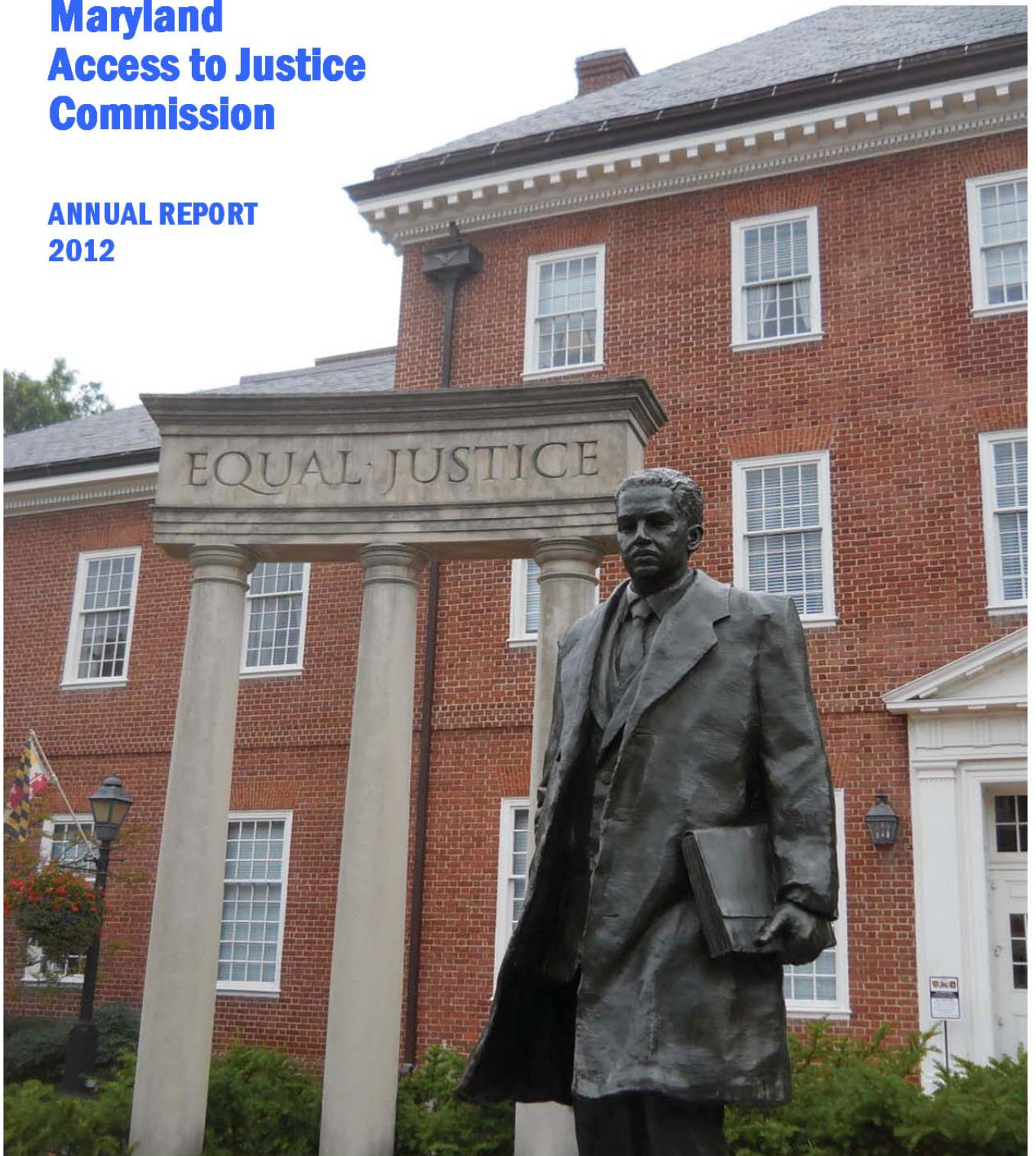
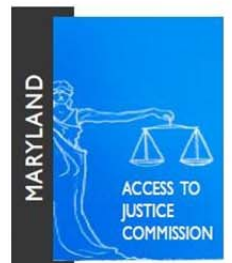


Maryland Access to Justice Commission

**ANNUAL REPORT
2012**



Maryland Access to Justice Commission
2001 F Commerce Park Drive
Annapolis, Maryland 21401
410-260-1258
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OUR MISSION

By bringing together leaders and stakeholders from the Maryland Judiciary and its justice system partners, the Commission gives meaningful voice to the public whose interest it serves. Therefore . . . the Commission shall develop, consolidate, coordinate and/or implement initiatives designed to, and which are consistent with the Judiciary's policy to expand access to, and enhance the quality of, civil justice for persons who encounter barriers in gaining access to Maryland's civil justice system.

