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Ayuda Written Testimony in Support of SB 413/HB514: Maryland Legal Services Corporation Funding – Abandoned Property

Laurie Ball Cooper, Legal Director

Ayuda supports SB 413/HB514: Maryland Legal Services Corporation (Maryland LSC) Funding – Abandoned Property, which would increase Maryland Legal Service’s Corporation’s annual distribution from the abandoned property fund from \$2 million to \$8 million. This support to Maryland LSC is critical because of the combined effects of the COVID-19 public health crisis on funding for MD LSC directly, other sources of funding for providers of civil legal services such as Ayuda, and, most importantly, on low-income Maryland residents directly and therefore on the civil legal services needs of low-income Maryland residents.

Ayuda is a 501(c)(3) organization that provides legal, social and language access services to low-income immigrant community members in Virginia, Maryland, and the District of Columbia. For over forty-five years, we have served tens of thousands of immigrants through our legal services program. Each year, Ayuda provides legal consultations and direct representation to thousands of noncitizens. In addition to the legal services that Ayuda offers, our social services program provides counseling and comprehensive case management services to hundreds of immigrant victims of violence each year. Our language access program further provides specialized interpretation and translation services to individuals who are non-English speakers and/or deaf or hard-of-hearing. Ayuda maintains an office in Silver Spring, Maryland, which we opened in March 2019. We offer services to Maryland residents living with low incomes, including immigration legal services, domestic violence/family law legal services, and social services (including case management as well as bilingual therapy). Our immigration legal services in Maryland include, to offer but a few examples, representing survivors of crime who have cooperated with law enforcement seeking U Visas, survivors of human trafficking seeking T Visas, representing low-income Maryland residents in removal proceedings, representing survivors of domestic violence applying for relief under the Violence Against Women Act, and representing children who are survivors of abuse, neglect, and/or abandonment in the Maryland state courts as well as before immigration agencies and immigration courts.

The funding that Maryland LSC provides to civil legal services providers for those living in poverty in Maryland, such as Ayuda, is absolutely

critical. Speaking from Ayuda’s perspective, our funding through Maryland LSC – though actually quite modest – has enabled us to expand services since opening our Maryland office and provides critical support for some types of civil legal assistance that are more difficult to fund through grants supporting other elements of Ayuda’s work. As an example of some types of work Maryland LSC offers critical support for that would be tremendously difficult to replace, many low-income Maryland residents need assistance with sponsoring immigrant family members so that they can pursue family unity, renewing work permits so that they continue to thrive in their communities, renewing (or, just as of recently for the first time in years, applying for the first time for) special status for “Dreamers” – individuals who came to the United States as children and know only the United States as home. For these low-income Marylanders, “home is here” but only so long as they can access quality, free (or even affordable) legal services to avail themselves of the immigration relief to which they are entitled. In addition, unique among immigration legal services providers in Maryland and surrounding states, Ayuda (through Project END) also assists low-income immigrants who are subject to schema designed to defraud them including not only immigration legal services fraud but also bail bond schemes and similar fraudulent efforts. We have unfortunately seen an increase in bail bond schemes during the COVID-19 pandemic, playing on family members’ fears for their relatives in immigration detention during this time. We also anticipate an increased in demand for assistance in responding to and correcting immigration legal services fraud as 2021 goes on and actual and proposed changes to immigration law increase immigrants’ vulnerability to schemes to defraud them in exchange for falsely-promised immigration relief. Ayuda has seen a dramatic increase for Project END services in Maryland in recent years, and unfortunately that has not been met with a corresponding increase in funding to meet that need. Instead, like so many other civil legal services providers, Ayuda has seen decreases in the funding available through critical programs such as the MD VOCA grant program through the Governor’s Office of Crime Control and Prevention.

Unlike many other funders, Maryland LSC is focused entirely on low-income Marylanders in need of civil legal assistance. Maryland LSC is not focused on those grabbing headlines (though sometimes our clients and recipients of Maryland LSC funding do – in all the best ways). Maryland LSC is focused on those in need of assistance. And Maryland LSC focuses on getting that assistance to people in the ways that are most accessible to them. That is why preserving, and indeed increasing, Maryland LSC’s funding stream is of critical importance. Through supporting a web of civil legal services providers, Maryland LSC provides multiple avenues through which low-income Marylanders can access the civil legal aid that they both need and deserve. Maryland LSC funds providers like Ayuda, which are culturally-specific service providers, as well as providers in rural areas of the state, providers serving individuals experiencing homelessness in uniquely accessible ways because of their service model, and countless other examples. In addition to funding each of us as individual spokes on the wheel of civil legal aid for low-income Marylanders, Maryland LSC also helps to build the relationships and networks between each of us to make sure that we combine our specialized efforts serving unique needs with collaboration to collectively and efficiently serve as many Maryland residents living in poverty as possible at an excellent standard of practice.

