

ATTORNEY GENERAL'S ACCESS TO JUSTICE TASK FORCE  
CONSUMER PROTECTION COMMITTEE

Wednesday, August 19, 2020  
3:30 pm – 4:30 pm

<b>Participants</b>
Amy Hennen
Angie Barnett
Anthony Davis
Arzhang Navai
Ashley Harrington
Christine Hines
David Finkler
Delegate Joseline Pena-Melnyk
Helen Raynaud
Jane Santoni
Joy Sakamoto-Wengel
Kat Hyland
Lydie Glynn
Nikki Thompson
Nino Li
Pamela Ortiz
Pokuaa Owusu Acheaw
Reena Shah
Rory Murray
Sarah Frush
Steve Sakamoto-Wengel
<b>Observers</b>
Diana-Lynne Hsu, Maryland Hospital Association

**Agenda**

1. Welcome - -Steve (5 minutes)
2. Roll – Steve (5 minutes)
3. Review minutes from August 12 meeting- Steve (5 minutes)
4. Self Help Centers – Pamela Ortiz, Director, Access to Justice, Administrative Office of the Courts (30 minutes)
5. Subcommittee Reports 20 minutes
  - a. Consumer Education - Robin
  - b. Mediation/ADR/ODR/Support services - Amy
  - c. Court forms/Notices - Aracely
  - d. Court procedures/Access – Kat
  - e. Liaison report - Michele
6. New discussion items

## 7. Set next meeting – 5 minutes

### **Actions & Tasks (Overview)**

Meeting called to order at 3:37. Committee reviewed minutes from the last meeting. Lydie Glynn made a motion to accept the minutes at 3:38, Joy Sakamoto-Wengel seconded the motion. The motion passed unanimously. Exchange ideas on all the sub-committees.

### **Discussions made by the participants**

- I. Introduction to the Self Help Centers (Pamela Ortiz): Maryland judiciary contracts with the Maryland Center for Legal Assistance (MCLA), we now have the walk-in self-help centers in eight different locations, most of them are full-time and some of them are part-time. For the district courts, we contract with MCLA, and these are the ones currently operating: Baltimore City; Cambridge has not resumed operation since the pandemic, because they cannot really social distance in that very small space; Frederick has operated all civil centers and has circuit courts and district courts located in the same building; Glen Burnie is another district court walk-in center. Salisbury is full-time. In addition to the walk-in centers staffed by MCLA, we also operate the call centers which have extended hours. It's really a high-volume program, and the call center itself provides all civil legal matters.
  - The data of the program:
    - Beginning in 2011, we started providing remote services through phone and chat. we have an increase of 8 % of the volume during the pandemic, and the volume rates continue to increase for the last two months. There are currently 19 people working at the phone center full-time and the 18 attorneys are working remotely. At the beginning of the pandemic, we made some changes on the phone service as it has the biggest demand. We had limitations on our phone system at the beginning, so we switched to the Amazon connect system, with which we can have as many attorneys on as necessary. MCLA recently hired a Pro Bono coordinator and we are looking forward to them building a Pro Bono component to the service. What's lovely about Pro Bono is that an attorney can log in anywhere to respond to the clients, and with the phone system, we can have them call from anywhere. All the attorneys in the walk-in center will be working remotely and will pick up phones and chats in the phone center. Because the district courts' walk-in center and the call center are all staffed by MCLA, when attorneys in walk-in centers have down time, they can answer the call at the phone center, so this can routinely make the very best use of the human resources they have. In order to reduce some of the physical traffic in the self-help centers, we have several attorneys working remotely and serving clients in a video conference, we plan to use Zoom. For the walk-in centers, we have at least one attorney and one admin staff at the site to facilitate; if the attorney who is there has already engaged speaking to someone and another person is coming in, we can have another attorney help him/her in the video conference remotely.
  - The case type: the case type varies a little from walk-in centers to the phone centers. Judge Cooper in Baltimore City is sending a letter to direct people in the call center to reach out to the providers for legal help. MCLA's director is also very supportive and recognizes how critical it is to help people get legal help during the pandemic.

- Sarah: one of the things we are talking about on the idea of a hotline is really not duplicating anything in the self-help center. Also we want the self-help center to have the capacity to enhance the service to another level. As people are hit in various ways during the pandemic, we need a different level of expertise if we are not just asking for the surface touched by the self-help center, like procedural aid in general law, but the deeper and sustained issues, and we think that MCLA might have that expertise. (financially counseling and mental health needs, etc.)
  - Pamela Ortiz: we can set up a “button” to automatically direct cases to the number of referral to mediation and other services. As lots of the attorneys are not sitting in the court houses these days, we have built a knowledge base for the self-help call centers. so it can be used as a referral to different jurisdictions.
- Kat: one of the things that came up in our subcommittee is the need for more attorneys to access the district court files. As many jurisdictions are on E-filings, but we cannot get case information (like the hearings). Do the self-help centers located at different courts have access to district court files for people we want to help even on a Pro Bono basis?
  - Pamela Ortiz: I believe they have the access to the MDEC public portal that has the same information you get if you sit in the clerk’s office.
    - Kat: Do we have to be in the self-help center to ask for the Pro Bono files or if there is a way around that for us to access a particular case (like if we get a referral from MVLS but they don’t have the whole case file).
      - Pamela Ortiz: I will raise that issue. I think it’s been discussed but I’m sure about any updated progress so far. For information in MDEC, it can only come out from the clerks.
- Delegate Joseline Pena Melnyk: Do you have anyone speaking Spanish fluently or Latinos, like a racial breakdown in the service. Please send me the reports in the past three years; and among the 18 attorneys, any Latino lawyer?
  - Pamela Ortiz: Yes, this is the call center only, we have the language access data. For the 18 attorneys, we currently don’t have any Latino Lawyers in the call center, but we are aware that Prince George County has the highest demand for Spanish speakers. MCLA always tries to hire attorneys in the district court call center. We don’t hire as we contract with MCLA who hires people, so I will have Emily (Managing director in MCLA) contact you. (Steve will send the Delegate’s email address to Pamela Ortiz.) But we do have five different languages covering the core contents in the self-help center.
- David Finkler: when in the process, a member in the public talks to the self-help centers, are they both talking to people in the beginning or in the middle, if they do reach out early on in the process, do they stick with the same lawyer or they get a new attorney every time.
  - Due to the high volume faced by the call center, we encourage all the programs to limit the information that they maintain, they don’t provide representation, so there is no guarantee that you may get the same person every time.
  - Sarah: This is a complex issue to direct people back to the attorney, even though people have preference to speak to the original attorney. This is not possible due to the high volume of visitors per year. You can only ideally leverage another layer of services through direct representations. But you cannot really match attorneys to these massive amounts of people.

