

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Mary Ellen Barbera  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 1264  
Estates and Trusts – Administration of Estates – Payments of  
Commissions and Attorney’s Fees  
**DATE:** February 7, 2021  
(2/22)  
**POSITION:** Oppose

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The Maryland Judiciary opposes House Bill 1264. 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. Wanika Fisher  
Judicial Council  
Legislative Committee  
Kelley O’Connor