

HB 623 Fav Alexis Burrell Rohde.pdf

Uploaded by: Alexis Burrell-Rohde

Position: FAV



ALEXIS BURRELL-ROHDE

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February 10, 2025

The Honorable Delegate Luke Clippinger, Chair
House Office Building, Room 101
Annapolis, Maryland 21401

Support (FAV) – HB 623 – Estates and Trusts – Estate Administration – Publication of Notice

Dear Chair Clippinger and Committee Members:

My name is Alexis Burrell-Rohde. I am the Register of Wills for Baltimore County and President of the Register of Wills Association. I am submitting this written testimony and urge a favorable report from the committee on House Bill 623 on behalf of Baltimore County and the Register of Wills Association.

I hope you will note that you voted unanimously for this bill last year, and I hope that you will do the same again this year.

I respectfully recommend a favorable report on House Bill 623 and appreciate the Committee's thoughtful attention.

Best regards,

Alexis Burrell-Rohde

Alexis Burrell-Rohde
Register of Wills
Baltimore County

HB623 - Maryland Register of Wills Association - F

Uploaded by: Byron Macfarlane

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February 12, 2025

The Honorable Luke Clippinger, Chair
Judiciary Committee
House Office Building, Room 101
Annapolis, MD 21401

RE: House Bill 623 – Estates and Trusts – Estate Administration – Publication of Notice - FAVORABLE

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

My name is Byron Macfarlane, I am the Register of Wills for Howard County, and I serve as Chair of the Legislative Committee of the Maryland Register of Wills Association. On behalf of our entire Association, **I respectfully urge a favorable committee report on House Bill 623.**

OVERVIEW

This bill will discontinue the costly, time-consuming, logistically problematic, and superfluous publication of estate notices in print newspapers. It will replace this antiquated requirement with a centralized, online statewide database for all estate notices to be maintained by the Registers of Wills and made available for free. This will save over 10,000 Maryland families over \$1.3 million per year in publication costs.¹ This database is already up and running – and has been since March of 2020.² This website has nearly 12,000 hits per month, has had nearly 360,000 hits since its inception, and it is the top Google search result for “Maryland estate notices.”³

This bill was heard last session as House Bill 1258. There was no opposition in either chamber and passed unanimously. It was vetoed by the Governor, who indicated a desire for more robust debate with the newspaper industry, who, unfortunately, did not participate in the process last year, leaving us here repeating this entire exercise. We again ask the General Assembly to pass this bill. **Simply put, you passed this last year without a single dissenting vote – it did the right thing for the people of Maryland and should do so again with House Bill 623.**

¹ Attachment 1: Estimated Publication Costs by Jurisdiction for FY2023 and FY2025.

² Attachment 2: Screenshot of “Legal Notices” section of the Registers of Wills website.

³ Attachment 3: Screenshot of Google search of “Maryland estate notices”.

OVERVIEW – THE CASE FOR HOUSE BILL 623

A. NOTICE ALREADY PROVIDED DIRECTLY TO INTERESTED PERSONS

It is critical that all interested persons in an estate are both notified of the opening of the estate and advised of their rights. This notice is already provided by the Registers of Wills. A printed notice is mailed to all parties of an estate, which includes heirs and legatees – those who inherit if there is no will and those who inherit under a will, respectively – and unpaid creditors. This notice includes estate details including the name of the decedent, the name of the appointed Personal Representative, the date of the Last Will and Testament, if any, and the interested persons' rights to challenge the appointment, the probate of the will, and to file a claim against the estate.⁴ This process successfully provides notice to virtually all interested persons, with rare exceptions.

B. ESTATE NOTICES HAVE A SPECIFIC AUDIENCE NOT BEING REACHED

In addition to notices being mailed directly to interested parties, the law also requires that notices be printed in a newspaper of general circulation. The purpose of these notices is not to notify the general public, however. Its specific goal is to attempt to reach anyone who is a bona fide interested party in an estate but did not receive a mailed notice. We know from speaking with creditors that they look at our website to identify deceased debtors. We also know from experience that when interested parties did not receive a mailed notice, it is almost always by mistake, and they still learn of the estate opening by word of mouth from family and friends, not by reading the legal notices section of their local paper. In these cases, the Registers add them to our records and send the notices they were entitled to, easily remedying any omission.

We also cannot identify a single estate in which an interested party objected to the appointment of a personal representative, filed a claim against an estate, or challenged a will because they both (1) didn't receive a notice from the Register in the mail *and* (2) read about the opening of an estate by reading a notice in a newspaper. This further proves that the target audience for these notices isn't being reached, defeating a critical justification for continuing these notices.

C. FAMILIES AND REGISTERS RELIANT ON UNPREDICTABLE AND MONOPOLISTIC INDUSTRY

This antiquated requirement has left the State of Maryland at the mercy of an unpredictably changing print newspaper industry. In recent years, local newspapers have either been shuttered or consolidated by out-of-state corporate conglomerates. Maryland families going through probate and the Registers assisting them may only have one local newspaper to use for publication of notice, and the industry cannot guarantee they will continue to operate newspapers of general circulation in all of Maryland's 24 jurisdictions in perpetuity.

Additionally, the legal duty to publish lies with the Registers, not the newspaper industry, and if any individual publication or all of Maryland's publications decide to stop offering this service, it would be impossible for us to fulfill our duty. Again, the unpredictable future of this industry puts the Registers, meaning the State, in an unsustainably precarious position with no long-term assurances.

⁴ Attachment 4: "Notice of Appointment, Notice to Creditors, Notice to Unknown Heirs."

Also, since many of these newspapers have no competition, they can charge unreasonably high fees. In Talbot County, for example, there is only one local paper, which charges \$306.90 for a regular estate notice, the highest in the state.

D. MARYLAND STATE GOVERNMENT FORCED TO PLAY ROLE OF COLLECTION AGENT AND COPY EDITOR

Not only are these notices unnecessary and expensive, but many newspapers in Maryland – as monopolies with a stranglehold over the Registers and families – will refuse to publish notices unless and until the Registers collect or facilitate the collection of fees for these notices for them.

It is wildly inappropriate for the Registers – meaning the Maryland State Government, funded by the taxpayers – to pay the role of collection agent for the private newspaper industry. But current law permits an industry-created hostage situation, where the Registers and the families we serve simply have no alternative but to comply with their demands. This is inappropriate, untenable, and relies on an unpredictable industry that could change those demands on a whim.