Duties. To carry out its purposes, the Commission shall:

- (i) Consult extensively with members of communities that experience barriers to justice, including persons living in poverty, language minorities, persons with disabilities, and others, to obtain their views regarding the barriers to equal justice and proposed solutions;
- (ii) Establish a coordinated planning process that involves members of the community affected by the crisis in equal access to justice in an effort to develop strategies to improve access and reduce barriers;
- (iii) Facilitate efforts to create improved coordination and support of civil legal services programs;
- (iv) Work with the courts, administrative agencies and lawmaking bodies to propose and promote rules and systemic changes that will open greater access to the justice system; and
- (v) Propose and promote strategies to generate adequate levels of public, private and volunteer resources and funding for the State's civil justice network and the access to justice initiatives identified by the Commission.

Excerpted from:

Maryland Court of Appeals, Administrative Order as to the Maryland Access to Justice Commission, 19 March 2010.

Defining Access to Justice for Maryland

Access to justice means all Marylanders can benefit from the rights, protections, services and opportunities that the law and the legal system provide. Having access to justice requires that the information and resources Marylanders need to access these rights are adequately funded and are available regardless of ability, age, gender, religion, institutionalization, income, language, literacy, race, ethnicity or sexual orientation.

Access to justice must include:

- ***Practices, procedures and resources that support the ability of the self-represented to navigate through and fully participate in the legal system, including online resources.***
- ***Courthouses and facilities housing law-related services that are supported and maintained with adequate funding in order to be safe, accessible, convenient, and technologically current.***
- ***The availability of a full range of legal services including information, advice, appropriate referrals, and full representation by an attorney, as necessary.***
- ***The opportunity to participate in mediation or other appropriate dispute resolution services as well as the opportunity to understand their benefits and limitations.***
- ***The commitment of all branches of government to support these principles through fiscal and legislative policies designed to make them a reality for all Marylanders.***

Maryland Access to Justice Commission

Hon. Irma S. Raker

Chair, Maryland Access to Justice Commission
Judge (Ret.), Court of Appeals of Maryland

Hon. Ben C. Clyburn

Vice-Chair, Maryland Access to Justice Commission
Chief Judge, District Court of Maryland

Richard Abbott

Family Division Director, Circuit Court for Baltimore County

José Felipé Anderson

Professor, University of Baltimore School of Law
Designee for Law School Dean

Steve Anderson

State Law Librarian, Maryland State Law Library

Cathy Ashby

Director, Ruth Enlow Library

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Asst. Attorney General,
Designee for Atty. Gen. Gansler

Hon. Mary Ellen Barbera

Chair, Judicial Institute
Judge, Court of Appeals of Maryland

Gray Barton

Executive Director, Problem-Solving Courts Committee

Mark Bittner

Executive Director, Judicial Information Systems, Administrative Office of the Courts

Sandy S. Brewer

Chair, Conference of Maryland Court Law Library Directors

Frank Broccolina

State Court Administrator,
Administrative Office of the Courts

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Tammy Brown

Executive Director, Governor's Office on Crime Control & Prevention
Member and Designee for Governor Martin O'Malley

Del. Michael E. Busch

Speaker, Maryland House of Delegates
Designee: Del. Kathleen Dumais

Chadfield B. Clapsaddle

Exec. Dir., Ofc. of Capital Budgeting, Dept. of Budget and Management
Designee: Kwame Kwakye

Hon. Sandra K. Dalton

Chair, Conference of Circuit Court Clerks
Clerk, Circuit Court for Frederick Co.

Mary Joel Davis

Former Executive Director, Alternative Directions and Executive Director, Second Chances

Paul B. DeWolfe

Public Defender, Office of the Public Defender

Barbara Domer

Chair, Conference of Court Administrators
Court Admin., Cir. Ct. for Frederick Co.

