



Connecting Individuals and Families who need Civil Legal Services with Volunteer Attorneys and Community Resources

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SB146 - Maryland Real Property Transfer on Death Deed Act HEARING BEFORE THE SENATE JUDICIARY COMMITTEE January 31, 2023

Mid-Shore Pro Bono (MSPB) recommends a favorable report for SB146. The Transfer on Death Deed Act is a cost-effective solution for people with limited financial means to make sure that their loved ones can maintain housing stability. Allowing people to transfer property outside of probate in limited circumstances will prevent families from losing their homes prevent future tangled title issues.

Mid-Shore Pro Bono, Inc. is a Maryland nonprofit that connects people on the Eastern Shore with limited financial means to legal representation and essential community resources. Each year, MSPB helps over 3,000 people in our community access the legal system in times of need. Our network of volunteer lawyers provides free legal services for elder law, family law, landlord/tenant, mortgage foreclosure, and consumer debt. These services help families gain financial and housing stability and create safe, secure homes for children.

MSPB assists about 500 clients a year with elder law issues, including life planning documents (will, power of attorney, and advance medical directive) and deeds. Many of our clients are seeking solutions to make sure that their homes, frequently shared with children and other family members, are passed on to their loved ones. Too often, people intend to leave their house to their family, but their heirs face insurmountable barriers, especially lack of resources or capacity to open an estate or hire an attorney to administer the estate. When people have tools available to help them take care of transferring assets in advance -tools that people can use without having to hire an attorney --families are more likely to take advantage of those tools and are better off in the long run. For example, adding an adult child or a trusted family member to a bank account can be a low-cost way to make sure an heir will have access to those funds. Establishing beneficiaries for insurance policies is as easy as filling out a form and doesn't require hiring an attorney. Even MVA has a simple form people can fill out to designate a beneficiary for their titled vehicle.

Reducing barriers to life planning supports intergenerational transfer of homeownership, increases financial stability for families, and plays a role in closing wealth gaps across race and ethnicity. The Transfer on Death Deed (TODD) creates an uncomplicated, financially accessible way for people with limited financial means to ensure that their home will transfer to family members when they pass away.

For these reasons, Mid-Shore Pro Bono urges the Committee's support for SB146. If you have any questions regarding our position on this bill, please contact Meredith Lathbury Girard, Esq., executive director, at 410-690-8128 or mgirard@midshoreprobono.org.