



STATE OF CONNECTICUT

OFFICE OF THE
PROBATE COURT ADMINISTRATOR

PAUL J. KNIERIM, JUDGE
Probate Court Administrator

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To: Senate Co-Chair Andrew McDonald
House Co-Chair Michael Lawlor
Senate Ranking Member John Kissel
House Ranking Member Arthur O'Neill
Honorable Members of the Judiciary Committee

From: Paul J. Knierim, Judge
Probate Court Administrator

Re: SB 371 An Act Concerning Service Requirements for Probate
Judges

Date: March 12, 2010

The Office of the Probate Court Administrator opposes this bill, which would require probate judges to work 40 hours per week to qualify for health insurance.

Public Act 09-114, adopted less than one year ago, establishes a 20 hour minimum for judges to be eligible for health insurance. The 20 hour rule was adopted to conform the probate system to the 20 hour eligibility standard that applies to state employees. Eligibility for probate court staff is likewise 20 hours per week.

SB 371 would require that the role of probate judge be transformed into a full-time position without addressing the changes to the compensation system that a full-time requirement would necessitate. Public Act 09-114 adopted a four band compensation system under which probate judges are paid different amounts based upon the population and workload of their districts. The minimum compensation for the smallest probate districts is 45% of the compensation of judges of the Superior Court and the maximum is 75% of that amount. All of the compensation amounts are based upon the understanding that the role does not require that probate judges work full-time.

Public Act 09-114 sought to achieve a careful balance. The legislature adopted a variety of measures to make the probate courts more cost-effective and more professional. At the same time, the legislation seeks to preserve a system of community-based probate courts that are sensitive to the needs of the users and readily accessible to the public. That balance is reflected in Public Act 09-01 (September Special Session), which establishes the 54 probate districts that will become effective on January 5, 2011. The redistricting process was undertaken with a great deal of sensitivity to the unique needs and preferences of our cities and towns. The new probate districts, as a consequence, are varied in size, with populations ranging from a low of 34,227 to a high of 136,695.

There can be little question that the workloads of probate judges vary significantly among those 54 districts. A district with a population in excess of 100,000 and with hospitals and other facilities that generate significant probate caseloads quite obviously demands more time from a judge than a district with a population smaller than 40,000. The four band compensation system takes those varied responsibilities – and the varied time commitment associated with them -- into account. SB 371, in contrast, would disregard those differences and impose a full-time requirement on each judge, whether or not warranted by the workload of the court.

Thank you for your consideration.