



April 2, 2024

MEMORANDUM

TO: Wanika Fisher, Chair
Health, Human Services and Public Safety Committee (HHSPS)

THRU: Joseph R. Hamlin
Director of Budget and Policy Analysis

FROM: Roger Banegas
Legislative Budget and Policy Analyst

RE: Orphans' Court
Fiscal Year 2025 Budget Review

Budget Overview

The FY 2025 Proposed Budget for the Orphans' Court is \$632,300. This is a decrease of \$24,900, or 3.8%, under the FY 2024 Approved Budget. This is primarily due to a decrease in compensation costs to reflect the salary lapse for the unfunded Law Clerk position and a decrease in the fringe benefit rate from 33.5% to 32.8% to align with projected costs.

Category	FY 2023 Actual	FY 2024 Approved	FY 2024 Estimated	% Change - Est vs App	FY 2025 Proposed	Change Amount	Percentage Change
Compensation	\$ 398,050	\$ 452,600	\$ 432,300	-4.5%	\$ 432,300	\$(20,300)	-4.5%
Fringe Benefits	113,270	151,600	141,800	-6.5%	142,000	(9,600)	-6.3%
Operating Expenses	50,588	53,000	54,300	2.5%	58,000	5,000	9.4%
Total	\$ 561,908	\$ 657,200	\$ 628,400	-4.4%	\$ 632,300	\$(24,900)	-3.8%

Authorized Staffing Count - General Fund

	FY 2024 Approved	FY 2025 Proposed	Change Amount	Percentage Change
Full-Time	8	8	0	0.0%
Total	8	8	0	0.0%

Staffing Changes and Compensation

- The FY 2025 Proposed Budget includes authorization for eight (8) full-time General funded positions, which remains consistent with the FY 2024 approved staff level.

- The FY 2025 General Fund compensation is proposed at \$432,300, which represents a decrease of \$20,300, or 4.5%, under the FY 2024 Approved Budget. This decrease is due to the anticipated salary lapse for the unfunded general Law Clerk I position, along with FY 2024 salary adjustments. The Court anticipates accruing a \$45,000 Salary Lapse in FY 2025, but it will not be used to cover other Court expenditures.
- As of March 15, 2024, the Court reported one (1) vacant position, a Law Clerk I, which will remain unfunded in FY 2025.

Fringe Benefits

- Fringe benefit expenditures are proposed at \$142,000, which is a decrease of \$9,600, or 6.3%, under the FY 2024 Approved Budget.
- A five-year trend analysis of fringe benefit expenditures is included below.

Fringe Benefits Historical Trend					
	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Proposed
Compensation	\$ 405,134	\$ 348,393	\$ 398,050	\$ 432,300	\$ 432,300
Fringe Benefit Expenditures	\$ 120,270	\$ 96,358	\$ 113,270	\$ 141,800	\$ 142,000
As a % of Compensation	29.7%	27.7%	28.5%	32.8%	32.8%
Annual % Change	37.8%	-19.9%	17.6%	25.2%	0%

Operating Expenses

- In FY 2025, operating expenses are proposed at \$58,000 and are comprised of the following items:
 - Office Automation \$49,100
 - General Office Supplies \$6,600
 - Membership Fees \$1,200
 - Telephone \$1,100
- The accompanying table compares the FY 2025 Proposed Budget operating expenditures with the FY 2024 Approved Budget operating expenditures. In two (2) categories, the FY 2024 Proposed Budget level increases from the FY 2024 Approved Budget. In two (2) categories, the FY 2025 Proposed Budget levels remain unchanged compared to the approved FY 2024 levels. The increase in Office Automation is due to an increase in OIT charges based on anticipated Countywide costs for technology.

Operating Objects	FY 2024 Approved	FY 2025 Proposed	FY 2024 - FY 2025	
			\$ Change	% Change
Office Automation	\$ 45,700	\$ 49,100	\$ 3,400	7.4%
General Office Supplies	5,000	6,600	1,600	32.0%
Membership Fees	1,200	1,200	-	0.0%
Telephone	1,100	1,100	-	0.0%
TOTAL	\$ 53,000	\$ 58,000	\$ 5,000	9.4%

HIGHLIGHTS

Workload/Performance Trends

- The Orphans’ Court is a public office established under the Constitution of Maryland. The Court hears all contested matters involving the decedent’s estates and supervises all those probated estates judicially. The Court approves accounts and awards personal representatives’ commissions and attorney’s fees when applicable. The Court also has concurrent jurisdiction with the Circuit Court in guardianships of minors and their property. All matters involving the validity of wills and the transfer of property in which legal questions and disputes occur are resolved by the Orphans’ Court.
- The Court projects its caseload related to estates and guardianships to be 13,700 cases in FY 2025. These cases include hearings, pleadings, estates opened, hearing notices, orders, and writs issued.
- The Court reports that, as of February 28, 2024, 1,826 estate cases are open, and 1,390 estate cases have been closed in FY 2024. From FY 2021 – FY 2024 (YTD), 8,373 estate cases have been opened, and 8,041 have been closed.
- The Court reports that, as of February 28, 2024, 28 guardianship cases are open, and 35 guardianship cases have been closed in FY 2024. From FY 2021 – FY 2024 (YTD), 169 guardianship cases have been opened, and 179 have been closed.
- The County’s current Orphans’ Court judges are as follows:
 - Chief Judge Wendy A. Cartwright
 - Associate Judge Athena Malloy Groves
 - Associate Judge Jason A. DeLoach
- The Court has continued to add additional dockets to help address the backlog created by the pandemic and increase cases. The Court continues to look at ADR for the settlement of cases as well. The Court believes it has all its technology needs current for judges, staff, and the courtroom.
- The Court continues to offer and refer cases to its Alternative Dispute Resolution (ADR) program. The ADR program provides litigants an opportunity for mediation to resolve probate matters. For FY 2024, the Court has referred 10 cases, with five (5) cases being

settled, one (1) resolved prior, three (3) pending, and one (1) case removed for clerical reasons.

- As FY 2025 approaches, the Court struggles without a Law Clerk. The Court stated that *“the position of law clerk allows for staff to continue to focus on other needs of the Court, while the law clerk can assist the judge(s) with their tasks. While continuing to work through the back log, the assistance of a law clerk would be beneficial to the Orphans’ Court”*.