

SB 232: Civil Cases - Surcharges - SUPPORT

Testimony of Antonia K. Fasanelli, Executive Director
Homeless Persons Representation Project, Inc.
January 26, 2021 Senate Judicial Proceedings Committee

Homeless Persons Representation Project, Inc. (HPRP) is a non-profit provider of civil legal aid to people who are homeless or at risk of homelessness on legal issues that will lead to an end to homelessness.

HPRP envisions an end to homelessness in Maryland and provides free legal services, including advice, counsel, education, representation and advocacy, for low-income persons who are homeless or at risk of homelessness on legal matters that are likely to result in obtaining or maintaining housing, income or eliminating barriers to employment, such as criminal records. HPRP offers legal services in the community, including in shelters, soup kitchens, community centers, and government offices, including three of Maryland's VA Medical Centers. HPRP has two offices, a headquarters in Baltimore City and a satellite office in Silver Spring, Montgomery County. Through these offices, HPRP's attorney and paralegal staff and a volunteer corps of over 450 volunteers serve clients through legal clinics in Cecil, Prince George's, Montgomery and St. Mary's Counties, as well as Baltimore City. HPRP is a grantee of the Maryland Legal Services Corporation (MLSC).

HPRP response to Covid-19 Pandemic

Need for safe shelter: 2020 has been a year unlike any other. As the COVID-19 pandemic wreaked havoc on our entire state, we watched as our clients living in congregate emergency shelters lived in fear of exposure and even death. HPRP, along with many partners, advocated for the use of hotels for persons experiencing homelessness, but sufficient hotel space has not been forthcoming. On December 20, 2020, one day before National Homeless Persons Memorial Day, two women died on the streets of Baltimore from exposure as our requests for more hotel space languished.¹ They were not alone in their fate.

Hunger: While a home was the top need of our clients, hunger soon followed and became the top legal issue for our office. **HPRP's Economic Justice Project is the primary provider of free legal representation to persons denied or cut-off from the SNAP (Supplemental Nutrition Assistance Program), commonly known as food stamps.** The state Department of Human Services computer system, which has not caught up with the pandemic, began terminating families from SNAP/food stamps beginning April 1, 2020. Some families were sent letters asking them to attend meetings at then-closed Social Services offices and other families were terminated outright. For two days in April, our office received over 100 calls for legal help restoring SNAP benefits or identifying free food resources. HPRP responded by establishing a toll-free bilingual statewide SNAP Legal Help Hotline. The Hotline operates four (4) days per week and creates quick access to HPRP's attorneys, who represent persons denied SNAP before the Maryland Department of Human Services. HPRP's SNAP legal cases during the first three months of the pandemic (March 1 - May 28, 2020) constituted 140% of its entire caseload during the entirety of calendar year 2019 and the pace has only continued with some months seeing over 150 calls. **By December 2020, HPRP had received so many**

¹ L. Krauss, [She helped other homeless people stay warm, then died in the cold herself](https://www.baltimorebrew.com/2020/12/20/she-helped-other-homeless-people-stay-warm-then-died-in-the-cold-herself/), Balt. Brew (Dec 20, 2020) available at <https://www.baltimorebrew.com/2020/12/20/she-helped-other-homeless-people-stay-warm-then-died-in-the-cold-herself/>



requests for SNAP legal help it could not keep pace with the need and had to close intake, which HPRP would not have had to do had MLSC revenues provided level funding for the current fiscal year.²

Eviction Prevention: HPRP attorneys represent tenants in court eviction proceedings and in administrative hearings at housing authorities in Baltimore City and Montgomery County. To respond to the current housing crisis, in September 2020, HPRP doubled the size of its eviction defense practice adding an eviction defense attorney in Montgomery County and a third eviction defense attorney in Baltimore City. When courts reopened at the end of August, 2020, HPRP attorneys were in court weekly preventing unlawful evictions.

Veterans' Legal Assistance: Since 2008, HPRP has operated the statewide **Veterans' Legal Assistance Project (VLAP)**, a nationally recognized program based at three of Maryland's VA Medical Centers in Cecil and Montgomery Counties, as well as Baltimore City, along with Three Oaks Center in St. Mary's County. Last fiscal year (July 1, 2019-June 30, 2020), **HPRP recovered over \$355,000 in wrongfully denied VA benefits** for Maryland veterans including a recovery of over \$100,000 for a veteran of the Marine Corps who was facing foreclosure and would have lost his home in the early months of the pandemic had the VA not awarded and issued payment.

Filling the Gap when Other Civil Legal Aid Organizations Close

The economic downturn has affected so many businesses in Maryland and civil legal aid is no exception. In mid-June 2020, HPRP learned that Alternative Directions Inc. (ADI), the only civil legal aid program in Maryland serving justice involved persons since 1979 was closing due to reduction of MLSC and other revenue. HPRP responded immediately calling upon our partners, Maryland Volunteer Lawyers Service, Mid-Shore Pro Bono and the Women's Law Center to divide amongst the four organizations the hundreds of open and pending legal matters in the areas of divorce, child support and expungement that existed when ADI closed its doors. We took these cases on a volunteer basis, without additional or new funding, in order to ensure that ADI's clients did not lose their rights with ADI's closure.

Commitment of Civil Legal Aid Staff

Across the state, civil legal aid attorneys, paralegals and support staff have devoted their lives to saving the lives of some of the most vulnerable Maryland residents. They did this work often without safe access to clients or courts, through poor internet connections, and other challenging life circumstances such as lack of child care for their own children and ill family members.

For all these reasons, Maryland needs these lawyers. **SB 232 is the bare minimum the civil legal aid system needs to survive. SB 232 will not increase our capacity, it will only hold the line against further cuts and project closures.** We urge you to issue a **Favorable Report on SB 232**, so that the existing legal teams may continue their important work.

² Due to reduced FY 21 (July 1, 2020 – June 30, 2021) MLSC revenue, MLSC was required to reduce funding by at least 9% to all grantees.

