

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

House Bill 1008

(Delegate Gordon)

Judiciary

Judicial Proceedings

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**Estates and Trusts - Recovery by Minor in Tort - Appointment of Trustee**

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This bill increases the amount of a net recovery, from at least \$2,000 to at least \$5,000, in a minor's tort claim that requires the person responsible for the payment to issue a check made payable to the order of a trustee for the minor. Similarly, if a court appoints a guardian of the property of a minor, the bill increases, from at least \$2,000 to at least \$5,000, the amount of a net recovery for which a check from the person responsible for the payment is required to be made payable to the order of the guardian.

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**Fiscal Summary**

**State Effect:** None. The bill is procedural in nature and would not affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** If a minor recovers a net sum of at least \$2,000 in a tort claim, the person responsible for the payment is required to: (1) issue a check made payable to the order of a trustee for the minor unless a guardian of the property of the minor has been appointed; or (2) if there is a guardian of the property of the minor, issue a check to the guardian for the minor.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Register of Wills, Department of Legislative Services

**Fiscal Note History:** First Reader - March 12, 2003  
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