



MARYLAND
LEGAL AID

Advancing
Human Rights and
Justice for All

2018 International Forum on Legal Aid:

National/Organization Report

Wilhelm H. Joseph Jr., Esq.

Executive Director - Maryland Legal Aid

1. Please update the following information about your country and your organisation:

Your Country				
Country	Population	GDP	Poverty Line & Percentage of Population in Poverty	Total No. of Practicing Lawyers in the Country
United States of America	328,194,429	19.39 billion	\$12,060/person 14.8%	628,370
Your Organisation				
Name of Legal Aid Organization(s)	Date of Establishment	Total No. of Applications Received in the Past Year	Total No. of Applications Approved in the Past Year	Total No. of Applications Rejected in the Past Year
Maryland Legal Aid	1911	30,860	18,556	12,304
Total No. of Legal Aid Lawyers (including staff and private lawyers)	Total No. of Non-Legal Professionals (e.g. social workers, counselors, community/culture workers)	Government Budget for the Legal Aid Organisation in the Past Year	Total Legal Aid Expenses in the Past Year	Proportion of Legal Aid Budget Funded by the Government
161 staff attorneys 41 paralegals 200 pro bono attorneys	71 administrative support staff	\$26,367,118 (Federal: 4,438,161 State: 20,947,770 Local: 981,187)	\$23,601,590	95%

2. Were there any major changes in your organization (or legal aid organizations in your country) over the past four years in the following aspects? If yes, please specify the change and its reason? (If not, please skip)

Organization structure (e.g. the nature of the organization and regulatory authority)

In 2017, Maryland Legal Aid (MLA) established a wholly-owned subsidiary, the Maryland Center

for Legal Assistance (MCLA). Through a contract with the Administrative Office of the Courts, MCLA operates four walk-in District Court Self-Help Resource Centers in Maryland and two Maryland Courts Self-Help Centers that provide advice through call-ins and live online chats. While operation of the Self-Help Centers is the first MCLA activity, the work of MCLA may be expanded to include other legal services for low-income Marylanders.

The Self-Help Centers deal with a wide range of civil legal matters, including landlord-tenant, consumer issues such as debt collection and credit card cases, child support, and criminal record expungement to remove barriers to obtaining housing, employment, a driver's license, and child custody. In 2017, more than 80,000 self-represented litigants were assisted through the Self-Help Centers. MCLA is a separate legal entity which does not receive funding from the Legal Services Corporation (LSC), MCLA's federal funder, and operates in compliance with the program integrity regulations established by LSC (45 C.F.R. § 1610.8).

Legal aid funding: government budget or other funding sources; legal aid expenses

In 2017, with the help of a broad coalition of partners led by the Maryland Legal Services Corporation, the stabilization of filing fee surcharges, as a permanent funding source in Maryland, was achieved in the Maryland legislature.

In 2015, Maryland Legal Aid was awarded a three-year grant from the Leonard and Helen R. Stulman Charitable Foundation for \$450,000. The grant supports an initiative called *Project Household* that helps low-income adults, age 60 and older, in Baltimore City maintain homeownership and live independently in their communities. Through this project, Maryland Legal Aid and three other local legal services organizations employ a holistic approach to this effort, which focuses on preserving homeownership through four primary areas: avoiding foreclosures or tax sales; promoting the financial stability necessary for homeownership; preventing and addressing financial exploitation; and creating advance planning documents to ensure homes are not lost due to lack of clear title. *Project Household* also includes collaboration with social workers from a local program in Baltimore to provide additional resources to clients to help with their housing issues. In addition, Maryland Legal Aid attorneys provide extended representation and advice to clients age 60 and older through the Maryland Senior Legal Helpline.

Also in 2015, as part of its Making Maryland the Best Place to Grow Old initiative, the Harry and Jeanette Weinberg Foundation awarded \$800,000 over two years for Maryland Legal Aid's Legal Services for Older Marylanders and their Caregivers Project. The primary objective of this project was to strengthen the economic security of older adults and their caregivers while building on the

organization's longstanding, statewide provision of legal services that help them meet their basic human needs. This was done mainly through the provision of free, civil legal services to at least 5,000 older Marylanders and their caregivers each year during the two-year grant period. A secondary, but critically important, objective of this project was to build the field of professionals and to enhance professional knowledge regarding the needs of low-income, vulnerable older adults and their caregivers in Maryland.

