



STATE OF CONNECTICUT

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PROBATE COURT ADMINISTRATOR

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To: Senate Co-Chair Eric Coleman
House Co-Chair Gerald Fox
Senate Ranking Member John Kissel
House Ranking Member Rosa Rebimbas
Honorable Members of the Judiciary Committee

From: Paul J. Knierim
Probate Court Administrator

Re: HB 6666 An Act Establishing Two Pilot Programs for the Mediation of Condominium-Related Disputes and Relieving a Community Association Manager of any Responsibility for Certifying that a Condominium Unit Owner is Compliant with a Municipal Ordinance Requiring the Installation of Carbon Monoxide Detectors and Smoke Detectors

Date: March 25, 2013

Thank you for the opportunity to testify in support of HB 6666. Sections one and two of the bill embody a proposed pilot program for mediation of disputes between condominium associations and unit owners in Probate Courts. The Office of the Probate Court Administrator has worked with Representatives James Albis and Emil Altobello to develop this proposal.

The bill would establish a three year pilot program in two of the seven administrative regions within the Probate Court system. To be eligible for the program, the unit must be located in a participating probate district and all parties must agree to mediation in writing. Mediation would be conducted by Special Assignment Probate Judges appointed by the Chief Justice under section 45a-77b. Parties retain the right to terminate mediation at any time and likewise retain the right to initiate an action in Superior Court if the mediation is not successful.

Although condominium disputes involve a different area of the law than other matters currently within the jurisdiction of the Probate Courts, we believe that the Probate Courts are well-suited to this form of dispute resolution. Probate judges are skilled in assisting parties in resolving highly contested matters. The Probate Courts would provide a convenient and economical forum in which the parties involved in condominium disputes can work towards mutually acceptable agreements rather than engaging in protracted litigation.