



PRESS RELEASE

Attorney General's COVID-19 Access to Justice Task Force Releases Final Report *Report Includes Significant Legislative and Policy Recommendations*

BALTIMORE, MD (January 11, 2021) - Maryland Attorney General Brian E. Frosh today released the final report of the Attorney General's COVID-19 Access to Justice Task Force. The report, [*Confronting the COVID-19 Access to Justice Crisis*](#), is the culmination of six months of work by members of the task force and includes 59 significant legislative and policy recommendations to help Marylanders recover from the devastating impact of COVID-19. The task force was charged with developing recommendations that acknowledge the structural racism and inequities that have deepened the challenges faced by communities of color and have denied access to the civil justice system that is necessary to resolving those challenges.

Partnering with the Maryland Access to Justice Commission, Attorney General Frosh created the task force in June, 2020 and included diverse leaders in the public, nonprofit, and philanthropic sectors; the legal and business communities; and academia. The task force also included members of Maryland's Congressional delegation, the judiciary, and the General Assembly. Throughout the six-month long process, members of the task force engaged with more than 300 stakeholders, heard from advocates, civil legal aid attorneys, service providers, legislators, administration officials, policy experts, and Marylanders about the damage the COVID-19 pandemic has wrought upon people across the State and how that damage entangles them in the civil justice system. The work of the task force and creation of the final report was generously supported by the Abell Foundation and the Annie E. Casey Foundation.

"COVID-19 did not create the systemic failings and inequities of our social safety net and civil justice system. Rather, the pandemic exacerbated and brought to light these deficiencies and the significant harm they cause," said Attorney General Frosh. "Comprised of experts from a broad range of industries, the task force acted with urgency to develop solid recommendations to address the civil legal issues plaguing our most vulnerable populations as a result of the pandemic. I appreciate the many hours of work by the members of the task force. I am hopeful that we have developed a roadmap to help Maryland recover from this crisis and to put the state in a stronger position to weather future health and economic crises."

"We are honored to have helped lead this task force that has helped shine a brighter light on the access to justice challenges plaguing our state," said Reena K. Shah, task force vice-chair and executive director of the Maryland Access to Justice Commission. "Many people are unaware of how the civil justice system touches so many aspects and issues such as housing, unemployment,

consumer debt, domestic violence, immigration, healthcare, life planning, divorce and custody, as well as public benefits. When people are forced to navigate the civil justice system on their own, it can have dire results. The Maryland Access to Justice Commission exists to ensure that there is civil justice for all, not just for those who can afford it. The work that was started in the task force continues in the Commission. We will be actively working with our justice partners to get many of these recommendations implemented.”

“The breadth and depth of the diversity of the task force was required to ensure that all voices were represented,” said Andre M. Davis, task force vice chair and former senior judge, U.S. Court of Appeals for the Fourth Circuit. “The pandemic has wreaked havoc on hundreds of thousands of Marylanders, but for many of our most vulnerable communities, the pandemic has been a devastating blow. It was imperative to ensure that we did not reinforce harms to these same communities when they interacted with the civil justice system. It was incumbent upon all members of the task force to develop solutions through a racial equity lens, to ensure all Marylanders have equal access to the civil justice system.”

“As our country battles COVID-19, the greatest burdens have fallen on communities of color and those struggling to find a path out of poverty. This pandemic has shined a harsh light on the injustices in our country in our economic, housing, health care, and criminal justice systems, and underscored the immediate need to address these inequities,” said Senator Chris Van Hollen. “The COVID-19 Access to Justice Task Force’s final report has taken a comprehensive look at these issues and makes concrete recommendations to help Maryland families, workers, and those in need weather this storm. I appreciate the leadership of Attorney General Frosh, Vice Chairs Judge Andre Davis and Reena Shah for chairing this effort, and the members of the task force in developing a comprehensive strategy to address longstanding inequities facing too many Marylanders. We must continue our urgent work to ensure equal justice, equal rights, and equal opportunity for all.”

Key recommendations focused on the task force’s five main themes including ensuring that Marylanders are housed; ensuring Marylanders are economically secure; ensuring Marylanders are healthy and have enough to eat; ensuring Marylanders are safe; and ensuring Marylanders have meaningful access to the civil justice system.

SNAPSHOT OF KEY RECOMMENDATIONS: (see full report for the complete list of recommendations)

Ensuring Marylanders are Housed:

- Increase the filing fee for summary ejectment actions and prohibit the fee from being passed on to tenants.
- Provide a right to counsel to defendants at both the trial and mediation/settlement phases of eviction proceedings.
- Institute due process reforms and data reporting requirements to allow more time and targeted intervention for diversion efforts and eviction and homelessness prevention.

Ensuring Marylanders are Economically Secure:

- Eliminate body attachments for consumer debt.
- Decrease the collection fee charged by the State’s Central Collection Unit on civil debt from the current fee of “up to 20 percent” to 6 percent.
- Allow the heirs of an estate to receive the homeowner’s tax credit to reduce the amount of real property taxes that the estate/heirs would otherwise be required to pay.

Ensuring Marylanders are Healthy and Have Enough to Eat:

- Establishing a tracking system to track the status of unemployment insurance claims through application, processing, and review.
- Increase and maintain Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) benefits.
- Connect unemployed individuals who have lost health insurance coverage to health insurance options offered by the Maryland Health Benefit Exchange.
- Build health equity and increase health care services for populations disproportionately affected by COVID-19 and historically underserved by making permanent telehealth and audio services.

Ensuring Marylanders are Safe:

- Require the Maryland Commissioner of Labor and Industry to develop and adopt regulations to provide protections to workers, including establishing standards for health care industry and emergency response employers, and requiring employers to provide paid leave to workers who must self-quarantine due to workplace exposure.
- Amend Maryland's Healthy Working Families Act to: (1) remove the exemptions from required paid sick leave for underage workers, agricultural workers, and temporary or part time staffing workers; and (2) add eligibility to use paid sick leave during a declared public health emergency.
- Require the State and counties to increase transparency regarding their receipt and expenditure of federal emergency funding.

Ensuring Marylanders Have Access to the Civil Justice System:

- Mandate a new appropriation from the State's General Fund to support Maryland Legal Services Corporation (MLSC)-funded civil legal aid services as well as civil legal aid and legal support services provided by organizations not funded by MLSC.
- Increase pro bono legal services to meet the rising demand for civil legal aid.
- Have a single point of entry for information about civil legal aid.
- Incorporate civil legal needs into emergency planning and government agencies whose missions deal with basic human needs.

For more information on the Attorney General's COVID-19 Access to Justice Task Force,

visit: <https://www.marylandattorneygeneral.gov/Pages/A2JC/default.aspx>