We must also scrutinize notice for accuracy and play the role of copy editor for the industry, too. While we know the information in our free online database is accurate, newspapers make chronic errors when they publish these notices. This means every day we check each jurisdiction's latest notices for the following: (1) names and address of the personal representative and any attorney, (2) name of the decedent, (3) estate number, (4) date of appointment, (5) date of death, (6) whether the decedent died with a will, (7) the date of the six-month deadline to file claims, and (8) the Register's name, jurisdiction, and address. When one or more of these items is missing or incorrect, the paper must re-print the notice. This all translates into a huge amount of staff time and resources just to make notices are printed correctly, but also an avoidable delay in the appointment of the personal representative and the closing of an estate.

It is an undue burden on the State to force us to play the roles of collection agent and copy editor for private entities. Unfortunately, this isn't just current practice, it's become an entitlement. Not only is our State completely at the mercy of industry to publish these notices, one industry representative has gone so far as to publicly deride the Registers for *not doing enough* to collect their fees for them. We wonder what new burdens will be placed on our government and the families we serve unless we change the status quo.

E. COSTLY BURDEN AND LOGISTICAL PROBLEMS CONTINUE

Some may ask whether anything has changed since the discussion of this measure last year. The simple answer is, not really. The administrative and logistical problems have not been resolved, and Maryland families are still left with the cost of publishing notices that are expensive and do not reach their intended audience.

Registers have attempted to work with some newspapers to adopt more reasonable rates and to address chronic errors in printed notices. Some have reduced rates, some remain unreasonably high, and some have actually been raised. Some have attempted to address errors, but they persist. Many still require the Registers to facilitate collection of fees, in addition to their continued reliance on us to correct their mistakes.

Some Registers have, however, exercised their discretion to direct their legal notices to be published in less expensive and more reliable newspapers. This includes several jurisdictions

moving their notices from a local paper to the Daily Record, which does not require Registers to facilitate payment of fees and is generally accurate in its printed notices. These decisions have had the effect of reducing the overall cost to the public for these notices by nearly 20%, all of which was borne by local papers. Indeed, per our calculations, “local” papers’ revenue from estate notices will decline by almost 44% between last year and this year. With an expectation that the newspaper industry will predict its complete demise as a result of passing this bill, they have already absorbed and will absorb a profound reduction in revenue – and yet are still in print. What’s changed from last year is now we know beyond any doubt that ending print estate notices will not close even one newspaper or cost even one person their job.

F. REBUTTING ANTICIPATED INDUSTRY OPPOSITION

Representatives of the publishing industry have consistently opposed efforts in the Maryland General Assembly to move on from legal notice requirements in printed newspapers that pre-date the advent of the personal computer, the internet, and the smartphone.

Does “Independent” Publication Benefit the Public? No. We’ve heard arguments that legal notices *must* be published in print newspapers by independent bodies. What we haven’t heard is *why* independent publication is so imperative. The Registers give newspapers the precise text to print – so what benefit, precisely, is there to the public? None that we can determine. Especially given that we can’t even rely on newspaper publications to print these notices correctly, we fail to understand this insistent entitlement to this public subsidy to industry. We also highlight what we all know to be true – that governmental bodies provide general public notice all of the time. From sales of surplus federal property to local zoning board hearings, our government provides notice routinely without whatever catastrophic results opponents of this measure seem to imply.

We also want to highlight the abuse of power that we witnessed last year by the supposedly “independent” press during the campaign to veto the prior iteration of this bill, 2024 House Bill 1258. Local papers across Maryland suppressed letters to the editor and guest columns in favor of the bill, promoted letters and columns that urged the governor to veto it, and after the veto, used those same column inches to claim victory and applaud the governor’s veto – and even lied about *why* he vetoed it. Governor Moore’s veto was not a full-throated defense of print legal notices for the rest of human history – but that’s how the “impartial” industry spun it for their own benefit.

Do We Need Publications to Archive Notices? No. We’ve also heard that without print newspapers, there is no way to archive estate notices. This is particularly nonsensical because, just as the newspaper industry has no legal duty to publish estate notices, they also have no legal duty to archive them. This means we have no guarantee that these private entities will archive notices at all, much less in perpetuity.

Are Newspapers Required by Law to Publish or Archive? No. The publishing industry has no legal duty to publish estate notices or archive them. It is a *choice* based on unpredictable businesses that could decide to close local papers or cease to offer to publish legal notices at any time, to which the Registers and the public would have no recourse. Under our legislation, alternatively, we create an affirmative statutory duty that the Registers maintain and operate a centralized online database of all estate notices. Unlike current law, this bill ensures that this database will be available to the public for free, forever. Since we have already created this database and it has been up and running for four years, there’s no question whether we can deliver this service. And in terms of archiving proof of notice, this database stores notices in perpetuity and as required by law, the Registers must make copies of estate notices part of the public record

in each estate that requires a notice be given and eventually transmit them to Maryland State Archives. In contrast, just as the publishing industry has no legal duty to publish estate notices, it also has no duty to archive proof of notice, nor does it have a duty to make those archival records available to the public.

Will This Legislation Doom the Publication Industry? No. Not only has the industry never proven this claim, as explained previously, they've already taken a nearly 20% reduction in revenue – nearly half of which has been borne by smaller publications – and are still in print.

Lastly, while the publishing industry has established their own database, presumably in an attempt to hinder this legislation, it does not change these facts: the industry has no legal duty to provide this information to the public, it still creates a financial burden on grieving families for no discernable purpose, these notices are still chronically error-prone, and corrections lead to delays that prejudice Maryland families and have a deleterious impact on judicial economy.

G. SUMMARY IN SUPPORT OF A FAVORABLE COMMITTEE REPORT

While myriad legal notices have been printed in newspapers since time immemorial – before the advent of the personal computer, the internet, and the smartphone – the reality is this: print newspaper estate notices do not serve their defined purpose, they are an unnecessary financial burden on grieving families – to the tune of \$1.3 million per year – and they impose an untenable burden on the State and the public. We can untether ourselves from the whims of out-of-state monopolistic media corporations, move our method of notice into the modern era with our centralized statewide notice website, continue to protect the due process rights of interested persons, and make the probate process less expensive and more efficient for our constituents.

The Registers of Wills enthusiastically endorse this measure and respectfully request a favorable report on House Bill 623.

