

Minutes of the Access to Counsel in Evictions Task Force's Funding Committee

November 30, 2021

Committee Members in attendance: Deb Seltzer (chair); David Eppler; Beth Harber; Senator Shelly Hettleman; Matt Hill; Nick Katz; Pam Newland; Pam Ortiz; Delegate Sandy Rosenberg; Reena Shah; Vicki Schultz (Task Force Chair, *ex officio*)

Task Force Members and Staff in attendance: Stu Simms, Alexa Mellis, Leah Tulin

The Committee discussed new legislation to be proposed in the General Assembly for the 2022 legislative session:

- Delegate Rosenberg plans to introduce a bill requiring money recovered by the State in Consumer Protection Act cases involving rental housing be directed to the Access to Counsel in Evictions Special Fund (“the Fund”).
- Delegate Rosenberg and Senator Hettleman also plan to introduce a bill mandating that a certain percentage of federal funds for rental assistance be used for the Fund.
- Attorney General Frosh plans to introduce a bill to raise the fee for summary ejection filings.

The Committee reviewed existing statewide funding sources for civil legal aid in Maryland through Maryland Legal Services Corporation (“MLSC”):

- Interest on Lawyer Trust Accounts (“IOLTA”), which is based on interest rates that mirror the federal funds target rate (currently set at 0.00% - 0.25%).
- Filing fee surcharges in certain circuit or district court case types (including summary ejection cases).
- The Abandoned Property Fund, which was increased from \$2 million dollars to \$8 million dollars last legislative session, making up for the reduction in IOLTA and filing fee surcharges due to the pandemic.

The Committee discussed other existing sources of funding for legal services (e.g., state contracts for particular projects, discretionary grants, private fundraising).

The Committee agreed that a direct appropriation in the State budget is the simplest method of putting money into the Fund. There was also agreement that federal grants could be pursued when available.

Committee Recommendations: The Funding Committee advises including the following recommendations in the January 1, 2022 Task Force Report:

- The State should include an ongoing appropriation for the Fund in its annual budget.
- The State and/or MLSC should pursue federal funding for the Fund when appropriate.
- The Committee supports the concept of directing money to the Fund through state recoveries for Consumer Protection Act violations and federal rental assistance.