

BRIAN CROSBY
Legislative District 29B
St. Mary's County

Vice Chair
Economic Matters Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

The Honorable Luke Clippinger, Chair
Judiciary Committee
Maryland House of Delegates
Annapolis, MD 21401

March 5, 2025

**Testimony in Support of HB928: Estates and Trusts- Wills- Married Couples and
Registered Domestic Partnerships**

Chair Clippinger, Vice Chair Bartlett, and esteemed members of this committee,

HB928 is presented to prevent a will from being signed under duress. The bill prohibits a testator from signing a will in the presence of his/her spouse or registered domestic partner. Prohibiting a testator who is married or in a registered domestic partnership from signing a will in the presence of their spouse or partner would limit the opportunities where an abusive partner can exert undue influence when signing a will. This measure would protect the testator from potential coercion and ensure that the document reflects the true will of each testator.

HB928 also prohibits an individual who witnesses and signs a testator's will from also witnessing and signing the will of the testator's spouse or partner. This additional requirement would add another layer of protection and would prevent situations where a single individual, possibly influenced by the abusive partner, can manipulate his/her partner into approving a will that benefits the abuser.

The purpose of the legislation arises from a situation in which a spouse was forced to make significant changes to her will without her approval. The spouse was unable to express disapproval of the will due to concerns that stating any opposition would result in physical violence towards her by her husband. Without the client's attorney, who requested her client and the other testator be separated prior to signing the will, the document would have been signed under duress. This legislation ensures that the onus to protect one's client is not exclusively on an attorney or client; it builds protections directly into the process of signing a will.

Thank you for your consideration of this legislation, I urge a favorable report.

Sincerely,

A handwritten signature in blue ink, appearing to be "B. Crosby", written over a horizontal line.

Delegate Brian Crosby
District 29B, St. Mary's County