



General Assembly

February Session, 2026

***Raised Bill No. 400***

LCO No. 2612



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING PROBATE COURT OPERATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 45a-8a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2026*):

4 (a) For the purposes of this section, "children's matters" means: (1)  
5 Guardianship matters under sections 45a-603 to 45a-625, inclusive; (2)  
6 termination of parental rights matters under sections 45a-706 to 45a-719,  
7 inclusive; (3) adoption matters under sections 45a-724 to 45a-733,  
8 inclusive, and sections 45a-736 and 45a-737; (4) claims for parentage  
9 under section 46b-571 and section 46b-454, and parentage orders under  
10 sections 46b-517, 46b-531 and 46b-535; (5) emancipation of minor  
11 matters under sections 46b-150 to 46b-150e, inclusive; (6) voluntary  
12 admission matters under section 17a-11; [and] (7) validation of  
13 surrogacy agreements under sections 46b-533 and 46b-536; and (8) name  
14 changes of minors under section 45a-99.

15 Sec. 2. Subsection (a) of section 45a-100 of the general statutes is

16 repealed and the following is substituted in lieu thereof (*Effective January*  
17 *1, 2027*):

18 (a) Any person having a federal firearms disability under 18 USC  
19 922(d)(4) and 18 USC 922(g)(4), as a result of an adjudication or  
20 commitment rendered in this state, may petition the [probate court]  
21 Probate Court for the district in which such person resides, or, if such  
22 person does not reside in Connecticut, the Probate Court that rendered  
23 the adjudication or commitment, for relief from the federal firearms  
24 disability that resulted from such adjudication or commitment.

25 Sec. 3. Subsection (a) of section 45a-754 of the general statutes is  
26 repealed and the following is substituted in lieu thereof (*Effective from*  
27 *passage*):

28 (a) All records of cases related to termination of parental rights,  
29 removal of a parent as guardian, appointment of a guardian of the  
30 person of a minor, appointment of a statutory parent, adoption matters,  
31 temporary guardianship and emancipation of a minor shall be  
32 confidential and shall not be open to inspection by or disclosed to any  
33 third party, except that (1) such records shall be available to (A) the  
34 parties in any such case and their counsel; (B) the Department of  
35 Children and Families; (C) any licensed child-placing agency involved  
36 in any such case; (D) any judge or employee of a court of this state who,  
37 in the performance of his or her duties, requires access to such records;  
38 (E) the Office of the Probate Court Administrator; and (F) courts of other  
39 states under the provisions of sections 46b-115a to 46b-115g, inclusive;  
40 and (2) access to and disclosure of adoption records shall be in  
41 accordance with subsection (b) of this section.

42 Sec. 4. Section 45a-186 of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective October 1, 2026*):

44 (a) As used in this section and section 45a-187, "electronic service" has  
45 the same meaning as provided in section 45a-136f.

46 (b) Any person aggrieved by an order, denial or decree of a Probate  
47 Court may appeal therefrom to the Superior Court. An appeal from a  
48 matter heard under any provision of section 45a-593, 45a-594, 45a-595  
49 or 45a-597, sections 45a-644 to 45a-677, inclusive, sections 45a-690 to 45a-  
50 703, inclusive, or section 45a-705a, shall be filed not later than forty-five  
51 days after the date on which the Probate Court sent the order, denial or  
52 decree. Except as provided in sections 45a-187 and 45a-188, an appeal  
53 from an order, denial or decree in any other matter shall be filed on or  
54 before the thirtieth day after the date on which the Probate Court sent  
55 the order, denial or decree. The appeal period shall be calculated from  
56 the date on which the court sent the order, denial or decree by mail or  
57 the date on which the court transmitted the order, denial or decree by  
58 electronic service, whichever is later.

59 (c) An appeal shall be commenced by filing a complaint in the  
60 Superior Court in the judicial district in which such Probate Court is  
61 located, or, if the Probate Court is located in a probate district that is in  
62 more than one judicial district, by filing a complaint in a superior court  
63 that is located in a judicial district in which any portion of the probate  
64 district is located, except that (1) an appeal under subsection (b) of  
65 section 12-359, subsection (b) of section 12-367, subsection (b) of section  
66 12-395 or section 45a-98e shall be filed in the judicial district of Hartford,  
67 and (2) an appeal in a matter concerning [removal of a parent as  
68 guardian, termination of parental rights or adoption] termination of  
69 parental rights, removal of a parent as guardian, appointment of a  
70 guardian of the person of a minor, appointment of a statutory parent,  
71 adoption of a minor, temporary guardianship and emancipation of a  
72 minor shall be filed in any superior court for juvenile matters having  
73 jurisdiction over matters arising in any town within such probate  
74 district. The complaint shall state the reasons for the appeal. A copy of  
75 the order, denial or decree appealed from shall be attached to the  
76 complaint.

