



M. Jodi Rell

GOVERNOR
STATE OF CONNECTICUT

TESTIMONY PRESENTED TO THE JUDICIARY COMMITTEE

March 9, 2009

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Governor

Testimony Supporting

H. B. No. 6385

AN ACT CONCERNING REFORM OF THE PROBATE COURT SYSTEM.

The probate courts have existed in some form for over 300 years in Connecticut. These courts were established to administer estates of decedents and distribute their property.

The legislature has expanded the probate courts' jurisdiction over the years. They now handle a variety of matters in addition to that traditional estate administration role. Probate courts are involved in matters relating to conservatorships; children's matters, including guardianship and temporary custody, termination of parental rights, and adoptions; commitment of mentally ill children and adults; guardianship of persons with mental retardation; and name changes.

The probate court system has for most of its history been self-supporting and did not receive assistance from the state's general revenue. The probate court administrator, appointed by the chief justice of the state Supreme Court, has general oversight of the probate system.

The probate courts are statutory courts, and, as such, have only the jurisdiction and authority granted by the state legislature. Probate court decisions may be appealed to the superior court.

The state's probate court system is funded by revenue collected in cases and also through a state appropriation of \$2.5 million. The system, by way of its administration fund, is facing a potential \$5 million shortfall in FY 2011 and is projecting deficiencies in all future years. Consolidation of the large number of district is needed in order to achieve cost savings.

My proposal will eliminate the shortfall and ensure the courts remain more locally based. This proposal eliminates the need for any additional state funds and the current appropriation of \$2.5 million.

I believe this measure is a prudent and efficient reform of this outdated system and will assure better service at a lower overall cost. I hope you will give this bill your favorable consideration.