

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

Wednesday, November 4, 2020
3:33 pm – 4:19 pm

Participants
Amy Hennen
Angie Barnett
Arzhang Navai
Edith Perry (Del. Peña-Melnyk staff)
Kat Hyland
Marceline White
Michele Honick
Sarah Coffey Frush
Steve Sakamoto-Wengel
Tonaeya Moore
Observers
Diana-Lynne Hsu
Matthew Bohle

Agenda

1. Welcome - -Marceline (5 minutes)
2. Roll – Steve (3 minutes)
3. Review minutes from October 21 meeting- Steve (5 minutes)
4. Update on AG policy agenda
5. Timeline & process for Task Force going forward
6. Discuss strategies for TF priorities going forward
 - a. legislation
 - b. Courts
 - c. Education
7. Proposals for additional legislation
 - a. Funding for micro site mailings
 - b. Funding for financial capability & empowerment organizations/low Bono orgs
 - c. Other legislation
8. 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
9. New discussion items

10. Set next meeting – 5 minutes

Committee Discussion

- I. Meeting called to order at 3:33 p.m.
- II. The Committee reviewed minutes from the October 21 meeting. Kat made a motion to accept the minutes; Sarah seconded the motion. The motion passed unanimously.

- III. Discussion:

Steve updated on the Task Force activities: Draft recommendations of the Task Force were circulated in the morning.

Two recommendations from the Consumer Protection Committee were included in the AG's legislative package:

- Legislation to eliminate body attachments for consumer debt
- Legislation to lower the collection fee charged by the State's Central Collection Unit on civil debt

Steve discussed strategies for advancing the Committee's recommendations that were not included in the AG's legislative package. One way is to work with legislators or other parties that can turn the recommendations into legislation.

The next full Task Force meeting will be on November 12, when additional recommendations will be considered for inclusion in the final Task Force report, due at the end of December.

Kat and Marceline reported on meeting with Delegate Queen to discuss three other Committee recommendations:

- Legislation to protect a portion of a consumer/debtor's bank account (safe harbor) from a property garnishment. The proposed amount is \$2,600
- Legislation to protect retirement plan funds and veterans' benefits from property garnishments
- Legislation to create a hardship-based payment plan option, in lieu of garnishment

Those three recommendations were highest ranked in the Committee's survey. Marceline is in discussion with Senator Feldman about cross filing bills.

Delegate Queen asked for the Committee to draft the necessary legislation. NCLC has a model law on garnishment that can be used for the safe harbor bill. Kat will draft bills for the other two recommendations.

Steve reported that the deadline for prefiling of bills was November 1.

Marceline stated that a bill can still be submitted if it is ready before the session begins. It is necessary to find a sponsor for the bill, and there is a limit to how many bills a legislator can sponsor.

The cashless payment proposal did not make it into Task Force recommendations. Steve asked the Committee whether it wants to bring the bill forward this year or wait until 2022. The Committee voted to wait.

Edith Perry from Del. Peña-Melnyk's staff will report back to her that the Committee wants to hold the legislation until next year.

Tonaeya Moore will find out if CASH wants to take on the cashless payment proposal.

Marceline stated that it will be hard to get people and groups to take the lead on other legislative initiatives this year due to Covid.

The recommendation for changes to court forms and notices could be advanced through the Court Forms and Notices Subcommittee or might need legislation.

Steve reported that University of Baltimore law students are researching the proposal to eliminate court fines and fees.

Amy reported that MVLS started a project involving incarcerated individuals to automatically put child support payments on hold rather than require incarcerated individuals to file a request.

Kat reported on legislation that California recently enacted to establish a Financial Empowerment Fund to provide funding to organizations that help with consumer financial problems. There is concern that similar organizations in Maryland will not receive MLSC funding and will need other funding sources.

In California, the fund exists within the Department of Financial Protection and Innovation. In Maryland, such a fund could be placed in various agencies including DLLR and DHCD. Kat moved that the Committee ask the Task Force to adopt a recommendation for a financial empowerment fund like that established in California and that the Task Force propose legislation and send a letter to the Governor.

Discussion about court forms and getting a consumer representative on the Rules Committee.

The Court Forms and Notices Subcommittee will be meeting with Judges Scurti and Mayer to discuss proposed changes to the complaint and service forms.

Microsites:

Marceline asked whether there are financing needs for microsites

Steve reported that the Court Forms and Notices Subcommittee met with the AG's Communications office, which indicated that the proposed microsite was too complicated. The Communications office recommended producing a booklet or a publication on the AG website or using the People's Law Library

Further discussion about putting together a website:

Amy indicated that MVLS could possibly provide funding and website design in mid-to-autumn 2021

Any other funding needs should be brought to Marceline's attention so she can bring the request before the Task Force

IV. Subcommittee reports:

- a. Education: Draft of microsite was sent to AG's Communications office.
- b. Mediation/ADR/ODR: No report.
- c. Court Forms and Notices: Steve—Need to decide whether to go with a website. Continuing to suggest changes to court forms. Need to set up meeting with judges.
- d. Court Procedures: Sarah provided update for Kat
 - Electronic signatures
 - Filing consumer defenses via email or phone
 - Survey to consumers on problems dealing with courts/user feedback on court experiences
- e. Liaison report: No report.

V. New Discussion items: none

- The Committee will not meet next Wednesday because it is Veterans Day
- Next meeting: November 18, 2020 from 3:30 to 5 p.m.

Amy moved to adjourn the meeting; Sarah seconded. The meeting adjourned at 4:19 p.m.