77 (d) An appeal from a decision rendered in any case after a recording  
78 of the proceedings is made under section 17a-498, 17a-543, 17a-543a,

79 17a-685, or 19a-131b, sections 45a-644 to 45a-667v, inclusive, or section  
80 51-72 or 51-73, shall be on the record and shall not be a trial de novo.

81 (e) Each person who files an appeal pursuant to this section shall  
82 serve a copy of the complaint on each interested party. The failure of  
83 any person to make such service shall not deprive the Superior Court of  
84 jurisdiction over the appeal. Notwithstanding the provisions of section  
85 52-50, service of the copy of the complaint shall be by state marshal,  
86 constable or an indifferent person. Service shall be in hand or by leaving  
87 a copy at the place of residence of the interested party being served or  
88 at the address for the interested party on file with the Probate Court,  
89 except that service on a respondent or conserved person in an appeal  
90 from an action under part IV of chapter 802h shall be in hand by a state  
91 marshal, constable or an indifferent person.

92 (f) In addition to the notice given under subsection (e) of this section,  
93 each person who files an appeal pursuant to this section at the time of  
94 the filing shall mail a copy of the complaint to the Probate Court that  
95 rendered the order, denial or decree appealed from. The Probate Court  
96 and the probate judge that rendered the order, denial or decree appealed  
97 from shall not be made parties to the appeal and shall not be named in  
98 the complaint as parties.

99 (g) Not later than fifteen days after a person files an appeal under this  
100 section, the person who filed the appeal shall file or cause to be filed  
101 with the clerk of the Superior Court a document containing (1) the name,  
102 address and signature of the person making service, and (2) a statement  
103 of the date and manner in which a copy of the complaint was served on  
104 each interested party and mailed to the Probate Court that rendered the  
105 order, denial or decree appealed from.

106 (h) If service has not been made on an interested party, the Superior  
107 Court, on motion, shall make such orders of notice of the appeal as are  
108 reasonably calculated to notify any necessary party not yet served.

109 (i) A hearing in an appeal from probate proceedings under section

110 17a-77, 17a-80, 17a-498, 17a-510, 17a-511, 17a-543, 17a-543a, 17a-685, 19a-  
111 131b, 45a-650, 45a-654, 45a-660, 45a-674, 45a-676, 45a-681, 45a-682, 45a-  
112 699, 45a-703, 45a-717 or section 45a-98e shall commence, unless a stay  
113 has been issued pursuant to subsection (j) of this section, not later than  
114 ninety days after the appeal has been filed.

115 (j) The filing of an appeal under this section shall not, of itself, stay  
116 enforcement of the order, denial or decree from which the appeal is  
117 taken. A motion for a stay may be made to the Probate Court or the  
118 Superior Court. The filing of a motion with the Probate Court shall not  
119 preclude action by the Superior Court.

120 (k) Nothing in this section shall prevent any person aggrieved by any  
121 order, denial or decree of a Probate Court in any matter, unless  
122 otherwise specially provided by law, from filing a petition for a writ of  
123 habeas corpus, a petition for termination of involuntary representation  
124 or a petition for any other available remedy.

125 (l) (1) Except for matters described in subdivision (3) of this  
126 subsection, in any appeal filed under this section, the appeal may be  
127 referred by the Superior Court to a special assignment probate judge  
128 appointed in accordance with section 45a-79b, who is assigned by the  
129 Probate Court Administrator for the purposes of such appeal, except  
130 that such appeal shall be heard by the Superior Court if any party files  
131 a demand for such hearing in writing with the Superior Court not later  
132 than twenty days after service of the appeal.

133 (2) An appeal referred to a special assignment probate judge  
134 pursuant to this subsection shall proceed in accordance with the rules  
135 for references set forth in the rules of the judges of the Superior Court.

136 (3) The following matters shall not be referred to a special assignment  
137 probate judge pursuant to this subsection: Appeals (A) under sections  
138 17a-75 to 17a-83, inclusive, section 17a-274, sections 17a-495 to 17a-528,  
139 inclusive, sections 17a-543, 17a-543a, 17a-685 to 17a-688, inclusive, and  
140 19a-131b, (B) of children's matters as defined in subsection (a) of section

141 45a-8a, as amended by this act, (C) under section 45a-98e, (D) under  
142 sections 45a-644 to 45a-663, inclusive, 45a-669 to 45a-683, inclusive, and  
143 45a-690 to 45a-700, inclusive, and (E) any matter in a Probate Court  
144 heard on the record in accordance with sections 51-72 and 51-73.