Hon. Kathleen Dumais

Delegate, Maryland House of Delegates
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Susan Erlichman

Executive Director, Maryland Legal Services Corporation

Hon. Douglas Gansler

Attorney General
Designee: Joshua Auerbach

Herbert S. Garten, Esq.

Fedder and Garten Professional Assn.

Sharon Goldsmith
Executive Director, Pro Bono Resource
Center of Maryland

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Dean, Univ. of Maryland School of Law
Designee: Michael Millemann

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Judge, Baltimore City District Court

Hon. Glenn T. Harrell, Jr.
Judge, Court of Appeals of Maryland

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Executive Director,
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Past President, Maryland State Bar Assn.

Wilhelm H. Joseph, Jr.
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President, Maryland State Bar Assn.

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Chief Judge, Court of Special Appeals
Designee: Hon. Shirley M. Watts

Hon. Daniel Long
Chair, Legislative Committee
Admin. Judge, Circuit Ct. for Somerset Co.
Designee: Hon. William D. Missouri

Michael Millemann
Professor, Univ. of Maryland School of Law
Designee for Phoebe Haddon

Sen. Thomas V. "Mike" Miller, Jr.
Senate President, Maryland Senate
Designee: To be filled.

Hon. William D. Missouri
Circuit Court for Prince George's Co. (ret.)
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Administrative Judge, Second Circuit and
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Letter from the Chair



Dear Colleagues:

I am pleased to share with you this *Annual Report* reflecting on the work of the Maryland Access to Justice Commission during 2012.

During the year, the Commission was able to support the ability of courts to respond to the self-represented, focus some of its efforts on reforms and strategies to create more accessible courts, programs and resources, and redoubled its efforts on critical law reform strategies to increase rights and develop market incentives to enhance the ability of low-income individuals to secure legal help when they need it.

Working together Judicial and Bar leaders, legislators, agency professionals, civil legal services providers and the community at large can determine whether and how our civil justice system will operate to the benefit of our most vulnerable residents.

We look forward to continuing this important work in the coming year as we renew our commitment to ensure equal access to justice for all.

Sincerely,

A handwritten signature in black ink that reads "Irma S. Raker".

Irma S. Raker
Maryland Court of Appeals (ret.)
Chair, Maryland Access to Justice Commission

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Introduction

Since its creation in 2008, the Maryland Access to Justice Commission has played an important role advocating for innovations, investments and reforms that enhance access to Maryland's civil justice system. Civil legal services providers struggle to meet the needs of low-income residents as program funding is cut and demand continues to increase. Courts are met with increasing numbers of the self-represented. The public continues to find it difficult to secure legal help when they need it. The work of the Maryland Access to Justice Commission remains critically relevant.

This report outlines the activities of the Maryland Access to Justice Commission during 2012. The Commission continues to do most of its work through its five committees:

- Access & Delivery of Legal Services Committee
- Critical Barriers Committee
- Definitions, Standards & Awards Committee
- Public Education Committee
- Self-Represented Litigant Committee

During 2012, the Commission continued to pursue a range of strategies to advance the goal of a fair and efficient civil justice system, accessible to all.

Supporting the Self-Represented

District Court Self-Help Center: Institutionalizing the Pilot Project

Having successfully assisted the District Court in establishing its new statewide self-help center, the Maryland Access to Justice Commission passed on management of the contracts for Center operations. Those contracts are now managed by District Court Headquarters and funding for the project has been assumed by the District Court. During the Summer of 2012, the District Court increased staffing at the Center which now employs 4 full-time attorneys, a supervising attorney and an administrative assistant. The District Court has included the costs of the Center in its Fiscal Year 2014 budget request, in an effort to institutionalize the now fully operational Center.

Project Evaluation

The Court Operations Department of the Administrative Office of the Courts, in collaboration with the University of Maryland, School of Social Work, and the Maryland Judiciary Research Consortium, completed an evaluation of the District Court Self-Help Center.

The project evaluation period was January 2010 through June 2011. Researchers also collected comparative data from cases and self-represented litigants in the 6-months prior to the evaluation period. The project period focused on the initial pilot and does not include information about the expansion of services that took place in late 2011 with the addition of live chat and telephone services. Evaluators looked at the impact of the Center on eight key events. In seven of the events they examined, they did see a favorable increase in activity that suggests greater engagement and understanding of the self-represented about their case. These included increases in the filing of the notice of intent to defend, subpoenas issued, notice of service of answers to interrogatories, settlement agreements reached and vacated judgments. There were more individual landlords in housing cases, compared to corporate landlords, during the pilot project. There was also an increase in motions for stay of eviction filed by tenants.

