

DELIVERY OF LEGAL SERVICES
SECTION COUNCIL

Agenda

Wednesday, September 15, 2010

@ Dogwood Gourmet <http://www.dogwoodbaltimore.com/>

Attendees: Suzanne Sangree, Henry Dugan, Richard Chambers (MVLS sub), Ann Lembo, Harriet Robinson, Tracy Brown, Ed Fee, Lauren Kallins, and Ulani Gulstone.

Passed around award presented to the section for work on the filing fee increase.

Started 6:15 p.m.

A. Update on Guardianship Handbook — Yoanna & Harriet & Ed

Per Ed – Guardianship handbook has undergone another major revision and will be circulated shortly. Ed and Suzanne met with Ellen Callegary, Virginia Rowthorn and Theresa Schriedeler in June to discuss outstanding issues in the revision. There is a new law student from Univ. of MD working with Rowthorn. Still searching for a title. “Guardianship and Its Alternatives” – agreed by all.

B. New group of Executive Directors of legal services organizations—Tracy Brown

At last report, Executive Directors were beginning to meet quarterly. There has not been a full meeting since the last DLS meeting. No new information received.

C. Funding for Legal Services Update: Harriet

MLSC made grants to 34 organizations totaling around \$16 million, including funding for the Judicare Project, with help from Administrative Office of the Courts. Still waiting to see what comes in from filing fees. Amounts from filing fees are distributed every month. Money goes to MLSC fund which is a part of AOC budget. Future goals – concern exists for abandoned property allocation portion of the budget, which may be taken away. Represents state appropriation of \$500K of the abandoned property fund. Paying close attention to that. Issue may require our help.

D. Upcoming Legislation that will affect low income constituents

See future of abandoned property appropriation discussed above.

Per Lauren - There is a “source of income” coalition that has been working for many years to ban discrimination in housing based on housing income. Montgomery County has some legislation on the issue. Howard County has the most progressive legislation. Coalition consists of low income housing groups, MLSC, Catholic Charities, and the Maryland Alliance for the Poor. Trying to determine what interest the domestic violence community has.

Per Suzanne – Baltimore City supported a “source of income” bill in the past, for which she testified in favor. Many legislators are landlords and were very concerned about Section 8 housing. Issue impacts the poor and those that are disfavored because of their profession, e.g. lawyers. Legislation committee (Lauren, Nevett, and Ed) will look into this issue.

Per Ann – There is a group that may be working on just cause termination of leases. There is a Baltimore City case that defines just cause termination. The Baltimore County office of the Legal Aid Bureau is looking into issues with rent court: tenants may have good defenses, but a

tiny portion shows up for trial and dockets are overcrowded. They are in the talking stages of making tenants more visible to their legislators because landlords are so active. Baltimore County Office of LAB is trying to just get tenants to show up in court and to be more visible.

Per Henry – Richard Montgomery puts out an overview of legislative issues. Try to get the issues before the Committee on Laws. If you get your position approved ahead of time, then that becomes the position of the Bar, unless a contrary position is taken. Issues need to be framed in a way to express the interests of the underrepresented or underserved in order to get the Bar to support them and to get them put into Richard Montgomery’s overview. Look at past bills to develop an overview position that can apply to all issues. Montgomery presents the booklet every year to the Board of Governors. The guidelines for MSBA and the Board of Governors to take a position are in the Bylaws booklet. When you testify, you have to be an expert on the issue, like real estate and tax sections. Committee on Laws makes a recommendation to the Board of Governors.

Per Lauren – The “source of income” issue is always presented via Fair Housing Act. She is looking for an alternative avenue to present the issue.

Per Suzanne – Be on the lookout for issues that we might want to be active on. Follow up with Richard Montgomery and getting the Committee on Laws to support a position on “source of income” discrimination. Ed will follow up with Richard Montgomery. Lauren will provide the past bill regarding “source of income.”

E. MLSC Awards Dinner—Harriet Robinson

The dinner will be held on December 6th at the Radisson. MLSC has not met yet. Should hear something after next week about whether our nominees have been accepted for the awards.

F. Update on People’s Law Library – Harriet Robinson

The People’s Law Library newsletter has been circulated. PLL website is still being updated. It has not gone live yet. An email was sent to us regarding the need for help on a few topics that we may have expertise on – motor vehicles, adoptions, wills and estates, and beginning a lawsuit. PLL depends on lawyers for the content. You need a password to access the website. Contact Katherine Jones at LAB for assistance in obtaining a login and password and adding your own content. You can create your own taskforce as well.

G. Outreach Project—Section Council and Standing Committee representation— Review lists of our Section members and the other Committees and Sections (not just Section Councils) on which they sit.

Suzanne – DLS is concerned that the Sections and Committees are dominated by attorneys in private practice and do not represent the diversity of Maryland attorneys. We would like to see additional legal services representation on the Family and Juvenile Law Section Council, but we have not had success. Likewise, the Real Estate Section Council should include increased legal services representation—there exists a critical mass of legal services focused attorneys working on real estate issues, particularly those related to foreclosures, and their voices are not part of the MSBA dialogue.

Henry – Section councils have their own controls and elections. The same people are in the sections year after year. There is little room for young lawyers. Suzanne will send a follow up

email to Henry detailing the issue regarding representation on the family and juvenile law section council. He will go and talk to the inner sanctum people.

Henry discussed putting the issue before the Long Range Planning Committee which will meet next week. Karen Fetterman is the chair of that Committee. Henry is concerned that this Committee presently has too few people and too many issues, so while it might be willing to add the issue of legal services representation, it will be difficult for them to accord all issues the in-depth treatment they deserve. Members are appointed by Tom Murphy. He may be able to appoint more people so that additional issues can be addressed. Henry expressed concern about the committee and section structures.

Suzanne will send a communication to the DLS section members to determine if there is interest in the LRPC.

H. On-line Newsletter

The following issues may be included in the next newsletter: the guardianship handbook once completed, award recipients and possibly the Judicare Project evaluation.

I. Announcements

National Pro Bono Week is at the end of Oct. The Pro Bono Resource Center's 20th anniversary gala is on November 13th.

Lauren: Baltimore County Bar Association is about to launch a walk in clinic for non-family law issues for Oct., Nov., and Dec. from 4:30 pm to 6:30 pm at the Baltimore County Courthouse. Kick-off is during national pro bono week. The hope is that big firms will participate.

J. Judicare Evaluation

Per Harriet: The Judicare Project is a pilot project in reduced-fee representation which this Section helped to establish. Focus now is on contested family law cases. Evaluation of the Judicare Project has been completed. Researchers from the Univ. of Maryland School of Social Work are trying to determine how effective program is. The Project is under the direction of the Administrative Office of the Courts. The evaluation should be available by the DLS November meeting. It is based on the results of focus groups of grantees, clients, and attorneys. Income guidelines are the MLSC guidelines.

J. Shall we set meeting times for entire year? Or for a few months? Next Meeting: 6 PM at November 3, 2010, Wednesday. Location: MSBA Headquarters. Jan., Mar., May are next meeting months. Dates and locations TBD.

Adjourned 7:30 pm.