

MARYLAND SENATE JUDICIAL PROCEEDINGS COMMITTEE
TESTIMONY OF MARYLAND VOLUNTEER LAWYERS SERVICE
IN SUPPORT OF SB897: COURTS AND JUDICIAL PROCEEDINGS –

COURT FINES -PAYMENT

WEDNESDAY, MARCH 2, 2022

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Chair Smith and distinguished members of the Committee, thank you for the opportunity to testify in support of Senate Bill 0897.

My name is Amy Hennen and I am the Director of Advocacy and Financial Stabilization at the Maryland Volunteer Lawyers Service (MVLS). MVLS is the oldest and largest provider of pro bono civil legal services to low-income Marylanders. Since MVLS' founding in 1981, our statewide panel of over 1,700 volunteers has provided free legal services to over 100,000 Marylanders in a wide range of civil legal matters. For the reasons below, MVLS respectfully request the committee return a favorable report on SB897.

In my position at MVLS, I manage our consumer and housing as well as our workforce development programs. This means working with clients living near the poverty line who are being sued for debt collection and eviction, or individuals who are receiving job training, often after returning from incarceration. I have also overseen our work with the Baltimore Health Corps, the project initiated by the Mayor's Office of Employment Development to hire contact tracers during the pandemic. A large portion of this work, and our workforce development program generally, involves criminal record expungement and dealing with court debt. Court fines and fees too often hold back people in poverty. I have personally seen clients across all the programs I manage who struggle week by week to make ends meet, and for whom accumulating debt to the court system is the breaking point of their financial stability. An ability-to-pay inquiry is necessary for our courts to maintain equity and justice for all those who interact with the judicial system.

One of MVLS' clients, a Baltimore Health Corps employee, initially reached out for assistance with expunging his criminal record. While working with him, he revealed that he had incurred thousands of dollars in fines and fees from court-ordered home monitoring. He had completed his court-mandated requirements, paid his debt to society, and had re-entered the workforce in an attempt to turn his life around. At the time, he was only working part-time, making about \$13 an hour, and was behind on his child support payments. Our client stated that he nearly lost his license because of his growing debt to the State of Maryland. It ultimately took our client

more than three years to pay the fees, while trying to keep up with his other expenses. He ultimately decided to focus on paying the court fees and neglected his child support payments.

For people like our clients who are living on the edge of poverty, trying to make ends meet, a missed payment can spiral into additional criminal penalties, loss of their driver's license, loss of job opportunities, and having to choose between paying fines and fees or being able to pay for the necessities like rent, food, and

childcare. This bill would eliminate these fees, ensuring a just system where people are not punished for the level of income they earn.

MVLS has been fighting to even the playing field for Marylanders facing economic hardships for decades and most of our clients live at or below the poverty line. Because of our work serving Marylanders with low or no income, we support this bill. We recognize that when a person is arrested or incarcerated, they can find themselves drowning in fines, fees, and costs to various institutions during pretrial, sentencing, incarceration, and post-conviction, including home detention, probation and parole fees, and fees for work release programs. This bill, which would help stop the cycle of poverty and indebtedness, is necessary. We know that these community members face significant obstacles when putting their lives back on track. Lessening the burden of court-related fines and fees will help people to avoid the consequences as described above, to enter the workforce and become productive members of society. We respectfully request a favorable report on Senate Bill 897.

Mister Chair and member of the committee, thank you for the opportunity to testify.