Broadening the Center's Impact

The District Court Self-Help Center opened its doors in December 2009, and served 4,300 individuals during its first year of operations. With new live chat and telephone services in place, the Center now serves approximately 1,900 – 2,000 clients per month. The Center has served over 20,000 individuals during 2012.

Helping Courts and Providers Communicate More Effectively with the Self-Represented

Writing for Self-Represented Litigants

During 2012, the Maryland Access to Justice Commission published a short guide to aid court and legal service professionals in communicating effectively with the self-represented. *Writing for Self-Represented Litigants: A Guide for Maryland Courts and Legal Service Providers* offers tips on word choice, grammar, readability and layout techniques writers can use to ensure their materials can be effectively used by persons without counsel. The document is available on the Commission's website and has been distributed to courts and legal services providers.

Developing Core Resources for the Self-Represented

Access to Court Records and Expungement Brochures

The Commission created four brochures about access to court records that explain what the public can and can't see, and how to request that the court limit public access to court records. The brochures explain the complex rules governing access to court records and explain the procedures necessary to request those records be sealed, shielded or expunged. The brochures have been made available in English and Spanish and address the following topics:

1. *What can the public see about me in court records and on Maryland Case Search?* – with general information for the public.

2. *Can I keep the public from seeing information about me in a court case?* – with help for people who want to limit access to information in the court’s records.

3. *Can I keep the public from seeing information about me in a peace or protective order case? (for respondents)* – with information on the specific procedure required for people who are or have been the respondent in a peace or protective order case.

4. *Expungement of criminal records* – with information for state criminal defendants on how to request the removal of a criminal record from Maryland state court records.

The brochures are available at most courthouses throughout the state and can be viewed and printed from the Judiciary’s website. Legal services providers can also order free copies of the brochure online to distribute to the public.

Media Projects

The Maryland Access to Justice Commission continued to collaborate with the Judiciary’s Office of Communications & Public Affairs to develop a series of written and multimedia projects to provide information to individuals who must proceed in the courts without the benefit of counsel. The Commission has a number of Powerpoint videos, live action videos and podcasts in development on a range of procedural and legal consumer topics. The Office of Communications & Public Affairs developed a short format template it will be using for legal content videos, and retained a professional narrator to do the voiceovers. The Commission plans to release several completed videos during 2013.

These materials are intended to supplement the web-based information available from the People’s Law Library, www.peoples-law.org, Maryland’s legal content website, and in written brochures from the courts and various legal services providers.

Ensuring Court Technologies Promote Access to Justice

MDEC Rules

At the request of the Court of Appeals Standing Committee on Rules of Practice and Procedure, the Commission provided comments and recommended changes to the proposed rules that will govern the implementation of the Judiciary’s new comprehensive case management system, the Maryland Electronic Courts (MDEC) project. Among other things, the Commission commented that electronic filing should be optional for self-represented litigants and noted that seniors, persons with limited English proficiency, low-income individuals and the incarcerated are likely to face barriers to e-filing. The Commission suggested a number of ways the Judiciary could create incentives to promote e-filing that would also enhance access to justice. The draft rules remain pending with the Rules Committee at this time.

Supporting Judicial Engagement with the Self-Represented

Proposed Change to Code of Judicial Conduct

At its December meeting, the Commission reviewed and endorsed a resolution adopted earlier in the year by the Conference of Chief Judges and the Conference of State Court Administrators. Resolution 2 would strengthen the language in the Maryland Code of Judicial Conduct about how judges interact with the self-represented. Maryland's version of the rule referenced in the resolution, Rule 2.2, includes in a comment a provision that it is not a violation of the rule requiring judicial impartiality and fairness for a judge to make "reasonable accommodations" to ensure a self-represented litigant the opportunity to have his or her matter fairly heard. The proposed change would move the language supportive of the self-represented into the body of the rule. The proposal was forwarded to the Rules Committee where it is currently pending.

