



Westport-Weston Probate Court Newsletter

Westport-Weston Probate Court Newsletter- Fall, 2020

Zoom in With Me

Tuesday, November 10, 2020

1:30- 2:15 PM

Weston Senior Center

Contact:

<https://westonseniorcenter.info/>

for details.

Cites to Know

www.ctprobate.gov

Connecticut Probate Court

<https://www.westportct.gov/residents/emergency-information-alerts/covid-19>

Westport Residents

Covid-19 info

<https://portal.ct.gov/coronavirus>

State of CT residents

Hi and Hello,

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

Westport Town Hall remains closed to the public. However, we remain open every weekday from 8:30 AM to 4:30 PM. All staff is here to answer your calls. We are holding hearings via video and phone, except for in-person cases which have resumed in the hospital.

REQUEST TO THE BAR:

We are experiencing a significant increase in mental health hearings due to Covid-19 consequences. If you are a member of the CT Bar and are willing to represent persons there, please contact us at lwexler@ctprobate.gov. The pay is \$58.00 per hour. There are experienced attorneys who will help you learn the process.

NEWS RE: NOTARY PUBLICS AND WILLS

Gov. Lamont's Exec order **7Q permits remote notary public acknowledgements for the first time. The signer must be physically located in CT. The notary will take ID via screen and watch you sign your document, and then notarize the signature and arrange for the notarization to be attached to the document.**

Clerkships Available

We are interviewing now for spring and summer judicial clerks.

This is an unpaid position that offers experience, exposure and training. If interested, please send resume & cover letter:

lwexler@ctprobate.gov

HOWEVER, there is an exception for WILLS. You are required to have a Commissioner of the Superior Court supervise all wills which are remotely signed. In CT, those persons are lawyers. So please make sure you have a lawyer supervise your will if you are not signing it up in the physical presence of a notary public.

BASICS OF ESTATE ADMINISTRATION

1. If a decedent dies and all of her property is owned jointly or all of her property has already been designated to a beneficiary (for example, life insurance or an IRA), then there is no need to probate a will and appoint a fiduciary. However, a CT estate tax return is still required.

2. If a decedent dies owning less than \$40,000 in assets, one can file as a "small estate" which means that the will is not going to be probated, no fiduciary will be appointed, and there are fewer documents required to settle the estate. However, a CT estate tax return is still required.

3. If a decedent dies owning more than \$40,000 in assets, then a full estate will be opened. If there is a will, it should be brought into probate court and an "executor" will be appointed. If there is no will, then a person close to the decedent should petition to be the "administrator" of the estate. For any estate questions in our district, please call Lisa Hayes at 203-341-1099.

DID YOU KNOW?

1. There are 54 probate courts in CT and 6 regional children's probate courts. The vast majority are located in the Town (or City) Halls of the district. Our district consists of Westport and Weston.

2. Probate judges are elected every 4 years. The next election for all judges is in 2022.

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 man is convinced that he is God. He will not speak to others, incessantly reads the Bible, and neglects to bathe or dress. He was admitted to the hospital on a "PEC", physician's emergency certificate, effective for 15 days. However, on the third day he wishes to leave. He believes there is nothing wrong with him. The court will give him a hearing within 72 hours, and appoint counsel to represent him at the hearing. If the judge determines that there is "probable cause" to believe that he is either dangerous to himself, or others, or gravely disabled, then he must stay for the remainder of the 15 days.

2. A woman who spent time in a psychiatric hospital due to an inability to function has now recovered. She is stable on her medication and living in an environment where she is able to make daily decisions on her own. She asks the court to terminate her conservatorship on the ground that it is no longer necessary. The court will hold a hearing on her "restoration" to determine whether or not she still needs a conservator.

3. Three siblings were named co-trustees of a family trust. However, one sibling does not get along with the other two. The court is asked to interpret the trust and terminate the trust with respect to the sibling who disagrees with the others.

Big Personal Good News for a Change

Our daughter Joanna married Yotam Moss in our backyard on August 30, 2020. A picture perfect day, and a most wonderful occasion. Obviously, I can never move.



**Wishing you a Happy and Healthy New Year,
We are here for you.**

Judge Lisa Wexler

lwexler@ctprobate.gov

