

House Bill 660

Kimberly Cascia

Unfavorable

House Judiciary Committee

Delegate Clippinger, Delegate Bartlett and Members of the Committee

I have had the privilege and honor to serve the citizens of Queen Anne's County since 2010 as an Orphans' Court Judge and have been a Board Member of the Conference of Orphans' Court Judges appointed by the Chief Justices each year since 2011 and elected by my fellow judges to the MAJOC Board since 2011 as well, I come to you today in my individual capacity and not on behalf of the Maryland Judiciary or any of its parts.

My job as an Orphans' Court Judge is to see that the decedent wishes are met, if there is a will, and if not, to administer Maryland law.

All Judges in Maryland are required to attend continuing education classes each year and, in particular at the Judicial Institute, I have received instruction and training on multiple aspects and intricacies of a "Will."

I am not aware of any training requirements for the Register of Wills or their staff. I believe it would be a mistake to allow an interested person to file with the register of wills in a county, rather than the Orphans' Court, a petition for admission of "a copy" of an executed will. This is a very critical document that should be decided on by a Judge with training and not a clerk. I believe that it could lead to acceptance of fraudulent wills.

Please remember the Orphans' Court has very limited jurisdiction, but we do have the training essential to determine the legitimacy of a "Will" and probate matters.

I humbly request that House Bill 660 not receive your approval.

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