Court Reforms and Innovations

Fee Waivers for Indigent Legal Services Clients

During 2012, the Commission continued to advocate for a proposal it adopted and endorsed and forwarded to the Court of Appeals Standing Committee on Rules of Practice & Procedure (Rules Committee) designed to:

- Ensure that courts automatically waive the filing fee prepayment requirement for litigants represented by Maryland Legal Services Corporation (MLSC)-funded providers;
- Extend the automatic waiver to those represented in civil matters by the Office of the Public Defender;
- Improve the process for fee waivers requested by self-represented litigants who may be indigent by requiring the application of MLSC income-eligibility guidelines as a standard for fee waivers for self-represented persons who allege indigency.
- Make some corrections and update the current fee schedules and rules.

The proposal includes recommended changes to Maryland Rules 1-325, 2-603 and 3-603, and would highlight fee waiver provisions by including in the rules some of the material that now is only available in a fee schedule posted on the Judiciary's website. The proposal remains pending with the Rules Committee.

Innovations in the Practice of Law to Enhance Access

Harnessing the Power of Cy Pres Awards

Class Action Residual Funds Toolkit

Since its creation, the Maryland Access to Justice Commission has made an effort to investigate every possible funding resource used in other states to generate resources for civil legal services. One area several states have targeted is unclaimed funds that remain after awards have been distributed in a class action. Funds often become available because class members cannot be located, or fail to submit claims, or because the court determines that awards to individual class members are so small they provide negligible benefit to those individuals. Residual funds may then be put to their next best use in the form of a *cy pres* award to an outside entity, such as a legal services program, that the Court and counsel agree will serve the interests “as near as possible” of the injured class.

Five states -- Illinois, Massachusetts, North Carolina, Tennessee and Washington State -- have passed legislation or adopted court rules to channel and promote awards of class action residual funds to legal services organizations.

During 2011, the Commission proposed a change to Maryland Rule 2-231, the rule governing class actions, to direct *cy pres* awards made from class action residual funds to appropriate civil legal services providers. The Judgments Subcommittee of the Rules Committee reviewed the proposal during 2012, determining that it was a substantive matter more appropriate for legislation, and declined to forward the proposal on for consideration by the full Rules Committee.

In lieu of a rule or statute, the Maryland Access to Justice Commission launched an educational initiative, publishing a *Class Action Residual Funds Toolkit*, to encourage private lawyers to direct *cy pres* awards to the state’s non-profit civil legal services providers. The *Toolkit* helps attorneys interested in directing unclaimed funds from such cases to one of Maryland’s non-profit organizations that provide legal help to the poor.

The Commission is planning an educational seminar on the topic, using the *Toolkit*, which will be presented at the Maryland State Bar Association Annual Conference in Ocean City, in June, 2013.

Limited Scope Representation

During the past year, the Commission has continued to monitor the rule-making process for its proposed rules to promote the practice of limited scope representation. The rules, developed by the Commission during 2010, were intended as a follow-up to an earlier Commission white paper which urged the development and provision of “unbundled” legal services as a way to make legal help financially-

feasible for low- and moderate-income individuals. The proposed rules remain pending with the Rules Committee.

Supporting Public Interest Practice

Making It Easier for Out-of-State and Retired Attorneys to Serve

Proposed Pro Bono Practice Rule

This past year, the Maryland Access to Justice Commission began exploring ways to facilitate pro bono practice among attorneys barred elsewhere but residing or working in Maryland. Maryland has a disproportionately high percentage of attorneys who move to the area to work in government service. Those who serve with the federal government may not need to be barred in Maryland, but are willing and interested in serving here as pro bono attorneys. The Commission is also interested in promoting pro bono practice among emeritus attorneys, those who have retired and who may not want to maintain an active practice, but who might be interested in serving pro bono.

The issue was brought to the Commission's attention by the Department of Justice (DOJ). DOJ operates a pro bono program for its attorneys, through which they are able to place out-of-state attorneys in pro bono assignments in Washington, DC, thanks to DC Rule 49. DOJ initially contacted the Administrative Office of the Courts, Office of Legal Affairs, who referred them to the Commission. DOJ would like to expand its program and place some of its attorneys, especially those who reside in Maryland, in pro bono placements here. The current rules climate, however, creates barriers for those who might otherwise serve. The Commission's Access & Delivery of Legal Services Committee spent several months reviewing the DC rule and similar rules from other jurisdictions.