In 2017, Maryland Legal Aid received new grants to help it expand its mission of providing free, high-quality legal services and representation to low-income Marylanders. The Venable Foundation awarded Maryland Legal Aid an unrestricted \$150,000 grant to support the creation of a Venable Innovation Project (VIP). In addition to this generous gift and the Foundation's annual contribution, Venable LLP also partners with Maryland Legal Aid for the Loaned Associates Program. Through the latter program, three Venable attorneys each rotate for six months at a time at Maryland Legal Aid over a period of 18 months. This significant support means that Maryland Legal Aid and its clients benefit from the work of three experienced lawyers at no cost to the organization, as Venable covers their compensation. In turn, Venable attorneys are able to enhance their litigation skills, manage their own cases, and take the lead with client interactions.

Also in 2017, Maryland Legal Aid received a \$90,000 grant from the Abell Foundation in support of the Lawyer in the Library program in Baltimore City. The funding provided allows Maryland Legal Aid to expand its innovative program to four additional branch locations of the Baltimore City public library system, thus increasing access to justice for many more low-income Baltimore residents in more neighborhoods.

Number of staff lawyers and/or external legal aid attorneys

In 2018, Maryland Legal Aid launched a pro bono attorney program. Through this program, private attorneys are provided with training opportunities and assigned client cases to provide brief advice or representation. Currently, Maryland Legal Aid's pro bono attorney roster includes more than 200 private attorneys who volunteer at Maryland Legal Aid legal and/or expungement clinics (e.g., Lawyer in the Library), and/or for Maryland Legal Aid's Joining Forces Project (a hotline for veterans in Maryland who are low income).

Maryland Legal Aid continues to increase staff and resources in order to effectively respond to the growing needs of low-income Marylanders. Most recently, this has included creating new internal business units, including the *Community Lawyering Initiative*, where attorneys are hired to work directly in underserved communities to provide civil legal assistance and criminal record expungements; and the Victims Assistance Project, where attorneys work under government

grant-funded projects, and in tandem with community partners to assist clients who are victims of domestic violence, sexual assault, and human trafficking.

Ratio of cases taken by staff attorneys and by external lawyers in private practice

Below is a breakdown of Maryland Legal Aid cases managed by staff attorneys v. those in private practice (FY17):

	Closed In-House (Staff and Contractual)	Closed Pro Bono	Closed Reduced Fee	All Closed Cases
Brief Advice, Information and Referral	94,980	203	151	95,334
Counseling	1,652	72		1,724
Negotiation	393	11		404
Representation in Administrative Proceedings	233	1		234
Representation in Judicial Litigation	12,439	150		12,589
Other Appropriate Remedies	67	1		68
Total Cases Closed	109,764	438	151	110,353

Quality management; recruitment and/or monitoring of legal aid attorneys

Maryland Legal Aid is led by a three-person Executive Unit (Executive Director, Chief Counsel, and Chief Operating Officer) and two Deputy Chief Counsels. The Deputy Chief Counsels supervise 12 Chiefs, who oversee the work of supervising attorneys and staff attorneys in 12 Maryland Legal Aid office locations. Maryland Legal Aid also has a Statewide Advocacy Support Unit whose function is to direct the advocacy on a state-wide level and support the work of attorneys in all 12 offices. A number of administrative professionals support the legal staff in areas including resource development, compliance, communications, IT, finance, human resources, and administrative services.

