



**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

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ADVOCACY SUPPORT UNIT**

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February 9, 2021

The Honorable William C. Smith, Jr.  
2 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Testimony of Maryland Legal Aid in Support of Senate Bill 279 –  
Access to Counsel in Evictions Special Fund- Alteration**

Dear Chair Smith and Members of the Committee:

Thank you for the opportunity to provide testimony on this important bill. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to Maryland's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining child custody and housing a driver's license, and employment. Maryland Legal Aid supports SB 279 and asks that this committee give it a favorable report.

This letter serves as notice that Gregory Countess, Esq., will testify in support of Senate Bill 279 on behalf of Maryland Legal Aid at the request of Senator Shelly Hettleman.

In 2010 the Maryland Access to Justice Commission recommended in its 2009 Interim Report the establishment of a right to counsel for poor persons in this state. The Commission supported the principle that low-income Marylanders should have a right to counsel at public expense for adversarial proceedings where basic human needs are at stake, including shelter.<sup>1</sup>

In 2021 the Maryland General Assembly reinforced this principle by enacting legislation that supported access to counsel. The bill did not guarantee a right to counsel or provide funding to operate the Access to Counsel program. Though the enacted statute did not create a right to

<sup>1</sup> <https://www.mdcourts.gov/mdatjc/civilrightscounsel>

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counsel, it is another step toward providing meaningful access to justice for poor Maryland renters.

MLA represents thousands of poor Marylanders each year in Landlord/Tenant matters; however, MLA and other legal services providers only have enough funding to represent about 20% of those who need attorneys. The Legal Services Corporation, which provides some funding to MLA, reported that 98% of tenants were unrepresented in eviction cases across the country.<sup>2</sup> SB 279 will provide dedicated funding for the Access to Counsel Program.

Thank you for considering this written testimony. For the reasons stated above, MLA urges a favorable report on SB 279.

/s/ Gregory Countess

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<sup>2</sup> <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/justice-gap-report>