

Preface

This treatise provides, in one volume, all of the Maryland statutes and rules that relate to estate planning and estate and trust administration, together with commentary and summary of leading cases that are intended to provide the practitioner with a single source for interpreting the accompanying code sections and their application in common law and practice.

In many instances, the commentary includes relevant excerpts and discussion of the leading cases as well as practice pointers to guide the practitioner in drafting estate planning documents and in the administration of estates and trusts. The research references to continuing legal education materials, law review publications, legal encyclopedias, and other related treatises provide the practitioner with additional relevant materials for further examination.

This treatise was the result of the initial collaborative efforts of Nancy G. Fax, who wrote the commentary, and Mark B. Bartram, who compiled and edited the research references and leading cases for the editions published through 2011.

Nancy G. Fax, who died June 4, 2018 after a brief, unexpected illness, served for many years as the managing partner of the law firm of Pasternak & Fidis, P.C. in Bethesda, Maryland. She was a recognized expert in the field of estates and trusts law, founder and editor for many years of *The District of Columbia Estates, Trusts and Probate Law Digest*, and a frequent speaker at professional and community programs on various estates and trusts topics. During her 40-year career, Ms. Fax served as a member of the Executive Committee of the Board of Regents of ACTEC, Chair of ACTEC's State Laws Committee and State Chair for Maryland, and a member of ACTEC's Financial Management, Nominating, and Sponsorship Advisory Committees. She also served as chair of the Section Council of the Estates and Trust Law Section of the Maryland State Bar Association, chair of the Estates, Trusts and Probate Law Section of the District of Columbia Bar, and vice chair of the Estate Planning Committee of the Taxation Section of the District of Columbia Bar, in addition to being a member of the Estate Planning Council of Montgomery County and the Washington, D.C. Estate Planning Council. Ms. Fax received numerous accolades and honors from publications that rate the best-regarded estates and trusts lawyers in the D.C. area and the nation, including *Super Lawyers* and *Best Lawyers*, in addition to frequent inclusion in the *Washingtonian* lists of top estates and trusts attorneys in the D.C. area and *Bethesda Magazine* lists of the best estate lawyers in Montgomery County. The 2023-2024 Edition of this treatise (like the five editions immediately before it) is dedicated by its authors to the memory of their law partner, mentor, and treasured friend, Nancy G. Fax, whose untimely death continues to grieve them both. The authors are grateful to have had her so much a part of their lives and work.

The 2012-2013 Edition of this treatise resulted from the joint efforts of Nancy G. Fax and Adam P. Swaim. Ms. Fax collaborated with Stephanie T. Perry on the 2013-2014 Edition. Ms. Fax passed the baton to her law partner Anne W. Coventry, beginning with the 2014-2015 Edition. Following the 2023-2024 Edition, Anne W. Coventry and Stephanie T. Perry retired from updating this treatise.