The result of these deliberations was the creation of a proposed new pro bono practice rule. The proposal was also reviewed and endorsed by the Standing Committee on Pro Bono Legal Service. It has been forwarded to the Rule Committee for further consideration, where it remains pending.

Funding For Civil Legal Services

Pending Changes and Remedies for Civil Legal Services Funding

Due to the economic crisis and unprecedented low interest rates, one primary source of civil legal services funding, the Interest on Lawyers Trust Accounts (IOLTA) program had plummeted from \$6.7 million in Fiscal Year 2008 to \$2.2 million in Fiscal Year 2010. To address this significant decline, the Maryland Access to Justice Commission partnered with the Maryland Judiciary, the Maryland Legal Services Corporation, Maryland Legal Aid and others to advocate for an increase in court filing fee surcharges to generate additional revenue to support civil legal services.

With its partners, the Commission successfully advocated for the passage of Senate Bill 248 during the 2010 Legislative Session.

During 2012 the filing fee surcharge continued to generate over \$12 million for civil legal service programs. This was critical as IOLTA revenues remained historically low generating only approximately \$2.5 million during this same period. The total state revenue for civil legal services during this period was slightly under past years, and MLSC continued to draw from reserves to make grants to existing programs within only modest cuts. The filing fee surcharge increase provided critical resources and enabled most Maryland legal service providers to continue operations at a basic level.

Pending Funding Legislation

During the Fall of 2012, the Commission strategized with its partners, including MLSC, how to address the upcoming sunset of the filing fee increase as the remedies put in place in 2010 are set to expire at the end of June, 2013. During the 2013 legislative session the Commission has actively supported two bills intended to address the ongoing funding crisis. House Bill 838/Senate Bill 640 would lift the sunset on the filing fee increase implemented in 2010. This would permit MLSC to continue to receive the revenue from filing fee surcharges at the current rate. If the bill fails to pass, MLSC and its grantees will experience a 40% drop in funding. House Bill 1303 / Senate Bill 809 would increase the appropriation MLSC receives from the Abandoned Property Fund from \$500,000 to \$3 million. This \$2.5 million increase would bring a measure of stability to the delivery system, and eliminate the need for further cuts to existing programs. At the time this report was prepared, both bills were pending before the General Assembly.

Supporting Funding with Research

In preparation for the 2013 legislation session, the Maryland Access to Justice Commission collaborated with its justice system partners to study the impact civil legal services providers have on the state's economy. The Commission met with providers to solicit their help in gathering data. In January, the Commission released its report entitled, *Economic Impact of Civil Legal Services in Maryland*. Maryland nonprofit civil legal services programs generate 190 million dollars each year statewide in economic activity, cost savings and increased productivity as a result of their advocacy. The report establishes that the work of civil legal services programs in Maryland significantly boosts the state's economy by bringing in millions of federal dollars, improving the lives of low-income Marylanders, and saving the State millions in expenditures.

In Fiscal Year 2012, advocacy by Maryland civil legal aid providers:

- Brought **\$9.9 million** in **federal dollars** into Maryland to benefit state residents. Those dollars translated into at least \$12.6 million in economic stimulus for local economies.

- Obtained **\$10.7 million** in **other direct financial benefits** for Maryland residents.
- Secured **\$161 million** as a result of **systemic advocacy** on behalf of tenants at risk of eviction, vulnerable homeowners and low-income persons in need of emergency assistance.
- Resulted in at least **\$882,096** in **tax revenue** by keeping Marylanders in the workforce.
- **Saved** at least **\$3.7 million** in state expenditures on **shelter costs** alone by preventing homelessness.
- **Saved** at least **\$1.3 million** in health costs and productivity by preventing **domestic violence**.

The report focused on Fiscal Year 2012 (July 1, 2011-June 30, 2012). The data about direct financial benefits to clients was provided by Maryland Legal Aid and the Homeless Persons Representation Project, just two of the state's 35 legal services providers, and included the amount of actual dollars awarded or financial savings achieved from cases handled during FY 2012. The value of systemic advocacy work was compiled by the Public Justice Center and the Homeless Persons Representation Project, and measured the economic benefits for thousands of low-income Marylanders brought by work in several key initiatives.

