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1500 Union Ave., Suite 2000, Baltimore, MD 21211

Phone: 410-727-6352 | Fax: 410-727-6389

[www.DisabilityRightsMD.org](http://www.DisabilityRightsMD.org)

**SENATE JUDICIAL PROCEEDINGS COMMITTEE  
SB 232/HB 478 FILING FEE SURCHARGE  
JANUARY 26, 2021**

**POSITION: SUPPORT**

Thank you for the opportunity to provide testimony to the Committee on behalf of Disability Rights Maryland (DRM, formerly known as Maryland Disability Law Center).

SB 232 and HB 478 provide for modest increases to surcharges on certain court filing fees to provide critically needed funding for the Maryland Legal Services Corporation (MLSC). MLSC was created by the Maryland General Assembly in 1982 to be the state's primary funder of civil legal aid services to Marylanders with low incomes. The Maryland General Assembly enacted surcharges as a funding source for MLSC in 1998. These surcharges currently make up MLSC's largest funding source

MLSC currently provides funding to 36 nonprofit civil legal aid organizations across the state who rely on MLSC funding. DRM is one of these civil legal services organizations. MLSC is DRM's single largest funder.

DRM is the federally designated Protection and Advocacy agency in Maryland, mandated to advance and protect the civil and human rights of people with disabilities throughout the state. We provide free legal services to Marylanders of any age with all types of disabilities (developmental, intellectual, psychiatric, physical, sensory, learning, traumatic brain injury), who live in facilities, in the community or who are homeless.

A disability may complicate various aspects of daily living and compound the need for legal assistance. Stigma and discrimination against people with disabilities is often pervasive, preventing their full inclusion in community life and severely limiting their life opportunities. For over 40 years DRM has provided critically needed services that enables people with disabilities to access housing, special education, health and mental health care, transportation, employment, and prevent abuse, neglect, and discrimination.

The pandemic has severely and disproportionality impacted people with disabilities, many of whom are at increased risk of eviction and homelessness, reduction in needed community services, healthcare complications, severe harm or death. As a result, there has been an exponential increase in the need for advocacy services to ensure that the vital and unique needs of people with disabilities are addressed.

Any reduction in funding from MLSC will seriously impair DRM's ability to maintain our current staffing level and significantly decrease our ability to provide essential advocacy which serves to protect the health, safety and welfare of Marylanders with disabilities.

It is vitally important to secure additional funding for MLSC to address the exponential increase in demand for legal advocacy services for Marylanders with very low incomes. MLSC's two major funding sources – the Interest on Lawyer Trust Accounts (IOLTA) program and these surcharges – were significantly reduced by the COVID-19 pandemic due to near zero interest rates and a dramatic decrease in court filings. MLSC currently projects fiscal year 2022 revenue to come in at least \$6 million lower than pre-pandemic levels.

Even with the modest increases in this proposed legislation, Maryland's filing fees would both remain at or below national averages. Low-income clients served by MLSC grantees and other approved legal services providers will continue to receive an automatic filing fee waiver. Both the General Assembly and the Courts have recognized this need for fee waivers for low-income individuals. Likewise, it is important to include protections in this legislation to ensure that surcharges in summary ejectment cases should not be passed on to tenants.

Please contact me if you have any questions or would like additional information. I can be reached at [RobinM@DisabilityRightsMD.org](mailto:RobinM@DisabilityRightsMD.org) or at 240-750-0723.

Respectfully,

A handwritten signature in cursive script that reads "Robin C. Murphy".

Robin C Murphy, Esq.  
Executive Director, Disability Rights Maryland