Maryland LSC has struggled since the onset of the pandemic with two major sources of their funding nearly vanishing, at the same time and nearly overnight. One source of such funding is the interest on lawyer trust accounts, known as IOLTA, which is currently at an interest rate of

nearly zero and expected to stay at this level for years. The other source of such funding is a surcharge on certain court filing fees. Due to a dramatic decrease in court filings during the pandemic, Maryland LSC also saw this source of funding dramatically decrease. For this current fiscal year, Maryland LSC was able to continue to fund its grant recipients as promised, but only due to careful planning and creative thinking by Maryland LSC.

In the coming year, Ayuda and our colleague organizations serving low-income Maryland residents will need *more*, not less, support from Maryland LSC. Like many other civil legal aid providers, Ayuda had to cancel multiple fundraisers due to the pandemic and shift others to virtual (and less profitable) formats. We are each pursuing creative options to ensure continuity of services and, wherever possible, funding. But these are trying times for civil legal aid budgets.

And more importantly, these are exceedingly difficult times for low-income Marylanders in need of civil legal assistance. Ayuda, like our peer organizations, has continued to serve our clients and potential clients throughout the pandemic. We have been appearing in court both remotely and in-person to defend our clients' legal interests. We have been meeting with clients, both remotely and in-person, and doing everything we can to ensure the safety of our staff and clients. We have continued our work because the need has only grown. Low-income Marylanders continue to call our offices seeking assistance of all kinds. Survivors of domestic violence are calling, seeking assistance with modifications to child custody agreements and/or child support schedules because of the effects of the pandemic on their lives. We have set up phone and text-in options for clients to safely seek our assistance, understanding that for those currently surviving domestic violence, the pandemic brings unique twin challenges of isolation from many typical forms of community or extended family support and consolidation of time with an abuser who may only rarely leave the home now. Clients in need of immigration legal services continuing calling at rates we simply do not have the capacity to serve – despite our best efforts to expand capacity. Clients call us seeking to escape human trafficking situations in the state of Maryland, and we counsel them and then represent them in legal matters following their escape (and sometimes prior to it). Clients call us seeking to understand the rapidly changing field of immigration law and its effects on their lives – and we aim to provide them with the best advice and representation possible. We have instituted nearly monthly remote, pro bono immigration consultation clinics – and already in 2021, volume to those clinics is increasing as clients seek to learn about the effects of recent and proposed changes on their lives.

And all of this is against a backdrop of need more acute than ever. Our clients were hit often first and hardest by the pandemic. Our clients are the waiters and grocers and daycare providers who continue showing up to work in person, at great risk to themselves, in order to keep Maryland moving during the pandemic. Our clients are sick, and some have died or had family members die of COVID, and often afraid, but also extraordinarily resilient and committed to continuing to improve their lives and thrive each and every day.

Maryland LSC enables our clients to thrive by funding the critical civil legal aid that they need, including Ayuda's services but also those of our peer organizations throughout the state of Maryland. Without Maryland LSC funding, Ayuda and others would face difficult cuts in services that we are able to offer low-income Marylanders. In their moment of need, we need to keep showing up for them.

For these reasons, Ayuda supports the increase in dedicated funding for Maryland LSC through the abandoned property fund. Ayuda and others like us need to be able to continue to answer the phones, to appear in court, to open our doors when it is safe to do so, and to say yes to Marylanders who show up for us. Beyond that, multiple studies have shown that investments in civil legal aid pay financial dividends that far exceed the financial investment. This is likely to be even more true as the pandemic continues to bring unique challenges to low-income communities in Maryland, including immigrant communities, and eventually when courts and other government systems re-open more fully and demand for civil legal aid explodes even further. We need to be prepared, and to meet current need and prepare for future need, we need the kind of dedicated, predictable funding that the increased in the abandoned property fund distribution to Maryland LSC will provide.

Please do not hesitate to contact me at laurie.ballcooper@ayuda.com should I be able to provide any further information as you consider this Bill. Ayuda strongly supports SB 413/HB514, and we hope that you will do so as well.

A handwritten signature in blue ink that reads "Laurie Ball Cooper". The signature is written in a cursive, flowing style.

Laurie Ball Cooper
Legal Director, Ayuda