

DATE: February 12, 2020

BILL NUMBER: HB477

COMMITTEE: Judiciary

BILL TITLE: Estates and Trusts – Guardianship of the Property of Disabled Persons – Court–Appointed Attorneys

DHS POSITION: Support

The Department of Human Services (the Department) respectfully submits this letter of support regarding House Bill 477. House Bill 477 creates the statutory authority for DHS to pay the attorney’s fees for the representation of indigent, alleged disabled persons in Guardian of Property cases.

Currently, the Maryland Rules state the “State shall pay” for the attorney’s fees of the indigent, alleged disabled person, but does not identify which State agency is responsible. The Maryland Legal Services Program does not have a contract with attorneys to provide this type of representation, but can now add Guardian of Property cases to future solicitations for legal representation services. This legislation will clarify the Maryland Rule that the “State shall pay” by identifying the Department as the state agency responsible for paying for the legal services.

For these reasons, the Maryland Department of Human Services supports this bill as it will provide the Department with the authority to make the payments. The Department respectfully requests that the Committee return a favorable report for HB 477.