



**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

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February 21, 2022

The Honorable William C. Smith, Jr.  
Chairperson  
Judicial Proceedings Committee  
Maryland Senate  
2 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

The Honorable Guy Guzzone  
Maryland Senate  
Budget and Taxation Committee  
3 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Maryland Legal Aid's Written Testimony in Support of  
SB662 – Access to Counsel in Evictions Special Fund -  
Funding**

Dear Chairpersons Smith and Guzzone and Committee Members:

Thank you for the opportunity to present testimony in support of SB 662, a bill that seeks to address the continuation of funding for vital legal services to low-income persons facing evictions in Maryland. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents. From 12 offices around the state, MLA helps individuals and families in every Maryland county with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA also represents abused and neglected children and provides legal assistance to senior citizens and nursing home residents. This letter serves as notice that Gregory Countess, Esq. will testify on behalf of Maryland Legal Aid.

Maryland set protections for tenants at the beginning of the COVID-19 pandemic to mitigate the effects of job loss and avoid catastrophic homelessness. The Maryland General Assembly recognized that supporting legal services, including counseling tenants facing eviction, was vital to an efficient judicial process. As a result, the Maryland Legal Services Corporation received a one-time increase in funding from the Abandoned Property Fund in the 2021 legislative session. The Maryland Legal Services Annual Report details the loss

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of funding from IOLTA and court filing fees directly related to the pandemic.<sup>1</sup> However, as Maryland Courts have reopened, the difficulties unrepresented renters face with housing insecurity has not abated, even with federal funds directed to prevent loss of shelter. SB 662 recognizes that the need for civil legal services through targeting funds for Access to Counsel in eviction cases continues as the pandemic transitions into an endemic housing instability increases, and low-income Marylanders' need for legal services grows.

In its funding request to Congress for the fiscal year 2022, the Legal Services Corporation (LSC) requested an increase in funding based on a projected increased need for civil legal services resulting from the pandemic. The Legal Services Corporations request expects "... the number of people seeking legal assistance to increase significantly over the next several years. LSC grantees across the country desperately need additional resources to assist vulnerable people facing increases in evictions, foreclosures, domestic violence, and problems with unemployment insurance and consumer scams." "Civil legal aid is critical to ensuring that federal policy responses aimed at pandemic relief for low-income Americans are carried out. Legal Aid supports the federal response to COVID-19 so that the intended beneficiaries of relief packages actually receive the appropriated financial, housing and health support Congress intended."<sup>2</sup>

The number of eviction cases nationally is increasing, and tenants are often without counsel in many states, including Maryland. The LSC report notes that between 2019 and 2020, housing-related cases rose from 17.1% to 36.1% for all LSC grantees.<sup>3</sup> The Maryland Attorney General's COVID-19 Access to Justice Task Force Reports states that in Baltimore, 1% of tenants had counsel during eviction proceedings, while 96% of landlords had counsel or were represented by an agent.<sup>4</sup> The Access to Justice report also projected that 320,000 renter households could be unable to afford their rent by the end of 2021.<sup>5</sup>

The right to housing is a principle established in the Universal Declaration of Human Rights, and access to counsel to protect that right from arbitrary deprivation is also a precept propounded in the Declaration.<sup>6</sup> Under the current scheme, tenants cannot effectively protect their right to housing. They face an unfamiliar court system and landlords who are experts in navigating the

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<sup>1</sup> [MLSC-FY21-Annual-Report.pdf](#), p.6.

<sup>2</sup> [2022 Budget Request | LSC - Legal Services Corporation: America's Partner for Equal Justice.](#) p.3.

<sup>3</sup> [2022 Budget Request | LSC - Legal Services Corporation: America's Partner for Equal Justice.](#) p.4.

<sup>4</sup> [AG\\_Covid\\_A2J\\_TF\\_Report.pdf](#) (marylandattorneygeneral.gov). P.9.

<sup>5</sup> [AG\\_Covid\\_A2J\\_TF\\_Report.pdf](#) (marylandattorneygeneral.gov). P.18.

<sup>6</sup> [https://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf).

eviction process. Tenants need representation for fundamental fairness and justice in this process. Thus, providing funding to access counsel is necessary to ensure Maryland is in accordance with these human rights laws. For these reasons, MLA asks for a favorable report on SB 662.

/S/ Gregory Countess

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