

TERESA S. WOORMAN
Legislative District 16
Montgomery County

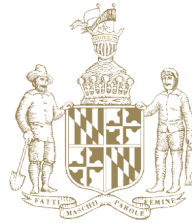
Health Committee

Subcommittees

Elder and Long-Term Care

Maternal, Infant, and Child Health

Public Health and
Minority Health Disparities



The Maryland House of Delegates
6 Bladen Street, Room 210
Annapolis, Maryland 21401
410-841-3454
800-492-7122 Ext. 3454
Teresa.Woorman@house.maryland.gov

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 25, 2026

Judiciary Committee

Chair Senator William C. Smith, Jr.

Vice Chair Senator Jeff Waldstreicher

2 East Miller Senate Office Building

Annapolis, Maryland 21401

Dear Chair Smith, Vice Chair Waldstreicher and Members of the Judicial Proceedings Committee:

You've heard a version of this bill last year, House Bill 963 removes an outdated provision in our Estates and Trusts Article that prevents someone from managing their loved one's estate simply because of their citizenship status. This Committee saw this bill last year, and although it did not make it across the finish line in the Senate before session ended, the issue has not gone away. The House passed this bill out again this year with bipartisan support because families are still navigating probate under this restriction today.

This legislation came out of a very local and painful situation. Following the collapse of the Francis Scott Key Bridge, a widow who lost her husband while he was working on the bridge, was unable to serve as the personal representative of his estate because she was not a U.S. citizen. At a time when she should have been able to grieve and manage her family's affairs, she instead faced additional legal hurdles and unnecessary costs. To this day his estate is still not settled and this Maryland family is still facing hurdles we can do away with.

However, over the past year, it has become clear that this issue extends far beyond a single case. Maryland is home to diplomats, international students, researchers, professionals on long-term visas, and families with deep international ties. Many live here for years, build their lives here, and raise their families here. When something unexpected happens, this restriction can create real barriers during the probate process at the very moment families are most vulnerable.

House Bill 963 does not remove any meaningful safeguard in Maryland probate law. A personal representative must still be at least 18, mentally competent, not convicted of a serious crime absent good cause, and either named in a will or entitled under the statutory order of priority. Registers of Wills maintain oversight, courts retain full discretion, and bonding requirements remain available to protect estates. Nonresidents must also designate an in-state agent for service of process.

This bill simply ensures that eligibility is based on a person's ability to fulfill fiduciary responsibilities, not their immigration status.

One concern raised last year was the possibility that someone could leave the country with estate assets. But Maryland law already allows other nonresidents to serve as personal representatives, with appropriate safeguards in place. Personal representatives are fiduciaries subject to court supervision, accounting requirements, and removal for cause. And importantly, citizenship itself does not prevent misconduct. A U.S. citizen has the same theoretical ability to misuse estate assets. Our laws appropriately focus on accountability and oversight, not nationality.

Maryland is in the minority nationally in maintaining this restriction, and no neighboring jurisdiction has a similar limitation. Removing it modernizes our probate code while preserving strong protections for estates.

I respectfully request a favorable report on House Bill 963.

Thank you for your consideration.