- David Finkler: if we try to direct people to the self-help center, should we direct them with the chat first or the phone number (which is the primary and secondary way)? As people may choose what works the best for them, but we want to know the self-help center's preference.
  - Pamela Ortiz: It really depends on people's issues, if they have complex issues and someone really needs to see their documents, and thus they might choose the walk-in center by starting with the phone. We do some promotions and marketing about the centers, and we will do that again telling people that we are in operation and bringing up that awareness of this resource.
- Sarah: We choose whatever is most convenient, but we will do our best to reduce the need to send the people to the court houses.
- Jane: I've been to the self-help center, a great program, and I want to thank everyone who is involved.
- Steve: The folks who are working in the self-help centers are more generalist, so I'm not sure how much we want to provide training specific to debt collections cases.
  - Pamela Ortiz: Emily manages all the training. We also have a knowledge base specific to the consumer issues, we can share that. I'll have Emily follow up with you. The call centers are more generalist and do all case types. The walk-in center is more specific and knowledgeable about certain case types.
  - Steve: With respect to mediation, are the call center people sufficiently trained with the types of issues for which mediation might be appropriate?
    - Pamela Ortiz: I think so, you can also direct people to district courts ADR, they have set up a single number for district court ADR for us.
    - Pamela Ortiz will send the copy of landlord-tenant cases to Steve.
- Pamela Ortiz: We're also setting up multilingual models in English and other 5 languages, like how to request an interpreter and accommodation.

## II. Subcommittees Reports:

- a. Consumer Education (Steve): we keep developing a microsite. We met with the Webmaster and others from the AG office about having the microsite linked to the Access to Justice Task Force's webpage on the AG's website.
- b. Mediation Subcommittee (Amy): We've not yet met with the Court Form Committee. But I have drafted the meeting agenda that includes what we've discussed in the past couple weeks. In the checklist, I highlighted the regular issues we've seen in the district courts cases. I'm particularly interested in feedback from you if you want to include something in the checklist. Pam has suggested that we can send that to the attorneys in the self-help centers, I think that might be a good thing considering they don't have consumer practitioners, so it can help them to direct folks to other resources. I also saw self-help centers are looking for hiring temps, that would further the needs over there.
  - i. Reena: can you briefly summarize the subcommittee's thoughts on mediation.
    1. We are considering categorizing cases where the mediation might be appropriate. As an attorney who has worked with mediation on both sides, both for the debtors and debt collectors, mediation can be a frustrating process. There were some recommendations we put forward to help protect consumers and in situations including

language issues, etc. If the consumer wants to do mediation, and the debt collection attorney does not, we suggest changing some rules that would make mediation mandatory. Because it's an ADR and mediation committee, we have this checklist that could be used in the various scenarios to help debtors get directed to a proper legal service. We also talked about the triage hotline, making sure there is a good connection when cases are not appropriate for mediation and to have a good way to refer for attorney representation.

- c. Court Forms/notices subcommittee (David Finkler): we've been also working on a microsite, giving the debtors an overview of the process (if they get sued, what they should be doing, etc.) and available self-help resources. We also plan to reach out to the Education and Mediation subcommittees. We're also looking into doing postcards with information that will be sent to debtors.
- d. Court procedures/Access (Kat): we will meet at the beginning of next week and will report back then. I will email you (Steve) some questions regarding the letter template of the moratoria request.

III. Steve: The Public Outreach Committee is working to publicize the efforts of the Task Force and has requested stories of people affected by lifting the moratoria on evictions and debt collection cases that could be presented in support of the requests to the Governor and the Courts.

- a. Reena: The conversation in the Public Awareness Committee today was very similar to the conversation in this committee. One is that they start to do Town Hall or Facebook type meetings next week. We are thinking about what type of information that can be shared in that kind of space. The other one is to really think about what was coming out of different committees: do you need a specialized single point of entry for different topics? (such as civil issues that have not reached the point as a legal issue.) Whether it makes sense to incorporate with the existing entities and really train and review the information and data these entities are using. And substantive committees can make recommendations and work with them to bolster these entities. What we talked about is to have a larger meeting to invite experts to join the call. We can have a one unified decision across the Task Force. The meeting will be in two weeks. The folks in this committee are welcome to join that,

IV. Joy moved to adjourn the meeting at 4:23, seconded by Kat Hyland, the motion passed unanimously.