Sincerely,



SUPPORT A FAVORABLE REPORT FOR HB 623

SUMMARY

- **PROTECTING DUE PROCESS:**
 - All interested persons will still receive a mailed notice from the Register of Wills.
 - Ensure that the due process rights of bona fide interested persons in probate estates are protected through (1) notices mailed directly to them and (2) a free, easy to locate centralized website of all estate notices maintained by the Registers.
- **ENDING NOTICES THAT DO NOT REACH THEIR INTENDED AUDIENCE:**
 - Estate notices, unlike other legal notices, have a specific audience: unknown heirs and unknown creditors, that are not being reached through print publication.
- **DISCONTINUING REDUNDANT, INEFFECTIVE, AND COSTLY SUBSIDY:**
 - Interested persons already receive notices in the mail.
 - Unknown heirs and unknown creditors do not read the legal notices section of print newspapers to determine if estates have been opened.
 - The print newspaper industry has become unpredictable and unreliable for publishing estate notices:
 - Some publication fees are rising.
 - We have fewer newspapers to choose from.
 - The industry cannot guarantee they will print publications of general circulation in every jurisdiction in Maryland in perpetuity.
 - The industry is increasingly being consolidated by out-of-state corporations with less and less competition.
 - Publications are increasingly demanding the public pay their fees out of pocket before they're able to access estate funds, an undue burden.
 - Publications are increasingly forcing the Registers of Wills to play the role of collections agents for their fees, an inappropriate burden on the State.
 - Publications are chronically error-prone, forcing the Registers of Wills to play the role of copy editors, another inappropriate burden on the State.
 - Chronic errors require notices to be re-published, delaying the closing of estates and prolonging the process for grieving families.
- **PROMOTING USE OF RELIABLE EASY-TO-FIND ONLINE NOTICES:**
 - The Registers of Wills have already established a centralized statewide database of all estate notices at no additional cost to the public.
 - This database is free.
 - It is the top Google search result for anyone looking for estate notices.
 - Notices are published free of errors.
 - Notices are archived permanently.
- **SAVING MARYLAND FAMILIES MONEY**
 - Save grieving families approximately \$1.3 million per year.
- **ENSURING PROPER USE OF PUBLIC RESOURCES:**
 - Alleviate the State of its precarious and unsustainable reliance on an unpredictable print newspaper industry to publish estate notices.

ATTACHMENT 1

Estimated Publication Costs by Jurisdiction in Maryland for FY2023 and FY2025

Jurisdiction	Est. Cost FY2023	Est. Cost FY2025
Allegany	\$33,665.86	\$25,862.48
Anne Arundel	\$252,188.00	\$134,390.00
Baltimore City	\$103,914.00	\$137,655.00
Baltimore	\$226,318.00	\$220,015.00
Calvert	\$8,325.00	\$9,851.00
Caroline	\$23,107.50	\$24,615.50
Carroll	\$105,714.00	\$52,535.00
Cecil	\$61,297.50	\$50,160.00
Charles	\$31,410.00	\$30,995.00
Dorchester	\$17,355.00	\$16,380.00
Frederick	\$172,590.00	\$50,635.00
Garrett	\$18,815.00	\$14,732.50
Harford	\$91,175.00	\$68,680.00
Howard	\$43,613.00	\$55,420.00
Kent	\$24,831.00	\$23,909.00
Montgomery	\$203,673.00	\$183,555.00
Prince George's	\$35,450.00	\$66,080.00
Queen Anne's	\$38,223.00	\$34,902.00
St. Mary's	\$21,300.00	\$22,089.00
Somerset	\$5,280.00	\$7,858.56
Talbot	\$47,410.30	\$45,262.00
Washington	\$26,945.00	\$20,230.00
Wicomico	\$22,939.00	\$21,933.00
Worcester	\$45,726.00	\$44,268.00
STATEWIDE TOTAL	\$1,661,265.16	\$1,368,362.04

ATTACHMENT 2

Screenshot of “Legal Notices” section of the Register of Wills website.

Description:

- Users can search notices by jurisdiction, date of publication, date of death of the decedent, the name of the decedent, or the name of the personal representative.
- Users can read the entire text of any published notice.
- Users can click the “Print” button to generate a print-friendly version of any notice.

Benefits of Online Legal Notices:

- ✓ Free of charge.
- ✓ Archived permanently.
- ✓ Auto-generated to eliminate errors.
- ✓ Changes may be made instantly.

The screenshot shows a web browser window with the URL registers.maryland.gov/LegalNotice/Notices/NoticeSearch.aspx. The page header includes the logo of the Office of the Register of Wills and the text "THE OFFICE OF THE REGISTER OF WILLS LEGAL NOTICES".

The main content area is titled "Search Public Notices" and contains a search form with the following fields:

- COUNTY:** A dropdown menu.
- PARTY TYPE:** Radio buttons for "Decedent" (selected) and "Personal Representative".
- DATE OF PUBLICATION:** Range (from-to) with input fields for "01/09/2024" and "02/08/2024".
- DATE OF DEATH:** (MM/DD/YYYY) with input fields for month, day, and year.
- Name Fields:** Input fields for "Last Name", "First Name", and "Middle Name".

Buttons for "Search", "Clear", and a menu icon are located below the search fields. Below the search form, it indicates "Viewing Page 1 of 95 (1893 RECORDS TOTAL)" and a "Sort By" dropdown menu set to "Publication: Latest to Earliest".

The first search result is for Baltimore City, published on 02/08/2024. The notice text reads: "IN THE ORPHANS' COURT FOR (OR) BEFORE THE REGISTER OF WILLS FOR Baltimore City, MARYLAND IN THE ESTATE OF GENEVA TAJADA Estate No. 206107 NOTICE OF JUDICIAL PROBATE To all Persons Interested in the above estate: You are hereby notified that a petition has been filed by PARKER SIMON & KOKOLIS LLC for judicial probate of the will dated and for the appointment of a personal representative. A hearing will be held at 111 N. CALVERT STREET ROOM 303 BALTIMORE, MD 21202 on March 07, 2024 at 10:30 AM. This hearing may be transferred or postponed to a subsequent time. Further information may be obtained by reviewing the estate file in the office of the Register of Wills. BELINDA K. CONAWAY, Register of Wills for Baltimore City 111 N CALVERT STREET COURTHOUSE EAST BALTIMORE, MD 21202". A "Print" button is visible at the bottom right of the notice.

