



**House Bil 756**  
**Petition for Guardianship of the Property of Alleged Disabled Person – Stay of Civil Actions  
and Proceedings**  
**Hearing February 12, 2025**  
**Judiciary Committee**  
**Position: FAVORABLE, WITH AMENDMENT**

*Maryland Legal Aid (MLA) submits its written and oral testimony on HB 756 in response to a request from Delegate Long.*

Maryland Legal Aid (MLA) is the largest non-profit law firm in the State of Maryland. We provide court-appointed representation to the alleged disabled person in guardianship proceedings in multiple counties around the state. Current Maryland law allows a petition to be filed in court, alleging that a person is unable to effectively manage his or her property and affairs as the result of a disability, and asking the court to appoint a guardian to manage and preserve that property for the benefit of the alleged disabled person.

HB 756 would provide that, when such a petition has been filed, there would be a basis to request a stay of other legal proceedings that could have a permanent impact on the property of the alleged disabled person. This would include actions for unpaid rent; actions for restitution; actions for detainer of property; foreclosure proceedings; a sheriff’s sale of the alleged disabled person’s property; and other action against the property. Those actions would remain stayed until the resolution of the guardianship petition, either through dismissal or appointment of a guardian of property. Current Maryland law does not provide any such protection for people with disabilities that impair the management of their property.

We request one minor friendly amendment – as currently written, the bill would provide for “the petitioner” to request such a stay. We request that the bill allow a party to a guardianship to request this stay, so that we can make these requests on behalf of our clients. It’s our understanding that Delegate Long is amenable to that amendment. The proposed amendment is included with this testimony.

Our clients often come to us after a lengthy hospitalization. They may have difficulty understanding the allegations against them, or may resist the appointment of a guardian.

MLA urges a favorable report on HB 756, with the amendment requested above. Please contact me if you need additional information.

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15. SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16. That the Laws of Maryland read as follows:

17. **Article – Estates and Trusts**

18. **13–223.**

19. **(A) ON THE FILING OF A PETITION FOR GUARDIANSHIP OF THE PROPERTY**  
20. **OF AN ALLEGED DISABLED PERSON, A ~~PETITIONER~~ PARTY TO THE GUARDIANSHIP MAY**  
21. **FILE A REQUEST TO STAY**

22. **ANY OF THE FOLLOWING CIVIL ACTIONS OR PROCEEDINGS AGAINST THE ALLEGED**  
23. **DISABLED PERSON:**

24. **(1) AN ACTION FOR FAILURE TO PAY RENT UNDER § 8–401 OF THE**  
**REAL PROPERTY ARTICLE;**