

Senate Judicial Proceedings Committee

February 21, 2018

Testimony in Support of SB 1042 - Access to Maryland Courts Act

Health Care for the Homeless supports the Access to Maryland Courts Act.

If a government entity in Maryland violates a person's constitutional rights, that person needs an attorney to help vindicate those rights in court – but the most vulnerable Marylanders face substantial barriers to adequate representation. SB 1042 would make it easier for Marylanders to retain an attorney when their constitutional rights are violated, and it would hold state and local governments accountable when they violate someone's rights.

People experiencing homelessness face extremely limited financial ability to hire attorneys, and non-profit legal services organizations are limited in how many cases they can take. Under current law, most people without homes would be unable to find representation, and government entities would not be held accountable for violating the basic protections that define our democracy.

Giving Maryland judges the discretion to award reasonable attorneys' fees when government entities have been proven to have violated the Maryland Constitution or Declaration of Rights would help to level the playing field for vulnerable people and would increase the likelihood that attorneys would take cases in defense of constitutional rights. All of the legal service organizations with which we collaborate are highly supportive of SB 1042 and believe it would enhance their capacity to provide or refer to others for appropriate representation. We agree that this would be a positive step for those we serve.

Health Care for the Homeless is Maryland's leading provider of comprehensive health-related services and supportive housing for individuals and families experiencing homelessness in Baltimore City, Baltimore County and Harford County. Last year, we served more than 10,000 individuals during 114,000 client visits. Our clients face tremendous barriers to legal representation. SB 1042 is a step in the right direction and has our strong support.

