

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 467
Estates and Trusts – Administration of Estates – Payments of
Commissions and Attorney’s Fees
DATE: January 27, 2021
(2/10)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 467. This bill would require, rather than authorize, with certain conditions, the payment of attorney fees and commissions to personal representatives without court approval in the administration of estates.

The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when making a decision. Provisions that place restrictions on the judge prevent the judge from considering factors unique to the case.

cc. Hon. Chris West
Judicial Council
Legislative Committee
Kelley O’Connor