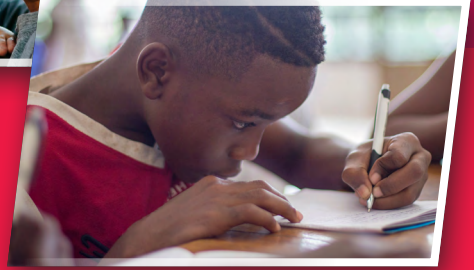




PURSUING SYSTEMIC CHANGE



**ANNUAL REPORT
FOR FY 2023**
JULY 1, 2022 - JUNE 30, 2023



YEAR-AT-A-GLANCE

FISCAL YEAR 2023 (JULY 1, 2022- JUNE 30, 2023)

MISSION

The Public Justice Center (PJC) pursues systemic change to build a just society.

The PJC uses legal advocacy tools to pursue social justice, economic and race equity, and fundamental human rights for people who are struggling to provide for their basic needs.

The PJC is a civil legal aid office that provides advice and representation to low-income clients, advocates before legislatures and government agencies, and collaborates with community and advocacy organizations.

The PJC chooses projects and cases that will make a significant impact on systems, laws, and policies.



1,085

Number of new clients receiving legal services from the PJC

58

Number of know-your-rights presentations

\$702,583

Direct economic benefits for our clients resulting from PJC representation

199

Number of cases and advocacy actions taken to create systemic change

\$1.6 million

Value of hours provided through co-counseling partnerships with private law firms

11,845,000

Estimated number of individuals benefiting from the PJC's advocacy



Reflections from the Executive Director and Board Chair

Dear Friends,

Thank you for being a catalyst for life-changing action through your unwavering support of the Public Justice Center! We are proud to share with you this annual report detailing the change we've achieved with you—our clients, community members, partners, volunteers, and donors—in the last year in our long-term fight for racial and economic justice in Maryland and around the country.

You'll read many examples of our progress in changing laws, policies, and practices that perpetuate injustices in the last year throughout this report—such as preventing illegally operating landlords from accessing eviction court, ensuring fair implementation of the new minimum age for juvenile court jurisdiction, and eliminating police use of marijuana odor as a basis for stops and searches. You'll read examples of our successful efforts to defeat laws that would have disproportionately harmed people and communities of color: bills that would have prohibited disclosure of policy body-worn camera records, criminalized parents whose children struggle with behavior in school, and weakened Maryland's sick and safe leave law. Also, you'll read examples of our ongoing efforts to build a just society, including strengthening the PJC's anti-racism workplace culture, advocating with community health workers for Medicaid reimbursement and other funding, and building momentum over 20 years to establish the right to counsel in civil cases where basic human needs are at stake.

The progress we've made together in the last year is particularly notable given the surge in efforts to roll back hard-fought rights. Attempts to limit reproductive and gender-affirming healthcare, undermine LGBTQIA+ (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual) rights, restrict voting rights, weaken unions, and undo other civil rights have gained traction in communities around the country, including in Maryland. The PJC remains steadfast in our commitment to dismantle systems and institutions that perpetuate oppression, including white supremacy, and shift power and resources to BIPOC (Black, Indigenous, and other people of color).

The urgency of our fight for justice has never been more evident. We are immensely grateful to have you with us on this critical journey. Every move we make towards justice is a testament to your unwavering support. None of our achievements would have been possible without you. Once again, we extend our heartfelt gratitude to you for joining us in this transformative work!

Sincerely,



Jeniece Jones, MPA, JD
Executive Director



Colette Colclough
Chair, Board of Directors

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PJC ANTI-RACISM VISION

The Public Justice Center envisions a just society where Black, Latine, Indigenous, Asian, and other historically exploited people are free from systems of oppression, exploitation, and all expressions of discrimination. This will shift power and resources to BIPOC (Black, Indigenous, and other people of color) across Maryland.

We envision that our organization is actively anti-racist and perpetually learns and applies anti-racist principles to our internal work and our advocacy as we partner with our clients and communities in pursuit of liberation.

Finally, we envision the individuals within our organization are liberated themselves, and we recognize that all liberation (our own, our clients', our communities') is intertwined.

