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TO: Senate Co-Chair Beth Bye
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Senate Ranking Member Rob Kane
House Ranking Member Melissa Ziobron
Honorable Members of the Appropriations Committee

FROM: Paul J. Knierim
Probate Court Administrator

RE: HB 5044, An Act Making Adjustments to State Expenditures for the
Fiscal Year Ending June 30, 2017

DATE: February 19, 2016

Thank you for the opportunity to present testimony concerning the budget needs of the Probate Court system. I am here to request a \$14 million general fund appropriation in fiscal year 2016-17. Because the Probate Courts have cut expenses by \$3 million since July 1, our proposed appropriation for the coming fiscal year is fully 20% less than the amount I sought when I appeared before this committee a year ago.

The biennial state budget adopted last June changed the way Connecticut funds the Probate Courts in two major ways. First, the budget eliminated all general fund support for the Probate Courts. Second, in an attempt to make up for the lack of an appropriation, probate fees were increased. Fees on decedents' estates changed most drastically. The rate for estates larger than \$2 million was doubled and the fee cap (previously a maximum fee of \$12,500) was removed. Probate fees on an estate – ostensibly a fee for using the services of the Probate Court – can now range into the millions of dollars.

The new fee structure is not working as planned. OPM projected that last year's fee increases would generate \$12 million in additional revenue. With more than half the fiscal year behind us, we expect fee revenue to fall \$6 million short of that goal. We are in a deficit posture and are meeting our financial obligations only by drawing down on the Probate Court Administration Fund. We began the

- Kinship and Respite grants for guardians of children (2,600 children, \$2 million)
- Attorneys for indigent parties (\$2.8 million)
- Waived probate fees for indigent petitioners (6,400 matters, \$1.5 million)

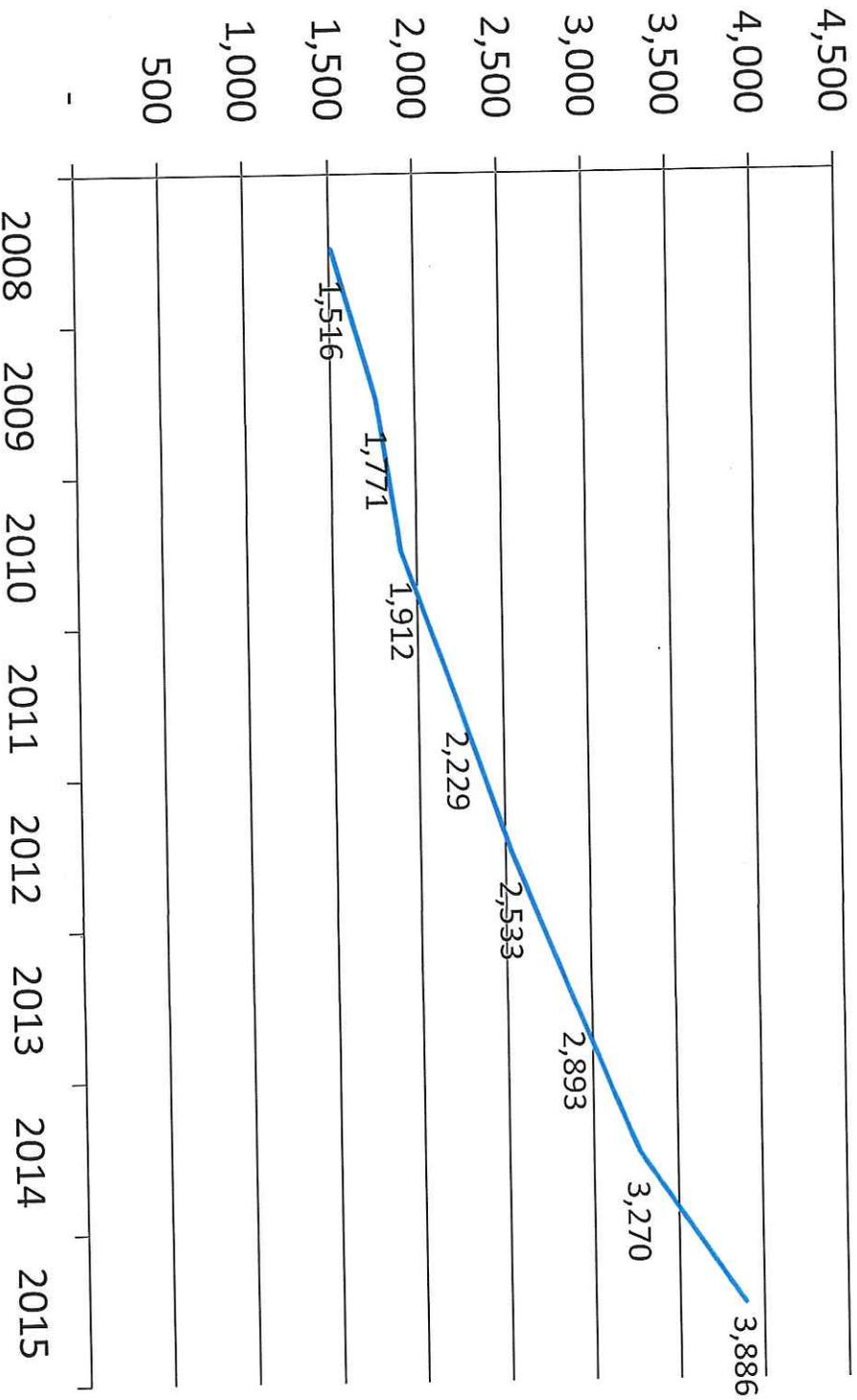
Recognizing the huge budgetary challenges facing the state, I urge this committee to consider that the work of the Probate Courts in mental health, conservatorship and children's matters actually reduces the need for more expensive state services. A child placed by a Probate Court with grandparents or other relatives doesn't need the costly foster care system. Conservators provide structure and supports for individuals with mental illness that reduce the incidence of hospitalization, arrest and incarceration for their clients. Seniors for whom a conservator arranges appropriate services can remain at home at far less expense than placement in a nursing home. Put in other words, the Probate Courts facilitate family-centered, cost effective solutions to these very real human service needs. A \$14 million investment in this core government function ultimately saves the state many millions.

I must also emphasize that the Probate Court system is lean. Since consolidating courts in 2011, we have achieved more than \$4 million in annual savings and have returned over \$16 million to the general fund. We seek every opportunity to cut costs by streamlining procedures and adopting new technologies. We are asking for an appropriation that amounts to only 30% of our total budget. By comparison, general fund appropriations represent 90% of the cost of operating all other courts in this state.

Finally, I implore you to put aside any notion that the Probate Courts should be self-sufficient. If the Probate Courts were responsible only for the settlement of decedents' estates, funding the courts exclusively from user fees would make perfect sense. But mental health cases, conservatorships, children's matters and guardianships for individuals with intellectual disability now represent well over half of the workload of the Probate Courts and consume two-thirds of our budget. In these cases, Probate Courts have a critical role in providing for the basic needs of our state's most vulnerable residents. That safety net function, and the cost-effective manner in which the Probate Courts perform it, fully justifies the funding that we seek.

Thank you for your consideration.

Connecticut Probate Courts Conservator Expenses – Individuals Served



Cumulative % Increase = 156%
Average Annual % Increase = 14%

Connecticut Probate Courts Workload Statistics

