

**TO:** Senate Co-Chair Catherine A. Osten  
Senate Ranking Member Paul M. Formica  
House Co-Chair Toni E. Walker  
House Ranking Member Gail Lavielle  
Honorable Members of the Appropriations Committee

**FROM:** Frank J. Forgione  
Judge of Probate, Branford-North Branford Probate District  
Administrative Judge, New Haven Regional Children's Probate Court

**RE:** H.B. No. 5005, An Act Adjusting the State Budget for the Biennium Ending  
June 30, 2021

**DATE:** February 11, 2020

---

Connecticut's Probate Courts are true "people's courts." Connecticut residents come to the Probate Courts during some of the most difficult times of their lives. Whether someone has lost a loved one; or they seek custody for a neglected child; or a guardian needs to be appointed for someone with an intellectual disability; or a conservator is required for someone whose cognitive abilities have deteriorated, the Probate Courts provide a user-friendly forum to address life's issues.

Convenient access, efficient procedures and empathetic staff are the hallmarks of the probate system. Most, if not all, of the cases handled by the Probate Courts involve sensitive family issues. The majority of people appearing in the Probate Courts are not represented by lawyers. Nonetheless, each person is encouraged to present their issues fully and without restraint, so that the appropriate resolution can be obtained. Probate judges and staff undergo rigorous training throughout the year to provide the public with compassionate service during trying times.

The New Haven Regional Children's Probate Court opened its doors in July of 2004, serving ten cities and towns. Created as a pilot program, the court quickly earned national acclaim, receiving the prestigious Innovations Award from the Council of State Governments (CSG) in 2006. Today, six Regional Children's Probate Courts operate throughout the state.

The Children's Courts have jurisdiction over temporary custody and guardianship matters, terminations of parental rights, adoptions, emancipations and paternity issues. In New Haven, we operate a truancy program which has proven to be an integral component in reducing absenteeism in schools. Additionally, the Children's Courts adjudicate cases pertaining to minors under the age of 21 who are seeking Special Immigrant Juvenile status (SIJS). Highly-skilled social workers called family specialists meet with families to assess the family's dynamics and determine what resources are needed for the child and for the family. Family specialists remain involved throughout the pendency of the case, which in most instances means for many years. The Department of Children and Families (DCF) has become a strong partner of the Children's Courts and provides invaluable investigatory services.

We have experienced an onslaught of cases involving substance abuse and addiction in the Children's Courts in recent years. Grandparents, aunts, uncles, brothers and sisters of all ages come to us seeking custody of their loved ones. While they want to do right for children they love, these family members themselves often face homelessness, food insecurity and poverty. Our family specialists help navigate the maze of rules and regulations to access programs, services and benefits offered by the state, municipalities and private providers even as the cases themselves become more complex.

I cannot underscore how much it means to a child in crisis to stay with someone they know and love. Furthermore, it saves the state tens of millions of dollars each year. Every time a relative guardian is appointed, it means a child does not go into foster care through DCF. Probate Court guardianships save taxpayers an estimated **\$66 million** a year in foster care expenses alone.

However, guardianship through the Probate Courts comes without financial assistance to the guardians. A limited amount of financial assistance is available to low-income guardians in the form of small annual grants from the Kinship and Respite Funds, which amount to \$2 million a year. These grants pay for things like eyeglasses, school supplies, summer camp tuition and sometimes even heating assistance. To a person on a fixed income, each of these items can stand as a barrier to caring for a child. The Kinship and Respite grants assist nearly 4,000 children each year.

Both my experience and the statistics bear out that the Probate Court system is hearing more cases every year and more cases that are increasingly complex. We are there for the vulnerable whether they are children, adults or the elderly. We make sure their rights are protected. When they cannot afford attorneys or conservators, we appoint them and we pay for them.

- At \$4.9 million, in FY 19 we paid more in a year for conservators for indigent persons than the Governor has allocated for the entire Probate Court budget for FY 21 - \$3.9 million.
- In most states, attorneys for indigent parties are paid for by other state agencies. In addition to the indigent costs for conserved persons, Connecticut's Probate Courts also pay a minimum of \$1.8 million to attorneys each year to meet this constitutional requirement. These constitutionally protected due process rights are critical and necessary. The expenditure for these rights is more than half the money the Governor proposes for the FY budget.

Over the years, multitudes of people have come to the Children's Courts looking for help. That is because members in our communities know that we are here for them. They know their children will be protected and their loved ones treated with dignity and respect. And a key component of the Probate Court guardianships is keeping children with friends and family in their own communities. These families trust us!

I respectfully ask that you restore the necessary funding to the Connecticut Probate Courts so that we can continue to provide our residents with the help and guidance that they so badly need during times of personal tragedy and crisis.

Thank you very much for your time and consideration.