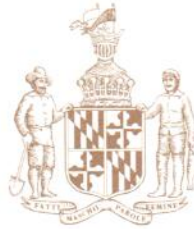


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Testimony in Support of House Bill 477 – Estates and Trusts – Guardianship of the Property of Disabled Persons – Court-Appointed Attorneys

Good afternoon Mr. Chairman and members of the committee. Thank you for the opportunity to speak to you on behalf of **House Bill 477 – Estates and Trusts – Guardianship of the Property of Disabled Persons – Court-Appointed Attorneys**.

This bill establishes that payment of attorney's fees for proceedings concerning guardianship of a disabled person's property be handled similarly to guardianship of the disabled person. It achieves this by essentially codifying the spirit of Maryland Rules, Section 10 – 106, in establishing that where a disabled person is indigent and in need of a court appointed attorney in a petition for the appointment of a guardian of the disabled person's property, the State shall pay reasonable attorney fees. If the local Department of Social Services is responsible for payment of the disabled individual's attorney fees, the bill establishes the method by which the Court appoints an attorney contracted with the State Department of Human Services.

The legislation simply clarifies. The Maryland Rules provide for the payment of attorney's fees for guardianship of the property proceedings, but our statute is silent. Generally, it is understood that where statute is silent in such matters, Maryland Rules prevail. House Bill 477 aligns statute with Rules.

I respectfully requests a favorable report for House Bill 477.