much needed measure of accountability and transparency to the proceedings. Judges will be motivated to carefully articulate the reasons for their rulings and decisions.

Furthermore, instead of relying on notes or memory, such recordings will provide a reliable record of the proceedings upon which the parties can rely with reasonable certainty. Indeed, while memories fade and written notes are devoid of context and can be read to mean different things, a tape of the proceedings is not susceptible to those shortcomings. Moreover, in the event of a controversy or dispute, the tape will provide unimpeachable evidence of what occurred during a particular hearing or proceeding.

C&H strongly urges the legislature to pass this Bill with Section 11 as currently written.