



STATE OF CONNECTICUT  
OFFICE OF THE  
PROBATE COURT ADMINISTRATOR

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**TO:** Senate Co-Chair Marilyn Moore  
House Co-Chair Catherine Abercrombie  
Senate Ranking Member Joe Markley  
House Ranking Member Terrie Wood  
Honorable Members of the Human Services Committee

**FROM:** Paul J. Knierim  
Probate Court Administrator

**RE:** S.B. 1009 An Act Concerning Persons with Mental Disabilities who  
have Court-Appointed Conservators

**DATE:** March 5, 2015

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Thank you for the opportunity to testify on Senate Bill 1009 An Act Concerning Persons with Mental Disabilities who have Court-Appointed Conservators. This office supports formation of a task force to study ways to improve our methods of recruiting, training and compensating court-appointed conservators.

We offer the following information as background for the committee as it deliberates the bill:

- Conservatorships are a key element of Connecticut's safety net for individuals with mental illness, dementia and other disabilities. Probate Courts are responsible for determining whether a person is incapable of managing his or her finances or medical care and, if so, appointing a conservator to make decisions in the specific areas in which assistance is needed. Once a conservator is appointed, Probate Courts provide ongoing supervision of the conservator's activities and resolve disputes that may arise concerning the care of the conserved person. There are approximately 20,000 conservatorship matters in the Probate Courts at this time.

- Most conservatorship cases are brought to the Probate Courts by family members. The law requires courts to defer to the conserved person's choice of conservator, and a family member is typically appointed to that role. In an increasing number of cases, however, no family is available to serve, and the court appoints an independent conservator. When an independent conservator is needed, courts appoint an attorney in the majority of cases.
- Compensation for independent conservators is one of the fastest growing components of the budget for the Probate Court system. In FY 2014, payments to conservators serving on behalf of indigent persons totaled \$3.4 million. That expenditure has nearly doubled since FY 2010. In addition, the courts paid \$2.4 million in FY 2014 for attorneys to represent indigent parties in conservatorships and other matters.
- The Probate Courts initiated a pilot program last year to improve the availability of conservators with expertise in mental health issues. We have contracted with Guardian Ad Litem Services, Inc. (GALS), a non-profit organization that provides case coordination services for clients of the Department of Mental Health and Addiction Services. Under the contract, GALS will accept appointment as conservator of the person for indigent individuals with mental illness living in the community. While the pilot is limited to 25 appointments from the Hartford, Middletown, New Haven and West Haven Probate Courts, we believe that it will prove to be a cost effective method of bringing a higher level of service – and greater prospects for successful recovery – to one of our state's most vulnerable populations.

We greatly appreciate the committee's interest in the topic and stand ready to assist with the work of the task force.