

HB 1240

Kimberly Jean Cascia

Unfavorable

House Judiciary Committee

Delegate Luke Clippinger, Delegate David Moon and Members of the Committee

While I am a Judge of the Orphans' Court for Queen Anne's County since 2010, I come to you today in my individual capacity and not on behalf of the Maryland Judiciary or any of its parts.

I write to you today in opposition to HB 1240 Orphans' Court Judges – Restriction on Practicing Law

Maryland law (Estates and Trust Article, Section 2-109), currently permits Orphans' Court judges to practice law in a limited number of urban jurisdictions so long as such practice does not include practice before the Orphans' Court. In our more rural jurisdictions, the relationship between the public and the judges of the Orphans' Court is more intimate. We are more generally known for the positions we hold. The public would more likely view our appearance before another court as one suggesting that the entire system is corrupt and that what matters is having the right connections.

Public trust of the Maryland court system including the Orphans' Courts must be held as paramount, and neither the legislature nor the judiciary should risk compromising the public view through the allowance of judges to also practice law, regardless of the specifics of the type of law practiced. The current exemptions should not be expanded beyond the few jurisdictions where it is currently permitted.

I oppose passage.

Respectfully,

Kimberly Jean Cascia