



# Maryland Senior Citizens Action Network

## MSCAN

*AARP Maryland*

*Alzheimer's  
Association,  
Maryland Chapters*

*Baltimore Jewish  
Council*

*Catholic Charities*

*Central Maryland  
Ecumenical Council*

*Church of the Brethren*

*Episcopal Diocese of  
Maryland*

*Housing Opportunities  
Commission of  
Montgomery County*

*Jewish Community  
Relations Council of  
Greater Washington*

*Lutheran Office on  
Public Policy in  
Maryland*

*Maryland Association of  
Area Agencies on Aging*

*Maryland Catholic  
Conference*

*Mental Health  
Association of Maryland*

*Mid-Atlantic LifeSpan*

*National Association of  
Social Workers,  
Maryland Chapter*

*Presbytery of Baltimore*

*The Coordinating  
Center*

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## SB 232 Civil Cases - Surcharges

### Senate Judicial Proceedings Committee January 26, 2021

#### Support

MSCAN is a statewide coalition of advocacy groups, service providers, faith-based and mission-driven organizations that supports policies that meet the housing and care needs of Maryland's low and moderate-income senior citizens.

**MSCAN supports SB 232**, which increases surcharges on the filing fees for certain civil cases in circuit courts and in the District Court. SB 232 is especially important for Maryland's senior community because these funds are deposited into the Maryland Legal Services Corporation (MLSC) Fund, which funds civil legal services – including senior legal services – for low-income Marylanders.

**MLSC grantees provide essential civil legal services to low-income Marylanders, including seniors living in poverty.** MLSC currently funds 36 nonprofit civil legal organizations across the state who assist clients with access to benefits, eviction assistance, foreclosure, bankruptcy, immigration, civil rights, and more. In particular, MLSC funds Senior Legal Services, which provides legal advice, counseling, education and representation to the senior community. This is a vitally important service for seniors, not only assisting them through the legal processes they might encounter, but also ensuring they are not exploited in the process. Unfortunately, the need for affordable legal services is far greater than the resources to assist.

**Without increasing surcharges, the legal needs of Maryland's most vulnerable seniors will not be met.** MLSC's two major funding sources – the Interest on Lawyer Trust Accounts (IOLTA) program and these court filing fee surcharges – were significantly reduced by the COVID-19 pandemic due to near zero interest rates and a dramatic decrease in the number of court filings. Consequently, MLSC currently projects their revenue to come in at least \$6 million lower than pre-pandemic levels for FY 2022. At the same time, demand for civil legal services has skyrocketed during the pandemic. Without additional revenue, MLSC would have to provide fewer grants – or smaller grants – to the nonprofits they support, which reduces the number of low-income seniors who can access needed legal assistance. Even with the modest fee increases proposed in SB 232, Maryland's filing fees would both remain at or below national averages.

**It is critically important to fortify and preserve MLSC's funding levels.** Without changes to the surcharge amounts for filing fees, the loss of revenue for MLSC would cause irreparable harm to low-income Marylanders, especially low-income seniors. MLSC funding helps Marylanders living in or near poverty navigate the complexities of the legal system with assistance and representation. All Marylanders need access to justice, and MLSC provides that for those with the lowest incomes.

**For these reasons, MSCAN urges a favorable report on SB 232.**