

SENATE BILL 658

O2, D1

9lr2133

By: **Senator Washington**

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Legal Services Corporation – End-of-Life Legal Services Pilot**
3 **Program**

4 FOR the purpose of requiring the Maryland Legal Services Corporation, in consultation
5 with Civil Justice, Inc., to establish the End-of-Life Legal Services Pilot Program;
6 establishing the purpose of the Program; specifying certain eligibility requirements
7 for participation in the Program; requiring the Program to establish a certain intake
8 method, establish a certain outreach method, and provide for the services of at least
9 one full-time attorney; requiring the Corporation to publicize the existence of the
10 Program, including in rural communities; requiring the Program to provide eligible
11 clients with legal services primarily concerning certain matters; requiring the
12 Governor to include a certain appropriation for the Program in the annual budget in
13 certain fiscal years; authorizing the Corporation to seek funds from any other source
14 for a certain purpose; providing for the use of certain funding; requiring the
15 Corporation to report on the effectiveness of the Program to the Governor and the
16 General Assembly on or before a certain date each year; defining a certain term;
17 providing for the termination of this Act; and generally relating to the End-of-Life
18 Legal Services Pilot Program.

19 BY adding to

20 Article – Human Services
21 Section 11–605
22 Annotated Code of Maryland
23 (2007 Volume and 2018 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
25 That the Laws of Maryland read as follows:

26 **Article – Human Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **11-605.**

2 (A) IN THIS SECTION, "PROGRAM" MEANS THE END-OF-LIFE LEGAL
3 SERVICES PILOT PROGRAM.

4 (B) (1) IN CONSULTATION WITH CIVIL JUSTICE, INC., THE
5 CORPORATION SHALL ESTABLISH THE END-OF-LIFE LEGAL SERVICES PILOT
6 PROGRAM.

7 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE LOW- AND
8 MODERATE-INCOME SENIORS WITH THE PREPARATION OF LEGAL DOCUMENTS,
9 LEGAL ASSISTANCE IN CIVIL PROCEEDINGS, AND OTHER MATTERS.

10 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
11 THE PROVISION OF SERVICES UNDER THE PROGRAM SHALL BE IN ACCORDANCE
12 WITH THIS TITLE.

13 (2) NOTWITHSTANDING THE MAXIMUM INCOME LEVELS FOR CLIENT
14 ELIGIBILITY ESTABLISHED BY THE CORPORATION UNDER § 11-603 OF THIS
15 SUBTITLE, A CLIENT SHALL BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM IF THE
16 CLIENT:

17 (I) IS AT LEAST 60 YEARS OLD; AND

18 (II) HAS A FAMILY INCOME AT OR BELOW 400% OF THE FEDERAL
19 POVERTY GUIDELINES.

20 (D) THE PROGRAM SHALL:

21 (1) ESTABLISH AN INTAKE METHOD, WHICH MAY INCLUDE A
22 REFERRAL HOTLINE, TO SCREEN CLIENTS BY ELIGIBILITY AND BY LEGAL NEED;

23 (2) ESTABLISH AN OUTREACH METHOD FOR MATCHING ELIGIBLE
24 CLIENTS TO A GRANTEE UNDER SUBTITLE 5 OF THIS TITLE; AND

25 (3) PROVIDE FOR THE SERVICES OF AT LEAST ONE FULL-TIME
26 ATTORNEY TO REPRESENT ELIGIBLE CLIENTS, PARTICULARLY IN RURAL
27 COMMUNITIES, WHEN NO OTHER ATTORNEYS ARE READILY AVAILABLE.

28 (E) THE CORPORATION SHALL PUBLICIZE THE PROGRAM, INCLUDING IN
29 RURAL COMMUNITIES.

1 **(F) ALTHOUGH ELIGIBLE CLIENTS MAY RECEIVE ANY LEGAL SERVICES**
2 **THEY ARE ENTITLED TO UNDER THIS TITLE, THE PROGRAM SHALL PROVIDE**
3 **ELIGIBLE CLIENTS WITH LEGAL SERVICES CONCERNING PRIMARILY:**

4 **(1) WILLS;**

5 **(2) POWERS OF ATTORNEY;**

6 **(3) LIVING WILLS;**

7 **(4) ADVANCE HEALTH CARE DIRECTIVES;**

8 **(5) FRAUD PREVENTION; AND**

9 **(6) FINANCIAL LITERACY EDUCATION.**

10 **(G) (1) FOR EACH OF FISCAL YEARS 2021 THROUGH 2023, THE**
11 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET AN APPROPRIATION OF**
12 **\$150,000 FOR THE PROGRAM.**

13 **(2) IN ADDITION TO THE FUNDS MADE AVAILABLE FOR THE PROGRAM**
14 **UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE CORPORATION MAY SEEK FUNDS**
15 **FROM ANY OTHER SOURCE TO AID IN THE ADMINISTRATION OF THE PROGRAM.**

16 **(3) FUNDING PROVIDED UNDER THIS SUBSECTION MAY BE USED FOR:**

17 **(I) THE ADMINISTRATIVE EXPENSES OF THE PROGRAM,**
18 **INCLUDING PAYING FOR A HOTLINE; AND**

19 **(II) TRAVEL TO RURAL AREAS.**

20 **(H) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2020, THE**
21 **CORPORATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH §**
22 **2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE**
23 **EFFECTIVENESS OF THE PROGRAM, INCLUDING:**

24 **(1) THE NUMBER OF ELIGIBLE CLIENTS WHO WERE SERVED BY THE**
25 **PROGRAM; AND**

26 **(2) THE TYPES OF LEGAL SERVICES PROVIDED TO ELIGIBLE CLIENTS.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2019. It shall remain effective for a period of 4 years and, at the end of June 30, 2023,

1 this Act, with no further action required by the General Assembly, shall be abrogated and
2 of no further force and effect.