



General Assembly

January Session, 2007

Amendment

LCO No. 9287

SB0143809287SD0

Offered by:

SEN. DAILY, 33rd Dist.

SEN. RORABACK, 30th Dist.

To: Subst. Senate Bill No. **1438**

File No. 624

Cal. No. 517

(As Amended by House Amendment Schedule "A")

"AN ACT CONCERNING NOTICE OF CERTAIN PROBATE COURT HEARINGS AND THE FILING OF CERTAIN REPORTS."

1 Strike subsection (a) of section 503 in its entirety and insert the
2 following in lieu thereof:

3 "(a) If the Probate Court Administrator determines that the business
4 of a court of probate has not been conducted in accordance with law or
5 the regulations issued pursuant to section 45a-77 of the general
6 statutes, as amended by this act, or that the business of a court of
7 probate is not being conducted properly or with expeditious dispatch,
8 or that suitable court facilities are not being provided for a court of
9 probate in accordance with subsection (a) or (b) of section 45a-8 of the
10 general statutes, as amended by this act, the Probate Court
11 Administrator may meet with the judge of such court in an effort to
12 correct any such deficiencies. If the Probate Court Administrator
13 determines that action under this section is warranted, the Probate

14 Court Administrator shall give written notice of his or her
15 determinations made under this subsection, and the reasons therefor,
16 to the judge of such court. The Probate Court Administrator shall
17 include with such notice the Probate Court Administrator's proposed
18 disposition of the matter."

19 Strike subdivision (2) of subsection (c) of section 503 in its entirety
20 and insert the following in lieu thereof:

21 "(2) If the Probate Court Administrator, in consultation with the
22 Chief Court Administrator, determines that, with respect to a pending
23 case, an emergency exists due to the fact that a probate matter has not
24 been conducted with expeditious dispatch within the proper time
25 frames prescribed by law, rules of the courts of probate or regulations
26 issued pursuant to subdivision (1) of subsection (b) of section 45a-77,
27 as amended by this act, the Probate Court Administrator's proposed
28 disposition of the matter under subsection (a) of this section shall take
29 effect when the judge who is the subject of the action receives notice as
30 provided in subsection (a) of this section. Such proposed disposition
31 shall be subject to such judge's right to a hearing and the decision of
32 the review panel under subsection (b) of this section, provided the
33 validity of any order or decree made, proceeding held or other action
34 taken by another judge of probate pursuant to such proposed
35 disposition when an emergency exists due to the fact that a matter has
36 not been conducted with expeditious dispatch, as provided in this
37 subdivision, shall not be affected by any subsequent decision of the
38 review panel under subsection (b) of this section."

39 Strike section 504 in its entirety and renumber the remaining
40 sections and internal references accordingly

41 Strike subsection (a) of section 505 in its entirety and insert the
42 following in lieu thereof:

43 "(a) A court of probate shall be open to the public for the conduct of
44 court business not less than twenty hours each week, Monday through
45 Friday, excluding holidays, on a regular schedule between the hours of

46 eight o'clock a.m. and five o'clock p.m., unless the town facility in
47 which such court of probate is located is not open twenty hours each
48 week. The judge of probate of a probate district may close a court
49 temporarily owing to inclement weather, an emergency or other good
50 cause. Such judge shall immediately give notice of a temporary closing
51 to the Probate Court Administrator, together with the reason for such
52 closing and the date and time when the court will reopen."