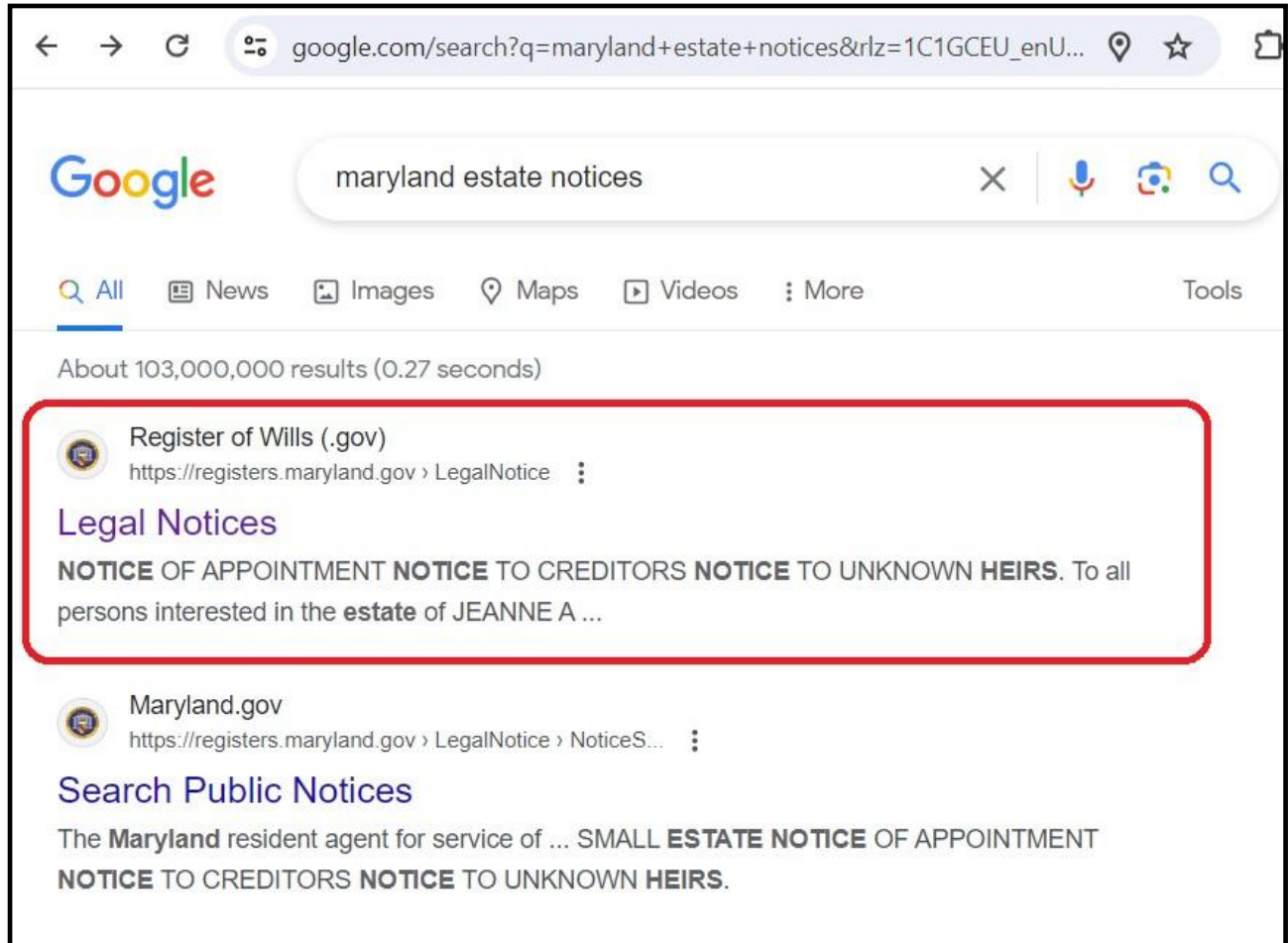
The second search result is for St. Mary's County, published on 02/08/2024.

Scan QR code to be directed to the Register of Wills Legal Notices Website:



ATTACHMENT 3

Screenshot of Google search results for “Maryland estate notices” which shows the Register of Wills’ Notice website as the top search result.



ATTACHMENT 4

(FILE IN DUPLICATE)

(name and address of attorney)

**NOTICE OF APPOINTMENT
NOTICE TO CREDITORS
NOTICE TO UNKNOWN HEIRS**

To all persons interested in the estate of

ESTATE NO. _____

Notice is given that: (name and address)

was on _____ appointed Personal Representative of the estate of: _____
(date)

who died on _____ (with) (without) a will. There (was) (wasn't) a prior small estate proceeding.
(date)

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative or the attorney.

All persons having any objection to the appointment (or to the probate of the decedent's will) shall file their objections with the Register of Wills on or before the _____ day of _____,
(6 months from date of appointment)

Any person having a claim against the decedent must present the claim to the undersigned personal representative or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

- (1) Six months from the date of the decedent's death; or
- (2) Two months after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

Name of newspaper designated by personal representative: _____

Date of publication: _____

True Test Copy

Name and Address of Register of Wills for

2025-02-12--Maryland General Asseembly--House Judi

Uploaded by: Jim Snider

Position: FAV

**Written Testimony of J.H. Snider in favor of [HB0623](#),
Estates and Trusts - Estate Administration - Publication of Notice,
Submitted to the Maryland House Judiciary Committee, Feb. 12, 2025**

If there ever was a government subsidy that's a good example of what economists call rent seeking, it's the legal ad subsidies for Maryland's politically powerful publishing industry at the expense of unorganized and poor Marylanders who cannot defend their interests and so are easy prey for exploitation. I don't dispute that the press provides a worthwhile service; I do dispute that the legal ad fees imposed on the families of deceased Marylanders provides such a service-- and it is that narrower issue you should be focusing on here.

The newspaper lobby will tell you that their technology is an excellent way to provide public notice to potential beneficiaries and creditors of the deceased. But anyone who seriously examines this claim in the year 2025 knows it's laughable. Imagine if today's newspapers told Maryland's commercial advertisers that to reach potential customers via the newspaper they would have to use legal ad like ads. It would be financially suicidal because, unless the government forced them to purchase such ads, commercial advertisers would avoid them like the plague. To be sure, 150 years ago commercial advertisers were happy to pay for such ads. But we're no longer living in the 19th Century.

The newspaper lobby will give you a big song and dance about how committed they are to legal ad transparency and accessibility. But communication scholars have for decades been trying to get information from the newspaper industry about the revenue brought in by legal ads, and the industry, including Maryland newspapers, won't provide it because they treat that information as a trade secret. So here they are once again asking to preserve or expand a government handout at the expense of the politically weak, but they won't reveal how much money they receive as a result.

