

CAPC

Connecticut Association of Probate Clerks

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President, Danbury

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Secretary, Tobacco Valley

March 5, 2015

TO: Members of the Appropriations Committee
RE: **H.B. No. 6824**, State of Connecticut Proposed Budget

Dear Committee Members,

My name is Patricia Saviano, and I am the President of the Connecticut Association of Probate Clerks (hereinafter "CAPC"). I am also the Chief Clerk of the Danbury Probate Court. CAPC is a voluntary organization comprised of approximately 246 members; which is about seventy-percent (70%) of the total 336 employees in the probate system. Our mission is to further and promote the interest of all probate clerks, assistant clerks, and court staff in State of Connecticut Probate System through professional development, education, the open exchange of ideas, the collection and distribution of information, and advocacy.

I confidently speak on behalf of all the members of CAPC when I beseech you take strong consideration of the administrative budget appropriation for the Probate Courts. As you may be aware, the Governor's proposed budget did not include the historical probate appropriation, and thus require our system to operate solely on probate fee revenue. It thereby creates a \$14.8 million shortfall in our budget plans for fiscal year 2015-16 and a \$17.4 million gap for fiscal year 2016-17. Losing the general fund appropriation would make it impossible to pay our operating expenses and would impose a huge and unfair burden on those who need access to the Probate Courts, the most vulnerable and sensitive members of our society.

By way of background, the Probate System in Connecticut is charged with more than administering a descendant's or trust assets. It also affects people in over 72 areas: including conservatorships and guardianships, to protect the elderly, the intellectually disabled, those suffering from mental illness, adoptions, removal or termination of parental rights, and even changing your name. In this manner, there is no justification for expecting court users to pay for the many social supports that we provide to our state's most vulnerable. Probate Courts should, as a matter of sound public policy and constitutional provision, continue to receive general fund support.

It is worth noting some key elements of the historical probate budget appropriation include the payments to attorneys and conservators for indigent individuals. These constitutionally mandated costs were \$5.8 million in FY2013-14 and are projected to be over \$6 million in FY2014-15. Similarly, waived court fees for indigent individuals, which the probate system never collects, is estimated over a million dollars per year. Lastly, in addition to indigent costs, the overall probate budget is responsible for a) compensation for judges and court staff; b)

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operating budgets for the Probate Courts (including education and professional development); c) operations of the Office of the Probate Court Administrator; d) Kinship Fund and Grandparent Respite Fund awards; and e) Children's Regional Probate Courts Operations.

The loss of general fund support would result in massive increases in probate fees; for example a fee that averages \$150, would have to increase to over \$800 just to sustain the probate system. This in turn imposes a greater financial burden on those who use the courts and thus a catastrophic spike in the number of indigent cases, or resulting in decreased access to the Probate Courts by some of the most vulnerable and economically disadvantaged members of our state.

Lastly, the Probate Courts have already experienced cost savings and reductions in budgetary expenses through the consolidation process and ongoing annual measures. To be plain and blunt, we have already slimed and streamlined down to where we cannot bear any further cuts without doing irreparable harm to the people we serve. Much of the request to increase in budget appropriation is due to the increase in public demand for court services. Each year our case loads increase as other social services decline, thus exponentially increases the cost and demands of the Probate Courts. Whether it is children, the deceased, the elderly, the mentally ill, or the disabled, the Connecticut Probate Courts are always there to help and protect those who cannot help or protect themselves. Moreover, we need continued state support to provide the much-needed constitutional court services.

Thank you for your service, time, consideration, and support! If you have any questions as to the above, please do not hesitate to contact me.

Warm Regards,

/s/

Patricia Saviano,
CAPC President