



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

MINUTES

Life & Health Planning Committee

August 18, 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.</p> <p>Juliana asked if there were any proposed changes to the agenda. *No changes were suggested.</p> <p>Attendees present at the beginning of the meeting included:</p> <ul style="list-style-type: none"> ● Committee Co-Chair Juliana Bell, Assistant Attorney General ● Committee Co-Chair Danielle Cruttenden, Private Attorney ● Josie Yuzuik, Assistant Attorney General ● Paul Ballard, Assistant Attorney General ● Angus Derbyshire, Maryland Legal Aid pro bono coordinator ● Brenda Gruss, Assistant Attorney General, Criminal Appeals Division ● Bruce Villard, outgoing Chair, Wills for Heroes ● C.P. Hoffman, Legal Director, FreeState Justice

			<ul style="list-style-type: none"> ● Morris Klein, outgoing chair, MSBA Elder Law; Disability Rights Section ● Rena Shah, Director, MSBA Access to Justice Commission, A2J Task Force Vice Chair ● Victoria Heyliger, Co-Chair, Howard County Estates & Trusts Section, private practice attorney ● Ron Landsman, Elder law attorney ● Shelby McCloskey, law clerk, University of Maryland Law ● Sharon Goldsmith, Director of Pro Bono Resource Center of Maryland ● Margaret Henn, Director, program management, Maryland Volunteer Lawyers Service (MVLS) ● Del. Terry Hill, Gov't Ops. Subcommittee, practicing physician ● Viola Woolums, Director, Senior Legal Services, Baltimore City ● Jessica Quincosa, Executive director of community legal services ● Byron MacFarlane, Register of Wills for Howard County ● Jane Krienke, Legislative Analyst, Maryland Hospital Association ● Tim Chance, Tangled Title Staff Attorney, Maryland Volunteer Lawyers Service (MVLS) ● Rexanah Wyse, Chief of Staff, U.S. Interagency Council on Homelessness ● Meredith Lathbury Girard, Managing Attorney, Mid-Shore Pro Bono ● Allison Harris, Home Preservation Project Director, Pro Bono Resource Center of Maryland ● Susan Steinberg, Maryland Department of Health BHA ● Karren Pope-Onwukwe, Attorney, Law Offices of Karen Pope-Onwukwe, LLC ● Jordana Guzman, Chair, Howard County Bar Association: Estates & Trusts Section ● Justin Devault, Chair, Montgomery County Bar Association: Estates & Trusts Section
2.	Call for Discussion of Meeting Minutes from 8.4.2020 Meeting	5 minutes - JB	<p>Juliana asked if anyone had any changes to last meeting's minutes. *No changes were suggested.</p>

