



ACCESS TO COUNSEL IN EVICTIONS TASK FORCE



February 7, 2022

To: The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee

From: Vicki Schultz
Chair, Access to Counsel in Evictions Task Force

Re: Senate Bill 279 – Access to Counsel in Evictions Special Fund – Alteration (SUPPORT
IN PRINCIPLE)

The Maryland Access to Counsel in Evictions Task Force strongly supports the purpose of Senate Bill 279, which is to strengthen the Access to Counsel in Evictions Program by directing additional resources to the Access to Counsel in Evictions Special Fund.

As noted in the Task Force’s first annual report in January 2022, funding the Access to Counsel in Evictions Program is an “urgent and critical need.” Maryland Legal Services Corporation, the administrator of the Program, has projected that full implementation of the Program will require \$30 million per year.¹ Accounting for a phased implementation period, the Task Force asked Governor Hogan to allocate \$12 million to the Special Fund for this fiscal year. As yet, no money has been deposited into the Fund, delaying implementation of the Program and depriving low-income Marylanders facing eviction of the legal representation that they desperately need and the General Assembly intended to provide.

The Task Force has recommended that the State include an annual, ongoing appropriation for the Special Fund in the operating budget to ensure stable funding for the Access to Counsel in Evictions Program. However, the Task Force also supports efforts to provide funding for the Program through other means. Senate Bill 279 is one such effort and would supplement the Special Fund with money received by the Office of the Attorney General’s Consumer Protection Division in connection with a settlement, agreement with, or judgment against a party in a matter enforcing the Consumer Protection Act that relates to residential rental properties.²

¹ That projection—which includes funding for legal services, required outreach and education, administration, and evaluation of the Program—will be revisited and changed as needed as implementation progresses.

² The Task Force is not in the best position to evaluate whether Senate Bill 279, as currently drafted, is limited to monies that would otherwise be deposited into the State’s General Fund, or whether it would also sweep in recoveries of restitution and/or funds directed to the Consumer Protection Division for the benefit of consumers. For that reason, the Task Force supports the bill in principle only.