



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 22, 2021

**House Bill 1261
Wills, Powers of Attorney, and Advance Directives – Electronic Execution
House Judiciary Committee**

Position: Oppose

The Maryland Catholic Conference represents the public policy interests of the three Roman Catholic (arch)dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington, which together encompass over one million Marylanders.

House Bill 1261 would allow testators, witnesses, notaries and attorneys to be in the electronic presence of the others when signing wills and advance directives.

While the Conference appreciates the need for accommodations, electronic presence is not equivalent to physical presence. Electronic signatures and witnessing leaves the door open for widespread fraud, coercion, and abuse on these serious legal matters. Virtual meetings are limited, confined to the small frame of a screen. There is no way to verify who is in the room, witness the physical writing of one's signature, confirm the validity of identification, affirm an individual's capacity and freedom of decision making, or even prevent impersonation. Physical presence also adds a layer of protection against force or coercion exercised against an individual by ensuring the attorney, notary, and witnesses can assess the individual's emotional and mental state and influences.

The Maryland General Assembly has taken many steps to protect the elderly and vulnerable from abuse and exploitation. The Conference supports legislation that aims to protect our most vulnerable populations and believes that every individual, no matter how young or old, deserves to be treated with dignity and respect.

It is for these reasons that the Maryland Catholic Conference asks for an unfavorable report for **HB 1261**. Thank you for your consideration.