



STATE OF CONNECTICUT
OFFICE OF THE
PROBATE COURT ADMINISTRATOR

PAUL J. KNIERIM, JUDGE
Probate Court Administrator

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To: Senate Co-Chair Gayle Slossberg
House Co-Chair James Spallone
Senate Ranking Member Michael McLachlan
House Ranking Member John Hetherington
Honorable Members of the Government Administration and
Elections Committee

From: Judge Paul J. Knierim
Probate Court Administrator

Re: HB 6297 AAC Certain Authorities and Duties of the Department of
Administrative Services

Date: February 2, 2009

The Office of the Probate Court Administrator supports section 1 of Raised Bill 6297 and recommends its favorable passage from the committee. We take no position on the remaining language of the bill.

Currently, §4a-16 permits the Commissioner of the Department of Administrative Services to petition the probate court for appointment as legal representative of an estate when (a) the state has a claim against the estate for support or care provided to the decedent; (b) the amount of that claim, together with certain other specified claims, equals or exceeds the value of the assets; and (c) the value of the assets does not exceed twenty thousand dollars. This value has historically corresponded to the threshold for filing an affidavit in lieu of administration under §45a-273. The affidavit in lieu of administration is an abbreviated and simplified procedure for handling small and uncomplicated estates. In 2007 the threshold for filing such affidavit was increased from twenty thousand dollars to forty thousand dollars. However, the corresponding amount under §4a-16 was not adjusted at that time.

Inasmuch as the two procedures often deal with the same pool of estates, it makes abundant sense for their threshold amounts to correspond. We support the proposal to increase the applicable amount under §4a-16 to coincide with that under §45a-273. In fact, to simplify matters for possible future amendments, it might be beneficial to make §4a-16 applicable to estates in which the value of the assets does not exceed the amount provided in §45a-273.