

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 339  
Judiciary

(Delegates Buckel and Atterbeary)

Judicial Proceedings

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Task Force to Study the Maryland Orphans' Courts

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This bill establishes a Task Force to Study the Maryland Orphans' Courts. The task force must (1) examine the composition and purpose of the orphans' courts; (2) review and compare the orphans' courts in each local jurisdiction; (3) analyze and compare the laws and practices of other states relating to probate courts; (4) examine any other research, analysis, or guidance related to the best practices of probate courts; and (5) make recommendations on how to improve the orphans' courts. By January 1, 2021, the task force must report its findings and recommendations to the Governor and the General Assembly. **The bill takes effect July 1, 2020, and terminates June 30, 2021.**

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Fiscal Summary

**State Effect:** Any expense reimbursements for task force members and staffing costs for the Judiciary are assumed to be minimal and absorbable within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The Administrative Office of the Courts must provide staff for the task force; the Governor must designate the chair. A member of the task force may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

**Current Law/Background:** Under the Maryland Constitution, each county elects, for a term of four years, three judges to the orphans' court of their respective jurisdictions, with the exception of Harford and Montgomery counties, where a circuit court judge sits as the orphans' court. The orphans' courts are the State's probate courts. The courts supervise the handling of estates and also have certain jurisdiction over the guardianship of minors and their property.

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### **Additional Information**

**Prior Introductions:** HB 914 of 2019 received a hearing in the House Health and Government Operations Committee but was subsequently withdrawn.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Legislative Services

**Fiscal Note History:** First Reader - January 28, 2020  
rh/lgc Third Reader - March 17, 2020  
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