

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 768

September Term, 2025

IN THE MATTER OF WANDA COGHILL

Zic,
Tang,
Zarnoch, Robert A.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: July 2, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

This appeal involves a petition for guardianship of the person and property of Wanda L. Coghill (Ms. Coghill), appellee, that was filed by Baltimore Washington Medical Center (BWMC), appellee, in the Circuit Court for Anne Arundel County. Following a hearing, the circuit court found that Ms. Coghill was in need of a guardian of her person and property and that no less restrictive form of intervention was consistent with her welfare and safety. Notwithstanding the higher priority of Ms. Coghill’s daughter, Darla June Coghill, appellant, under Sections 13-707(a) & 13-207(a) of the Estates and Trusts Article, the court found “good cause” to pass over appellant and appoint persons with lower priority as guardians of Ms. Coghill’s person and property. Specifically, the court appointed Ms. Coghill’s granddaughter, Delia Carr, appellee, as guardian of Ms. Coghill’s person, and a neutral third-party attorney, Karen Nicolaus, Esq., appellee, as guardian of Ms. Coghill’s property.

Appellant now appeals from that order raising three questions, which we rephrase and reorder: (1) whether the court erred in determining that Ms. Coghill was in need of a guardian of her person and property; (2) whether the court abused its discretion in appointing Ms. Carr as the guardian of Ms. Coghill’s person and Ms. Nicolaus as the guardian of Ms. Coghill’s property; and (3) whether her attorney failed to adequately represent her at the guardianship hearing. For the reasons that follow, we shall affirm.

Appellant first challenges the court’s determination that Ms. Coghill needed a guardian, asserting that Ms. Coghill “does not have dementia and has been diagnosed wrongfully,” and that she has “perfectly normal conversations [with her mother] every week.” However, at the guardianship hearing, Dr. David Lauver testified that both he and

a psychiatry team at BWMC had evaluated Ms. Coghill and that she “had a major neuro-cognitive disorder[,]” specifically dementia. He further testified that, in his expert opinion, she needed a guardian of her person and property because she lacked “significant executive function”; had “little insight into her overall condition and her living situation”; was not capable of making responsible decisions regarding her person, health, welfare, and safety; and was not “able to manage her property and affairs effectively[.]” Based on this uncontroverted expert testimony, the court reasonably found that Ms. Coghill met the criteria for the appointment of a guardian pursuant to Sections 13-201 & 13-705 of the Estates and Trusts Article. Consequently, we find no error in the court’s decision to appoint a guardian of the person and a guardian of the property for Ms. Coghill.

Next, appellant asserts that Ms. Carr and Ms. Nicolaus are “not qualified” to serve as the guardians of Ms. Coghill’s property and person. However, both Ms. Carr and Ms. Nicolaus are persons who are statutorily entitled to serve as guardians under Sections 13-707(a) & 13-207(a) of the Estates and Trusts Article. Moreover, in claiming that they are “not qualified,” appellant relies on evidence that was not admitted at the guardianship hearing. In fact, many of her contentions are based on events that allegedly occurred after the court entered the guardianship order. Because that evidence is not in the record, the trial court cannot be considered to have been in error for not considering it, and we cannot consider those facts on appeal. *See Floyd v. Baltimore City Council*, 241 Md. App. 199, 216 (2019).

Although appellant generally asserts that Ms. Carr and Ms. Nicolaus are unqualified, she does not specifically contend that the court abused its discretion in finding

“good cause” to pass her over and appoint persons with lower statutory priority as the guardians of Ms. Coghill’s person and property. Therefore, we need not consider that issue on appeal. See *Klaunberg v. State*, 355 Md. 528, 552 (1999) (“[A]rguments not presented in a brief or not presented with particularity will not be considered on appeal.”). But even if appellant had properly raised that issue, we would find no abuse of discretion.

Sections 13-707(a) & 13-207(a) of the Estates and Trusts Article set forth priorities with respect to the persons who may be appointed as the guardian of the person or property. And to be sure, appellant had statutory priority over Ms. Carr and Ms. Nicolaus. Nevertheless, both statutes provide that the court may pass over a person with priority and appoint a person with less priority for “good cause.” Additionally, unless good cause is shown, a person may not serve as a guardian of the person, regardless of their priority, if they have been convicted of a felony. Est. & Trusts Art. § 11-114. “Good cause” means “a substantial reason to find that a person with lower priority . . . is a better choice than a person with higher priority to act in the best interest of the ward.” *Meek v. Linton*, 245 Md. App. 689, 723 (2020). “This definition is a flexible one, and its application will vary with the facts and circumstances of the individual case.” *Id.*

Here, it was undisputed that appellant had previously been convicted of a felony in North Carolina and thus, she was presumptively prohibited from serving as the guardian of the person for Ms. Coghill. Moreover, prior to the guardianship hearing, the court granted an “Emergency Motion for Replevin [and] Injunctive Relief” filed by Ms. Nicolaus, which required appellant and Ms. Carr to return certain property to the guardianship estate and prohibited them from entering any real property owned by Ms. Coghill. At the hearing,

Ms. Nicolaus testified that after that order was entered, appellant had not returned all the estate property in possession, had visited one of Ms. Coghill’s properties, and had broken into that property after Ms. Nicolaus had the locks changed. Based on that testimony, which the court determined to be credible, the court found that appellant had “blatantly ignored” its previous order and therefore, that “good cause” existed to appoint someone of lesser priority as the guardian of Ms. Coghill’s property. For the same reason, it did not find “good cause” to allow appellant to serve as the guardian of her person despite her felony conviction.

Based on our review of the record, the court’s reasons for passing over appellant, and the factual findings underlying those reasons, are supported by competent evidence. Moreover, we are persuaded that those reasons were sufficiently substantial to establish “good cause” to appoint someone of lesser priority to be the guardian of Ms. Coghill’s property and not to allow appellant to serve as the guardian of her person.

Finally, appellant contends that her attorney did not adequately represent her in the circuit court, claiming, among other things, that her attorney failed to inform her of the court’s order prohibiting her from entering Ms. Coghill’s properties, failed to elicit certain relevant evidence during the guardianship hearing, and failed to advise her that her felony conviction could affect her request for guardianship. She also claims that Ms. Coghill’s attorney “did not represent [Ms. Coghill] and went against her wishes[.]”

To be sure, appellant’s claims are concerning. But even if we assume her contentions to be true, “one of the most fundamental tenets of appellate review” is that “[o]nly a judge can commit error. Lawyers do not commit error.” *DeLuca v. State*, 78 Md.

App. 395, 397-98 (1989). In other words, “[a]ppellate courts look only to the rulings made by a trial judge, or to his [or her] failure to act when action was required, to find reversible error.” *Braun v. Ford Motor Co.*, 32 Md. App. 545, 548 (1976). Although appellant may have other remedies available to her, in the absence of any claim of error by the trial court, we must affirm the judgment.

**JUDGMENT OF THE CIRCUIT
COURT FOR ANNE ARUNDEL
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**