



General Assembly

Substitute Bill No. 400

February Session, 2026



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2 repealed and the following is substituted in lieu thereof (*Effective October*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16 repealed and the following is substituted in lieu thereof (*Effective January*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26 repealed and the following is substituted in lieu thereof (*Effective from*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-115gg, 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 (a) of section 45a-649 of the 2026 supplement to the
146 general statutes is repealed and the following is substituted in lieu
147 thereof (*Effective October 1, 2026*):

148 (a) (1) Upon an application for involuntary representation, the court

149 shall issue a citation to the [following enumerated] parties specified in
150 subdivision (2) of this subsection to appear before it at a time and place
151 named in the citation, which shall be served on the parties [at least] not
152 less than ten days before the hearing date, or in the case of an application
153 made pursuant to section 17a-543 or 17a-543a, [at least] not less than
154 seven days before the hearing date. Except as provided in subsection (c)
155 of section 45a-648, or unless continued by the court for cause shown, the
156 hearing on an application under this section shall be held not more than
157 thirty days after the receipt of the application by the Probate Court.
158 Notice of the hearing shall be sent [not more than thirty days after
159 receipt of the application] to all other parties not less than ten days
160 before the hearing date. In addition to such notice, (A) notice for a matter
161 brought under sections 45a-667g to 45a-667o, inclusive, shall be given in
162 the manner provided in section 45a-667n, and (B) notice for a matter
163 brought under section 45a-667p shall be given in the manner provided
164 in section 45a-667q.

165 (2) (A) The court shall direct that personal service of the citation be
166 made, by a state marshal, constable or an indifferent person, upon the
167 respondent and the respondent's spouse, if any, if the spouse is not the
168 applicant. (B) Except for the respondent, if the address of any other
169 person entitled to personal service is unknown, or if personal service or
170 service at the person's usual place of abode cannot be reasonably
171 effected within the state, or if the person is out of the state, the judge or
172 the clerk of the court shall order notice be given by registered or certified
173 mail, return receipt requested, or by publication not less than ten days
174 before the date of the hearing. Any such publication shall be in a
175 newspaper of general circulation in the place of the last known address
176 of the person to be notified, whether within or without this state, or if
177 no such address is known, in the place where the petition has been filed.
178 (C) Notwithstanding the provisions of subparagraph (A) of this
179 subdivision, in cases where the application is for involuntary
180 representation pursuant to section 17b-456 or in cases where notice is
181 provided pursuant to subparagraph (B) of this subdivision, the court
182 shall further order notice by certified mail to the children of the

183 respondent and if none, the parents of the respondent and if none the
184 brothers and sisters of the respondent or their representatives, and if
185 none, the next of kin of such respondent.

186 (3) The court shall order such notice as it directs to the following: (A)
187 The applicant; (B) the person in charge of welfare in the town where the
188 respondent is domiciled or resident and, if there is no such person, the
189 first selectman or chief executive officer of the town if the respondent is
190 receiving assistance from the town; (C) the Commissioner of Social
191 Services, if the respondent is in a state-operated institution or receiving
192 aid, care or assistance from the state; (D) the Commissioner of Veterans
193 Affairs if the respondent is receiving veterans' benefits or the Veterans
194 Residential Services facility, or both, if the respondent is receiving aid
195 or care from said facility, or both; (E) the children of the respondent and
196 if none, the parents of the respondent and if none, the brothers and
197 sisters of the respondent or their representatives and if none, the next of
198 kin of the respondent; and (F) the person in charge of the hospital,
199 nursing home or some other institution, if the respondent is in a
200 hospital, nursing home or some other institution.

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

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

207 Sec. 6. Subsection (b) of section 45a-27 of the general statutes is
208 repealed and the following is substituted in lieu thereof (*Effective October*
209 *1, 2026*):

210 (b) The Probate Court Administrator shall establish, supervise and
211 fund a program of training for newly-elected probate judges that shall
212 include: (1) A course to be taken between the date of election and the
213 date of assuming office concerning the rules of judicial conduct for a
214 judge of probate, the ethical considerations arising in that office, the

215 operation of a probate court, and the availability of assistance for a judge
216 in the operation of a probate court; [and] (2) courses to be taken within
217 six months after the date of assuming office that provide fundamental
218 training in (A) civil procedure, including constitutional issues, due
219 process, and evidentiary considerations, (B) property law, including
220 conveyancing and title considerations, (C) the law of wills and trusts,
221 and (D) family law in the context of the probate courts; (3) a mentor in
222 accordance with regulations adopted pursuant to section 45a-77; and (4)
223 observation of Probate Court hearings and proceedings, including
224 proceedings that are confidential pursuant to statute, in order to allow
225 a newly elected probate judge to meet the minimum level of proficiency
226 described in subsection (c) of this section.

