

From: [Victor Laws](#)
To: [Garcia, Jesus](#)
Subject: Comments for consideration of the Task Force to Study Fiduciary Adjudication
Date: Monday, December 01, 2025 4:53:43 PM

Dear Chairman Charles and Members of the Task Force:

I understand that the Task Force to Study Fiduciary Adjudication in Maryland is about to hold its final session at which public testimony will be allowed. I was unaware until recently of the Task Force's work and wish to offer a few comments.

My name is Victor H. Laws, III. I have been a general practice attorney on the Lower Eastern Shore of Maryland since 1978. My office is located in Salisbury, Wicomico County, Maryland. I practice regularly in the Orphans' Courts in this area. Since 2016, I have been a member of the Maryland Supreme Court's (formerly Court of Appeals) Standing Committee on Practice and Procedure. Currently, I chair the Probate-Fiduciary Subcommittee. The views expressed here are my own, not those of the Rules Committee or the Probate-Fiduciary Subcommittee.

I think there is value in the Orphans' Court, and I am generally opposed to any major changes in the selection and tenure of the judges or the jurisdiction and process of the court. As it exists today, at least in the less populated jurisdictions, the court acts almost as a mode of alternative dispute resolution. More serious issues can be sent to Circuit Court, or even the Appellate Court, where that is necessary. In addition to avenues of appeal from the Orphans' Court, important questions can be sent to Circuit Court for adjudication through the transmission of issues. The right to trial by jury is preserved in these cases.

In my experience, the judges of the Orphans' Court are thoughtful and conscientious. The judges often resolve thorny disputes among family members and give time and attention to people of limited means in a way that one does not see in busy and supposedly more professional Circuit and District Courts. What we lose in the lack of formal legal training on the part of the lay judges in the Orphans' Court, is more than compensated by the common sense and compassion that they display.

At times, the objection to the Orphans' Court seems to be that such officials should not be elected by the voters. But the same could be said about any number of officials who do not exercise a policymaking role — the Register of Wills, Clerk of Court, County Sheriff, even the Maryland Comptroller, all have roles and functions calling for certain types of expertise or implementation rather than policy generation. Yet, I think most voters are in favor of keeping these positions as elective positions. That assures accountability and responsiveness from these units of government that would not be the case if they were replaced with unelected bureaucrats. The same goes for the Orphans' Court judges.

I would not be opposed to a modest change such as going to nonpartisan elections for judges of the Orphans' Court. But as to more far-reaching changes under the banner of "reform", my

attitude is “If it ain't broke, don't fix it”. Another cliché that could be applied here is “Don't throw the baby out with the bathwater”. If major changes are made, we will likely lose the common touch these judges exhibit toward average people who are increasingly priced out of our other courts. Unintended consequences follow in the wake of changes to any institution. The virtues of the Orphans' Court as currently constituted may not be immediately apparent but will be missed if radical changes are made.

Thank you for the opportunity to present these comments to the Task Force.

Vic Laws

Victor H. Laws, III
Laws, Insley & Benson, P.A.
P.O. Box 75
Salisbury, MD 21803-0075
Phone: 410.749.7500
Cell: 410.430.6465
Fax: 410.749.1325
Email: viclaws@shore-lawyers.com

Street address (for overnight deliveries, etc.):
209 East Main Street
Salisbury, MD 21801

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