

Testimony of:

**Joseph P. Secola
Judge of Probate, District of Brookfield
And President of the Connecticut Probate Judges
Association for Local Courts, Inc.**

before the

**Judiciary Committee
of the Connecticut General Assembly**

Hearing on Probate Courts and Conservatorships

March 9, 2009

Senator MacDonald, Representative Lawlor, members of the Committee. Thank you for the opportunity to present testimony on the following bills: S.J. No. 63, S.B. Nos. 141 and 1005, H.B. Nos. 6007, 6027, 6385, 6626, 6627, and 6629. I am Joseph P. Secola, Judge of Probate for the District of Brookfield and President of the Connecticut Probate Judges Association for Local Courts, Inc., an organization of about 30 probate judges, who are committed to preserve the local court features of our probate system.

I am speaking in support of our beloved 300 year-old Probate court System, and its most important quality – its accessibility to the general public, who can come to their local probate court without a lawyer and without the intimidating presence of metal detectors and sheriffs. Our friends and neighbors can come to their local probate court when they need help with their estate, their elderly loved ones, their mentally disabled loved ones, and their children, any of whom maybe infirm and in need of the assistance of the local probate court; no bureaucracy, no red tape, just a clerk or judge to help.

In an age which prizes efficiency above everything else, we are constantly bombarded with this bigger is better philosophy, resulting in constant mergers, a massive federal government and larger and larger multi-national corporations, all of which cause our heads to keep spinning. We all mourn the loss of the sense of community many of us had growing up; the local probate courts are one of the few community building institutions left, where we can sit down and catch our breath in an informal and welcoming atmosphere, many times with a judge we already know and trust.

I support the following bills: S.B. 1005, which removes out-of-state property from the billing of the probate courts. Our jurisdiction was questionable and possibly unconstitutional.

I support H.B. No. 6007, which is a voluntary consolidation of Roxbury and Southbury, which has been approved by the towns.

I support H.B. No. 6627, which strengthens annual education requirements for probate judges.

I oppose S.B. Bill 141 and H.B. Nos. 6629, because we just did a massive rewrite of the conservatorship statutes and sufficient time has not passed for further revisions. We certainly do not need a revision, which takes away judicial discretion or imposes further costs on the courts.

I oppose H.B. 6626, as it destroys the jurisdiction of the probate courts by removing all contested matters to superior court. No judges need apply; only clerks.

I support some and oppose much the Governor's probate bill, H.B. No. 6385, which I will elaborate on in live testimony.

I support much and oppose some of H.B. No. 6027, the Probate Court Administrator's probate bill, which I will elaborate on in live testimony.

Lastly, I oppose S.J. No. 63, which would abolish the probate courts, which I will elaborate on in live testimony.