



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

### **SEPTEMBER 2, 2020 MINUTES OF THE RESOURCE DEVELOPMENT SUB-COMMITTEE MEETING OF THE MARYLAND ATTORNEY GENERAL COVID-19 RECOVERY TASK FORCE LIFE & HEALTH PLANNING COMMITTEE**

Attending: Paul Ballard, Danielle Cruttenden, Ronald Landsman, Tim Chance, Jen Yeagle, Karren Pope-Onwukwe, and Shelby McCloskey.

There was no agenda for today's meeting. The group decided to focus today's meeting discussion on revising the remainder of the handbook, beginning with the standby guardian section.

Minutes: Danielle has approved the minutes from the August 19th meeting, but they are not to be posted until she adds a discussion on Ron's Powers of Attorney recommendation. The Subcommittee will hold off on approving the minutes from the August 26th meeting until the next meeting.

Danielle informed the members that the printed material committee is still working to provide feedback on the draft portions of the handbook that were submitted.

The Subcommittee then began to focus on the Standby guardian and guardianship sections.  
Feedback on Standby guardian;

- Tweak the language a little bit so that non-lawyers can better understand the material. (i.e. mentally incapacitated, debilitated)
  - Jen will look over this section and then have the Communications Committee further review for readability.
- Provide an example or two in question 3 where it says the designation form must include the duties of the standby Guardian of what those duties might look like.
- In subsection "c" of question 3, where it says "intends the standby guardian named to become the minor's guardian if necessary," perhaps provide further explanation that this would require the filing of a petition with the court (ties into next question). Or in the next question, add at the end of that 180-day period there would need to be something filed with the court.
  - Agreement issue in last sentence of section "c." Jen will reword for clarity.
- Include the introductory language format to match the AD and POA sections. (switching paragraphs 1 and 2).

Feedback on the Guardian section;

- In the first paragraph, where it says when a person is unable to take care of their personal or financial affairs due to age, disease, or disability, include a parenthesis after age that further explains what it means (i.e. of a minor, someone under the age of 18, etc.).
  - Age is not included in the statute
  - Being a minor is not a disability in itself. Typically, only get guardianship of a minor if they are going to receive property or they actually have a disability.
  - \*Take age out of list
- Make sure the reader has the following takeaways from this section: This should be avoided because it's expensive and cumbersome. This is why you need a Powers of Attorney.
  - Justin can add these points upfront if the Subcommittee decides it wants to take this approach with the Handbook.
    - Sometimes the guardianship process cannot be avoided but it should be prefaced that this is really why one needs a POA.
- Need to include four or five paragraphs explaining the process and to stress the need of a POA prior to the Q&A section.
  - Include the alternatives to Guardianship in the beginning portion of this section.
  - Justin will rework the format of this section and circulate it to the group.

The Subcommittee will hold off on the Wills and Probate section until Jordana is able to join the conversation to discuss. In the meantime, members will review and send questions/comments to Jordana for review. Danielle will follow up with Jordana to inquire about the revisions she had planned to circulate.

The Subcommittee moved on to the House Ownership & Deeds section. The members will send Morris questions or comments for review or put the questions/comments directly into the Google doc for review on this section. Feedback on this section;

- Members agreed that they like the caution statement upfront.
- Ron and Tim edited this section and circulated their revisions on Friday to Danielle and Paul. Danielle approved removing what is currently written and replacing it with what Ron and Tim sent. Shelby will replace the language in the Google doc. The Subcommittee members will review the new language and make comments on the Google doc prior to the next meeting.
  - Replace language following Morris's comment.
  - The information in Question 8 is important and should remain in the final version.
    - Ron explained that the new language included this information.

Danielle expressed the need to begin finalizing the Handbook so that we can present to the full-committee and Task Force for review. \*Paul will not be at the next meeting, but will add any comments in the Google doc that he sees fit.

Shelby will include the link to the Handbook in the next calendar invite.

The next meeting will be on September 9th at 11am.