



Westport-Weston Probate Court Newsletter

Westport-Weston Probate Court Newsletter- August, 2018

Join Me!

8/16: Noon
Estate Admin Basics
Westport Bar Assn
VFW, Riverside Ave
Westport(\$20.00 Fee
includes lunch)

9/5: Noon
Brown Bag Lunch
Westport LWV
Town Hall
Westport

9/27: Noon
Lunch & Learn
Weston Library

10/22: 10:00 AM
Westport Snr Ctr
Imperial Ave
Westport

12/4: 10:00 AM
Westport Snr Ctr
Imperial Ave
Westport

Hi and Hello,

I'm Lisa Wexler, the Probate Judge for the Westport- Weston District in Connecticut. Welcome to our Probate Court newsletter. Our news:

Thank you to Sophie Vaughan and The Westport News for a front page feature on my "double life" and for the great pic w/Sugar. Here's the link: [Get to Know Judge Lisa Wexler](#)



ESTATE ADMINISTRATION: DID YOU KNOW?

The word "probate" technically means the transfer of title from a deceased person to someone else. If a person dies

Join Me!

**PROBATE COURT
FREE SEMINARS
TAUGHT BY MOI**

**Town Hall, Westport
110 Myrtle Avenue
Room 100 or 101
Time: 7:30 PM**

9/25 :

**Trusts v. Wills, What's
the Difference?**

10/2:

Estate Admin Basics

10/9:

**Mental Illness &
Substance Abuse
Proceedings;
Intellectually
Disabled-
Guardianships**

10/16:

**Your Duties as a
Fiduciary- Executor,
Admin or Trustee;
Rights as Beneficiary**

10/23:

**Conservators:
Person & Estate**

**Always check
w/court at
203-341-1100 for
last minute
changes.**

with a will, the estate is a "testate" estate. If a person dies without a will, the estate is called "intestate".

In CT, our system is designed to notify all "heirs at law" when a person dies owning property. "Heirs at law" are a person's next of kin, their closest family members. They are the people who would inherit if a person had no will at all. The reason we notify all "heirs at law" during probate is because it gives those persons an opportunity to object to a will if they believe the person was of unsound mind, or unduly influenced when making the will, or if the will itself was defective.

(See C.G.S. 45a-437 et. seq.)

Sometimes people complain that the probate process is too slow. One way to speed it up is to obtain "waivers" from heirs at law when submitting the will. A waiver is simply a piece of paper signed by an heir stating that the heir has no objection to the will. If all heirs at law submit waivers, then the probate court can usually expedite the process of officially admitting the will and appointing the executor. When the executor is appointed, the court will issue "fiduciary certificates", which will be honored by banks, taxing authorities, creditors and others.

(See Form PC 181)

(All Probate forms are located at www.ctprobate.gov, click on "Forms")

MEDIATION:

Having completed a 40-hour mediation training at the Quinnipiac School of Law, I'm officially a convert to alternative dispute resolution. I am available to mediate probate disputes within the Probate Court system **HERE**. I'm pleased to let you know that many disputes within our court have been successfully mediated.

[Would You Like Me to
Speak to Your
Group? Need more
info?](#)

Pls send email to
lisa@lisawexler.com

FALL INTERNSHIP AVAILABLE

We are very proud of our interns, who have gone on to excellent law schools and become clerks within our Probate Court system. Congrats to our latest intern, lawyer Andrew Metter, who is now working as a clerk for the Darien/New Canaan Probate Court. Thank you to law student Katia Colaprico, who has shared her enormous talents with us this summer. Here is Katia with her unbelievably beautiful rescue Great Pyrenees (and her hubby Joe). If you are interested in an internship, please call 203-341-1100 and set up an appointment to meet me.



Types of Matters On Our Docket:

Note: These fact patterns do not represent specific cases in the court; rather, they are representative samples of the types of matters presented to the Probate Court.

1. An executor is spending a great deal of money on restoring a house owned by the estate. A beneficiary objects, arguing that the improvements will not increase the value of the house which must be sold anyway. The court will hear the matter and decide.

2. A mother of an infant is incarcerated due to a conviction for selling drugs. There is no father. The mother's sister applies to the Probate Court to be granted guardianship of the infant while the mother is in jail. The mother consents. The court will decide whether the aunt's guardianship is in the best interests of the child.
3. The caretaker of the decedent was not fully paid. The caretaker has repeatedly sent bills to the executor which have been ignored. The caretaker now asserts herself as a creditor of the estate and requests a hearing. The probate court will decide whether the debt is valid and what priority the creditor will have in terms of getting paid.
4. A person who has already been conserved as a result of having schizophrenia has once again stopped taking her medicine. She was found loitering around a local flagpole. When approached, she became hostile and incoherent. The police restrained her and took to a local emergency room, where the doctor signed a Physician's Emergency Certificate, holding her against her will in the hospital. The state allows this for a maximum of 15 days. On the third day, the patient requested a hearing to get out of the hospital. The Probate Court will hear the matter in the hospital within 72 hours of receiving this notice. The judge will decide whether there is probable cause to believe the patient is either dangerous to herself, others or gravely disabled.



"I'm afraid, Mr. Wallberry, that I know of no legal mechanism by which you can bequeath them all a swift kick in the pants."

Come say Hi, Rm 102, Westport Town Hall. This summer is too darn hot, stop by to cool off.

Judge Lisa Wexler