<p>3.</p>	<p>Community Outreach Subcommittee Update</p> <p>i. Update and discussion on suggested legislative proposals; Listening sessions</p>	<p>25 minutes - JY, DC</p>	<p>Julie informed the Committee that the PACE committee has agreed to help with the outreach in the form of publicizing and town hall meetings. She provided a brief background of the PACE committee, which assists with the implementation of proposals from the various substantive committees.</p> <p>Josie invited Danielle to give more details on the legislative proposals.</p> <p>Suggested proposals thus far;</p> <ul style="list-style-type: none"> ● Increase Access to the smallest estate process <ul style="list-style-type: none"> ○ Removing fees associated with small estates ○ Removing bonds for small estates ○ Removing the publication requirement ● Ways to help avoid probate or help to advise or educate people to do so <ul style="list-style-type: none"> ○ Expanding MVA requirement- There's a provision in the Estates and Trusts code that allows two cars and a boat worth less than five thousand dollars to be transferred to a spouse and maybe we should look to see if that could perhaps be expanded to allow those kinds of transfers at the Maryland MVA to include children, parents, or siblings. ○ Educating people on Life Estate Deeds <ul style="list-style-type: none"> ▪ Consider whether Maryland should use transfer on death deeds. *There are concerns about the use of these kinds of Deeds that would need to be seriously explored. ● Other <ul style="list-style-type: none"> ○ Implement a mediation program, like the one currently used in Prince George's County, for resolving probate disputes. This idea would be in situations where there's a backlog of probate disputes and hearings are scheduled well into the future. Look to have volunteer lawyers serve as mediators. ○ Look into changing Maryland's statutory form power of attorney to maybe include some specific powers
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			<p>that would allow the agent to engage in benefit planning such as Medicaid planning.</p> <ul style="list-style-type: none">○ Transferring real estate without lien certificates, so being to transfer real estate with unpaid taxes still attached.○ Allow heirs or beneficiaries to receive a tax credit for the homes they are living in without their name on it. <p>Danielle asked the full committee to consider which of these proposals should be our priorities and whether we are going to want to engage in drafting any of our own legislation to advance or are we just going to seek out support from others.</p> <p>The next step would be to have listening sessions to see what members of the public, particularly people in populations most affected by covid, have to say about what they are experiencing in order to determine if we've missed anything that should be on the list. Also, towards the end of those listening sessions, we could list some of these proposals to see how the public reacts to them.</p> <p>Julie asked Josie to facilitate a conversation with the committee members to see how they think we should approach the questions for the listening sessions.</p> <p>Josie began by explaining that on the July 28th subcommittee meeting, the subcommittee came up with very specific targeted questions about the issues and barriers it had identified so far. The subcommittee decided it needed to make the questions for the listening sessions more open-ended. Some examples it came up with were: Have you recently lost a loved one to covid-19? Did you feel prepared when making life and health planning decisions for a loved one? Has your family discussed what might be needed if anybody became incapacitated?</p> <p>The goal of these listening sessions are to get individuals to share their stories so that we can continue focusing on our goals as a</p>
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			<p>committee and determine what else needs to be done to help fill gaps and overcome their barriers.</p> <p>Josie invited the Committee members to provide feedback on the questions listed thus far and asked for volunteers to help create more questions. Feedback from Committee members;</p> <ul style="list-style-type: none"> ● We have to be clear on what the listening sessions look like from a logistical standpoint. <ul style="list-style-type: none"> ○ Suggestion: Have one Zoom host site that goes out to other local host sites. For example, Josie could lead the main host site in Howard County and another person could host a local one that could be a combination of Live and virtual depending on the jurisdiction. ○ We plan to reach out to BUILD and BRIDGE to help us in this process. ● Recognize that we do not know exactly what issues/barriers people are facing. Therefore, it is important to ask local organizations that are already doing Outreach if we can partner with them to better serve the community. ● Make the questions more broad-based. ● Along with different host sites by jurisdiction, we should have some non-geographic subgroups. For instance, we should incorporate interest area groups like the LGBT community or the Immigrant Community so that they have a trusted space to speak during. ● During advertising for these listening sessions, make sure that the public is aware that the information shared during these listening sessions is not being used to target or penalize but to build up trust and to assist in overcoming their barriers.
4.	Resource Development Subcommittee Update	10 minutes - DC, PB	<p>Julie invited Danielle and Paul to provide an update from the Resource Development Subcommittee.</p> <p>Paul informed the Committee that the subcommittee is currently working on the Handbook to make the format more accessible and</p>

			<p>more readable. Paul also informed everyone that the Directory is complete and ready to be reviewed by the full Task Force.</p> <p>Danielle and Paul thanked everyone who has assisted and is currently assisting on these documents.</p>
5.	Public Comment Session	10 minutes - JB	<p>Julie invited the public who is on the call to share any comments that they have with the Committee:</p> <ul style="list-style-type: none"> • Jane Krienke, Legislative Analyst, Maryland Hospital Association: Could you talk a little bit more about the legislative proposal to expand Powers of Attorney to help with Medicare benefits? <ul style="list-style-type: none"> ○ Julie began by explaining that the legislative proposals are merely preliminary ideas and not finalized. ○ Danielle echoed what Julie said and added that there are statutory form Powers of Attorney that the Committee and the Resource Development Subcommittee brought up the idea that we may need to look at the statutory form to see if there are any edits that could be made to help make the process easier for people, especially those affected by Covid. She explained how the forms are now 10 years old and the idea to provide edits to the form has only been through a preliminary discussion phase. <p>Julie asked if anyone had any additional questions or comments. *No additional questions or comments were made.</p>
6.	Set Next Meeting Time and Date and Adjourn	5 minutes - JB	<p>Juliana thanked everyone for joining and participating on today's call. She informed the Committee members that the next meeting would be two Tuesdays from today (September 1st) at 9am.</p>

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