Salary of legal aid staff attorneys and/or remuneration of external legal aid attorneys

In 2015, Maryland Legal Aid's Collective Bargaining Unit agreed to a 5-year contract. Maryland Legal Aid has been able to provide progressive compensation to its staff over the past 20 years. Maryland Legal Aid continues to pay its staff higher salaries than the average salaries reported from other comparable legal services organizations across the United States. According to the 2018 Public Sector & Public Interest Attorney Salary Report, published by the National Law Placement, Inc., the median entry-level salary for a legal services attorney is \$48,000; at 11-15 years of experience the median is \$69,500. The salary for a Maryland Legal Aid entry level attorney is \$54,393; an attorney with 5 years of experience is \$58,000, and an attorney with 10 years of experience is \$62,508. By comparison, the median starting salary of a first-year lawyer at a private law firms is \$160,000. Maryland Legal Aid attorneys who manage staff (supervising and chief attorneys) receive a supplement to their salaries. Non-attorney staff are paid comparable market rates.

In addition to the base compensation offered to staff, Maryland Legal Aid funds a number of training and development opportunities throughout the year in which staff are encouraged to participate. In addition, investments are made to maintain and upgrade the front-end and back-end technology that is used by staff and that connect the organization's statewide operations. These investments also pay for equipment such as cellular phones and portable laptops/tablets for staff to effectively perform their jobs while working in the field with clients or volunteers.

Procedures and financial eligibility criteria for legal aid applications

Maryland Legal Aid provides legal services in civil matters to individuals and families in Maryland with incomes at or below 125% of the federal poverty level, and, in some instances, to those whose incomes are less than one-half of Maryland's median income. Maryland Legal Aid also screens applicants to make sure the assistance provided will not create a conflict with a current or former client and is within the scope of legal assistance that Maryland Legal Aid can provide and prioritizes.

Maryland Legal Aid sets priorities for service delivery based on the expressed and assessed needs of potential clients. To date, demand for services has been highest on issues related to family/domestic law, housing, consumer and income maintenance (both employment and public benefits) law. Maryland Legal Aid's 2007 comprehensive assessment of client community needs indicated that affordable housing, employment that pays a living wage, and access to health care were the highest priority needs identified among the poor in all Maryland counties. These findings continue to be relevant based upon issues presented by clients at intake and through feedback at community forms and outreach activities. In addition, Maryland Legal Aid has increased its focus on serving the needs of veterans, older adults, and victims of violence (e.g., domestic violence,

sexual assault, and sex trafficking).

New services and/or innovative business projects

In 2015, Maryland Legal Aid began expunging criminal records for clients to remove barriers to obtaining basic human needs such as safe and affordable housing, employment that pays a livable wage, child custody, and driver's licenses. The need for criminal record expungements throughout Maryland is great, and the demand for expungement assistance continues to increase as expungement laws change (i.e., more offenses become eligible for expungement) and people take legal steps to turn their lives around. Criminal record expungements contribute to more than 50% of the types of legal issues for which Maryland Legal Aid assists clients at its Lawyer in the Library clinics.

In 2016, Maryland Legal Aid established the *Community Lawyering Initiative*, which brings free and critical legal resources to people directly in their communities. Maryland Legal Aid designated internal resources and staff to manage the Initiative—which includes hosting legal clinics around the state to assist clients with their criminal record expungements and civil legal issues. Since the start of the Initiative, Maryland Legal Aid has developed a number of integral relationships with community partners that have enabled the Initiative to grow and flourish as a successful model for serving clients.

The *Community Lawyering Initiative* evolved from Maryland Legal Aid's successful Lawyer in the Library program, which was introduced in 2015 in response to the civil unrest that followed the death of Freddie Gray. The aftermath of the unrest left many Baltimore City residents looking for answers and opportunities to make a difference. Lawyer in the Library was created to address those concerns. Through the program, Maryland Legal Aid attorneys, paralegals, volunteer attorneys and law students meet with individuals in library branches throughout Maryland, multiple times per month, to help attendees with their civil legal issues and criminal record expungements. The *Community Lawyering Initiative* expands on Maryland Legal Aid's original vision for the Lawyer in the Library program and offers a fresh approach for lawyers to reach and help underserved clients, as a well as a unique way for pro bono attorneys to contribute their time and efforts. This Initiative depends largely on the use of and access to mobile technology—Wi-Fi hot spots, laptops, and portable printers—to provide services to clients in unconventional settings.

