



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

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

**Senate Bill 1272, An Act Concerning Administration of the Courts of
Probate and the Duties of the Probate Court Administrator**

Good morning. Thank you for the opportunity to submit written testimony on **Senate Bill 1272, An Act Concerning Administration of the Courts of Probate and the Duties of the Probate Court Administrator**.

The Judicial Branch supports this proposal, which would ensure that the local probate courts run effectively and efficiently. It would specifically grant the Probate Court Administrator the authority to hold local probate courts accountable for their statutory obligations. It would also authorize the Administrator to enforce the regulations that govern the operation of local probate courts. In addition, this proposal would put into place statutory standards for the operation of the local probate courts. It would require that each court be open a minimum of 20 hours per week and that at least one court employee be present at the court during its hours of operations. These standards are important to ensure that the public can adequately access the courts.

The Judicial Branch does have some concern with sections 5 and 6 of the proposal. We would respectfully suggest that the standards for appointment of special assignment probate judges, as well as their compensation and the scope of their duties, should be set out in statute, rather than left to the discretion of the Probate Court Administrator and the Chief Court Administrator. In addition, I must point out that the Judicial Branch's

role in respect to the Probate Court system has historically been limited. We are responsible for the appointment of the Probate Court Administrator and for approval of the Probate Court Administrator's budget, but have not been involved in the day-to-day operation of the court system. This section would result in our increased involvement in the administration of the local probate courts and is inconsistent with our traditional role.

Thank you for your attention to this matter.