



**STATE OF CONNECTICUT  
OFFICE OF POLICY AND MANAGEMENT**

***TESTIMONY PRESENTED TO THE JUDICIARY COMMITTEE  
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Testimony Supporting

H. B. No. 6385  
AN ACT CONCERNING REFORM OF THE PROBATE COURT SYSTEM.

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Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee thank you for the opportunity to offer testimony on 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. As you know, they are statutory courts, and, as such, have only the jurisdiction and authority granted by the state legislature. Currently, probate courts have jurisdiction over a wide variety of matters including the disposition of trusts and estates, appointing guardians and conservators, and granting name changes.

Unfortunately, the state's probate court system is facing significant fiscal issues. The system, by way of its administration fund, is facing a potential shortfall in fiscal year 2011 and is projecting deficiencies in all future years. Currently, the system is funded by revenue collected in cases and a state appropriation of \$2.5 million dollars.

In confronting this fiscal challenge we must be candid about the solution. Consolidation of the tremendous amount of courts (117) is needed for any significant cost savings.

The Governor proposes to eliminate the shortfall and ensure the courts remain more locally based than the state superior court system, yet self-sustaining. This proposal eliminates the need for any additional state funds and the current appropriation. This proposal would be effective January 1, 2011 at the expiration of the existing elected judges' term.

The Governor's proposal includes the following:

1. Merge the existing courts from 117 to 36. Jurisdiction would be determined by state senatorial district. The elimination of 81 judges and a modest 20% reduction in non-judicial staff expenses will result in significant savings.

2. Compensate all probate court judges on a weighted workload basis with a range of compensation between \$80,000 and \$110,000. Require that all staff, including judges, work a minimum of 20 hours per week to qualify for health benefits and any pension plan.
3. Require that all courts be open not less than 40 hours per week.
4. Require that all probate court judges be attorneys, members in good standing of the Connecticut bar for not less than 10 years, and residents of their district. Judges would continue to be elected.
5. Eliminate the statute that provides any additional retirement credit for any judge that is displaced. This incentive to consolidate courts has been available for several years and few courts have consolidated.
6. Centralize certain of the accounting and payroll functions of each court in the Office of the Probate Court Administrator. It is estimated that this change may result in a savings.
7. Allocate each court's budget for staff and miscellaneous expenses by the Office of the Probate Court Administrator based upon weighted workload of the court.
8. The Probate Court Administrator would be responsible for balancing the budget for the probate court system, including all employee health care benefits and pension contributions, based upon revenue generated by the probate courts.

The probate courts provide a very valuable service to the people of Connecticut. The Governor's proposal ensures they are self-sustaining, are open more hours for the people they serve, and are still locally based. We look forward to working with the General Assembly and the probate court judges for meaningful reform this session.

Thank you for this opportunity to offer testimony on this important matter. We ask for the committee's favorable consideration.