Maryland is home to close to 500,000 veterans of the United States Armed Forces. Many face significant challenges upon returning home from service and end up homeless or living in poverty, struggling to meet their basic human needs. In response, Maryland Legal Aid developed and launched its Joining Forces Project in 2015. Joining Forces is a free, statewide legal telephone

hotline specifically for Maryland veterans who are low-income and who have served in any branch of the military, regardless of their discharge status. Initial funding for this project was provided in 2014 by the federal Legal Services Corporation's Pro Bono Innovation Grant. Pro bono attorneys can sign up to provide callers with brief legal advice from the attorneys' homes or offices, and can assist even further by providing extended representation to eligible veterans with more complex civil legal issues. The Joining Forces Project features a website where pro bono attorneys can access training materials and a sign-up calendar. Detailed information, in the form of scripts, about various areas of civil law is provided to volunteers to use as a reference when responding to inquiries from callers. In addition, Maryland Legal Aid attorneys provide substantial support to volunteers during hotline hours in the event that volunteers receive legal questions that are not addressed in the scripts or are out of the volunteers' areas of expertise.

In addition to the Joining Forces Project, in 2018, Maryland Legal Aid launched its own Pro Bono Program to recruit and train private attorneys to take on Maryland Legal Aid client cases. Historically, Maryland Legal Aid partnered with and depended on other organizations to recruit, train, and refer pro bono attorneys. The goal of Maryland Legal Aid's Pro Bono Program is to increase legal assistance for low-income Marylanders and to provide private attorneys with training opportunities and additional experiences that might fall outside of their areas of legal practice or expertise.

Also in 2018, Maryland Legal Aid re-established the Equal Justice Associates (EJA). The EJA is a group of attorneys under the age of 40 who serve as advocates in helping to advance Maryland Legal Aid's mission to ensure equal access to justice for all Marylanders. Through organizing and participating in pro bono opportunities and fundraising activities on behalf of Maryland Legal Aid, EJA members are able to make a significant impact on low-income individuals and families throughout Maryland.

3. What has been the major development strategy of your organization (or legal aid organizations in your country) for the past five years? What was the reason for adopting this strategy?

Establishing strong, strategic partnerships and collaborations with partners whose missions align with that of Maryland Legal Aid has been fundamental to the overall success of Maryland Legal Aid and the strengthening of our mission to ensure equal access to justice for all. While Maryland Legal Aid provides a broad spectrum of high-quality services, these partnerships enable us to offer more in-depth and targeted assistance to address many interrelated issues that low-income clients

face.

In addition to developing and maintaining relationships, Maryland Legal Aid continuously works to diversify its funding sources by applying for grants awarded by city, state, and federal funders. Doing so enables Maryland Legal Aid to continue to expand and improve its client services to address a number of basic human needs of Maryland citizens. In the coming years, such broad-based support will become even more essential in helping Maryland Legal Aid to strengthen its capacity and its application of its Human Rights framework.

4. In the past decade, have there been any surveys done in your country on legal needs and legal assistance seeking behaviors of the general public or any specific underprivileged groups? Or have there been any research studies of your service data?

If yes, please kindly provide the files or URLs of the research results.

In 2015, the Public Justice Center (Maryland) published the results of their rent court study ([*Justice Diverted: How Renters are Processed in the Baltimore City Rent Court*](#)). The PJC's research provides a deep dive into Baltimore's evictions crisis, where approximately 7,000 families are evicted each year, taking a particularly heavy toll on women and African-Americans. The data in this report demonstrates how the outcome of an eviction case often does not depend on the merits of the case. Rather, the fate of a family's home rides on a court system that puts long-standing tenant protections and basic housing standards second to court efficiency and landlords' bottom line.