Shamefully, many newspapers won't even publicly post merely the cost of the legal ads on their websites. Instead, one must contact them personally and hope they'll share the cost of those ads. Why such poor customer service? And why are those legal ads often more expensive than comparable classified ads? The answer is simple: the government has granted them a monopoly on those government mandated ads and they act accordingly.

I've randomly asked many people over the years if they looked at legal ads to find out if they were a beneficiary of a deceased relative. Not one of them has ever answered yes. Over the years, the Maryland General Assembly has introduced countless bills concerning legal ad subsidies for newspapers. But I don't recall a single case where a supposed beneficiary of these government mandated ads has supported the claims the newspaper lobby has made for them. I don't doubt that the newspaper lobby could dig up such people. But it's telling and all the public needs to know that their preferred mode of lobbying on legal ads is not publicly but quietly in your offices. And when they do lobby publicly, they often make points that either are not substantiated with hard evidence or answer irrelevant questions.

HB0623 - MSBA Estate and Trust Section Council Wri

Uploaded by: Laura Thomas

Position: FAV



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To: Maryland House of Delegates – Judiciary Committee

From: MSBA Estate & Trust Law Section

Date: February 12, 2025

Subject: **HB0623** – Estates and Trusts – Estate Administration – Publication of Notice

Position: **Support**

The Estate and Trust Law Section of the Maryland State Bar Association (MSBA) **supports House Bill 623 – Estates and Trusts – Estate Administration – Publication of Notice.**

Description of Current Law

Under current law, notice of various occurrences during the administration of a probate estate are required to be published in a newspaper of general circulation.¹ In all but a small number of probate estates in Maryland, the law requires publication of notice of the appointment of the Personal Representative (aka Executor).

A newspaper of general circulation is defined in Md. General Provisions Code Ann. § 1-113. In addition, the Court of Appeals has stated that, "...it is a term generally applied to a newspaper to which the general public will resort in order to be informed of the news and intelligence of the day....and thereby to render it probable that the notices or official advertising will be brought to the attention of the general public."²

Problems Addressed by this Legislation:

There are three (3) problems with the current law that we believe are addressed by the proposed legislation.

The first problem, and typically the most important for those interested in an estate is the cost of the publication in a newspaper. The fee for publishing notice can cost in the

¹ Specifically, there are four occurrences in which publication in a newspaper of general circulation is required: (1) Notice of judicial probate (Md. Estates and Trusts Code Ann. § 5-403); (2) Notice of appointment and description of real property owned by a non-resident decedent (Md. Estates and Trusts Code Ann. § 5-503); (3) Notice of appointment of Personal Representative (Md. Estates and Trusts Code Ann. § 7-103); and (4) Notice of hearing to determine distribution of a probate estate by the court (Md. Estates and Trusts Code Ann. § 9-112).

² *Van Gorder v. Board of Supervisors of Elections*, 229 Md. 437, 441 (1962)

hundreds of dollars. In addition, most counties only have one newspaper that qualifies as a newspaper of general circulation under Maryland law, which eliminates the competition amongst publishers for an estate's business and results in inflated pricing. For some estates, the cost of the publication, especially if the bill must be paid by the Personal Representative before he or she can access funds from the estate, can be prohibitive to even opening the estate.

The second problem is the decreasing reliance on newspapers by the general public. With each passing year, it becomes less likely that publication in a newspaper will "render it probable that the notices or official advertising will be brought to the attention of the general public." Many people rely on the internet to provide them with the information that newspapers provided in the past. In addition, the likelihood that a person interested in an estate subscribes to one of these newspapers is smaller each year.

The third problem is the lack of consistency amongst the Registers of Wills because of the requirements imposed on them by the newspapers. The newspapers in some jurisdictions require that the cost for the publication be submitted with the paperwork to open the estate, while those in other jurisdictions do not. This creates confusion among Personal Representatives and legal practitioners as to the requirements of each jurisdiction.

How this Legislation Solves these Problems:

The proposed legislation solves each of the problems outlined above. Firstly, the Register of Wills offices will provide publication of notice at no charge to estates in Maryland. This eliminates the cost of the notice to all estates. Secondly, it moves the publications for all estates to one, central database that is easily findable through an internet search and one that is housed with all other pertinent information for an estate that an unknown heir or creditor may need. The change to a centralized database increases the likelihood that the notice will be brought to the attention of the general public. Lastly, it makes the estate notice process consistent across the state of Maryland.

For the reasons stated above, the Estate and Trust Law Section of the MSBA **supports House Bill 623 and urges a favorable committee report. For further information, please contact:**

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HB 623 Estates and Trusts Publication Notice Lette

Uploaded by: Mary Beth Pirolozzi

Position: FAV



STATE OF MARYLAND
REGISTER OF WILLS FOR ALLEGANY COUNTY, MARYLAND

MARY BETH PIROLOZZI
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February 10, 2025

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The Honorable Luke Clippinger
House Judiciary Committee
100 Taylor House Office Building
Annapolis, MD 21401

FAVORABLE SUPPORT - HB 623

RE: House Bill 623 – Estates and Trusts – Estate Administration – Publication of Notice

Dear Mr. Chairman and Members of the Judiciary Committee:

I am writing in **support of House Bill 623** and ask for your favorable committee report for this important legislation. I hope you will note that **you voted unanimously for this bill last year**, and I hope that you will do the same again this year. As Register of Wills for Allegany County:

- The readership and circulation of the Cumberland Times has diminished dramatically and the unknown heirs are not being reached through the newspaper (our only publication). AND our newspaper **only publishes 5 days each week. Heirs will find out about an estate through word of mouth from relatives or friends, and the creditors will use our website.**
- We are the collection agency for these newspapers whose ownerships are out of the state of Maryland, in our case Johnstown, PA, and our citizens are paying lots of money for these notices, money that doesn't even stay local. Errors occur frequently, we have had customers inconvenienced by having to pay again because no one could find their payment at the newspaper, and the stories go on and on.
- Routinely, notices need to be republished because of errors in the notices.
- **Interested persons will continue to get a notice mailed directly to them by the Registers, preserving their due process rights.**

Thank you for your time and attention. I respectfully urge a favorable report on **HB 623**.

