



## CONNECTICUT PROBATE ASSEMBLY

TESTIMONY OF HON. DIANNE E. YAMIN, PRESIDENT JUDGE OF THE  
CONNECTICUT PROBATE ASSEMBLY

MONDAY, APRIL 9, 2007

JUDICIARY COMMITTEE

RE: SENATE BILL 1480, AN ACT CONCERNING THE CHIEF COURT  
ADMINISTRATOR AND THE PROBATE COURT ADMINISTRATOR

### TESTIMONY:

Senator McDonald, Representative Lawlor, Representative Fox and Members of the  
Judiciary Committee:

I am Judge Dianne Yamin and I am the President of the Connecticut Probate  
Assembly. I have been the Probate Judge for the Judicial District of Danbury for sixteen  
years. Today I am speaking on behalf of the Connecticut Probate Assembly regarding  
Senate Bill 1480, An Act Concerning the Chief Court Administrator and the Probate  
Court Administrator.

I have reviewed the proposed bill with a large number and a broad cross section of the  
Connecticut Probate Judges regarding Section 3 of the Bill about the Appointment of the  
Probate Court Administrator.

THE CONNECTICUT PROBATE JUDGES UNIFORMLY AND STRONGLY  
BELIEVE THE PROBATE COURT ADMINISTRATOR MUST BE A

CONNECTICUT PROBATE JUDGE. Some Judges would also agree it that the Probate Court Administrator could also be a former Connecticut Probate Judge. One Judge analogized: Would the Chief Court Administrator ever be a person who had not served as a Superior Court Judge? The background experience as a Connecticut Probate Judge is critical in order to fully understand the Probate Court System and is essential to the position of Probate Court Administrator, and should be a minimum requirement. I cannot imagine any viable policy reason whatsoever for allowing the possibility of a non-Probate Judge to serve as the Probate Court Administrator.

Secondly, many Judges felt that the Probate Court Administrator should be able to remain as a sitting Probate Judges, as have most Probate Court Administrators in the past. By continuing to preside over a Probate Court, the Probate Court Administrator will stay better attune to the dynamics and needs of the Courts. Some Judges felt the Probate Court Administrator should be required to retain his or her Court, and serve part time as the Probate Court Administrator, while others felt the position of Probate Court Administrator was too involved and time consuming to do on a part time basis. Some Judges felt the Probate Court Administrator should be given a choice of whether to continue to serve in his or her Court, and that he or she should consider the size and workload of his or her Court in making such a decision. Judges felt that once retired, the Probate Court Administrator should be able to continue to serve in his or her Court.

Thirdly, most of the Probate Judges were in agreement with the bill's provision that the Chief Justice nominates the Probate Court Administrator. Some of those Judges felt the Probate Assembly should have the opportunity to give input regarding the nominees.

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A smaller number of Judges preferred that the Governor nominate the Probate Court Administrator, with input from the Chief Justice and from the Probate Assembly.

Lastly, the Judges were largely in agreement, with a few exceptions, of the Probate Court Administrator being approved by the General Assembly. A few Judges were concerned that the process would become too political.

A few additional thoughts:

The Bill should provide for the sickness or incapacity of the Probate Court Administrator, as it previously had.

Some felt it was better to continue to allow the Probate Court Administrator to serve at the pleasure of the Chief Justice, rather than to have the term of the Probate Court Administrator coterminous with the term of the Chief Justice. The reasons given were for uniformity and to avoid a situation where the Probate Court Administrator gives up his or her Court and Law Practice, and then suddenly loses the position of Probate Court Administrator upon the change of the Chief Justice.

Thank you!

Respectfully submitted,

Hon. Dianne Yamin

President Judge

Connecticut Probate Assembly

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