In 2012, Maryland Legal Aid conducted a comprehensive study to show the financial impact of its advocacy on its clients. Staff compiled information in nine different areas of the law in cases where extended representation was provided and quantified the annual benefits received by clients. The cases involved bankruptcy, debt collection, employment, family law, food stamps, Medical Assistance and Medicare, public and subsidized housing, Social Security Income (SSI), and unemployment insurance. More than \$20 million in economic benefits were identified. The Maryland Access to Justice Commission included these figures in a larger report used to assist with legislative efforts to maintain Maryland Legal Services Corporation funding levels. Maryland Legal Aid's largest funder is the Maryland Legal Services Corporation. While the \$20 million in economic benefits is significant, it underestimates what Maryland Legal Aid does. Not included in the report, for example, was a calculation of the value of Maryland Legal Aid's brief advice to clients or its work with abused and neglected children to enable them to realize permanency and

stability in their lives. Furthermore, the study only looked at one year of benefits received for clients. Consider that the average SSI recipient receives cash and medical insurance benefits for 9.7 years. The assistance that Maryland Legal Aid provides its clients helps them to meet their basic needs well beyond the dates their cases are closed.

In 2016, Maryland Legal Aid published its “[Human Rights in Maryland’s Rent Courts: A Statistical Study](#),” a review of Rent Court practices statewide. The Study examines a sample of rent court cases, covering every jurisdiction in Maryland. Some of the issues identified in the study include errors in Failure to Pay Rent cases (i.e., unclear, insufficient or incomplete records necessary for judges to make definitive conclusions); Default judgments entered against tenants even though some landlords did not meet their legal obligations to make basic cases for eviction judgments; No service or improper service of tenants (i.e., must be given adequate notice of legal claims and an opportunity to present defenses to their cases in accordance with Maryland law).

With the cooperation of the Maryland Judiciary, Maryland Legal Aid was granted access to 1,380 Failure to Pay Rent court records in order to complete the study. Expert analysis was provided by the American Association for the Advancement of Sciences (AAAS) to ensure that sufficient data supported and validated the report’s findings. The findings offer opportunities for improvement in Maryland Rent Courts, where needed, with the objective of improving judicial administration of rent court cases, avoiding homelessness of tenants who should not have been evicted, and enhancing the overall fairness of the rent court process.

Maryland Legal Aid’s Human Rights Project spearheaded the Rent Court Study as part of the organization’s continued commitment to serve Maryland’s poor and marginalized individuals and families. The Study was supported by a grant from The Fund for Change (<http://www.thefundforchange.org>), and with assistance from the Maryland Judiciary.

In 2018, Maryland Legal Aid plans to conduct a new needs assessment of the issues experienced by low-income Maryland residents that can be effectively addressed by civil legal remedies (civil legal needs), and to identify gaps in the provision of legal services statewide. From this assessment, Maryland Legal Aid intends to gain more insight about the current demographics of Maryland’s low-income and vulnerable populations (e.g., race, ethnicity, languages spoken, persons with disabilities, etc.); and the substance and prevalence of issues that can be effectively addressed by civil legal remedies, including newly emergent issues in family (e.g., child custody, protection from domestic violence, etc.); housing, employment, health, and education law, and to identify the benefits (economic and other) to individuals, families, and communities resulting from the ability to secure civil legal assistance to address their problems.

5. How does your organization (or legal aid organizations in your country) make legal aid resources known to the potential clients in need and improve their legal awareness so they may seek timely assistance? Do you use any different approaches to reach people in remote areas or groups with special legal needs?

Maryland Legal Aid has 12 statewide office locations where clients can walk in for assistance and resources for their civil legal issues. In addition to receiving walk-in assistance, clients can receive assistance via telephone intake and special hotlines for seniors and veterans seeking civil legal assistance. Maryland Legal Aid's online intake is available 24/7 to those seeking civil legal assistance.

Conducting statewide outreach and distributing information about Maryland Legal Aid's programs and services is a fundamental part of the organization's advocacy. Maryland Legal Aid shares its library of brochures with other partner organizations in its broad referral network so that these organizations can distribute "Know Your Rights" information on various legal issues to their clients/applicants. Much of Maryland Legal Aid's statewide outreach involves deploying lawyers from Maryland Legal Aid's *Community Lawyering Initiative* directly to underserved neighborhoods to provide civil legal assistance and criminal record expungements, and to present "Know Your Rights" presentations on a number of legal issues.

