



Westport-Weston Probate Court Newsletter

Westport-Weston Probate Court Newsletter- August, 2016

No. 11

Join Me!

Westport Senior Ctr

Imperial Ave

9/16 11AM

12/7 11AM

Weston Senior Center

TBD

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 Probate Court newsletter. Our news:

Much happened in the last few months. Thank you so much for your support of what we do. It made all the difference.

1. The Probate Courts had \$6 Million of their budget restored, out of the \$14 Million removed. We consider this a victory in this very tight budget year.

2. The new cap on Probate Fees is now \$40,000. While still higher than every other state, this is an improvement over the unlimited cap enacted in June, 2015.

Here are some highlights in the changes to our laws:

1. The new Power of Attorney statute becomes effective October 1, 2016. Going forward, powers of attorney will be deemed "durable", unless stated otherwise- that is, they will be effective even if the person becomes incapable after signing. The person who holds the power is referred to as the "Agent".

9/6: Estate Basics

**9/13: Trusts v. Wills,
What's the Difference?**

9/20:

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

**9/27: Your Duties as a
Fiduciary- Executor,
Admin or Trustee,
Rights as Beneficiary**

**11/1: Conservators:
Person & Estate**

11/15:

**Powers of Attorney
and the Probate Court**

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

**Would You Like Me to
Speak to Your Group?
Happy To!**

**Pls send email to
lisa@lisawexler.com**

2. Many people can now challenge an Agent's actions under a POA, even if they are not related to the principal. They include caregivers. The challenge would be made in Probate Court.

3. There is a new statutory "short form" POA.

4. POAs can now authorize Agents to dispose of their remains. Note this is the ONLY power that will survive the death of a principal; otherwise, remember that POAs terminate upon the death of the principal.

5. If a conservatorship terminates, the Probate Courts can now reinstate a prior POA.

6. Conservators of estates in which the person is already on Medicaid (Title XIX) and in an institution can no longer get paid for their services. The intent of this is to eliminate these conservators since the entitlements are paid directly to the nursing homes anyway. (I have some concerns as to how this will play out in the real world of actual people, as this removes independent oversight.)

7. Stop by Probate Court for new conservator fee rules.

8. New Law in CT prohibits employers, including government agencies, from asking about a prospective employee's prior arrests, criminal charges or convictions on an initial employment application. The act does not prohibit a criminal background check at a later stage in the hiring process.

**We have a new Assistant Clerk, Jackie Troxell!
Westonites will recognize that famous Troxell name- and yes, Jackie is married to the police chief John. Personally, I feel quite protected. And lucky.**



SUGAR! We are a dog-friendly, people-friendly court. Stop by and say hello anytime. Shirley provides the chocolate. Sugar provides the licks.



---Types of Matters On Our Docket:

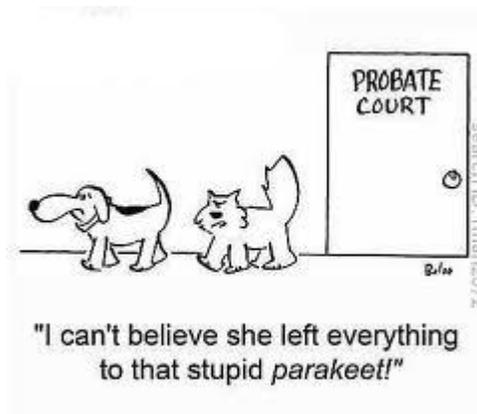
Note: These fact patterns do not represent specific cases in the court; rather, they are representative samples of the types of matters presented to the Probate Court.

1. A man dies leaving a very old will. He was since widowed and remarried. The family wants to know how much the new wife is entitled to and what happens to the

other bequests made in the old will. The answer depends upon when the will was signed.

2. A 45 year old woman with a diagnosis of chronic schizophrenia simply refuses to take her medicines as soon as she is discharged from the hospital. The police have been called to the scene 6 times in the last month, each time resulting in a short-term admission to the psychiatric hospital. Eventually, the hospital petitions for a long term commitment, but the patient herself still believes that she has nothing wrong her.

3. A young mother of a three year old is in jail for a DWI. There is no father. The grandmother petitions the Probate Court for temporary guardianship of the child.



Happy Summer, Judge Lisa Wexler

The Lisa Wexler Show, 21 Poplar Plain Road, Westport, CT 06880

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