

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410) 260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 756
Petition for Guardianship of the Property of Alleged Disabled
Person – Stay of Civil Actions and Proceedings
DATE: March 12, 2025
(3/26)
INFORMATIONAL COMMENT PAPER

The Judiciary supports the amendments that would allow any interested person to request a stay and that direct that necessary parties receive notice of the guardianship petition and the request for a stay.

The Judiciary is concerned, however, with the amended language on page 3, line 2, which would limit the length of any stay to no more than 90 days after the petition for guardianship is filed. In some jurisdictions and in contested cases, it may not be feasible for courts to hear and rule on a petition within 90 days. Moreover, any appointed guardian of the property would then have limited time to marshal assets and prepare to defend against any stayed action. This hard “deadline” could undermine the goals of this legislation. The Judiciary recommends adding language to this provision that would provide courts with more flexibility to extend a stay beyond 90 days for good cause. For example, “A stay under this subsection (a) of this section may remain in effect for not more than 90 days after the filing of the petition, **unless extended for good cause.**”

cc. Hon. Jeffrie Long
Judicial Council

Legislative Committee
Kelley O'Connor