
BILL NO: House Bill 18
TITLE: Landlord and Tenant – Eviction Actions – Right to Counsel
COMMITTEE: Judiciary
HEARING DATE: February 17, 2021
POSITION: **SUPPORT**

The Women's Law Center of Maryland (WLC) is a statewide nonprofit law firm that seeks to ensure the safety, economic security, and autonomy of women. Our mission is advanced through advocacy and also through direct legal representation of survivors of domestic violence. We provide these services at no cost in protective order hearings, family law matters, and immigration proceedings. Across the board, more than 95% of our clients would not have access to an attorney without our services.

As a provider of legal services in Maryland and a member of a dedicated community of civil legal aid providers, the WLC fully supports HB18 and any legislation poised to create a civil right to counsel. This historic legislation would establish a mandate across Maryland to provide the right to an attorney to low-income tenants facing eviction. Legal representation is fundamental to safeguarding fair, equal, and meaningful access to the legal system. Yet, in the United States, millions of people who are poor or low-income are unable to obtain legal representation. The United Nations has identified the importance of a right to counsel in civil cases for protecting the rights of racial minorities, women, and immigrants¹. According to the Maryland Access to Justice Commission, there are only 1.49 lawyers available to help every 10,000 low-income individuals in Maryland². Yet, there is no right to appointed counsel in civil matters, including in eviction proceedings. Nonetheless, we know that litigants *with* representation are more likely to have a successful outcome than those without representation.

While many legal services organizations in Maryland work to bridge the representation gap for immigration services, these organizations are under-funded and under-staffed; the need for quality, affordable representation is still incredibly large and acute. Because we strongly support a civil right to counsel, particularly in areas of the law where fundamental human rights are at stake, the WLC strongly supports HB 18 and urges a favorable report.

The Women's Law Center operates two legal hotlines, and three direct legal services projects: the Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County, the Collateral Legal Assistance for Survivors Project, and the Multi-Ethnic Domestic Violence Project.

¹ Access to Justice: Ensuring Meaningful Access to Counsel in Civil Cases, https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/USA/INT_CCPR_NGO_USA_15241_E.pdf

² Maryland Access to Justice Commission, Strategic Vision Report, 2020, <https://www.mdaccessjustice.org/reports>