Sincerely,

Mary Beth Pirolozzi
Register of Wills



HB 623.pdf

Uploaded by: Paul Zimmermann

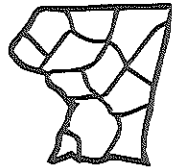
Position: FAV



Paul G. Zimmermann
Register

OFFICE OF THE
REGISTER OF WILLS

FOR CARROLL COUNTY
55 N. Court Street • Room 124
Westminster, Maryland 21157



410-848-2586

410-876-3158

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Toll Free: 1-888-876-0034

February 10, 2025

The Honorable Luke Clippinger
House Judiciary Committee
100 Taylor House Office Building
Annapolis, MD 21401

FAVORABLE SUPPORT - HB 623

RE: House Bill 623 – Estates and Trusts – Estate Administration – Publication of Notice

Dear Mr. Chairman and Members of the Judiciary Committee:

I am writing in **support of House Bill 623**. As Register of Wills for Carroll County, I ask for your favorable committee report for this important legislation for the following reasons:

- When the Notice is sent to the newspaper, the Notice is only published one day a week for one, two or three weeks only, depending on the Notice. If the Notice is published on our website, the Notice stays up from the day that we publish, usually the day the Estate is open, and it stays up on our website, seven days a week, 24 hours a day, well past the three insertions spread out three weeks (once a week). Someone could miss the day the newspaper publishes but they will always be able to find it on our website, well after the first day of publication.
- The Carroll County Times and the Daily Record both charge the Estate for publication. The Times requires payment up front. If payment hasn't been made, and the Notice hasn't been published in the paper when it was supposed to be, we have to call the Personal Representative to advise them to pay so the Notice can be published. Publication on our website is at no cost.
- If a relative isn't sure of the County where the person died, instead of checking with multiple counties, they have one place to check, our website.

Thank you for your time and attention. I will be attending the hearing if anyone has additional questions. I respectfully urge a favorable report on **HB 623**.

Sincerely,

Paul G. Zimmermann
Carroll County Register of Wills

Mid-Atlantic Media - HB623 - Unfavorable.pdf

Uploaded by: Craig Burke

Position: UNF



BALTIMORE'S CHILD // BALTIMORE JEWISH TIMES // BALTIMORE STYLE // CHESAPEAKE FAMILY LIFE
CONSUMER'S EYE MAGAZINE // FREDERICK'S CHILD // HOME SERVICES MAGAZINE // METROKIDS
MID-ATLANTIC CUSTOM MEDIA // MONTGOMERY MAGAZINE // PHILADELPHIA JEWISH EXPONENT
PITTSBURGH PARENT // WASHINGTON FAMILY // WASHINGTON JEWISH WEEK

February 10, 2025

Maryland State Judiciary Committee
100 State Circle
Annapolis, MD 21401

To members of the Judiciary Committee,

We respectfully ask for an unfavorable report on HB623, which would move all public estate notices from every Register of Wills office in the State to a centralized online website operated by the Register of Wills. Under current law, the register and representatives must provide notice in a newspaper of general circulation for a certain amount of time to provide notice to creditors for any outstanding debt owed by the decedent and notice of death to the heirs of the decedent. We believe this proposed move to an online website controlled by the register will deny the creditors and the public proper access to the notices. It is a well-known fact that not everyone, especially some within the senior community and the disadvantaged, have access to the internet.

In addition to the above, letting this bill pass will have a tremendous negative effect for Washington Jewish Week (WJW) and Baltimore Jewish Times (JT), publications that have been serving Jewish communities in Maryland since 1930 and 1918 respectively. WJW and JT have been a publications of record for public estate notices for many decades. WJW and JT do a terrific job of processing the public estate notices without error and provides the public with access to them. Letting this bill pass through will significantly reduce WJW and JT's ability to service their communities. If this bill were to pass through, jobs would be lost, and the loss of revenue will make it difficult for the venerable WJW and JT to survive.

We urge you to veto bill HB623.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig Burke".

Craig Burke
CEO & Publisher

LH -HB623 OPP Testimony 2.0FN1.pdf

Uploaded by: Lorenzo Bellamy

Position: UNF

February 12, 2025

HB623-Estates and Trusts- Estates Administration- Publication of Notice
(OPPOSED)

Dear Chairman Luke Clippinger and Vice Chair Sandy Bartlett
And Members of the House Judiciary Committee:

On behalf of the Daily Record, having been a partner to Maryland's legal and legislative community since 1888, I am submitting this letter in **OPPOSITION** to HB623- Estates and Trust - Estate Administration - Publication of Notice.

The bill eliminates the requirement that a personal representative of a decedent, the register of wills or foreign personal representative from having to publish notice in a newspaper of general circulation. Under current law, the aforementioned register and representatives must provide notice in a newspaper of general circulation for a certain amount of time to provide notice to creditors for any outstanding debt owed by the decedent and notice of death to the heirs of the decedent.

This legislation, which is a reintroduction to the bill introduced in the Maryland General Assembly 2024 Legislative Session, was, again drafted without any input from the newspapers in Maryland, which have, for decades if not centuries, faithfully served their communities by providing public notices.

The bill's sponsor, Delegate Embry, has been a supporter of the Daily Record and newspapers in general, which is why we are convinced that she did not realize in 2024 and now in 2025 the collateral damage this bill would and will have on the newspaper industry.

This bill will have a significant impact on the newspaper industry, including significant job loss across Maryland. This industry is already facing significant financial constraints. While we appreciate that the Register of Wills will offer this service for free, the requirement that notice be published in newspapers ensures that a wide and independent net is cast to inform heirs and creditors alike of the death of the individual at issue. Although the Register of Wills website may be "Free Access", it will not be noticeable access for the communities' notice is intended to serve and provide.

The Daily Record is a robust local news source driving traffic to their site through unique content, email alerts and public notice alerts. We have a history in

ensuring public notice content is accessible for all through libraries, subscriptions, and online access (free to all). In addition to the notices on The Daily Record site, notices also appear on sites for all newspapers in Maryland and the MD/DC/DE Press Association website. Newspapers are in the business of audience development and ensure readers can access content in various mediums in a host of ways.

Also, the legislation's financial impact to large and small newspapers of general circulation will be a loss of several millions of dollars and most critical, the elimination of many jobs and several community papers going out of business. This is not hyperbole; it is a fact. To pass HB 623 which will have a seismic impact on longtime small businesses and their employees across the state, without an honest discussion of its merits, serves no one.

While we recognize that society is transitioning to digital press (we at the Daily Record offer both print and digital subscriptions and all public notice is in front of the paywall), notices that serve the community such as the ones impacted by this legislation (many from an older generation) should be placed in mediums where the general community seeks trusted legal notices and information- that is the print news industry.

