

Probate Court Budget Committee

Meeting Minutes
November 17, 2010
4:00 P.M.

Library at the Office of the Probate Court Administrator
186 Newington Road, West Hartford, CT

The meeting was convened at 4:04 p.m.

In attendance: Judge Paul J. Knierim, Probate Court Administrator and Chair, Judge Joseph Marino, and Judge Dianne Yamin.

PCA staff in attendance: Andrea King, Alyce Cariseo, Bonnie Bennet and Vincent Russo.

Judge Knierim described a proposed substitute agenda. Judge Yamin moved to adopt the substitute agenda. Judge Marino seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

Public Comment

Judge Knierim asked for comments from those in attendance.

Comments were offered by:

Mary MacGregor, Clerk of the Glastonbury Court and President of the CT Association of Probate Clerks (CAPC)

Judge Knierim announced that the committee had received the following letters:

Judge David Hopper of the Greenwich Probate Court dated October 8, 2010
Judge John Keyes of the New Haven Probate Court dated November 1, 2010
Judge Evelyn Daly of the Glastonbury Probate Court dated November 15, 2010
Valerie Dondi, Clerk of the North Haven Probate Court dated November 16, 2010
Judge Diane Blick of the Litchfield Probate District dated November 16, 2010

Remarks by the Chair

Judge Knierim updated the committee on the meetings that he and Andrea King have been conducting with courts to review staffing plans for 2011. The meetings have been useful to explain the compensation and benefits plan and ensure that all courts will operate in accordance with the policies that the committee has established.

Consideration of Staffing Level Adjustments

Judge Knierim asked the committee to consider adjustments to the transitional staffing authorizations for the courts set forth below. The adjustments correct errors in the data regarding the current staffing levels and are needed to avoid mandatory layoffs of existing court staff.

Hartford
Ellington
Shelton
Bridgeport
Norwalk-Wilton
Region #22
Stratford

Judge Marino moved to adopt the proposed changes. Judge Yamin seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

The committee reviewed the request of the Greenwich Probate Court for authorization for a staff attorney. Judge Knierim indicated that he did not support the request because the court does not meet the workload and population criteria for the staff attorney position. He noted that only the five largest courts in the state are authorized to have a staff attorney. The committee agreed and accordingly took no action on the request.

Judge Dennis O'Brien, Administrative Judge of the Northeast Regional Children's Probate Court, presented a request to increase the benchmark staffing levels in the PCO and assistant clerk categories based upon the court's current workload. Judge Knierim indicated his support for the changes. Judge Yamin moved to adopt the proposed changes. Judge Marino seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

Judge Diane Blick made a presentation concerning her written proposal to increase both transitional and benchmark staffing for the Litchfield Hills Probate District. Judge Knierim explained that he was opposed to the proposal to increase the benchmark authorization because neither the workload nor population statistics supported an increase. Following discussion, the committee declined to authorize the increase in benchmark staffing.

Judge Knierim then presented the committee with a proposal to increase the transitional authorization for the Litchfield Hills Probate Court to permit a part-time temporary position equivalent to 0.2 FTE. The authorization, which is intended to provide the court with additional resources during the process of merging courts that serve 12 communities, would be limited to one year.

Judge Marino moved to adopt the proposed change. Judge Yamin seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

Judge Matthew Greene addressed the committee to request a 0.2 increase in the benchmark staffing authorization for the New London Probate Judge. The basis for the requested change is to have sufficient staff to handle the court's internal bookkeeping and payroll administration functions. While these duties will be significantly reduced due to the new centralized financial structure, Judge Greene noted that the work presently handled entirely by an outside accountant for his court, an arrangement that he will be required to terminate. The committee observed that the court's adjusted staffing level would still be well below the number indicated by court's weighted workload.

Judge Marino moved to approve the proposed change. Judge Yamin seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

Compensation and Benefits Plan for FY 2011-2012

Judge Knierim noted that Regulation 28 requires the committee to adopt a staffing and benefits plan on or before November 30 for the succeeding fiscal year. He suggested that the committee adopt a motion to continue the current pay ranges and benefits policies for Fiscal Year 2011-12, with the understanding that the committee can make adjustments as the budget permits.

Judge Yamin moved to adopt the current compensation and benefits plan for Fiscal Year 2011-12, subject to possible modifications that the committee may consider. Judge Marino seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

Consideration of Employee Assistance Plan

The committee discussed the adoption of an employee assistance plan as an additional employment benefit for court staff and judges. Judge Knierim presented information from the provider that the Judicial Branch uses. (See Employee Assistance Plan Pamphlet and Employer Materials). The cost to cover all judges and staff would be approximately \$9,000 annually and it would make a host of counseling and related services available to all participants.

Judge Marino moved to authorize PCA to contract with a vendor to provide an employee assistance plan for court staff and judges, to be procured at the earliest opportunity. Judge Yamin seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

Consideration of Flexible Spending Accounts

Judge Knierim made a brief presentation to the committee about flexible spending accounts (FSAs) as a possible additional employment benefit for court staff and judges. FSAs enable employees to defer pay on a pre-tax pay for certain types of expenses, such as medical and dependent care costs. While the adoption of FSAs will require more analysis, the committee members agreed that PCA should explore the topic further to determine the costs and benefits associated with such a program.

Holiday Pay Policy

The committee discussed issues that have been raised regarding the previously adopted holiday policy. Specifically, concerns have been raised about the provision under which part-time employees are paid for holidays only when the holiday falls on a scheduled work day and the fact that some municipal facilities are closed for more than 12 holidays per year.

The committee discussed both issues at length, but opted against adopting changes at this time. Committee members noted that prorating holiday pay causes a problem in that an employee receives less than their normal pay when a holiday falls on a day when the employee is scheduled to work. The committee also discussed that judges may be able to arrange for employees to work in a safe and comfortable environment even on holidays when town hall is closed.

Consideration of Adjusting New Haven Probate Court's Miscellaneous Office Budget

The committee reviewed a letter from Judge John Keyes regarding his proposal to reallocate certain funds in his office budget from accounting expenses to parking costs to cover an increase in charges. The committee agreed that only four courts are known to have parking expenses and that efforts should be made in 2011 to reduce or eliminate these costs.

Judge Yamin moved to adopt the proposed changes. Judge Marino seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

Other Business

The committee discussed an inquiry whether court staff are entitled to specific break periods during the day. Committee members agreed that no formal policy is necessary. Committee members also agreed that formal break periods are not normally required in an office environment and that it is within each judge's discretion to determine how to address the issue at their courts.

Schedule Next Meeting

The committee scheduled a tentative meeting on Wednesday, December 15, 2010 at 4:00 p.m.

Adjournment

The meeting was adjourned at 5:50 p.m.