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14 December 2012

SUMMARY OF COMMISSION MEETING

1. Old Business.

- a. **Access to Court Records / Expungement Brochures** Four brochures that address access to court records and expungements are now available from the Commission. The Commission will provide copies to any office or agency that would like to make them available. They are also available on the Commission's [website](#) for printing or download.
- b. **Limited Scope and Fee Waiver Rules Proposals.** The limited scope rules and the fee waiver rules are still pending with the full Rules Committee.
- c. **Media Projects.** Several short-format legal self-help videos are in production.
- d. **Pro Bono Practice Rule.** A revised version of the Pro Bono Practice Rule was presented. A number of changes were made at the Commission's suggestion from the September 2012 meeting. The Access & Delivery of Legal Services (ADLS) Committee shared the draft with, and received input from several stakeholders and made changes at their behest. Such changes include permitting the rule to apply to the use of pro bono attorneys in criminal matters. A majority of the Commission approved the proposed rule as amended. The amended rule will be forwarded to the Rules Committee for their consideration.

2. New Business.

- a. **Economic Impact Study.** A draft document, *Economic Impact of Civil Legal Services in Maryland*, along with a summary was presented. The draft was prepared in collaboration with the state's legal services providers, with special assistance from Maryland Legal Aid, the Homeless Persons Representation Project (HPRP), and the Public Justice Center. The Commission approved the document and summary.
- b. **Legislative Initiatives.** Both the Civil Right to Counsel Task Force bill, submitted last year, and the Fee-Shifting Bill proposed by the Commission, will be included in the Judiciary's legislative package this year.
- c. **CCJ/COSCA Resolution 2 – Code of Judicial Conduct.** The Commission reviewed a resolution, adopted this year by the Conference of Chief Justices 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, Rule 2.2, addresses the self-represented in a comment. The Commission voted to endorse the resolution. The recommended change will be forwarded to the Rules Committee for their consideration.
- d. **Fairness and Justice Initiatives Meeting.** Invited Judiciary leaders will be meeting to examine ways the Judiciary can address fairness and justice as it relates to race, ethnicity, gender, age and sexual orientation. Commission staff will attend.
- e. **Class Action Residual Funds Toolkit.** The Rules Committee did not support the Commission's proposal for a rule to mandate class action residual funds be directed, in part, to civil legal services. *A Class Action Residual Funds Toolkit*, prepared by the ADLS Committee, was presented as an educational initiative. The Commission approved the toolkit.
- f. **Funding Bill.** MLSC and the Judiciary will be supporting an effort to lift the sunset on the 2009 filing fee surcharge that helped address the shortfall in IOLTA funding. If the filing fee surcharges are not renewed, MLSC stands to lose more than 40% of its funding.

3. Committee Reports

- a. **SRL Committee.** The District Court Self-Help Center continues to grow and will serve over 20,000 individuals this year. The committee has been discussing the use of appeal bonds in housing cases.
- b. **Public Education Committee.** The committee continues to work on a lesson plan for high school students building on the [Maryland Courts video](#). [People's Law Library](#) (PLL) has seen good usage of the Spanish language pages they posted.
- c. **Definitions, Standards and Awards Committee.** The Commission is now accepting nominations for the 2013 [Access to Justice Awards](#).
- d. **Critical Barriers Committee.** The Committee recently reviewed the input it received from advocates who work with the immigrant community. It was suggested that the state create a support center for immigrant advocates. The committee has continued to discuss the issue of shackling. The committee hopes to make some recommendations in the near future. The Committee is also examining the issue of human trafficking.