145 Sec. 5. Subsection (j) of section 45a-82 of the 2026 supplement to the  
146 general statutes is repealed and the following is substituted in lieu  
147 thereof (*Effective July 1, 2026*):

148 (j) There shall be transferred from time to time from the Probate Court  
149 Administration Fund such budgeted amounts [as are established in  
150 accordance with section 45a-85 or such expenditures] as are authorized  
151 pursuant to subsection (c) of section 45a-84 for the proper  
152 administration of each [court of probate] Probate Court.  
153 Notwithstanding any provision of the general statutes, on June 30, 2013,  
154 and annually thereafter, any balance in the Probate Court  
155 Administration Fund in excess of an amount equal to twenty per cent of  
156 the total expenditures authorized pursuant to subsection (a) of section  
157 45a-84 for the immediately succeeding fiscal year shall be transferred to  
158 the General Fund.

159 Sec. 6. Section 45a-85 of the general statutes is repealed and the  
160 following is substituted in lieu thereof (*Effective July 1, 2026*):

161 (a) The Probate Court Administrator shall establish a Probate Court  
162 Budget Committee consisting of the Probate Court Administrator and  
163 two probate judges appointed by the Connecticut Probate Assembly.  
164 The Probate Court Administrator shall serve as chairperson of the  
165 committee.

166 (b) Not later than June 30, 2010, and annually thereafter, the  
167 committee shall establish, in accordance with the criteria established in  
168 regulations issued pursuant to subsection (b) of section 45a-77: (1) A  
169 compensation plan, which plan shall include employee benefits, for  
170 employees of the Probate Courts, (2) staffing levels for each Probate  
171 Court, and (3) an office budget for each Probate Court. Such

172 compensation plan, staffing levels and office budgets shall be  
173 established within the expenditures and anticipated available funds in  
174 the proposed budget established pursuant to section 45a-84.

175 [(c) The Probate Court Administrator shall annually transfer to each  
176 Probate Court the amount budgeted under subsection (b) of this section  
177 for a Probate Court's office budget. The transfer shall be made from the  
178 Probate Court Administration Fund established under section 45a-82.  
179 Each Probate Court shall establish and maintain a checking account in  
180 the name of the court at a financial institution, as defined in section 36a-  
181 330, to hold and manage the office budget funds. A Probate Court shall  
182 deposit all office budget funds into the account and disburse from the  
183 account all payments for expenditures permitted under the office  
184 budget. A Probate Court shall not commingle office budget funds with  
185 funds from any other source. The provisions of sections 4-33 and 4-98  
186 shall not apply to the management of office budget funds under this  
187 section.]

188 Sec. 7. Subsection (a) of section 45a-649 of the 2026 supplement to the  
189 general statutes is repealed and the following is substituted in lieu  
190 thereof (*Effective October 1, 2026*):

191 (a) (1) Upon an application for involuntary representation, the court  
192 shall issue a citation to the [following enumerated] parties specified in  
193 subdivision (3) of this subsection to appear before it at a time and place  
194 named in the citation, which shall be served on the parties [at least] not  
195 less than ten days before the hearing date, or in the case of an application  
196 made pursuant to section 17a-543 or 17a-543a, [at least] not less than  
197 seven days before the hearing date. Except as provided in subsection (c)  
198 of section 45a-648, or unless continued by the court for cause shown, the  
199 hearing on an application under this section shall be held not more than  
200 thirty days after the receipt of the application by the Probate Court.  
201 Notice of the hearing shall be sent [not more than thirty days after  
202 receipt of the application] to all other parties not less than ten days  
203 before the hearing date. In addition to such notice, (A) notice for a matter

204 brought under sections 45a-667g to 45a-667o, inclusive, shall be given in  
205 the manner provided in section 45a-667n, and (B) notice for a matter  
206 brought under section 45a-667p shall be given in the manner provided  
207 in section 45a-667q.

