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Baltimore City

Health and Government Operations
Committee

Chair

Government Operations and Estates
and Trusts Subcommittee

House Chair

Joint Committee on Administrative,
Executive, and Legislative Review



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony of Delegate Samuel I. Rosenberg

Before the Judiciary Committee In Support Of

House Bill 490

Baltimore City - Orphans' Court Judges - Compensation

RESPOND TO OFFICE INDICATED

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Madam Chair and Members of the Delegation:

Mourning and grieving the loss of a loved one is painful enough without the uncertainty and stress caused by legal challenges to an estate. To ensure the just disposition of challenges to a decedent's estate, Baltimore City, like other larger jurisdictions in our state, requires lawyers to fulfill the role of Orphans' Court judges.

The Orphans' Court is a specialized court that handles the administration of estates. The Court holds hearings to resolve disputes over the appointment or removal of personal representatives, admitting a will, determining heirs, and challenges to the validity or interpretation of the decedent's will. These are particular matters which benefit from judges experienced in the nuances of estates and wills law.

To attract interest and retain talent, Baltimore City needs to offer a reasonable salary for the judgeships. The Baltimore City Orphans' Court is a full-time job: it is open five days per week. The judges reviewed 10,960 pleadings in 2019, and averaged 140 hearings per month. Besides the opportunity cost of foregoing high-paying legal work in the City, prospective judges may also be dissuaded from the job by having to run in an election every four years.

Currently, in order to keep salaries competitive, Baltimore City must get compensation approved by the General Assembly, in addition to the Mayor and City Council. Because the judges are City employees, with salaries paid by City revenue, the General Assembly never has reason to deny a requested raise; however, with a busy schedule packed into just 90 days, both the legislators and judges are inconvenienced by the process of attaining legislative approval.

Already 11 counties do not ask the legislature for their raises. Allegheny, Anne Arundel, Baltimore, Caroline, Dorchester, Garrett, Kent, Queen Anne's, Talbot, Washington, and Worcester counties all handle the salaries and pensions for their judges at the local level. Baltimore City should have the same ability to manage the salaries and pensions of the Orphans' Court judges.

I urge the committee to give a favorable report to House Bill 490.