Few providers have access to the full range of data required to produce the report, so the study reflects only a partial picture of the economic benefits these providers generate. If other providers had been able to provide data, the direct and indirect financial benefits would measure higher.

To analyze the indirect benefits from legal aid advocacy, the Commission used data about social benefits achieved on behalf of individual clients, including those likely to result in increased tax revenue for the state and savings in costs associated with homelessness and domestic violence. The data comes from annual reporting provided to the Maryland Legal Services Corporation (MLSC) by each of its grantees.

Each year, thousands of Marylanders get legal help from lawyers and others who staff Maryland's nonprofit legal providers, or who offer pro bono help through one of the 35 legal services programs that receive state funding through MLSC. Their work benefits not only their clients, but has a significant, positive impact on the state's economy.

The Commission provided copies of the report as a part of its written testimony on the two funding bills, and has used the data from the report in testifying on those bills during the current session.

Donation Page

The Commission has created a vehicle to help reinforce knowledge about the delivery system among Maryland's lawyers, and to give those attorneys an opportunity to support legal services organizations in the State. During 2012, for the first time, the Commission added a single web page to the online reporting pro bono report that Maryland attorneys complete each year. The webpage invites attorneys, if they so choose, to make a one-time voluntary contribution to a legal services organization. The page offers links to each organization's web page, scrollover text that describes their mission, and a direct link to that organization's online donation page, to aid attorneys who may want to make a financial contribution. Maryland Rule of Professional Conduct 6.1 provides that a lawyer may discharge their professional responsibility to provide *pro bono* representation "by contributing financial support to organizations that provide legal services to persons of limited means."

The Commission does not receive or handle any funds as the online contributions are deposited directly in the providers' online payment accounts. The Commission tracks donations reported through the web page. In the current reporting cycle, attorneys are reminded of the donation they made last year when completing their report, so they can include the amount in reporting their financial contributions. During the 2011 Reporting Cycle, which took place during early 2012, Maryland attorneys used the Donation Page to make approximately \$59,000 in contributions to the state's non-profit civil legal services providers.

Expanding Rights and Market Incentives

Fee-Shifting to Promote the Public Interest in Maryland

The Commission continued to pursue the use of attorneys' fees as a means to promote access to justice by creating market incentives for attorneys to take cases that promote individual rights or that have a larger public impact. In its *Interim Report* in 2009, the Commission recognized the role fee-shifting schemes play in expanding access to legal representation. The Commission noted the large number of fee-shifting statutes in the State, and noted especially the lack of a provision for attorneys' fees in cases involving State constitutional claims. During 2010, the Commission articulated the benefit of fee-shifting schemes in a white paper, *Fee-Shifting to Promote the Public Interest in Maryland*. During 2012, the Commission's white paper was published in the *University of Baltimore Law Forum*.

Finally, the Commission's work on this issue culminated in House Bill 130 / Senate Bill 263. The bill would have permitted courts to compensate prevailing plaintiffs for the cost of representation when asserting state constitutional claims or enforcing important rights affecting the public interest; would have aided judges in calculating fee awards by codifying existing case law on that subject; and would have amended state and local government tort claims acts to permit successful claimants to be

awarded fees in addition to damages. The bill received an unfavorable report from the House Judiciary Committee and was subsequently withdrawn in the Senate. The Commission plans to work with legislators to revise the proposal for future consideration.

Civil Right to Counsel

During the past year, the Commission continued its work to promote a dialogue about civil right to counsel in Maryland and nationwide, building on its 2010 report, *Implementing a Civil Right to Counsel in Maryland*.

The Commission gained a national reputation for its groundbreaking implementation strategy and cost assessment for a civil right to counsel. The Commission's Executive Director helped plan and participated in a nationwide summit on civil right to counsel pilot programs, held in Chicago, IL, in December 2012.

In an effort to engage Maryland legislators in the statewide conversation about a civil right to counsel, the Commission urged the Maryland Judiciary to include in its 2012 legislative package, a bill to create a legislative Task Force on a Civil Right to Counsel. The 2012 bill was not successful. The bill was resubmitted during the current session as House Bill 129 / Senate Bill 262. To date it has received a favorable report from the Senate Judicial Proceedings Committee, and remains pending before the General Assembly.

