

March 29, 2022

Hon. William C. Smith, Jr. Chair
Judicial Proceedings Committee
Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland

Re: HOUSE BILL 868

Dear Senator Smith and Committee Members:

We are writing you regarding HB 868. We serve as judges of the Garrett, Allegany and Washington County Orphans' Courts in western Maryland.

We are opposed to this bill. Last year, the House and Senate passed a bill that established a Task Force to Study the Orphans' Courts in Maryland. The Task Force held several hearings and submitted an extensive report and those matters are being addressed by the legislature this session.

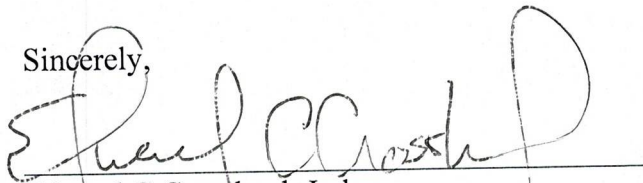
This bill, HB 868, to eliminate the elected Orphans' Court in Howard County, is troubling in that:

- The delegate sponsoring this legislation was a member of the Task Force and this matter was never discussed in those proceedings.
- The judges for Howard County were not consulted, and it is our understanding were actually excluded, from the hearing before the delegation when this was taken into consideration, and that their record on appeals is outstanding.
- The sponsor of this bill testified in the House that her intention is to take this statewide next year, which we are opposed to.
- In our three counties in western Maryland, our courts operate with very few, if any, appeals to the Circuit Court, and afford an opportunity for grieving families to have their issues brought before the Orphans' Court in an expeditious manner.
- The Orphans Courts statewide will be permitted, if the Task Force Study recommendations are enacted, to have practicing attorneys seek election, and in fact, two of the three judges in Howard County are attorneys. If the concern is that lay judges lack the requisite legal training, this issue would be eliminated when the changes are enacted and practicing attorneys may seek election, serve; and thus not burden the Circuit Courts, which in western Maryland, are still coping with the delays caused by COVID.

Due to the relatively quick scheduling of this hearing and also the distance to Annapolis, it is not possible for us to be present for the hearing, but desire the committee note our opposition to this bill.

Thank you for your kind attention to this matter.

Sincerely,



Edward C Crossland, Judge
Allegheny County Orphans' Court



Albert L. Feldstein, Judge
Allegheny County Orphans' Court



Craig W. Alexander, Judge
Allegheny County Orphans' Court

Ernest J. Gregg, Jr. Judge
Garrett County Orphans' Court

Jack Rush Turney, Judge
Garrett County Orphans' Court

Jeffrey D. Murphy
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Frank E. Novinger, Judge
Washington County Orphans Court

Paul D. Bannister, Judge
Washington County Orphans' Court

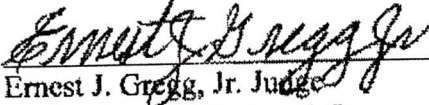
Andrew Dunn, Judge
Washington County Orphans' Court

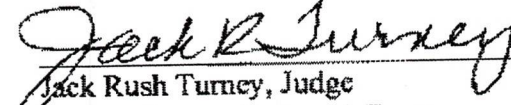
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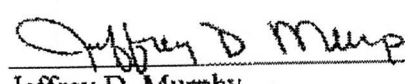
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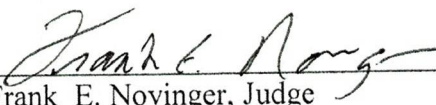
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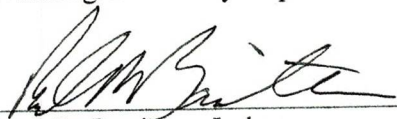
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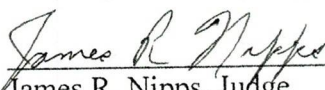
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Paul D. Banister, Judge
Washington County Orphans' Court


James R. Nipps, Judge
Washington County Orphans' Court