Other communications methods to promote Maryland Legal Aid's programs and services include maintaining and updating Maryland Legal Aid's website (www.mdlab.org) and various social media sites (Twitter, Facebook, LinkedIn, and Instagram). Through these platforms, Maryland Legal Aid shares information related to specific events, clinics, and resources available to low-income Marylanders.

Maryland Legal Aid's Communications Unit has established relationships with members of the media throughout the state. Through these relationships, Maryland Legal Aid is able to provide expert insight into various civil legal issues experienced by low-income and marginalized individuals and families and pitch special events, organizational achievements, and client successes for broad promotion throughout the state.

6. How does your organization (or legal aid organizations in your country) educate, train or recruit and screen legal aid attorneys who are suitable for

serving underprivileged groups as well as passing the spirit of legal aid onto lawyers of younger generations?

Maryland Legal Aid maintains an excellent reputation among the community, including clients, the Maryland Judiciary, and other legal services providers across the United States, in recruiting staff attorneys and pro bono attorneys to assist low-income clients through the provision of legal services and representation.

Maryland Legal Aid's legal staff and pro bono attorneys receive training and workshop opportunities coordinated by Maryland Legal Aid's Director of Advocacy for Training and Pro Bono. These trainings are often led/facilitated by experienced private attorneys and other members of the legal community who lend their expertise in areas related to appellate work, litigation, and other areas of the law.

7. Does your organization (or legal aid organizations in your country) collaborate with other non-legal organizations/professionals in conducting legal aid work (including aspects such as promotion of legal aid, legal education, advice and representation service, social advocacy and law reform?) How does the collaboration work? Please elaborate with some examples.

Maryland Legal Aid participates in various partnerships statewide with other legal and non-legal organizations. Examples include:

A partnership with Maryland Workforce Development Centers in Southern and Western Maryland and in Baltimore City where attorneys have assigned office spaces at each site and work with other service providers within the Centers to provide one-stop assistance to participants seeking employment. The attorneys work to remove any barriers that the participants may have in obtaining employment, such as criminal records, credit judgments, housing issues, or even child support concerns.

Maryland Legal Aid has several programs funded through the federal Department of Justice Office of Violence Against Women and the Governor's Office of Crime Control and Prevention focused on protecting the legal rights of victims of crime, domestic violence, and sexual assault. As part of these grants, Maryland Legal Aid partners with TurnAround, Inc. and CHANA to provide legal services to survivors of sexual assault, domestic violence and/or elder abuse through legal advocacy,

intervention, outreach, and education.

Through these programs, Maryland Legal Aid represents clients in a variety of legal matters including, but not limited to, divorce, custody, domestic abuse, child/spousal support, contract issues, expungements, landlord/tenant matters, public benefits, education and civil and victims' rights. Several clients receive assistance with more than one legal matter and clients have received legal assistance ranging from brief advice and counsel to full extended representation.

Through medical-legal partnerships, Maryland Legal Aid provides civil legal assistance and representation for patients at a local mental health facility and medical hospital. These partnerships consist of Maryland Legal Aid attorneys working on site at the hospitals to assist patients who have civil legal issues and who are referred to Maryland Legal Aid by hospital personnel.

8. Has your organization (or legal aid organizations in your country) developed any services targeting any specific underprivileged communities or legal issues?

This forum is especially interested in community groups such as women, children, the elderly, indigenous peoples, migrant workers, refugees and stateless persons, social welfare/benefits issues, persons with disabilities, and the homeless, etc.

Please **select at most three fields** and elaborate on the following:

- (1) Background reasons: Why target this group/issue? Why launch this type of service?
- (2) Scope of legal aid service: legal education, information, advice, representation, advocacy and law reform
- (3) Is the financial eligibility criterion for this community group the same as other legal aid applicants?
- (4) How do you promote this service and deliver legal education to your target community?
- (5) Do you collaborate with other legal or non-legal organizations in this service? How does the collaboration work?
- (6) How do you provide the most effective service with limited funding?
- (7) Can you tell us about your service performance and outcomes?
- (8) Have you met any challenges and then adopted any solutions?

