

LAW OFFICE OF KARREN POPE-ONWUKWE, LLC

P.O. BOX 205

HYATTSVILLE, MARYLAND 20781

301-927-3145

www.kpopeatty.com

February 18, 2021

RE: SUPPORT OF HB870

My name is Karren Jo Pope-Onwukwe, I live at 6001 43rd Street, Hyattsville, Maryland.

Since 2000, I have operated the Law Office of Karren Pope-Onwukwe where I am an Elder Law and Disability Rights attorney. I am a past chair of the Elder Law and Disability Rights Section Council of the Maryland State Bar Association and the past co-founder and chair of the Elder Law Section of the Prince George's County Bar Association. I am currently a member of the Prince George's County Adult Public Guardianship Review Board, a Commissioner on the American Bar Association Commission on Law and Aging, chair of the Elder Law Committee of the Senior Lawyers Division of the American Bar Association and Advisor to the Elder Affairs Committee of the Civil Rights and Social Justice Committee of the American Bar Association.

As a participant in the Life and Health Planning Committee of the Maryland Attorney General's Access to Justice COVID-19 Task Force, our sub-committee investigated civil legal issues that were exacerbated by the COVID-19 pandemic and resulted in our recommendation of HB870. During this time many people were surprised to learn that they did not have the legal authority to act on behalf of their spouse, child, parent, sibling friend, aunt, uncle or significant other when their loved one became disabled. The only way that they were able to manage or assist the disabled person was to file for a legal guardianship of the property and request authority from the Circuit Court to act. This was added trauma and drama because the guardianship process is very involved and requires a court hearing.

12150 ANNAPOLIS ROAD, SUITE 314 • GLENN DALE, MARYLAND • 20769

PHONE: (301)464-9600 * FAX: (301) 464-9601

@kpopeatty

Generally in my law practice, if a family comes to my office after a medical malpractice or personal injury litigation/settlement, they have already been through a very lengthy traumatic episode. I have the unfortunate job of explaining to them that any settlement that has been reached on behalf of the disabled person must be disbursed to a guardian and the guardian may then get authority from the Circuit Court to create a Special Needs Trust or a Pooled Trust for the benefit of the disabled person. This is quite a bit of information to absorb and understand under normal circumstances but when you are attempting to manage your life and that of a disabled person after a catastrophic event it can be a daunting task. Currently, under the Maryland General and Limited Power of Attorney Act even if a disabled person had the foresight to execute a power of attorney their agent under the document would not have the authority to do the planning that would be necessary to reorder the person's life once they become disabled. The current law is legally sufficient for managing bank accounts and handling mundane financial transactions. However, if someone becomes paralyzed, has a massive heart attack, suffers a severe stroke, is diagnosed with Multiple Sclerosis, Amyotrophic Lateral Sclerosis (ALS/Lou Gehrig's Disease) or Parkinson's Disease their life will change dramatically. They will need to plan for a "new normal" and that requires the ability to create a life plan for personal and health care. Please vote in favor of HB870

Best Regards,

A handwritten signature in black ink, appearing to read 'Karren Jo Pope-Onwukwe', with a long horizontal flourish extending to the right.

Karren Jo Pope-Onwukwe
Attorney at Law