



DELIVERY OF LEGAL SERVICES COMMITTEE

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

BILL NO: Senate Bill 351
TITLE: Maryland Legal Services Corporation - Affordable Life, Wills, and Estate Planning for Seniors Program
COMMITTEE: Judicial Proceedings
HEARING DATE: February 16, 2023
POSITION: **Favorable With Amendments**

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.

Senate Bill 351 establishes the Affordable Life, Wills, and Estate Planning for Seniors Program within the Maryland Legal Services Corporation (MLSC) to provide seniors with moderate financial means access to affordable civil law-related services. Friendly amendments have been proposed by sponsors that will bring the income eligibility guidelines in line with those already in use by MLSC.

Estates and trusts work is a complex yet overlooked area of the law, particularly when it comes to the needs of low-income individuals. Nearly 70% of Americans do not have estate plans¹. It is often a decision that is put off or disregarded because people tend to think they are too young or do not have enough accumulated wealth. Unfortunately, this phenomenon is particularly true in low-income communities and among people of color. Planning for the future should not be limited to those with the highest assets, but rather can benefit families and loved ones and make the transfer of property easier and less contentious for everyone.

Approximately 71% of low-income households experience a civil legal problem every year, and yet only about 20% of those individuals are able to obtain the legal representation they need. For all the reasons contained herein, the Delivery of Legal Services Committee urges a favorable report, with the amendments noted herein, on SB351.

¹ <https://www.communitylegalaid.org/node/1778/estate-planning-everyone>