



Marjorie Cook Foundation
Domestic Violence Legal Clinic

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TESTIMONY IN SUPPORT OF SENATE BILL 223

February 3, 2022

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House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. Senate Bill 223 would increase from not more than \$8 to not more than \$73, the surcharge that the District Court is required to assess per civil case for summary ejectment, tenant holding over, and breach of lease that seeks a judgment for possession of residential property against a residential tenant. The bill also prohibits the landlord from passing on the fee to the tenant. The additional money would go to the Maryland Legal Services Corporation (MLSC), which helps fund many public interest legal service providers in Maryland. **We urge the Senate Judicial Proceedings Committee to issue a favorable report on Senate Bill 223.**

The House of Ruth Domestic Violence Legal Clinic (the Clinic) receives a significant portion of its funding from MLSC. With this support, the Clinic serves low-income victims of domestic violence throughout the state. Clinic attorneys provide representation in protective order hearings and divorce and custody cases; legal advocates provide information, lethality assessment, safety planning, and referrals to victims who call or visit our walk-in clinics at court houses in Baltimore City and Prince George's, Montgomery, and Baltimore Counties. Civil legal representation is critical to victims of domestic violence and their children. A 2016 study demonstrated that domestic violence victims who received civil legal representation experienced a notable reduction in physical violence over a 24-month period following the representation, as well as an increase in their psychological well-being and economic self-sufficiency.¹ Not only does civil legal representation work to prevent future domestic violence, but it also helps to mitigate the damage inflicted by that violence. Victims who were represented by legal services attorneys trained in domestic violence more frequently received custody and visitation orders that protected themselves and their children, as compared to cases in which victims were represented by private attorneys or victims who represented themselves.² Civil legal services are a vital part of Maryland's safety net for men, women and children escaping domestic violence.

¹ Hartley, C. C., & Renner, L. M. (2016). *The Longer-Term Influence of Civil Legal Services on Battered Women*. National Institutes of Justice, U.S. Dept. of Justice. Available at: <https://www.ncjrs.gov/pdffiles1/nij/grants/249879.pdf>.

² Kernic, M. (2015). *Final Report of the "Impact of Legal Representation on Child Custody Decisions among Families with a History of Intimate Partner Violence Study"*. U.S. Dept. of Justice, National Institute of Justice. Available at: <https://www.ncjrs.gov/pdffiles1/nij/grants/248886.pdf>.

Since the onset of the Covid-19 pandemic, MLSC has experienced severe reductions in one of its major sources of funding. Historically, MLSC has relied in large part on the Interest on Lawyers Trust Accounts (IOLTA) as a source of its funds. During the last 22 months, the interest rates have been close to zero, resulting in little to no income for MLSC. The proposed filing fee surcharge increase will avert further reductions to MLSC's funds and allow MLSC and the legal services agencies it supports to continue to provide vitally needed services.

MLSC funding enables the House of Ruth to help many victims of domestic abuse. During FY 2021, the House of Ruth used MLSC and other funding to serve 2,783 victims. Without this support, low-income victims often would have no access to the legal services needed to help end the cycle of violence. The filing fee surcharge will allow MLSC to continue to provide crucial support for these important services.

The House of Ruth urges a favorable report on Senate Bill 223.