227 Sec. 7. Section 45a-181 of the general statutes is repealed and the
228 following is substituted in lieu thereof (*Effective October 1, 2026*):

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

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

238 (c) When the Probate Court Administrator selects [an account] a
239 conservatorship of the estate for audit, the administrator shall assign an
240 auditor to conduct the audit from the list of auditors maintained under
241 section 45a-175 and shall notify the Probate Court before which the
242 [account] estate is pending. The Probate Court shall continue any
243 previously scheduled hearing on [the] an account pending the outcome
244 of the audit and shall notify all parties of the audit and the continuance
245 by first-class mail.

246 (d) A conservator of the estate whose financial management or

247 account is subject to audit shall cooperate with the auditor and provide
248 the auditor with access to all of the conservator's records relating to the
249 conservatorship of the estate. The auditor shall notify the Probate Court,
250 in writing, if the conservator fails to cooperate with the audit and shall
251 send a copy of such notification to each party and attorney of record. On
252 motion of a party or the court's own motion, the court may issue orders
253 to compel compliance with the provisions of this subsection and may
254 remove a conservator who fails to comply with the provisions of this
255 subsection.

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

262 (f) Upon receipt of an audit report under subsection (e) of this section,
263 the Probate Court shall send notice of the hearing on the conservator's
264 management of the financial affairs or the account and audit report,
265 together with a copy of the audit report, to all parties. The audit report
266 shall be admissible in evidence, subject to the right of any interested
267 party to require that the auditor appear as a witness, if available, and be
268 subject to examination. The court shall hear any recommendations
269 under the audit report and decide the conservator's account and shall
270 determine the rights of the conservator and the parties under
271 subsections (g) and (h) of section 45a-175.

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

277 Sec. 8. Subsection (d) of section 45a-111 of the general statutes is
278 repealed and the following is substituted in lieu thereof (*Effective October*

279 1, 2026):

280 (d) The court may, in its discretion, waive payment of filing fees or
281 other fees or expenses due under sections 45a-106a to 45a-112, inclusive,
282 if the court has determined such fees or expenses are uncollectable and
283 such fees or expenses do not exceed five dollars. The court may, in its
284 discretion, also postpone payment of any filing fee or other fee or
285 expense due under sections 45a-106a to 45a-112, inclusive, and enter any
286 matter if it appears to the court that to require such filing fee or other fee
287 or expense to accompany submission of the matter would cause undue
288 delay or hardship, but in such case the applicant, petitioner or moving
289 party shall be liable for the filing fee and all other fees and expenses
290 upon receipt of an invoice therefor from the court.

291 Sec. 9. Section 45a-113a of the general statutes is repealed and the
292 following is substituted in lieu thereof (*Effective October 1, 2026*):

293 (a) Whenever a Probate Court determines that a refund is due an
294 applicant, petitioner, moving party or other person for any
295 overpayment of costs, fees, charges or expenses incurred under the
296 provisions of sections 45a-106a to 45a-112, inclusive, the Probate Court
297 Administrator shall, upon receipt of certification of such overpayment
298 by the Probate Court that issued the invoice for such costs, fees, charges
299 or expenses, cause a refund of such overpayment to be issued from the
300 Probate Court Administration Fund.

301 (b) No person shall be entitled to a refund if the amount to be
302 refunded is less than five dollars, or for any fee paid for the settlement
303 of a decedent's estate pursuant to section 45a-107 in which the basis for
304 the fee was the gross estate for succession tax purposes.

305 Sec. 10. Special act 25-18 is repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	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>October 1, 2026</i>	45a-649(a)
Sec. 6	<i>October 1, 2026</i>	45a-27(b)
Sec. 7	<i>October 1, 2026</i>	45a-181
Sec. 8	<i>October 1, 2026</i>	45a-111(d)
Sec. 9	<i>October 1, 2026</i>	45a-113a
Sec. 10	<i>from passage</i>	Repealer section

JUD *Joint Favorable Subst.*