208 (2) (A) The court shall direct that personal service of the citation be  
209 made, by a state marshal, constable or an indifferent person, upon the  
210 respondent and the respondent's spouse, if any, if the spouse is not the  
211 applicant. (B) Except for the respondent, if the address of any other  
212 person entitled to personal service is unknown, or if personal service or  
213 service at the person's usual place of abode cannot be reasonably  
214 effected within the state, or if the person is out of the state, the judge or  
215 the clerk of the court shall order notice be given by registered or certified  
216 mail, return receipt requested, or by publication not less than ten days  
217 before the date of the hearing. Any such publication shall be in a  
218 newspaper of general circulation in the place of the last known address  
219 of the person to be notified, whether within or without this state, or if  
220 no such address is known, in the place where the petition has been filed.  
221 (C) Notwithstanding the provisions of subparagraph (A) of this  
222 subdivision, in cases where the application is for involuntary  
223 representation pursuant to section 17b-456 or in cases where notice is  
224 provided pursuant to subparagraph (B) of this subdivision, the court  
225 shall further order notice by certified mail to the children of the  
226 respondent and if none, the parents of the respondent and if none the  
227 brothers and sisters of the respondent or their representatives, and if  
228 none, the next of kin of such respondent.

229 (3) The court shall order such notice as it directs to the following: (A)  
230 The applicant; (B) the person in charge of welfare in the town where the  
231 respondent is domiciled or resident and, if there is no such person, the  
232 first selectman or chief executive officer of the town if the respondent is  
233 receiving assistance from the town; (C) the Commissioner of Social  
234 Services, if the respondent is in a state-operated institution or receiving  
235 aid, care or assistance from the state; (D) the Commissioner of Veterans  
236 Affairs if the respondent is receiving veterans' benefits or the Veterans

237 Residential Services facility, or both, if the respondent is receiving aid  
238 or care from said facility, or both; (E) the children of the respondent and  
239 if none, the parents of the respondent and if none, the brothers and  
240 sisters of the respondent or their representatives and if none, the next of  
241 kin of the respondent; and (F) the person in charge of the hospital,  
242 nursing home or some other institution, if the respondent is in a  
243 hospital, nursing home or some other institution.

244 (4) The court, in its discretion, may order such notice as it directs to  
245 other persons having an interest in the respondent and to such persons  
246 the respondent requests be notified.

247 (5) If personal service of the notice required in subsection (b) of this  
248 section is not made as required in subdivision (2) of this subsection, the  
249 court shall be deprived of jurisdiction over the application.

250 Sec. 8. Subsection (b) of section 45a-27 of the general statutes is  
251 repealed and the following is substituted in lieu thereof (*Effective October*  
252 *1, 2026*):

253 (b) The Probate Court Administrator shall establish, supervise and  
254 fund a program of training for newly-elected probate judges that shall  
255 include: (1) A course to be taken between the date of election and the  
256 date of assuming office concerning the rules of judicial conduct for a  
257 judge of probate, the ethical considerations arising in that office, the  
258 operation of a probate court, and the availability of assistance for a judge  
259 in the operation of a probate court; [and] (2) courses to be taken within  
260 six months after the date of assuming office that provide fundamental  
261 training in (A) civil procedure, including constitutional issues, due  
262 process, and evidentiary considerations, (B) property law, including  
263 conveyancing and title considerations, (C) the law of wills and trusts,  
264 and (D) family law in the context of the probate courts; (3) a mentor in  
265 accordance with regulations adopted pursuant to section 45a-77; and (4)  
266 observation of Probate Court hearings and proceedings, including  
267 proceedings that are confidential pursuant to statute, in order allow a

268 newly elected probate judge to meet the minimum level of proficiency  
269 described in subsection (c).

270 Sec. 9. Section 45a-181 of the general statutes is repealed and the  
271 following is substituted in lieu thereof (*Effective October 1, 2026*):

272 (a) The Probate Court Administrator, within available  
273 appropriations, may cause [an account of] a conservator of the estate, as  
274 defined in section 45a-644, to be audited in accordance with the  
275 provisions of this section.

276 (b) The Probate Court Administrator may select [conservator  
277 accounts] any conservatorship of the estate for audit under this section  
278 on a random basis or on the basis of other criteria that the administrator  
279 deems effective in deterring and detecting fiduciary malfeasance. No  
280 account that a Probate Court has approved may be selected for audit.

281 (c) When the Probate Court Administrator selects [an account] a  
282 conservatorship of the estate for audit, the administrator shall assign an  
283 auditor to conduct the audit from the list of auditors maintained under  
284 section 45a-175 and shall notify the Probate Court before which the  
285 [account] estate is pending. The Probate Court shall continue any  
286 previously scheduled hearing on [the] an account pending the outcome  
287 of the audit and shall notify all parties of the audit and the continuance  
288 by first-class mail.

