



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 10, 2025

To: The Honorable Luke Clippinger
Chair, Judiciary Committee

From: Delegate Jen Terrasa
District 13, Howard County

Re: Sponsor Testimony in Support of HB 660, Estates and Trusts - Register of
Wills - Admission of Copy of Executed Will

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Judiciary Committee,

Thank you for the opportunity to present HB 660, which aims to streamline the process of opening an estate in Maryland and remove barriers that families often face when settling a decedent's estate through probate.

Currently, under Maryland law, when a decedent's Last Will & Testament cannot be located, a copy of the will may be admitted to probate only under judicial probate, which requires a formal hearing and adds unnecessary delays and expenses. In other words, where there is a valid copy of a will, a petition, and consents from all interested persons (who all swear under the penalties of perjury that they cannot find an original and they have no reason to believe that the original was ever destroyed or revoked), the family has to wait for a court order to proceed with opening an estate. Which means they cannot access the decedent's assets, pay debts, and distribute inheritance.

HB 660 seeks to address this challenge by permitting either the Orphans' Court or the Register of Wills to admit a copy of the will when the original cannot be located. By doing so, my bill would simplify and expedite the probate process, reducing the financial burden on families and eliminating the delays that are common in every jurisdiction (except Baltimore City) due to the part-time nature of the Orphans' Court system.

This bill builds on legislation enacted in 2009 under SB 154, which allowed the judicial probate process for admitting copies of wills. However, the process still requires families to go through a lengthy and costly procedure, including attending a hearing and publishing notice of that hearing, which can be a significant burden. Constituents

across Maryland have voiced frustration with the current system, with many describing how they have been “stuck in limbo for months” without knowing how to proceed. It also means they have to take another trip to the courthouse, another day off work, and added time for bills to pile up. This uncertainty leads to additional stress during an already difficult time. HB 660 ensures that the process is as smooth and affordable as possible, removing barriers that many families face in settling an estate.

Moreover, HB 660 aligns with the broader goals of streamlining government processes and making access to justice easier for all Marylanders. As we've seen in previous legislative sessions, there is a growing need for improved efficiency and access in the handling of estate matters. For example, in the 2023 session, we passed HB 0244, which required the Register of Wills to accept electronic filings and signatures, making the process of filing documents easier and more modern. This bill received widespread support because it helped eliminate outdated bureaucratic barriers. Similarly, this year, we have HB 1420, which is designed to help individuals who lack government-issued identification by offering a method for proving identity when claiming their rights as heirs or beneficiaries of a will. Just like those bills, HB 660 is another important step forward in modernizing and streamlining probate procedures, ensuring that Marylanders have the access and support they need during what can be a challenging time.

This bill ensures that families do not face unnecessary roadblocks when settling estates, and that access to justice is not hindered by outdated or cumbersome procedures. In addition, it allows Maryland to continue making progress toward a more efficient, accessible, and equitable system for all.

I respectfully urge a favorable report of HB 660.