Studies show that when a community loses its source of local news, it experiences decreased voter turnout and civic engagement; increased municipal borrowing costs that lead to higher taxes; and decreased transparency among government and business officials, leading to increased waste, fraud, and abuse. As newspapers shutter, communities become more polarized, and we lose sight of our shared values. During this era of intense national partisanship, local newspapers offer a path forward.

HB623 provides little time for educating people where these digital notices appear when traditionally and historically, they have been placed in their local newspaper. The effective date of this bill is October 1, 2025, with no ramping up time to educate the community, including creditors and relatives. The benefit of having notices published on the Register of Wills website rather than in print in a newspaper at the cost of many newspaper jobs and in some cases, newspaper companies, is not a fair, civil, effective or a humane tradeoff.

Newspapers matter! We believe keeping local newspapers alive and growing (not reducing) jobs in Maryland is important to you and your fellow colleagues and therefore we urge you to report UNFAVORBLE on HB623 for the aforementioned reasons and to allow notices at issue to continue serving the communities they were designed to serve.

Respectfully,

Suzanne Fischer -Huettner

Suzanne Fischer-Huettner
Managing Director / Publisher, The Daily Record

APG - HB623 Unfavorable.pdf

Uploaded by: Orestes Baez

Position: UNF

Luke Clippinger, Chair
Maryland House of Delegates Judiciary Committee
6 Bladen Street
Annapolis, Maryland 21401

Dear Mr. Clippinger and Maryland House of Delegates Judiciary Committee:

I serve as Regional President for Adams Publishing Group – Chesapeake, overseeing twelve publications that will be directly impacted by House Bill 623. The enactment of this law will impose hundreds of thousands of dollars of negative financial impact on our operations, lead to job losses, and potentially force the closure of media properties—outcomes that will reverberate throughout the Maryland economy.

This impact comes at a time when media properties along the East Coast are already grappling with the detrimental effects of the proposed 25% Canadian tariffs introduced by the new Trump administration. Local Maryland print publications are facing not only soaring costs for Canadian newsprint but also a significant loss of revenue due to HB623.

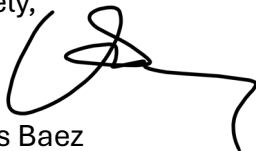
Moreover, with a minimum of 24 publications of record—covering every county, including Baltimore City—the compounded loss of revenue and increased operating costs threaten hundreds of jobs. As more Marylanders find themselves out of work, the economic strain on our communities will intensify. Please do not jeopardize the financial stability of Maryland’s media industry and, by extension, our local economy.

It is important to note that the service this bill seeks to replicate is already provided free of charge by the Maryland/DC/Delaware Press Association. Allowing an independent body to oversee public notices not only is an efficient service but also instills public confidence through third-party oversight of the public sector.

I strongly urge you and your committee members to issue an unfavorable report for HB623.

Thank you for your thoughtful consideration.

Sincerely,



Orestes Baez
Regional President
Adams Publishing Group – Chesapeake

HB623 MDDC Oppose.pdf

Uploaded by: Rebecca Snyder

Position: UNF



Maryland | Delaware | DC Press Association

P.O. Box 26214 | Baltimore, MD 21210

443-768-3281 | rsnyder@mddcpres.com

www.mddcpres.com

To: Judiciary Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: February 10, 2025

Re: **OPPOSE HB 623**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media organizations, from large metro dailies like the Washington Post and the Baltimore Sun, to hometown newspapers such as The Annapolis Capital and the Maryland Gazette to publications such as The Daily Record, the Baltimore Times, and online-only publications such as Maryland Matters and Baltimore Brew. Our members are central pillars of their communities, providing not only news and information that is critical to the public, but jobs and other economic contributions. The majority of our members are small businesses, defined as fewer than 50 employees. The Local News Ecosystem report (published April 2024) from the University of Maryland shared that 90% of the news outlets they surveyed had news staff numbering fewer than 20 people. Every jurisdiction in Maryland has a local newspaper, with a digital presence, where notices are cross published. The press association aggregates all notices from member publications in a website available to all.

The Press Association strongly opposes HB 623, which seeks to centralize estate notices on a government-operated website alone, effectively pulling critical information for creditors and heirs into a subject specific website that requires a user to have reliable internet access AND to know where to look for the information. This would upend the longstanding practice of publishing public notices in local newspapers and their associated websites, threatening the vitality of Maryland's communities and the essential role of the press in fostering civic engagement and accountability. This bill will also remove a vital revenue stream for local newspapers, jeopardizing the future of journalism in our state. **We believe that HB 623 will create a seismic change in the local media landscape that will decimate and potentially prompt the closure of local news outlets.**

For decades, local news media has been at the core of their communities, providing critical information, facilitating public discourse, and holding power to account. Although digital formats now supplement print publications, the watchdog role of news media has remained constant. Public notices, a cornerstone of transparency and accountability in government through independent publication and a deep reach into local communities, have been a fundamental part of this ecosystem. Cataclysmic change sounds dramatic. Local news, however, is on the precipice. **HB 623 will abandon a system of public notice that has worked well for decades and eliminate a significant number of jobs in Maryland.** Local news will go away if communities, governments and others do not support it. Studies show that when a community loses its source of local news, it experiences decreased voter turnout and civic engagement; increased municipal borrowing costs that lead to higher taxes; and decreased transparency among government and business officials, leading to increased waste, fraud, and abuse.

We believe the **effect of this legislation will be to take \$3.5 million directly out of news media and local reporting**. Some publications may merge with others; some may go out of business. When Governor Moore **vetoed this same legislation in May 2024**, he understood the economic pressures facing the industry. Our members wrote to him at that time with these remarks:

