



DELIVERY OF LEGAL SERVICES COMMITTEE

POWERED BY MARYLAND ACCESS TO JUSTICE COMMISSION & MARYLAND STATE BAR ASSOCIATION

BILL NO: Senate Bill 756
TITLE: Access to Counsel in Evictions – Funding
COMMITTEE: Appropriations (Cross Over Hearing)
HEARING DATE: April 4, 2023
POSITION: **SUPPORT**

The Delivery of Legal Services Committee (DLS) of the Maryland Access to Justice Commission was formed to promote the fair administration of justice in the State of Maryland. The Committee supports and encourages free or low-cost legal services for people of limited means through legal services programs for the indigent, public interest legal organizations, *pro bono publico*, reduced fee, and other alternatives to traditional fee-for-service representation to provide access to the courts, and court alternatives for the resolution of disputes. The areas include legal practice and legal reform for the indigent and persons of modest means, for example, civil rights, consumer advocacy, civil and criminal legal services, and lawyer referral services. The Committee is comprised of a mix of practicing attorneys, including those working for civil legal aid organizations, private practitioners, and government attorneys, who all share a common goal: increasing access to justice.

As amended, Senate Bill 756 builds on legislation passed in 2021 and 2022 that established, and then funded, the Access to Counsel in Evictions Special Fund by extending the \$14,000,000 funding stream through 2027 within the Governor’s annual budget.

We know that tenants with representation are more likely to have a successful outcome than those without representation. In fact, a recent study projects that 92% of represented tenants could avoid disruptive displacement with a right to counsel in one of Maryland’s three high-volume-eviction jurisdictions¹. Legal representation is fundamental to safeguarding fair, equal, and meaningful access to the legal system. According to the Maryland Access to Justice Commission, there are only 1.49 lawyers available to help every 10,000 low-income individuals in Maryland.² By extending funding for the Access to Counsel in Evictions Special Fund we can prevent the disruptive displacement that plagues so many low-income Maryland families.

Because we strongly support a civil right to counsel, particularly in areas of the law where fundamental human rights are at stake, the DLS supports SB 756 and urges a favorable report.

¹ Stout Risius Ross, LLC, The Economic Impact of an Eviction Right to Counsel in Baltimore City 65 (May 2020), <https://bmorerentersunited.org/rtc/stoutreport> (study based on case data reported by Maryland Legal Aid, Pro Bono Resource Center of Maryland, Homeless Persons Representation Project, Disability Rights Maryland, and Public Justice Center).

² Maryland Access to Justice Commission, Strategic Vision Report, 2020, <https://www.mdaccesstojustice.org/reports>