289 (d) A conservator of the estate whose financial management or  
290 account is subject to audit shall cooperate with the auditor and provide  
291 the auditor with access to all of the conservator's records relating to the  
292 conservatorship of the estate. The auditor shall notify the Probate Court,  
293 in writing, if the conservator fails to cooperate with the audit and shall  
294 send a copy of such notification to each party and attorney of record. On  
295 motion of a party or the court's own motion, the court may issue orders  
296 to compel compliance with the provisions of this subsection and may  
297 remove a conservator who fails to comply with the provisions of this  
298 subsection.

299 (e) An auditor performing an audit under this section shall complete  
300 the audit and submit a report of his or her findings to the Probate Court  
301 not later than ninety days after the date the auditor receives notice of  
302 the auditing assignment. On request of the auditor, the court may  
303 extend the deadline if it finds that additional time is necessary to  
304 complete the audit.

305 (f) Upon receipt of an audit report under subsection (e) of this section,  
306 the Probate Court shall send notice of the hearing on conservator's  
307 management of the financial affairs or the account and audit report,  
308 together with a copy of the audit report, to all parties. The audit report  
309 shall be admissible in evidence, subject to the right of any interested  
310 party to require that the auditor appear as a witness, if available, and be  
311 subject to examination. The court shall hear any recommendations  
312 under the audit report and decide the conservator's account and shall  
313 determine the rights of the conservator and the parties under  
314 subsections (g) and (h) of section 45a-175.

315 (g) The Probate Court Administrator shall pay the cost of an audit  
316 under this section from the Probate Court Administration Fund, subject  
317 to the provisions of section 45a-84. The Probate Court Administrator  
318 may, from time to time, establish hourly rates and allowable expenses  
319 for the compensation of auditors under this section.

320 Sec. 10. Subsection (d) of section 45a-111 of the general statutes is  
321 repealed and the following is substituted in lieu thereof (*Effective October*  
322 *1, 2026*):

323 (d) The court may, in its discretion, waive payment of filing fees or  
324 other fees or expenses due under sections 45a-106a to 45a-112, inclusive,  
325 if the court has determined such fees or expenses are uncollectable and  
326 such fees or expenses do not exceed five dollars. The court may, in its  
327 discretion, also postpone payment of any filing fee or other fee or  
328 expense due under sections 45a-106a to 45a-112, inclusive, and enter any  
329 matter if it appears to the court that to require such filing fee or other fee

330 or expense to accompany submission of the matter would cause undue  
 331 delay or hardship, but in such case the applicant, petitioner or moving  
 332 party shall be liable for the filing fee and all other fees and expenses  
 333 upon receipt of an invoice therefor from the court.

334 Sec. 11. Section 45a-113a of the general statutes is repealed and the  
 335 following is substituted in lieu thereof (*Effective October 1, 2026*):

336 (a) Whenever a Probate Court determines that a refund is due an  
 337 applicant, petitioner, moving party or other person for any  
 338 overpayment of costs, fees, charges or expenses incurred under the  
 339 provisions of sections 45a-106a to 45a-112, inclusive, the Probate Court  
 340 Administrator shall, upon receipt of certification of such overpayment  
 341 by the Probate Court that issued the invoice for such costs, fees, charges  
 342 or expenses, cause a refund of such overpayment to be issued from the  
 343 Probate Court Administration Fund.

344 (b) No person shall be entitled to a refund in an amount that does not  
 345 exceed five dollars, or for any fee paid for the settlement of a decedent's  
 346 estate pursuant to section 45a-107 in which the basis for the fee was the  
 347 gross estate for succession tax purposes.

348 Sec. 12. Special act 25-18 is repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	45a-8a(a)
Sec. 2	<i>January 1, 2027</i>	45a-100(a)
Sec. 3	<i>from passage</i>	45a-754(a)
Sec. 4	<i>October 1, 2026</i>	45a-186
Sec. 5	<i>July 1, 2026</i>	45a-82(j)
Sec. 6	<i>July 1, 2026</i>	45a-85
Sec. 7	<i>October 1, 2026</i>	45a-649(a)
Sec. 8	<i>October 1, 2026</i>	45a-27(b)
Sec. 9	<i>October 1, 2026</i>	45a-181
Sec. 10	<i>October 1, 2026</i>	45a-111(d)

Sec. 11	<i>October 1, 2026</i>	45a-113a
Sec. 12	<i>from passage</i>	Repealer section

**Statement of Purpose:**

To make various changes concerning Probate Court administrative processes, court procedures and the training of Probate Court judges and to repeal provisions relating to the establishment of a working group.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*