

Executive Director
Jessica A. Quincosa, Esq.

Deputy Director
Kayla Williams-Campbell, Esq.

Director of Litigation and Advocacy
Lisa Sarro, Esq.

Director of Operations
Claudia V. Aguirre

Interim Development Director
Jordan Colquitt

Managing Attorney
Ivy Finkenstadt, Esq.

Supervising Attorneys
Warren Buff, Esq.
Kathleen Hughes, Esq.
Amy B. Siegel, Esq.

Attorneys
Adebola Adedoyin, Esq.
Vanessa Agbar, Esq.
Golnaz Alemousavi, Esq.
Jennifer Clark, Esq.
Katherine Cooke-Caraway, Esq.
Sheree Hughes, Esq.
Lekwon Imoke, Esq.
Deborah Kadiri, Esq.
John Kowalko, Esq.
Eric Orr, Esq.
Hina Rodriguez, Esq.
Peter Spann, Esq.
Jawaid Stationwala, Esq.
Tangi Turner, Esq.
Riana Yaman, Esq.

Equal Justice Works Fellows
Ashley Blankenship, Esq.
Emory Cole II, Esq.
Kency Nittler, Esq.

Staff
Jonathan Asprilla
Ashley Cartagena
Franklin Escobar
Elmer Espinoza
Stephanie Espinoza
Anna Goldfaden
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Flor Lemus
Allison Nardick
Stacey Palmer
Micaela Ramos
Abel Reyes
Glenda Soto
Alejandra Sorto
Samir Vasquez
Romero
Karen Zayas



SB 0154 Access to Counsel in Evictions – Task Force Termination and Special Fund

Appropriations Committee, March 26, 2025

Position: FAVORABLE

To the Honorable Members of the Appropriations Committee:

Community Legal Services submits this testimony in strong support of SB0154, which would extend funding for Maryland’s Access to Counsel in Evictions (ACE) law. The ACE Program is a critical step toward ensuring access to justice and due process for those who wouldn’t otherwise have access to representation, promoting family and community stability, and preventing excess strain on already over-strained programs that must deal with the fallout from evictions.

Community Legal Services (CLS) is a nonprofit organization that provides free legal services in a broad range of substantive areas to individuals and families who meet certain income-eligibility restrictions. CLS has been a provider of legal services through the Access to Counsel in Evictions (ACE) program since the program began. Even before the ACE Program started, CLS had a long-running eviction prevention legal program in Prince George’s County. In 2020, with the support of Anne Arundel County (utilizing County and COVID-related funds), CLS started and grew a very successful, full-service eviction prevention legal program in Anne Arundel County as well. **In Fiscal Year 2024 alone, our programs provided eviction prevention legal assistance to more than 4,300 households, consisting of more than 10,000 individuals. Funding provided through the ACE Program supported much of that assistance.**

Key Component of ACE Program - Same Day Legal Representation:

Community Legal Services accepts intakes from multiple sources, including direct contact from clients, referrals from the court and community partners, and referrals from the ACE centralized intake service, and CLS provides expert extended representation of clients in complex landlord-tenant litigation. However, *the importance of a consistent presence in the courts, same-day legal representation, and same day resolution of cases that can be resolved same day cannot be overstated.* While efforts to ensure tenants know about the ACE Program in advance of trial are ongoing, the fact remains that the day of trial is the first time tenants actually connect with attorneys who can help them. In contrast, most landlords arrive for court hearings with legal representation or experienced management staff representing them. ACE funding allows CLS to combat this disparity by providing same day intake and legal representation for all rent dockets in the District Courts for Prince George’s and Anne Arundel Counties. This is a critical component of our program.

The failure-to-pay-rent process moves quickly—particularly in Anne Arundel County, where trials are scheduled just five (5) days after complaints are filed. Many tenants receive the court summons with very little time to prepare or fully understand their rights. Without legal counsel, they are often unaware of potential defenses, such as improper notice, rent disputes, or eligibility for rental assistance programs. In contrast, a trained attorney can identify these defenses, negotiate payment plans, or connect tenants with resources to resolve the issue without an eviction.

Same day representation also ensures that only cases which require expanded representation are postponed thereby promoting judicial economy by reducing the number of cases that need postponements or result in motions to vacate. As importantly, same day representation can result in same day resolution so that tenants do not have to endure the ongoing stress and uncertainty of a lingering eviction case, and they don't have to miss work and/or obtain childcare to return for further court proceedings.

Evictions are not just legal proceedings—they are life-altering events. Evictions destabilize families, disrupt children's education, increase homelessness, perpetuate poverty and destabilize neighborhoods. The ACE Program ensures tenants have a fair shot at defending their homes. Funding through the ACE Program has allowed us to maintain and expand our services to meet the ongoing and increasing needs of the communities we serve. Especially as COVID funds have been exhausted and local governments strain to meet the needs of their residents, continued ACE funding is an absolute necessity so efforts such as our and the efforts of all ACE providers in the State can continue in a robust, effective manner.

For these reasons, **Community Legal Services urges this committee to submit a favorable report on SB0154.** Please feel free to reach out to Jessica Quincosa, Executive Director, or Lisa Sarro, Director of Litigation and Advocacy with any questions at quincosa@clspgc.org and sarro@clspgc.org, respectively.