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Testimony in Support of SB 0756– FAVORABLE
Access to Counsel in Evictions – Funding
Before the Appropriations Committee – March 1, 2023.

SB 0756 would create a permanent budget requirement that the Governor includes in the annual budget bill an appropriation of \$14,000,000 of certain abandoned property funds to the Access to Counsel in Evictions Special Fund. The initial impact of COVID-19 created a public health crisis that demanded unprecedented action to ensure the health and safety of Marylanders. These measures included the General Assembly guaranteeing legal representation for renters facing eviction and establishing the Access to Counsel in Evictions Program to direct services to provide covered individuals with access to legal representation.² Part of this Program involved creating the Eviction Prevention Clinic at the University of Maryland Francis King Carey School of law. Although we are through the tumultuous part of the COVID-19 pandemic, what has become evident to me while participating in this Clinic Program is that the underlying harms of eviction remain. For these reasons, the State of Maryland cannot afford to let the Access to Counsel in Evictions Special Fund sunset and should make it a permanent budget item.

CLINICAL EVICTION PREVENTION PRACTICE CREATES POSITIVE LEARNING OUTCOMES FOR STUDENT-ATTORNEYS.

As part of the Access to Counsel Program, the University of Maryland Carey School of Law received grant funding to create the Eviction Prevention Clinic. A central tenant of law school education is presenting students with hypothetical fact patterns and legal issues to learn how the law is applied outside the walls of a classroom. However, nothing prepares students to work with clients, appear before a court, and do impactful work more effectively than the real thing. Therefore, all full-time day students at the University of Maryland School of Law are required to participate in the Clinic Program where they gain experience working on real-life cases and gain a unique combination of theoretical study and practical experience.³

¹ This testimony in support of this Bill represents the personal opinions of the student member of the Eviction Prevention Clinic and is based on his knowledge and experience. This support may not represent the position of the University of Maryland Carey School of Law; the University of Maryland, Baltimore; or the University of Maryland System.

² 2021 MD H.B. 18

³ UNIVERSITY OF MARYLAND SCHOOL OF LAW, *About Our Clinical Law Program*, <https://www.law.umaryland.edu/academics/clinics/>

As a student participating in the University of Maryland School of Law's Eviction Prevention Clinic, I firmly believe that the work I have done on behalf of my clients has been incredibly important to my law school education because it exposed me to parts of legal practice that are otherwise out of reach for law students. I will never forget the experience of meeting my first client, finding out she had a court appearance that week, and feeling overwhelmed by the idea of being her legal counsel. Before this clinic, I had never felt the pressure of preparing a case that would have an actual impact on someone's life. I am extremely grateful that the first time I was faced with these stakes, I was able to work with my Clinic Instructor, Supervising Attorney, and Student Partner to collaborate and prepare the best possible case on behalf of our client. This pre-trial collaboration was invaluable, but what will always stick with me about this experience was the joy on the client's face when we successfully argued before the District Court that her landlord could not collect the rent he claimed my client owed. Walking out of the courthouse that day, I felt a confidence and sense of accomplishment that could only come from the kind of practice experience gained through this type of Clinical Program.

Participating in the Eviction Prevention Clinic opened my eyes to what it is like working in legal services. During my time in the clinic, I had the opportunity to work with real clients and help them navigate legal issues. Given that we were helping people in marginalized and underserved communities, the work I was able to put in made a gigantic impact in resolving the clients' situations. Seeing the difference that I could make in the lives of these clients was incredibly rewarding, and it opened my eyes to the positive impact of legal services work. As I look towards my career after graduating from law school, my clinical experience has definitely sparked an interest to pursue legal services work in the future.

ACCESS TO EVICTION PREVENTION SERVICES POSITIVELY IMPACTS OUTCOMES FOR LOW-INCOME TENANTS.

Being evicted from one's home can have devastating effects on individuals and communities.⁴ For this reason, Maryland law provides several protections and defenses for tenants who may be facing an eviction action from their landlords. While these defenses can be effective, they are toothless when renters do not understand how to assert them. One of our first assignments in the Eviction Prevention Clinic was to observe Failure to Pay Rent cases at the Baltimore City District Court. My observations from these proceedings confirmed to me something I already instinctively knew that representation is vital for the proper administration of justice. I watched cases where renters lived in unsafe or unhealthy conditions, but because they were unaware of the nuances of landlord-tenant law, they did not know what defenses were available to them when their landlords went after them for unpaid rent. During my time in the eviction prevention clinic, it has become apparent to me that when these tenants have representation, whether it be

⁴ MARYLAND ATTORNEY GENERAL'S OFFICE, REPORT OF THE ACCESS TO COUNSEL TASK FORCE, JANUARY 2022, https://www.marylandattorneygeneral.gov/A2C_docs/ATC_Task_Force_Report.pdf at 7.

from a non-profit legal services provider or even a student attorney like me, it significantly prevents the possibility of an unfair eviction. Thus, for justice to be properly administered in these cases, it is vital that resources that provide renters with counsel be protected and supported by the state.

CONCLUSION

This Committee must pass SB 0756 to ensure the continuance of vital Eviction Prevention Programs in Maryland. Grants to the University of Maryland School of Law have created instructive programs for student attorneys to gain invaluable practice experience. Furthermore, access to counsel dramatically improves outcomes for tenants, who may otherwise be unaware of how to defend themselves in court.