

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

Wednesday, October 21, 2020  
3:35 pm – 4:09 pm

<b>Participants</b>
Aleithea Warmack
Christine Hines
Daria Zane
Helene Raynaud
Jane Santoni
Joy Sakamoto-Wengel
Kat Hyland
Lydie Glynn
Michele Honick
Nikki Thompson
Pokuaa Owusu Acheaw
Rory Murray
Sarah Coffey Frush
Steve Sakamoto-Wengel
Toby Guerin
<b>Observers</b>
Diana-Lynne Hsu
Matthew Bohle

**Agenda**

1. Welcome - -Marceline (5 minutes)
2. Roll – Steve (3 minutes)
3. Review minutes from October 7 meeting- Steve (5 minutes)
4. Update on recommendations and Next steps – Marceline (20 minutes)
5. New York Court fees legislation (Kat)
6. 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
7. New discussion items
8. Set next meeting – 5 minutes

## Committee Discussion

- I. Meeting called to order at 3:35 p.m.
- II. The Committee reviewed minutes from the October 7 meeting. Lydie made a motion to accept the minutes; Kat seconded the motion. The motion passed unanimously.
- III. Update on Recommendations to the Task Force and Next Step--Marceline

Marceline reported that the Policy and Race Equity Committee met and discussed the recommendations and sent all of the recommendations to the full Task Force. The Task Force selected the following recommendations as ones to move forward on:

- protection of bank accounts up to \$2600
- income and hardship-based repayment plan
- end body attachments
- require financial institutions to automatically exempt retirement plan funds and veteran's benefits
- lower the CCU fee to 6%
- add a member of the consumer protection community to the rules committee (although obviously how we are going to do that is a bigger question/discussion)
- change and modify court forms
- design and mail postcards to defendants in debt collection cases

The idea of using 2-1-1 on debt issues got folded into a public awareness recommendation.

The only priority issue that they didn't include was making affidavit judgments comply on their face, probably because the Task Force wasn't sure what factors would need to be added to draft legislation.

Another topic that wasn't included was cashless transactions.

The Task Force will be meeting on November 15 and will issue its final report at its December meeting.

The Task Force is still waiting to see what Brian Frosh will lead on. Once that happens, we will need to see what sponsors for legislation may be necessary for legislation that the Task Force doesn't take on. The Task Force is also considering what additional funding mechanisms might be available to be used to fund non-MLSC funded organizations.

- IV. New York Court fees legislation (Kat).

Kat found an article about the New York legislation that contemplates eliminating use of certain court fines and fees as a funding mechanism during the COVID crisis. Sarah posted an article that discussed similar efforts nationally.

Marceline reported that other states are also looking at eliminating civil and criminal case fines or fees. We will ask the clinical law students to look at pending legislation and identify which fees in Maryland correspond to the fees being eliminated elsewhere.

Maryland Consumer Rights Coalition and the AG's Office advanced legislation this past session that eliminated taking away drivers' licenses due to owing fines and fees, which could impact people getting to work.

Marceline said other states also look at fees that would have a disparate racial impact. For example, putting up speed and red light cameras in Black neighborhoods.

- Subcommittee reports:
  - a. Education: Steve said the micro-site is being finalized.
  - b. Mediation/ADR/ODR: No report.
  - c. Court Forms and Notices: Steve reported that the subcommittee heard from the OAG webmaster who believed the proposed microsite included too much content and may work better in a booklet form that would be accessible on the website. The subcommittee also continues to redesign the complaint and summons for small claims actions.
  - d. Court Procedures: Kat reported that her subcommittee met to determine the tasks that remained.

They thought it might be a good idea if a survey could be sent to litigants to determine their court experience during COVID. Perhaps there would be three-pointed questions. The subcommittee also determined it could work on those recommendations which had not been selected. Marceline raised that that could be done for recommendations for which our Committee had approved. She is still awaiting information from the Policy and Racial Equity Committee about this. For example, sending a letter to the Courts on accepting electronic signatures could be done fairly simply.

There is still the issue of filing the notice of intention to defend during the pandemic and opting not to go to court. The Forms and Notices Subcommittee is working on the format of notice of intention to defend. Marceline thought the Housing Committee may be working on filing documents easily during the pandemic.

The date to wrap up Task Force work has not yet been determined. The Task Force report will be issued in December, at which point it will be determined to what extent the work of the Task Force will need to continue.

Marceline stated we should brainstorm how we can continue to engage and support each others' actions. For example, Delegate Peña-Melnyk is working on the cashless transactions legislation, even though the Task Force decided not to include that in its recommendations.

e. Liaison report: No report.

New Discussion items: none but Marceline summarized next steps of the Committee:

- Look at NY legislation on court fees and fines elimination.
- Compile list of State fees that we might need to look at eliminating.
- We will have better direction after the Policy and Race Equity Committee meets next week.

Marceline asked that the chairs of the subcommittees send a write up to all Committee members before the next meeting next Wednesday, October 28, that summarizes the tasks/work their subcommittees have left to do.

- Next meeting: October 28, 2020 from 3:30 to 5 p.m.

Marceline moved to adjourn the meeting; Pokuaa seconded. The meeting adjourned at 4:09 p.m.