



Westport-Weston Probate Court Newsletter

Westport-Weston Probate Court Newsletter- Winter, 2020

Join Me!

Feb 5, 1 :00 PM
**"Contested Children
Matters in Probate Ct"**
Fairfield Cty Bar Assn
970 Summer St
Stamford CT

March 25, 12:30 PM
Weston Senior Center
Weston, CT

May 5, 1 PM
**Westport Senior
Center**
Imperial Avenue
Westport, CT 06880

Join Me!

**PROBATE COURT
FREE SEMINARS
TAUGHT BY MOI**

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

Hi and Hello,

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

THE WORLD OF E-FILING- Began 1/1/2020

1. Mandatory for all lawyers with exemptions for those with disabilities. We ask for your patience as all of us learn the new system.
2. For others, you can still mail or walk in a petition.
3. Great help for the bar **HERE**. TurboCourt videos **here**.

WITH DEEPEST GRATITUDE AND ADMIRATION, we acknowledge the retirement of our outstanding former chief clerk, Shirley DeLuca. Nearly singlehandedly, Shirley ran the court during the illness of my predecessor Judge Kevin O'Grady. Shirley's devotion to the court, patience with the public, and understanding and good judgement with respect to all that we do are legendary. She will be missed every single day, especially by me.



Chief Clerk Audrey Williams, Shirley, & Clerk Karen Uccellini

2/11, 7:30 PM: Trusts
v. Wills, What's the
Difference?

2/25, 7:30 PM: Estate
Admin Basics & CT
706-NT

3/3, 7:30 PM:
Mental Illness &
Substance Abuse
Proceedings

3/17, 7:30 PM: Your
Duties as a Fiduciary-
Executor, Admin or
Trustee; Rights as
Beneficiary

3/31, 7:30 PM:
Conservators and
Guardians:
Person & Estate

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

Would You Like Me to
Speak to Your Group?
Need more info?

Pls send email to
lisawexlerlaw@gmail.com

DID YOU KNOW?

Probate Courts and QUARANTINE:

- If a person wants to appeal an order of vaccination, isolation or quarantine, the appeal is heard in Probate Court.
- The form is available [here](#).
- If a person is unable to pay for counsel, the state will pay for the attorney.
- The order is made after the Governor has declared a state of public emergency or the Department of Public Health has issued an order.

New Uniform Trust Code In Effect in Connecticut

As of Jan 1, CT has adopted its own Uniform Trust Code, which is not exactly the same as other states. ([P.A. 19-137](#))

Among the important changes:

1. Significant expansion of Probate Court jurisdiction over inter vivos trusts.
2. If all relevant parties consent, the court may approve the modification or termination of a trust even if the modification or termination is inconsistent with a material purpose of the trust (See Section 31)
3. The court can terminate a trust or remove a trustee if it finds that the value of the trust property is insufficient to justify the cost of administration relative to the material purposes of the trust. (Section 35 b)
4. Expanded notice requirements to beneficiaries (Section 63)

[Lots to learn about the new law.](#)



Our annual fall brunch. Samantha Sarelli, a/k/a **Miss Connecticut Teen USA**, at left, was our summer intern. Kate Davis is graduating BU Law and joining **JAG** as an Air Force Officer. Jonathan Gaberman is in his first year at Vermont Law School. I'm kvelling from all of them.

We are accepting applications for Summer 2020 clerkships now. College and law school students welcome. Please send your resume to lwexler@ctprobate.gov.

-----Types of Matters On Our Docket:

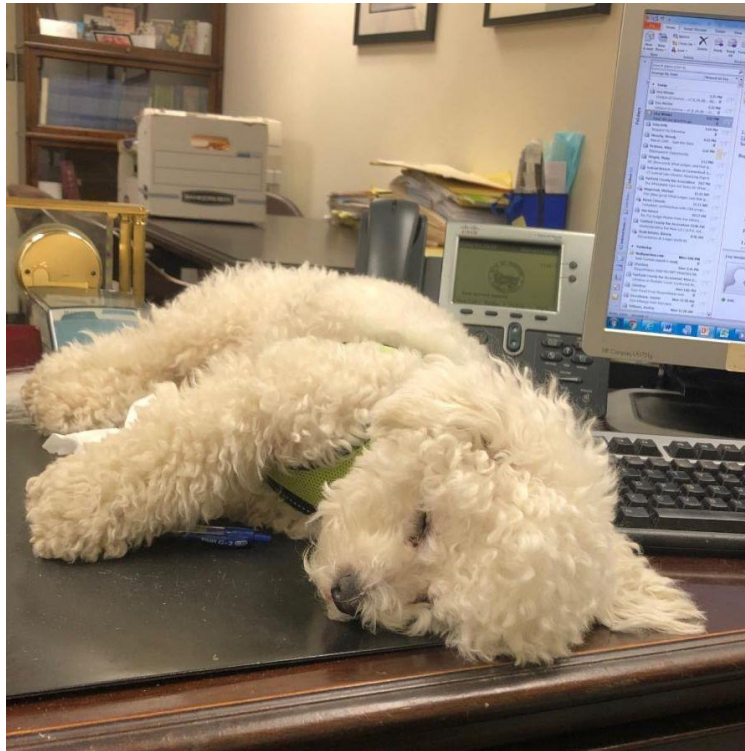
Note: These fact patterns do not represent specific cases in the court; rather, they are representative samples of the types of matters presented to the Probate Court.

1. A young woman who lives in our district died in France. She wrote her will on her deathbed but it was missing the "self-proving affidavit" that we require. The probate court is asked to admit the will anyway and will look to the law to determine whether it can be admitted.

2. A middle-aged woman has developed bipolar disorder with psychosis, which means that she has lost touch with reality. Her family has abandoned her. The neighbors call 911 because of her behavior, which they find menacing and scary. The local psychiatric hospital admits her on a 15 day stay. On day 6, she requests a hearing to be discharged. The court will hear the matter within 72 hours to decide if there is probable cause to believe she is dangerous to herself, others, or gravely disabled. If so, she must stay.

3. A boy is being raised by his grandmother as his legal guardian because his mother was addicted to drugs. There is no father in the picture. After years of sobriety, the mother petitions the court to have her full legal rights restored. The court will decide the matter after a full evidentiary hearing.

4. Many, many people are petitioning to officially change their name because if there are any inconsistencies in identifying documents, getting a new "REAL ID" at the DMV is a big pain in the neck.



Come say hi to Shaina. Some days she finds it exhausting being the judge.

Judge Lisa Wexler

Westport-Weston Probate Court,
110 Myrtle Avenue, Westport, CT 06880