



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

MINUTES
Life & Health Planning Committee
Community Outreach Subcommittee Meeting
August 25, 2020 Meeting

Item	Subject	Time Allotted	Notes
1.	Call to Order, Introductions and Approval of Agenda	5 minutes - JY	<p>Subcommittee facilitator Josie Yuzuik called the meeting to order. Josie asked if there were any changes anyone would like to make to today's agenda. *No suggestions given (approved).</p> <p>Josie then had the subcommittee members introduce themselves.</p> <p>Attendees present at the beginning of the meeting included:</p> <ul style="list-style-type: none">● Committee Co-Chair Danielle Cruttenden, Private Attorney● Josie Yuzuik, 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">● Victoria Heyliger, Co-Chair, Howard County Estates & Trusts Section, private practice 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)● Viola Woolums, Director, Senior Legal Services, Baltimore City● Jessica Quincosa, Executive director of community legal services● Byron MacFarlane, Register of Wills for Howard County● Rexanah Wyse, Chief of Staff, U.S. Interagency Council on Homelessness● Meredith Lathbury Girard, Managing Attorney, Mid-Shore Pro Bono● Karren Pope-Onwukwe, Attorney, Law Offices of Karen Pope-Onwukwe, LLC● Roberto Veloso, Private Practice● Jade McClary, Staff Attorney, Pro Bono Resource Center of Maryland● Marlene Clark, SEEDCO, work and family supports● Matthew Linsky, Elder Law & Disability Rights Section, Maryland State Bar Association.● Wanda Calvin Caliboor, Executive Director of Bar Association of Montgomery County● Anne Coventry, Incoming Chair, MSBA Estates & Trusts Section● Wanda Calvin Caliboor, Executive Director of Bar Association of Montgomery County
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<p>2.</p>	<p>Continuation of Discussion on Potential Legislative Proposals on Probate and Small Estate Administration Discussion</p> <p>a. Confirm next steps on ideas and feedback from Orphans Court Judges and Register of Wills</p>	<p>20 minutes - DC</p>	<p>Josie invited Danielle to continue last meeting’s discussion regarding potential legislative proposals.</p> <p>Danielle reminded the subcommittee members what was discussed last time and the legislative ideas that Byron McFarlane and others had discussed. These ideas included eliminating fees, bonds, and the publication requirements for the smallest estates. Danielle explained that, as Bryon stated, most estates that are opened in Maryland are small estates and mainly consist of just a bank account and a car. The fees that the Register of Wills currently collect on small estates probably do not justify the work that the registers must put into them.</p> <p>Danielle invited the subcommittee members to discuss their views on the proposals and determine if these are ideas that the Committee should support. She asked the members to think about what efforts we should take as a subcommittee to help advance that type of legislation. Additionally, she asked the members to discuss additional legislative proposals that will further the full-committee’s goals.</p> <p>Danielle asked Byron:</p> <ol style="list-style-type: none"> 1. If there was any data that might support the thought that the number of small estates in Maryland either has increased or we anticipate an increase in the number of small estate filings due to the pandemic. <ol style="list-style-type: none"> a. Response: the number of small estates openings have been stable. In fact, more large estates have been opening with people doing little to no estate planning (not sure if it is covid related).
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			<p>2. What efforts he envisions this subcommittee can do to help move forward with the idea of removing the publication notice requirements for small estates.</p> <p>a. Response: Byron addressed the concern of access to technology and online publications. Byron suggested that many people who may not have access to the online publications may also not be reading the printed versions. Byron asked for feedback on this concern, as he does not want to preclude low-income families.</p> <p>Danielle opened the discussion to the subcommittee members to provide comments on whether or not the removal of publication of notice in the newspaper could adversely affect the communities we aim to assist. *The notice notifies the public that an estate has been opened so that interested parties can file a claim if they choose to do so.</p> <ul style="list-style-type: none">● Has this been done in other states?<ul style="list-style-type: none">○ Some parts of the country are slowly moving towards online notices. A few years ago, there was an effort in the legislature of Pennsylvania to create a database for foreclosures, but this did not move forward. Connecticut has moved to online but not for probate matters. In most of the country, everything is still in the newspaper, but Maryland should be on the front line of this.● Karren stated that many older individuals at her church are becoming more comfortable with technology, as they have been attending virtual bible studies and funerals. Moving to online would be more efficient and less costly. *Several members agree that seniors are becoming more comfortable
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with technology and would support moving to an online publication system.

