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Bill No.: House Bill 490
Title: Baltimore City – Orphans’ Court Judges – Compensation
Committee: Judiciary
Hearing Date: February 12, 2020
Position: Recommend Favorable Committee Report

The Orphans’ Court has been in existence in the State of Maryland since 1777. It was designated as part of the judicial branch when Maryland ratified its State Constitution in 1867.

We are a specialized court, handling the administration of decedents’ estate. We hold hearings involving disputes concerning the distribution of a decedent’s assets, which includes such issues as determining who should be appointed personal representative, removing a personal representative for various causes, admitting a will, determining heirs, and caveats, which are challenges to a will. Hearings can last 30 minutes or several days.

Each jurisdiction in the State of Maryland operates its court differently. In the larger jurisdictions such as Baltimore City, Baltimore County and Prince George’s County, the three Orphans’ Court judges are lawyers. In the smaller jurisdictions, being a lawyer isn’t required. These individual counties determine whether the judges need to be lawyers and how often hearings are held.

Our Baltimore City Orphans’ Court is open five days per week. In 2019, we held over 1600 hearings, an average of 140/month. The judges reviewed 10,960 pleadings, which averages 914/month. Besides the three judges, we have a full-time administrator and law clerk. Our

compensation has to be approved by the Mayor and City Council, because we are City employees and the City funds our salary and pension. But, now, the law requires us to request increases in salary and pension from this legislature. We are requesting to change the law so that we can go directly to our Mayor and City Council for salary and pension issues instead of seeking legislative approval.

There are currently 11 counties who do not ask the legislature for their raises and instead, request increases directly from their County Executive and County Council. They are Allegheny, Anne Arundel, Baltimore, Caroline, Dorchester, Garrett, Kent, Queen Anne's, Talbot, Washington and Worcester counties.

We know this legislative body is extremely busy with many bills to consider. It is more efficient and would help alleviate your demanding schedule, for us to seek salary and pension changes directly from our local Mayor and City Council, who, again, are the ones solely providing the funding.

THEREFORE,

I am requesting a favorable recommendation for House Bill 490.

Respectfully submitted,



Michele E. Loewenthal