



*Maryland Attorney General's*  
**COVID-19 Access to Justice Task Force**

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**MINUTES**  
**Life & Health Planning Committee**  
**August 4, 2020 Meeting**

Item	Subject	Time Allotted	Notes
1.	Call to Order, Introductions and Approval of Agenda	5 minutes - JB	<p>Committee Co-Chair Juliana Bell welcomed everyone to the Access to Justice task Force's Life and Health Planning Committee meeting. She explained that the Committee is devoted to addressing the life and health planning needs of individuals who are most at risk from covid-19 such as essential workers, First Responders, members of the African-American community, and other communities with high rates of covid and mortality rates. The documents the Committee are examining are Wills, Powers of Attorney, Advance Directives, and issues having to do with probate Administration. In today's meeting, individuals from the Register of Wills and probate judges will make guest appearances on our committee to help us understand the issues in small estate Administration.</p> <p>Juliana asked if there were any proposed changes to the agenda.            *No changes were suggested.</p> <p><b>Attendees present at the beginning of the meeting included:</b></p> <ul style="list-style-type: none"> <li>● Committee Co-Chair Juliana Bell, Assistant Attorney General</li> <li>● Committee Co-Chair Danielle Cruttenden, Private Attorney, Outgoing chair, MSBA Estates &amp; Trusts Section</li> </ul>

			<ul style="list-style-type: none"><li>● Josie Yuzuik, Assistant Attorney General</li><li>● Paul Ballard, Assistant Attorney General</li><li>● Angus Derbyshire, Maryland Legal Aid pro bono coordinator</li><li>● Brenda Gruss, Assistant Attorney General, Criminal Appeals Division</li><li>● Bruce Villard, outgoing Chair, Wills for Heroes</li><li>● C.P. Hoffman, Legal Director, FreeState Justice</li><li>● Marlene Clark, SEEDCO, work and family supports</li><li>● Morris Klein, outgoing chair, MSBA Elder Law &amp; Disability Rights Section</li><li>● Rena Shah, Director, MSBA Access to Justice Commission, A2J Task Force Vice Chair</li><li>● Victoria Heyliger, Co-Chair, Howard County Estates &amp; Trusts Section, private practice attorney</li><li>● Ron Landsman, Elder law attorney</li><li>● Shelby McCloskey, law clerk, University of Maryland Law</li><li>● Sharon Goldsmith, Director of Pro Bono Resource Center of Maryland</li><li>● Margaret Henn, Director, program management, Maryland Volunteer Lawyers Service</li><li>● Del. Terry Hill, Gov't Ops. Subcommittee, practicing physician</li><li>● Viola Woolums, Director, Senior Legal Services, Baltimore City</li><li>● Jessica Quincosa, Executive director of community legal services</li><li>● Judge Anne Dodd, Chief judge for Howard County Orphan's Court</li><li>● Judge Athena Malloy Groves, Orphan's Court judge for Prince George's County</li><li>● Byron MacFarlane, Register of Wills for Howard County</li><li>● Jane Krienke, Legislative Analyst, Maryland Hospital Association</li><li>● Matthew Limsky, Elder Law &amp; Disability Rights Section, Maryland State Bar Association.</li></ul>
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2.	Call for Discussion of Meeting Minutes from 7.14.20 Meeting	5 minutes - JB	Juliana asked if anyone had any changes to last meeting's minutes. *No changes were suggested.
3.	Update from Resource Development Committee; Discussion of Draft Resource Directory and Handbook	10 minutes - PB, DC	<p>Juliana asked Danielle and Paul to provide an update from the Resource Development subcommittee and go over the Resource Directory and Handbook.</p> <p>Danielle discussed how a Resource Directory was put together by the Pro Bono Resource Center in conjunction with the Resource Development subcommittee. She thanked Sharon Goldsmith for all of her work on the directory. The Directory, which provides a list of organizations that provide low and no cost legal services, is in its final stage, minus a few spelling corrections. The Committee intends to have the Directory posted digitally and eventually in print format.</p> <p>Danielle invited the Committee members to provide feedback on the Resource Directory. She asked people to email her or Paul Ballard with feedback before it moves forward to the Policy Equity Committee.</p> <p>Danielle also discussed the Handbook that was circulated to the Committee members, which provides explanations on different life planning documents. She invited the Committee members to provide feedback on the Handbook thus far.</p>
4.	Discussion of Small Estate Administration	20 minutes - DC	<p>Juliana asked Danielle to explain how the small estate Administration process works in Maryland and asked her to explain the challenges that currently exist and of which have been exacerbated by Covid that the Committee may be able to assist with.</p> <p>Danielle explained that the small estate Administration process in Maryland allows the estate to be open as a small estate if the estate value is \$100,000 or less when there is a surviving spouse.</p>

			<p>Alternatively, if there is no surviving spouse the value of the small estate must be less than \$50,000. The intent of this process is to allow a shorter and simpler Administration process. For the purpose of determining the value of an estate, any lien of record is allowed to be used to offset the value of the estate. For example, a house that is worth \$250,000 but which has a mortgage of \$200,000, would be valued at \$50,000 for purposes of small estate administration. Currently, there are several fees required for the small estate administration, including bonds and publication of notice. Estates generally stay open for six months to all creditors time to file a claim.</p> <p>Danielle invited the probate judges and registers of wills to provide their perspectives on making the process simpler and more affordable.</p> <ul style="list-style-type: none"><li>● Reiterated the barriers to access or costs that are associated with small states.</li><li>● The majority of estates that are opened in Maryland are small states and mainly under \$10,000.</li><li>● Challenges from the public:<ul style="list-style-type: none"><li>○ Getting into Banks</li><li>○ Getting into people's homes.</li><li>○ Not having funerals right away but still responsible for the cost later on.</li><li>○ Getting death certificates<ul style="list-style-type: none"><li>➤ Maryland law requires that we have some proof of death to open in the state. The death certificate issued by the state of Maryland is the gold standard, but the Registers are accepting other proofs of death including obituaries and other death notices.</li></ul></li><li>○ There is a small estate fee that is paid to the Register of Wills- Most small estates do not require any kind of bond, but some do. They also require publication in newspapers, which costs vary depending on the jurisdiction.</li><li>○ Three issues:</li></ul></li></ul>
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5.	Community Outreach Subcommittee Update	5 minutes - JB, BG	Juliana moved this part of the agenda to the next full Committee meeting.
6.	Update from liaison to Pro Bono and Reduced Fee Legal Services Committee	5 minutes - AD	Juliana introduced Angus Derbyshire who is the liaison to the Pro Bono and Low-Bono Committee. Juliana asked Angus to send an email to the Committee members and describe that Committee's consideration of potential proposals for CARES Act Funding to support the work of pro bono and reduced fee legal services. Juliana asked the members to respond to Angus's email.
7.	Public Comment Session	5 minutes - JB	Juliana invited the individuals who are on the call but not on the Committee to provide comments on today's discussion *No additional comments were made by non-committee members.

8.	<b>Set Next Meeting Time and Date and Adjourn</b>	5 minutes - JB	Juliana thanked everyone for joining and stated that the next full-committee meeting would be two weeks from today at 9am.
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**Guide:**

**JB = Julie Bell, Co-Chair**

**DC = Danielle Cruttenden, Co-Chair**

**PB = Paul Ballard, Resource Development Subcommittee Facilitator**

**JY = Josie Yuzuik, Community Outreach Subcommittee Facilitator**

**BG = Brenda Gruss, Liaison to Public Awareness and Community Engagement Committee**

**AD = Angus Derbyshire, Liaison to Pro Bono and Reduced Fee Legal Services Committee**