

MARYLAND HOUSE JUDICIARY COMMITTEE
TESTIMONY OF MARYLAND VOLUNTEER LAWYERS SERVICE
**IN SUPPORT OF HB 963: REGISTERS OF WILLS – APPOINTMENT OF
PERSONAL REPRESENTATIVES**

Susan Francis
EXECUTIVE DIRECTOR

BOARD OF DIRECTORS

David G. Sommer
PRESIDENT

Penny J. Minna
VICE PRESIDENT

James Tansey
TREASURER

Reba Letsa
SECRETARY

Payal Amin
Monica R. Basche
Brent A. Bolea
Jhonell Campbell
Richard L. Costella
Susan DuMont
Brian Gordon
Nicole M. Lacoste Folks
Lydia E. Lawless
Robin Leone
Anthony May
Kimberly H. Neal
Lelia F. Parker
Stephanie A. Polk
Angela Russell
Rebecca Sheppard
Syma Ahmad Siddiqui
Sheila J. Stewart
Emily J. Wilson

WEDNESDAY, FEBRUARY 25, 2026

Chair Bartlett and distinguished members of the Committee, thank you for the opportunity to testify in **Support of House Bill 963**.

My name is Megan Good, and I am a Tangled Title Staff Attorney at Maryland Volunteer Lawyers Service¹ (MVLS). Our mission at MVLS is to reduce barriers to justice through free civil legal help, community engagement, and advocacy for equitable laws.

As a member of the Tangled Title team, I am committed to helping low-income families preserve and pass on their family home. In our work, we regularly assist families with the estate administration process in order to pass legal title to the home.

Currently, Section 5-105(c)(4) of the Estates and Trusts Article of the Maryland Code provides that an adult noncitizen may only serve as the Personal Representative for an estate if they are both a permanent resident *and* a qualifying relative of the deceased. For many members of Maryland’s growing immigrant community, this means that if the primary earner in a family passes away, no one in the family can open their estate. This creates not only a financial burden – it is also an affront to our neighbors’ dignity.

Please join us in calling for this inequitable provision to be stricken from Maryland law.

Maryland’s citizenship requirement is unique and unnecessary.

None of Maryland’s neighboring states—Delaware, Virginia, West Virginia, or Pennsylvania—require a Personal Representative to be a citizen or legal permanent resident of the United States. Del. Code Ann. Title 12 § 1508 (2025); Va. Code Ann. § 64.2-502 (2025); W. Va. Code § 44-5-3 (2025); 20 Pa. Cons. Stat. §§ 3156, 3157 (2026). The citizenship requirement is unnecessary for a

¹ MVLS is the oldest and largest provider of pro bono civil legal services to low-income Marylanders. Since MVLS’ founding in 1981, our statewide panel of over 700 volunteers has provided free legal services to over 115,000 Marylanders in a wide range of civil legal matters. In FY25, MVLS volunteers and staff lawyers provided legal services to 3,233 people across the state.

Register of Wills to faithfully carry out their responsibilities and jurisdiction over a Personal Representative. And although the District of Columbia does have a citizenship requirement, it is still not as restrictive as Maryland's law. D.C. Code § 20-303(b)(5) (2025) (excluding noncitizens who are not lawfully admitted for permanent residence).

Section 5-105(c)(4) of the Estates and Trusts Article of the Maryland Code unnecessarily targets a marginalized segment of our community for exclusion from an important public process with no practical benefit to the administration of estates.

In our current climate, immigrants—including those with legal status—are reasonably afraid to seek government services. Because citizenship status is otherwise irrelevant to the estate administration process, we do not want families to forego this process for fear of needing to disclose the citizenship status of themselves or other beneficiaries.

In addition to the harms named above, the current requirement unnecessarily imposes additional costs on noncitizens. When a family member or beneficiary of a deceased individual cannot open an estate themselves, they are more likely to fail to access the decedent's resources or be compelled to hire an attorney to serve in the capacity on their behalf. For low-income families, this draws important resources away from the family members who need those resources the most in order to maintain their housing and pay other bills.

Barriers to estate administration not only harm families, but also local communities.

When real property cannot be properly passed from one owner to another, the property is at a heightened risk for deterioration and vacancy. Vacant properties reduce property values, create safety issues in communities, and cost state and local governments money through reduced tax revenue and government expenditures needed to address blighted properties.

Members of the Committee, to the extent that you hold any concerns about a non-citizen being more likely to fail to complete the estate administration process due to a voluntary or involuntary departure from Maryland, I kindly ask you to remember that we face that risk with all Personal Representatives (PRs). PRs must be replaced when they cannot fulfill their duties due to illness, death, incarceration, etc., yet we do have statutory bars for populations at risk of these types of disruptions from serving as PRs. Nor should we. Similarly, noncitizens should not be barred from serving as the PR for their loved ones simply due to their citizenship status, which has no impact on their ability to fulfill their PR duties.

HB 963 repeals a discriminatory subsection of our code and removes a barrier for grieving Marylanders to access their inheritance from their deceased loved one—resources that are often necessary for families to continue to meet their basic needs.

Therefore, we call for your **strong support of HB 963**. Thank you again for the opportunity to testify.