
HB: 31
HEARING BEFORE THE JUDICIARY COMMITTEE, FEBRUARY 17, 2021
POSITION: SUPPORT WITH AMENDMENTS

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide clearinghouse for volunteer civil legal services in Maryland. As the designated pro bono arm of the Maryland State Bar Association, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar. We respond to acute legal needs identified in areas across the state by piloting innovative pro bono service projects targeting specific legal problems or populations.

PBRC urges a FAVORABLE WITH AMENDMENTS report on HB 31. As with HB 729/SB 530, our support for HB 31 is two-fold: PBRC supports HB 31 because the increased evictions surcharge will relieve stress on courts and encourage landlords to work with renters on repayment rather than rushing to court. PBRC also supports HB 31 because the Maryland Legal Services Corporation (“MLSC”) needs the revenue from the additional surcharges in civil and summary ejection cases in order to sustain its funding of critical civil legal services, including those provided by PBRC, to vulnerable residents of our state. For every dollar invested on civil legal services, the state realizes a savings of \$6.

PBRC urges the adoption of two amendments to HB 31. We support the addition of language similar to that in HB 729/SB 530, that provides tenants stronger protection from landlords who attempt to pass through the surcharge. PBRC also supports the technical amendment proposed by MLSC which would separate the MLSC surcharge increase from the proposed surcharge for rental assistance.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the **Tenant Volunteer Lawyer of the Day Program (TVLD Program)** in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. PBRC attorneys have seen first-hand the number of tenants who appear in court ready to work with the landlords to pay their rent or with a valid defense to an eviction. In 2020, 76% of TVLD clients either avoided an eviction entirely or were granted a postponement delaying their eviction based upon a valid defense. The increase in the surcharge for summary ejection cases, will encourage landlords to work with renters on repayment rather than rushing to court. This will reduce rental debt and negative effects on credit and tenant screening, as well as preventing unnecessary strain on the court system.

Furthermore, the increased surcharge in both summary ejection cases and civil cases in general will funnel much-needed funds to MLSC to help fund work like the TVLD Program. MLSC funding comprised 34% of PBRC’s budget in fiscal year 2020. In addition to TVLD, PBRC’s projects include home preservation (covering tax sale and foreclosure prevention), consumer protection, immigration (including unification of unaccompanied children with their families), and senior stability. These projects incorporate extensive volunteer service components through community and/or courthouse clinics—and now remote clinics—that offer essential legal help to thousands of clients in need, allowing us to screen and triage case referrals where further representation is required. We also recruit, train, and engage hundreds of lawyers in the myriad of civil legal areas that impact low-income individuals and refer them to other legal services providers to offer high quality legal services to their client populations. **Grant funding from MLSC makes this possible.**

Increased surcharges will decrease unnecessary eviction actions and create additional funding for MLSC, helping to ensure the continued vitality of free civil legal services to those who need it most. PBRC supports HB 31 with Amendments as described above. Thank you for the opportunity to testify.

For the above reasons,

PBRC urges a FAVORABLE WITH AMENDMENTS report on HB 31.

Please contact Katie Davis, Director of PBRC’s Courtroom Advocacy Project, with any questions.

kdavis@probonomd.org • 443-703-3049