



HB 0375 – Granny’s Law

Position: SUPPORT – FAV

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WRITTEN TESTIMONY

In Support of House Bill 0375 – Estates and Trusts – Interpretation of Wills – Evidence of Intent
(Granny’s Law)
Judiciary Committee – February 4, 2026

Introduction

Chair, Vice Chair, and Members of the Judiciary Committee:

Thank you for the opportunity to submit testimony in support of House Bill 0375 (Granny’s Law). My name is Divina Fisher. I am a victims’ advocate with over 20 years of experience, and I bring firsthand knowledge of the Register of Wills and probate court system—having personally served as a court-recognized personal representative for my mother’s estate.

I want to be clear at the outset: this is a horrible experience I do not enjoy revisiting. However, if we do not stand for something, we risk falling for anything. I appear before you because HB 0375 addresses a significant structural gap in Maryland’s probate system—one that can devastate families when discretion is exercised without verification, sensitivity, or due process, particularly in cases involving caregivers and intestate estates.



Background and Standing

For more than three and a half years, I was my mother's full-time, unpaid caregiver while she battled terminal stage-four cancer. I left my job and my career to care for her at home, managing her medical needs, household affairs, and finances. This was an act of love, responsibility, and commitment.

When my mother passed away intestate, I was lawfully appointed as personal representative of her estate, alongside my brother. For nearly one full year, I administered the estate responsibly and in accordance with Maryland law, ensuring bills were paid and assets preserved.

Failure of Due Process

Despite this lawful appointment, a probate judge removed both personal representatives without notice, without contacting us, and without an evidentiary hearing, based solely on an unverified claim that I was "out of the country."

That claim was false. I had been in Florida for one week and was fully available to appear. No effort was made to verify this information, even though the estate had already been open for nearly a year and no emergency existed that would justify bypassing fundamental procedural safeguards.

Judicial Overreach and Human Consequences

Upon returning, I attempted to continue paying the mortgage—an obligation I had managed for years—only to learn I could no longer access the account because authority had already been transferred. That single decision triggered a chain of irreversible consequences.

My brother and I requested mediation in good faith, seeking to resolve family matters responsibly and preserve the estate. The court declined and instead ordered the forced sale of the family home, disregarding caregiver testimony and the practical realities of estate administration.

The consequences were devastating:



- ❖ The estate forfeited all tangible personal property
- ❖ Assets were consumed through legal processes
- ❖ The home ultimately foreclosed
- ❖ Everything my parents worked for was lost

This outcome was not the result of neglect or mismanagement—it was the result of unchecked discretion exercised without adequate verification or patience.

Why HB 0375 Is Necessary

Probate is not merely a legal process—it is a deeply human one. Yet too often, judges and attorneys are required to administer estates under time pressure, heavy caseloads, and limited context, which more often than not, lead to decisions that overlook caregiver contributions and family realities.

House Bill 0375 restores balance by:

- ❖ Allowing courts to consider extrinsic evidence of intent
- ❖ Protecting the authority of lawful personal representatives
- ❖ Recognizing the critical role of caregivers, particularly when a person dies intestate

These safeguards help ensure that estates are administered thoughtfully, deliberately, and with respect for those who carried the burden of care.

Conclusion

Probate courts should exist to honor intent, protect families, and ensure fairness—not to silence caregivers, reward misrepresentation, or issue irreversible harmful and costly decisions.



Divina FISHER
— FROM THE DESK OF —

House Bill 0375 strengthens trust, accountability, and justice for families and caregivers in a system families are sadly forced to be a part of during their most vulnerable moments.

I respectfully urge a favorable report on House Bill 0375, with a small amendment to ensure protection for the primary caregiver when a person dies intestate.

Thank you for your time and consideration.

Divina Fisher

2026-02-02

Divina Fisher

Victims' Advocate | Former Personal Representative | Family Caregiver