Women & Children:

Maryland Legal Aid receives \$5.6 million in grants and contracts, plus one million dollars made through generous donations, equaling \$6.6 million, which is dedicated specifically to legal services for women and children. MLA's targeted programs to assist these populations include: Children in Need of Assistance (CINA), Victims of Crime Act Grant (VOCA), Legal Assistance to Victims (LAV), STOP Violence Against Women Act in partnership with the Women's Law Center's Multi-Ethnic Domestic Violence Project (MEDOVI), Legal Assistance to Victims subgrant from Tahirih Justice Center, Victims of Crime Act Subgrant from Prince George's County Family Justice Center (PGCFJC), and Violence Against Women S*T*O*P Formula Subgrant from PGCFJC. These programs, with the exception of CINA, are designed to protect the rights of survivors of sexual assault, domestic violence, and/or elder abuse through legal advocacy, intervention, outreach, and education. Several of the programs include a full-time MLA staff attorney and a full-time MLA paralegal co-located at partner organizations to provide civil legal services to clients. With the help of partners including TurnAround, Inc., CHANA, Prince George's County Family Justice Center, Tahirih Justice Center, and Women's Law Center, MLA provides housing, food, clothing, counseling, court accompaniment, and assistance with benefits and public utilities for these women and children.

Migrant Farmworkers:

Maryland Legal Aid's Migrant Farmworker Program provides free and confidential civil legal services to migrant and seasonal agricultural workers (workers at farms, orchards, canneries, pack houses, poultry processing plants, etc.) in Maryland and Delaware. Maryland Legal Aid staff visit farmworkers on local farms to provide information and resources related to fair wages, safe housing and workplace conditions, discrimination and retaliation, and H-2A workers (agricultural workers who are in the United States on temporary visas and can only work for the employers that are stated on the workers' visas).

About 25% of Marylanders live in rural areas, and this includes migrant farmworkers. Maryland Legal Aid recognized that these farmworkers are often vulnerable to being exploited by employers (e.g., not being paid overtime, living and working in unsafe conditions, etc.). This presented an opportunity for Maryland Legal Aid to conduct outreach and develop legal materials specific to migrant farmworkers. An important component to Maryland Legal Aid's Migrant Farmworker program is its Language Access advocacy. This includes making sure that information for migrant farmworkers is available in Spanish and Haitian-Creole (two of the primary languages spoken by many migrant farmworkers in Maryland Delaware).

In 2017, the American Civil Liberties Union of Maryland successfully represented Maryland Legal Aid in a case against Montgomery County, Maryland. The case involved Maryland Legal Aid staff being issued a “no trespass” order by local police after being denied the opportunity to conduct outreach to migrant farmworkers at a Montgomery County farm. The United District Court of Maryland decided that service providers, such as Maryland Legal Aid, have a First Amendment right to engage in door-to-door outreach of workers until they are turned away by residents. The Court’s decision provides important precedent in Maryland Legal Aid’s statewide efforts to advise migrant farmworkers of their rights and to ensure that farmworkers are paid legally required wages and are provided adequate housing conditions and workplaces free of occupational hazards.

The ACLU partnered with Cohen Milstein in Washington, D.C. to file the case of *Nohora Rivero and Legal Aid Bureau, Inc. v. Montgomery County, Maryland, et. al.* The Defendants’ efforts to dismiss the case were denied by Judge Grimm of the U.S. District Court for Maryland. In addressing the argument that the case had become moot, Judge Grimm cited a human rights report that Maryland Legal Aid had made to the U.N. Special Rapporteur on Extreme Poverty, which documented numerous instances in which Maryland Legal Aid and others providing support services to farmworkers were denied access. Judge Grimm’s opinion further found that service providers, such as Maryland Legal Aid, have a First Amendment right to engage in door-to-door outreach of workers until they are turned away by residents. The Court’s decision provides important precedent in Maryland Legal Aid’s statewide efforts to advise farmworkers of their rights and responsibilities and to ensure that farmworkers are paid legally required wages and are provided adequate housing conditions and workplaces free of occupational hazards. Judge Grimm’s decision paved the way for a favorable settlement of the case.