- Many creditors do not even look at the notices since they have their own system for tracking things. CP stated that for name changes, many people, including creditors, do not look at the notices. The publication process has become more of a burden rather than a benefit.
- If we moved to online notices, would the legal notices automatically pop up if a family member searched their name on a search engine like Google or Bing?
 - The notices would be part of the Register of Wills website, so if you searched estate notices in Maryland, it would be the very first thing that comes up. All of these notices are already online and are designed, in part, for creditors because it uses text rather than images to display the notices. *The online notices went live in March and between March and July, the website has had over 10-11 thousand hits.

Danielle asked if there was anyone on the call who did not support the views of the subcommittee members/the legislative proposal for the publication requirement. *No disagreements were made.

We can look at the legislation that was done in Pennsylvania and Connecticut for assistance in the drafting process. We will need to present to the full-committee for approval on the idea. It would then need to be approved by the PACE committee. Danielle asked if there were people on the call who would want to work on drafting the legislation and asked if they could let her know so that she could coordinate with Byron.

			Danielle stated that we need to make legislative proposals to the task force by mid September, so she will be circulating a list of ideas for feedback by the committee members.
3.	Public Awareness and Community Engagement Committee Update	3 minutes - BG	<p>Josie invited Brenda Gruss to provide an update from the PACE committee.</p> <p>Brenda informed everyone that the PACE committee will be hosting a series of town halls by subject matter. The subject matter of the first town hall will be housing and will take place on Monday, August 31 from 2-3pm. At the moment, Brenda is not sure how one registers, but she will let the committee know once she finds out more details.</p>
4.	<p>Community Outreach Event Next Steps:</p> <p>a. Identify partner organizations through which we will invite participants to the virtual town hall.</p>	10 minutes - JY	<p>Josie provided a background of what has been discussed thus far in relations to the listening sessions. She discussed how we have really honed in on making it more of a general forum to hear from people on what their experiences have been if they lost a loved one rather than focus on specific legal issues. In prior meetings, we went into great detail in coming up with questions for people to share their experiences on the barriers they have or are currently facing. When it comes to our turn for the town hall, it is important to get the word out to marginalized and vulnerable communities.</p> <p>Josie opened the discussion to identify organizations that we can partner with to put forth these outreach efforts. Suggested partners;</p> <ul style="list-style-type: none"> ● Medical organizations ● Faith-based organizations ● BUILD ● BRIDGE <p>Josie asked people to email her and Angus with additional organizations that we could partner with.</p>

5.	<p>Pro Bono and Reduced Fee Legal Services Committee Update.</p> <p>a. Discuss the information needed for the Pro Bono/Low Bono Committee survey</p>	10 minutes - AD	<p>Josie invited Angus Derbyshire to provide an update from the Pro Bono and Reduced Fees Legal Services Committee.</p> <p>The Pro Bono and Reduced Fee Legal Services committee is working to look at options to recruit additional pro bono and low bono volunteers to replace some of the projects that both our group and several other substantive committees are working on. One question the committee sent out was to see how many additional volunteer attorneys will be helpful to meet the needs of their projects. *An email was sent out to the full-committee with a survey to see how many additional attorneys were needed for each organization that was identified. The deadline to respond is Friday, August 28th.</p> <ul style="list-style-type: none"> • The volunteers would help further the goals/subject matter of the L&HP committee. <p>Angus thanked everyone for their help in this project and asked people to email him or Shelby with their responses to the survey.</p>
6.	Public Comment Period	10 minutes - JY	<p>Josie invited the public on the call to provide comments or concerns with anything that was discussed during today's meeting or past meetings. *No comments or concerns were made.</p> <p>Danielle discussed the Task Force's form that needs to be submitted to the Task Force and which is to include our high level ideas as to what recommendations we would be making to the Task Force. She asked if anyone was interested in helping with that to let her know.</p>
7.	Set Next Meeting Time and Date and Adjourn	2 minutes - JY	<p>Josie thanked everyone for all their input and participation in the work we've done so far. The next meeting will be on September 8th at 9am.</p>

Guide:

JY = Josie Yuzuik, Community Outreach Subcommittee Facilitator

DC = Danielle Cruttenden, Co-Chair Life & Health Planning Committee

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