Reinforcing Efforts that Enhance Access to Justice

The Maryland Access to Justice Awards

The Commission continued its annual awards program in 2012 by presenting awards in five categories to laudable individuals and programs. The awards were presented at the annual Judicial Conference in Annapolis, Maryland, on May 15, 2012. The awards recognize individuals, programs and entities in the State that improve the ability of all Marylanders to access the courts or to get legal help in civil legal matters.

The 2012 honorees were:

- **JUDGE OF THE YEAR AWARD (Joint Honorees)**
Hon. Karen A. Murphy Jensen, Circuit Court for Caroline County
Hon. Joseph F. Murphy, Jr. (ret'd), Maryland Court of Appeals
- **JUDICIAL BRANCH EXCELLENCE AWARD**
Connie Kratovil-Lavelle Executive Director,
Family Administration, Administrative Office of the Courts
- **OUTSTANDING PROGRAM OF THE YEAR AWARD**
District Court Self-Help Center Maryland Legal Aid

[Sarah Frush, Supervising Attorney for the District Court Self-Help Center accepted the award on behalf of Maryland Legal Aid]

- **LEGISLATOR OF THE YEAR AWARD (Joint Honorees)**
Delegate Samuel I. Rosenberg, Maryland House of Delegates
Senator Jamie Raskin, Maryland Senate
- **EXECUTIVE BRANCH AWARD**
Lieutenant Governor Anthony G. Brown

Addressing the Needs of Special Populations

To ensure the Commission remains grounded in the needs of the State's most vulnerable, the Critical Barriers Committee continued its series of special stakeholder meetings. Each meeting involved invitations to panelists who represent a particular critical population. These meetings have included legal services advocates, private attorneys, interest-based organizations and ordinary citizens. During 2012 the Critical Barriers Committee met with groups representing the needs of immigrants and the foreign-born. The Critical Barriers Committee made a number of recommendations and launched a number of projects as a result of that meeting, and prior stakeholder meetings.

Promoting Accessible Courts and Legal Services

As a direct result of its special meetings with advocates for the disabled, the Commission launched an initiative to improve the accessibility of its own work, and to support courts and legal services providers in being more fully accessible to all.

Accessibility Web Page

The first step in this effort was to create an "accessibility" web page, found at <http://mdcourts.gov/mdatjc/accessibility.html>, that brings together a range of supportive information. The page states the Commission's own policy on accessibility:

"The Maryland Access to Justice Commission strives to make its work product, website, and events as accessible to persons with disabilities as is practical based on available resources."

Towards that end the Commission attempts to post all written documents in a screen-readable format, to tag all photos and multimedia material, and when necessary to post text versions of documents or materials that are not otherwise accessible.

Beyond Compliance: Creating a Culture of Inclusivity and Accessibility

Available on the accessibility page is a document published by the Commission in 2012 entitled, *Beyond Compliance: Creating a Culture of Inclusivity and Accessibility Among Maryland State Courts and Legal Service Providers*. In that document, the Commission recommends courts and providers adopt a number of strategies to provide accessible websites and facilities, and to institutionalize proactive practices that support inclusivity.

Accessibility and Documents Posted Online

The Commission published and distributed a technical assistance document, *Accessibility and Documents Posted Online*, addressing how to create accessible PDF and Word documents. This document informs courts and justice partners how they can create documents in newer versions of Microsoft Office and Adobe Acrobat accessible to individuals using screen readers.

Access to the People's Law Library for the Incarcerated

As a result of its investigation into the needs of the incarcerated and those soon to be released, the Commission authorized its staff to print and distribute to correctional and detention facilities binders with the content from the People's Law Library, Maryland's legal content website. The binders provide the incarcerated, including those preparing for reentry, access to useful legal information that they might not otherwise be able to use given that those in correctional and detention facilities generally do not have access to the Internet. The binders were distributed in early 2012 to all correctional, detention and juvenile facilities in the state. Periodic replacement pages will be provided to keep the material up-to-date.

Conclusion

The Commission will continue to work towards the goals it set out for itself in its 2009 *Interim Report*. Some changes take time and extraordinary persistence. The benefits of such persistence, however, are significant. While a number of ongoing initiatives remain pending or have required repeated attempts before they succeed, the work we are doing in committees, before the Legislature, and in the community will have a lasting impact. Together we are maintaining a statewide dialogue about what it means to be a just and civil society. The Commission continues to play an important role as a convener of that dialogue.

APPENDICES