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# **PRESS RELEASE**

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## **Access to Counsel in Evictions Task Force Releases Annual Report** *Report Includes Significant Legislative and Policy Recommendations*

**BALTIMORE, MD (January 5, 2022)** - Today the Maryland Access to Counsel in Evictions Task Force released its first [annual report](#) to the Governor and Maryland General Assembly regarding funding and implementation of the statewide access to counsel in evictions program. The Task Force was created by the General Assembly with members appointed by Maryland Attorney General Brian E. Frosh, and it is staffed by the Office of the Attorney General.

### **BACKGROUND**

Evictions can have devastating effects on individuals, families, and communities, including social and economic disruption, and adverse effects on physical and mental health and well-being. For children, the consequences of an eviction can negatively impact their performance in school, cause or contribute to behavioral issues, and increase health risks. In Maryland and across the country, the consequences of evictions fall disproportionately on communities of color, and especially on women of color.

The vast majority of residential landlords that file eviction actions are represented in court by attorneys or specialized agents. But the overwhelming majority of tenants threatened with eviction and summoned to court do not have the benefit of legal representation, making it harder to effectively defend themselves against the eviction. Providing legal counsel can help prevent evictions and the social and economic disruption they cause.

To create a more equitable system, the Maryland General Assembly passed HB 18 during the 2021 legislative session, creating the nation's second statewide access to counsel in evictions program. The program, which will be administered by the Maryland Legal Services Corporation (MLSC), provides low-income Marylanders facing eviction with access to legal representation in the courts. The program is expected to be fully implemented by October 2025.

The law also created the Access to Counsel in Evictions Task Force, which is required to:

- Evaluate the services provided through the program;
- Study potential funding sources; and,

- Make recommendations to improve the implementation of the program, including necessary policy and statutory changes.

In order to inform its work, the Task Force held nine plenary meetings, including a number of listening sessions for the public; met with leaders from other states and cities with right to counsel programs, who shared their experience and expertise; and held sessions with stakeholders across Maryland, including landlord representatives and attorneys, tenant advocates and legal services providers, the Maryland Judiciary, the Maryland Department of Housing and Community Development, community-based organizations, and local officials.

“Providing access to counsel to tenants facing eviction can mean the difference between staying in their homes or facing homelessness,” said Attorney General Frosh. “Standing up an access to counsel program will require commitment and funding. The Task Force’s recommendations will help guide efforts to implement an effective program in Maryland that will provide tenants the resources needed to keep their families housed.”

“With the enactment of the Access to Counsel in Evictions Program, the General Assembly changed the way eviction cases are to be handled in Maryland. Providing lawyers in eviction cases is a highly effective eviction prevention strategy and levels the playing field,” said Vicki Schultz, Chair of the Task Force. “The Task Force report lays out the specific and necessary recommendations to ensure this program will have a lasting, positive impact for low-income Marylanders. We urge the Governor and General Assembly to act swiftly to fund this critical program so that it can be implemented across the State.”

“As a tenant facing the terrifying consequences of eviction, I don’t know where I would be without having access to counsel,” said LaTonya Abrom, a Montgomery County resident and tenant representative on the Task Force. “Navigating the judicial process is daunting and having the necessary guidance to find resources and assistance is crucial for so many people who need help.”

## **RECOMMENDATIONS**

The Task Force’s report is the culmination of three months of research, analysis, and discussion. The 15-member Task Force made eight key recommendations in the areas of outreach and education, program design and implementation, program assessment and evaluation, and program funding:

- Develop an outreach strategy that centralizes access, disperses resources and services, and considers technological and other barriers to getting information.
- Establish a centralized repository for pre-filing notices related to eviction cases and administrative proceedings that protects individual privacy and confidentiality, but also allows such notices to be used to gather data, analyze trends, and facilitate outreach.
- Create a coordinated intake system that simplifies the process for tenants seeking legal assistance in eviction cases.
- Adopt uniform court rules and procedures for rent court dockets to ensure that eligible tenants have the opportunity to meaningfully and consistently exercise their right to access counsel.
- Provide adequate staff, including attorneys and paralegals who are ready and competent to provide services.
- Conduct a comprehensive evaluation of the program to assess the effectiveness of outreach and referrals, the impact of legal services on evictions and disruptive displacements, and the appropriate levels of funding and staffing.

- Create a centralized eviction data hub to collect, display, and analyze eviction-related data from key stakeholders, while protecting individual privacy.
- Provide sufficient funding for the Access to Counsel in Evictions Special Fund to fully implement the program throughout the state as required by the statute.

For more information about the Access to Counsel in Evictions Task Force, including members, committees, and information about meetings,

visit: <https://www.marylandattorneygeneral.gov/Pages/A2C/index.aspx>.

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