

CHRIS WEST  
Legislative District 42  
Baltimore and Carroll Counties

Judicial Proceedings Committee



Annapolis Office  
James Senate Office Building  
11 Bladen Street, Room 322  
Annapolis, Maryland 21401  
410-841-3648 · 301-858-3648  
800-492-7122 Ext. 3648  
Chris.West@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

January 23, 2025

The Maryland State Senate Judicial Proceedings Committee  
The Honorable William C. Smith, Jr.  
2 East Miller Senate Building  
Annapolis, Maryland 21401

**Re: Senate Bill 22: *Task Force to Study Fiduciary Adjudication in Maryland***

Dear Chairman Smith and Members of the Committee,

Maryland created the orphans' courts in 1777 to assist families with the transmission of wealth on a member's death. Since then, the methods for holding and transmitting wealth have changed significantly, and probate and fiduciary legal issues have become substantially more complex. Nonetheless, we recognize the value that a specialized court brings to families in times of transition. We also recognize the need for further changes to fiduciary adjudication in Maryland to provide a more uniform and efficient system for its citizens today.

In 2022, the Task Force to Study the Maryland Orphans' Courts issued a report identifying certain inefficiencies and other problems with the selection of judges for, and adjudication of matters before, the Orphans' courts. As my witnesses will explain, more recent developments have further illustrated those problems, including the lack of uniformity in probate adjudication across Maryland's jurisdictions. The adjudication of other fiduciary matters, including those relating to trusts and adult guardianships, involve overlapping issues with probate matters and should be more efficient.

Senate Bill 22 would establish a task force to study Fiduciary Adjudication in Maryland, with a report to be due on or before next January 1st. The assignment given to the task force will be to examine the qualifications, training and methods of selection of Orphans Court judges, to analyze the efficiency of the procedures for adjudicating contested and uncontested matters in the orphans' courts and circuit courts, to compare Maryland's Orphans Court laws and practices with the laws and practices in other states and finally to make recommendations to improve efficiency, uniformity, and quality of fiduciary adjudication in Maryland.

This is a necessary preliminary step to the introduction of future legislation proposing a better system of adjudication in our State's Orphans Courts.

I appreciate the Committee's consideration of Senate Bill 22 and will be happy to answer any questions the Committee may have.