The case of *Nohora Rivero and Legal Aid Bureau, Inc. v. Montgomery County, Maryland, et. al.* was cited in *St. John’s University School of Law Review* (Vol. 91, Fall 2017, No. 3) and *the St. Louis University Law Journal* (Vol. 62, No.7) by Lauren E. Bartlett (Ohio Northern University, Ada, Ohio).

Community Lawyering Initiative:

Maryland Legal Aid’s *Community Lawyering Initiative* was established in 2015 in response to the community’s increasing need for criminal record expungements to remove barriers to obtaining employment, housing, child custody, and drivers’ licenses. The *Initiative* grew out of Maryland Legal Aid’s Lawyer in the Library program, where attorneys are placed in public libraries across the state to provide legal information to visitors.

Currently, the *Community Lawyering Initiative* holds 30-35 clinics each month at various locations

in collaboration with a number of community partners throughout the state. In 2016, Maryland Legal Aid created ExpungeItMD.org, a free website for expunging criminal records. The website generates expungement petitions and automatically detects which petitions users will need for not guilty and guilty dispositions. A number of Maryland attorneys use ExpungeItMD.org, free of charge, to expunge records for their pro bono clients—whether assigned through Maryland Legal Aid or another legal services providers.

Individuals assisted through the *Community Lawyering Initiative* must be financially eligible to receive assistance. One challenge that Maryland Legal Aid faced when creating this program is the growing number of individuals who need assistance, more than 50% of whom need assistance with expunging their criminal record. To meet this demand, Maryland Legal Aid hired additional legal and non-legal staff to manage the workload and to assist as many clients as possible. The organization continues to seek funding to support this important project, in hopes of continuing to expand the program and reach even more Marylanders throughout the state, particularly in rural and underserved areas where transportation for clients and access to resources might be scarce.

9. To what extent have the UN Principles and Guidelines on Access to Justice and UN human rights conventions regarding access to justice for specific disadvantaged groups been implemented in your country and complied by your organization? Have you met any challenges during implementation?

An innovative Human Rights Framework adopted in 2009 underlies Maryland Legal Aid’s efforts to help increase access to justice for families and individuals. This framework was adopted after engaging in a thorough needs assessment and strategic planning process. The needs assessment showed that throughout Maryland, low-income residents identified affordable housing, jobs that pay a living wage, and affordable health care as their most pressing needs—needs that if unmet, would not allow them to overcome poverty.

Maryland Legal Aid incorporates Human Rights into its day-to-day casework and client representation, focusing on advocating for clients in “impact cases,” (e.g., children’s rights, disability rights and housing). Doing so has provided an important boost because of the organization’s unique reach into impoverished communities and into state-level trial courts. Due to its established track record in human rights, in 2012, Maryland Legal Aid was selected as one of two legal aid programs in the United States to partner with the Local Human Rights Lawyering Project at the Center for Human Rights and Humanitarian Law at American University’s College of Law. The partnership was the first of its kind in U.S. history, connecting a highly-respected law

school and foremost experts in the field of human rights with legal services attorneys to help them incorporate human rights arguments, strategies, and methodologies into their work. Through the partnership, Maryland Legal Aid hired its first Human Rights Project Director, who was charged with implementing human rights principles within Maryland Legal Aid's advocacy, client-staff relationships, and office systems.

In 2016, Maryland Legal Aid established a Human Rights Work Group to discuss, plan, and coordinate special human rights events and trainings for Maryland Legal Aid staff. Every year for International Human Rights Day, Maryland Legal Aid hosts a staff training and special speaker who focuses on a specific human rights issue. Previous topics have included language access for clients and access to clean drinking water. Additionally, Maryland Legal Aid has been invited to present at Columbia University's School of Law in New York for its Institute on Human Rights Symposium to provide an update on Maryland Legal Aid's application of its Human Rights framework.