- “Losing this absolutely will cost jobs. As in all industries, newspapers – and media companies more generally – operate within certain cost structures to maintain viability. A foundational metric is payroll as a percent of revenue. Carefully run traditional newspapers keep payroll to about 30 percent of revenue. Realistically, many papers now are moving closer to 33 or 35 percent, or even higher, with many papers that prioritize quality reporting operating at the higher end. For very digitally oriented media companies, which don’t have the same production and delivery expenses to bear, payroll might come in at a higher percent of revenue. But I suspect that most publishers that receive legal advertising (and still generate the vast majority of reporting in Maryland) would likely be guided by a 30 to 35 percent benchmark. From that, you can easily do the math to see that this kind of a revenue blow will affect employment.” In my operation, these notices account for about \$250,000 each year. A third of \$250,000 is \$82,500. That’s two positions we would likely need to eliminate. That almost certainly reduces our newsroom staffing by at least one position.”
- “My operation will be forced to implement a number of drastic cost reduction efforts should HB 1258 become law. The most likely scenario I see at this point is reducing our workforce by 7 - 10 positions (5-6 reporters | 2-4 business / OPS). This will represent roughly one quarter of our newsroom staff across all sites, and will force a number of other changes in coverage which could include frequency of print publication, closing free-access publications or elimination or merging of titles because of revenue that will be lost from the company as a whole.”
- “I am not sure I can stay in business if this becomes law. We are extremely small and this is critical revenue for us. We are the only print publication in our county as it is.”
- “Our newspaper would not “close,” but would potentially publish less frequently and possibility become digital only - with an older audience. Older audiences are well known to be less digitally savvy and prefer print. A minimum of three (3) salaries would need to be eliminated to make up for the LOSS of substantial revenue.”
- “If this goes through, we will lose at least 2 people one part time and one full time.”
- “In our publication, estate notices average about \$20k a year which is 1/2 of one reporter’s total compensation.”

Proponents of HB623 argue that centralizing public notices on a government website will increase accessibility and efficiency for the state Register of Wills offices. However, this overlooks the reality that many residents, particularly in underserved communities, lack reliable internet access or the technological literacy to navigate online platforms effectively. Many pandemic-era subsidies that made broadband access affordable for Marylanders have been discontinued. Websites are hacked regularly and government is not immune. **The print publication is a tangible, permanent record that is archived by publications and libraries, containing the records of an entire community.** Having these notices appear only on a court website diminishes the independence of notice as the agency placing the notice is the one that is publishing the notice. **News media is in the business of audience development and dissemination of information, and the traffic to both member websites and the MDDCNews.com aggregated site dwarfs a state website.** Having notices in the context of other news and information the public searches for make notices more visible. That will not happen under this bill.

We urge an unfavorable report.

Luke Clippinger, Chair
Maryland House of Delegates Judiciary Committee
6 Bladen Street
Annapolis, Maryland 21401

Dear Mr. Clippinger and Maryland House of Delegates Judiciary Committee:

I serve as Regional President for Adams Publishing Group – Chesapeake, overseeing twelve publications that will be directly impacted by House Bill 623. The enactment of this law will impose hundreds of thousands of dollars of negative financial impact on our operations, lead to job losses, and potentially force the closure of media properties—outcomes that will reverberate throughout the Maryland economy.

This impact comes at a time when media properties along the East Coast are already grappling with the detrimental effects of the proposed 25% Canadian tariffs introduced by the new Trump administration. Local Maryland print publications are facing not only soaring costs for Canadian newsprint but also a significant loss of revenue due to HB623.

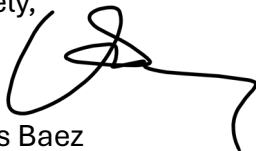
Moreover, with a minimum of 24 publications of record—covering every county, including Baltimore City—the compounded loss of revenue and increased operating costs threaten hundreds of jobs. As more Marylanders find themselves out of work, the economic strain on our communities will intensify. Please do not jeopardize the financial stability of Maryland’s media industry and, by extension, our local economy.

It is important to note that the service this bill seeks to replicate is already provided free of charge by the Maryland/DC/Delaware Press Association. Allowing an independent body to oversee public notices not only is an efficient service but also instills public confidence through third-party oversight of the public sector.

I strongly urge you and your committee members to issue an unfavorable report for HB623.

Thank you for your thoughtful consideration.

Sincerely,



Orestes Baez
Regional President
Adams Publishing Group – Chesapeake



February 10, 2025

To: Judiciary Committee

RE: House Bill 623's decimating effects on local media – letter of opposition

Dear Judiciary Committee,

The Baltimore Sun is the primary source of news and information in this region, catering to over 800k readers weekly. Collectively, our products reach approximately eight out of 10 households in the market, providing our readers with timely access to news, information, and public notices.

We respectfully oppose House Bill 623, a bill intended to move all public notices from every State of Maryland Register of Wills office to a centralized website operated and managed by the Register of Wills. Under current law, the Register of Wills and representatives are required to publish notices in a newspaper of general circulation for a certain amount of time, providing notice to creditors for any outstanding debt owed by the decedent and notice of death to the heirs of the decedent.

House Bill 623 was drafted without any input from local newspapers in the State of Maryland, including Baltimore Sun Media, publisher of The Baltimore Sun, Capital Gazette, Carroll County Times, The Aegis, and Howard County Times, all of which provide timely access to public notices. As you know, Baltimore Sun Media was purchased by Maryland owners in early 2024, bringing local ownership to these newspapers for the first time in close to 40 years.

The proposed bill does not include a transition plan outlining how the general public will access these notices if they are no longer published in local newspapers. This is a key, missing element, as our readers have always relied on local newspapers for this information. Under the proposed bill, the register will transition to the new platform effective Oct. 1, 2025, without a plan to inform the general public of the change. This is a disservice to our readers and the communities we serve, all of which rely on their local newspapers for news and information, including legal notices.

Under House Bill 623, the Register of Wills website may post the notices at no cost; however, under this proposal, to access notices everyone in the community must have internet access and understand where to access the information.

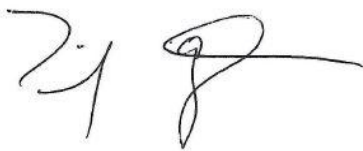
At this point, people are unaware of this database. Our readers, community members, and businesses have always relied on our products to access information related to estate notices. To provide some context, at the last reported time the Register of Wills website averages 9,000 page views per month, Baltimoresun.com averages 21,147,884 page views per month. (Source: July-Dec 2024 Google Analytics) Notices should be published where the general community looks for news and information and not just available through an online-only government database.

Baltimore Sun Media provides access to public notices in print and online through our e-Newspaper edition, and all of our notices are aggregated on the MDDC website, which provides free access to the public. The Register of Wills is proposing to replicate what has always been a part of the industry's commitment to public notices.

We respectfully oppose House Bill 623. Please do not let House Bill 623 pass into law to limit public notice information to citizens.

Thank you for your consideration. Please feel free to reach out to me if you have any questions about my comments above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trif Alatzas', with a stylized flourish at the end.

Trif Alatzas
Publisher and Editor-in-Chief
The Baltimore Sun