

**J.H. Snider Testimony to the
Task Force to Study Fiduciary Adjudication in Maryland
Dec. 1, 2025**

I am speaking as a member of the general public and would like to acknowledge in advance that my perspective is quite different from the preceding nine speakers who spoke this evening. I hope you will keep your minds open to a fresh perspective, even if it is quite different from the perspective of the professionals working within the system. I recognize that my reading of the task force's remit is broader than the [task force's priorities to date](#), which have focused on the selection process, legal credentials, and jurisdiction of orphan court judges.

My testimony concerns the broad-based task force goals 3) and 9) contained in [House Bill 315](#) and concerning the efficiency and quality of fiduciary adjudication in Maryland. My overall take is highly critical of Maryland's system of fiduciary adjudication, which I believe has a political dynamic akin to what led Charles Dickens to publish Bleak House in 1852-3.

I doubt the task force would disagree that its overall goal is more efficient and effective justice in keeping with fiduciary ideals. The problem is not only its narrow implementation of that goal. It is [implementing that goal](#) by prioritizing the interests of the professionals involved in the system while turning a blind eye to the harm that does to the families the system is supposed to serve. It would be wonderful if those interests weren't in conflict. Alas, despite profuse protestations to the contrary, they have been in terrible conflict, albeit in countless little details that correspond to the fog in Bleak House's opening scene.

I hope Maryland will not move in [the direction of Massachusetts](#), which granted the legal profession much more control of the probate process. Despite the wonderful, public-spirited rhetoric associated with that grant, it has been a disaster for the public. Giving respect and power to experts is much to be applauded but not when those experts are prohibitively expensive, lack the time and incentive to do their jobs well. and have a track record of using that power adverse to significant parts of the population they were supposed to serve.

Much of the problem may be non-intuitive for you. For example, [the lack of litigation in the system](#) may signal profound corruption in the system rather than a system working well. If the system is both prohibitively expensive to use and too preoccupied with other matters to genuinely prioritize justice, then demand to use the more expensive parts of the system will inevitably suffer. There is also a danger that the state's interest in boosting its net revenue from estate taxes and appeasing certain politically powerful interest groups (of which beneficiaries are not one) will trump its interest in the welfare of beneficiaries, which requires a reasonable expenditure on justice, including the use of modern technology and education tools to empower beneficiaries.

Outlining a truly public-spirited reform agenda would require far more time than I've been given. Let the following five points suffice:

1. The priority should be to proactively empower families as opposed to responding to their conflicts after they arise.
2. The professionals obviously have valuable knowledge to contribute. But the priority should be surveying the families—and specifically the beneficiaries—who the system is supposed to serve. One way this should be done is via a survey of all beneficiaries designed and implemented by an independent auditor. The professionals involved in this process will react in horror and with ridicule at such a reform, especially if the results were made public. But many of their arguments will not hold water if scrutinized. Such information could also improve the quality of orphans court elections, should the Legislature decide to keep such elections.
3. When the Internet was invented in the late 1990s, reformers proposed to automate much of the beneficiary disclosure process concerning estate transactions, assets, and documents. It was a good idea then, and it is an even better idea now. But professional fiduciaries continue to oppose such reforms. Much of the inefficiency and horror of the current system could be alleviated with such a reform.
4. The lawyers' hugely wasteful monopoly power over process information should be reduced by encouraging registers of wills to provide much better automated information to beneficiaries and fiduciaries at every stage of the estate administration process. This includes customized, automated information for forms, deadlines, contingent deadlines, rights, and responsibilities. Public access to docket information also needs to be greatly improved, with scrutiny of the legal community's public interest claim that it deserves privileged access. None of this is high tech. But it would require political will.
5. Allowing AI to empower beneficiaries and lay fiduciaries with better legal information would be a great step forward. If government allowed the relevant legal datasets to be made publicly available, this marketplace would quickly emerge. My guess is that if you are serving on this task force, you already know how much the legal profession opposes such lay empowerment. But such empowerment is the right thing to do if you want to make the system more just and cost effective.

This is but the tip of the iceberg of reforms needed to fix what has become a profoundly corrupt system for too many Maryland families. This task force has not placed such reforms on [its agenda](#) and some of its members would vigorously oppose them. But if the Governor and Legislature really seek to improve the efficiency and quality of fiduciary adjudication in Maryland, these types of reform should take center stage.