



**Testimony before the House Judiciary Committee
February 11, 2026**

**House Bill 426 - Petition for Guardianship of the Property of Alleged Disabled Person -
Stay of Civil Actions and Proceedings**

SUPPORT

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD) Committee on Aging, we would like to express our support for HB 426 Petition for Guardianship of the Property of Alleged Disabled Person – Stay of Civil Actions and Proceedings.

We are social workers who serve older adults and people with disabilities. We have worked with people who have experienced cognitive or physical decline that renders them unable to handle their funds, pay bills or complete other transactions. If there is no trusted person to step in, Adult Protective Services (APS) may be called to investigate, and, if they find that the person lacks capacity, APS petitions the Court for a Guardian of the Property. This process can be lengthy, however. Any civil actions taken against the individual during that time between the petition and the Court hearing can have catastrophic consequences:

- An eighty-year-old man with no family was discovered to be living in a filthy, cluttered home with no heat or food. There was an eviction notice posted on his door, but he was not aware that he had not paid his rent.
- A seventy-eight-year-old woman lost her house through foreclosure because she could not remember to pay her mortgage. Piles of past-due notices lay on her kitchen table, unopened. Her belongings were scheduled to be removed from the house the following day, after which she would be homeless.

This bill would help preserve the property and other assets of alleged disabled adults by allowing for a stay of civil proceedings such as evictions, foreclosures or property tax sales for individuals who are the subject of petitions for a Guardian of the Property. This stay could remain in effect until either a Guardian is appointed, or the petition is denied. This bill would prevent vulnerable people from losing their homes and their life savings due to their inability to manage their finances. It is a humane and common-sense measure.

For these reasons, we request that you give a favorable report on HB 426.

Respectfully,

Karessa Proctor, BSW, MSW
Executive Director, NASW-MD