PJC Anti-Racism Mission

To end oppression and dismantle racist systems and institutions that perpetuate oppression in any form, including white supremacy, both internally at the PJC and externally in our broader communities, by dedicating funds, time, and staff to follow through with these commitments.

The PJC strives to be anti-racist, and there is a long road ahead.



TO OUR CLIENTS, OUR PARTNERS, AND OUR GENERAL COMMUNITY, WE COMMIT TO:

- 1 Partnering with organizations and funders with anti-racist values and calling out (or in) partners who express anti-Blackness or racism.
- 2 Developing authentic, non-transactional relationships with Black-led organizations and institutions.
- 3 Soliciting and incorporating feedback from our clients, partners, and the broader community about our approach, our work, our interactions, and our outcomes. We will use this feedback to:
 - A Identify which systemic changes our clients want us to help advance; and
 - B Better our client interactions to ensure we're useful partners and assistants.
- 4 Advancing and initiating efforts to achieve justice for all people in contact with the legal system, and which challenge white supremacy in the legal profession and justice system, by:
 - A Taking cases which attack white supremacist and racist systems and defaults;
 - B Incorporating anti-racism analysis in our work;
 - C Advancing race equity arguments in our cases; and
 - D Taking small and big actions as part of our anti-racism work.
- 5 Building solidarity by joining our clients and community for moments of joy, and not just responding to crisis.
- 6 Implementing community lawyering practices.

CHANGE ACHIEVED IN FY23

✓ Eliminating police use of marijuana odor as a basis for stops and searches

Police encounters that begin based on the odor of marijuana undermine the right to privacy and enable racial profiling. Racial disparities exist in policing and are perpetuated by systemic exclusion and discrimination and fueled by implicit and explicit bias. In 2021, Black people were nearly 41% of all police stops in the state of Maryland despite being only 31.4% of the state population. Police are twice as likely to search Black drivers and their vehicles during traffic stops as white drivers. These disparities are not by accident but are a byproduct of the long history of white supremacy in this state and country.

The passage of HB 1071 / SB 51 will prohibit police from using the smell of marijuana as the sole reason for stopping and searching individuals. It also includes a rule to exclude from court cases evidence that police obtain through illegal stops and searches based on the odor so that they are deterred from conducting them. This new law is the logical and necessary extension of the legislature's work in 2022 to legalize recreational marijuana.

Thank you to Sen. Jill Carter, Del. Charlotte Crutchfield, and all the 43 other House sponsors; Yanet Amanuel, Public Policy Director, ACLU of Maryland; Michele Hall, Office of the Public Defender; Dayvon Love, Director of Public Policy, Leaders of a Beautiful Struggle; and all the other members of the Maryland Coalition for Justice and Police Accountability.

ADVOCACY IN PROGRESS

◆ Prohibiting discrimination in housing, employment, and public accommodations against people with criminal records

Black and Latine people are disproportionately impacted by mass incarceration. Law enforcement, prosecutors, and the Judiciary routinely perceive them as dangerous and violent, and these perceptions put Black and Latine people at increased risk for incarceration. According to national data from The Sentencing Project, Latines are imprisoned at a higher rate than white people, and Black Americans are incarcerated around five times more than white Americans. The result is a disproportionately high population of people of color with criminal involvement, which impedes their ability to access housing and employment. Marylanders with criminal involvement deserve an opportunity to build a life for themselves after prison and contribute to society. HB 1163 / SB 964 would have prohibited housing providers and employers as well as public accommodations from discriminating against people with criminal records, afforded much-needed opportunities for this population, and strengthened protections for Black and Latine people. Unfortunately, the bill did not receive a vote in either the House or Senate committees. We plan to work with our allies to advocate for this important prohibition again next year.

◆ Addressing the racial disparity in access to safe and stable housing

Racial equity in how housing services are administered is an important step in addressing the racist history of the state of Maryland and the United States when it comes to housing. Racist zoning, development planning, and exclusionary private covenants have led to the disenfranchisement of thousands of Black people, poor people, disabled people, and people of other racial, ethnic, and religious minorities. HB 460 would have required an annual racial equity impact assessment by the Maryland Department of Housing and Community Development (DHCD). The required assessment would have provided the State the necessary data to know whether the agency's spending has been equitable and has affirmatively furthered fair housing and race equity in the state. It also would have guided DHCD on how to begin fixing the racial disparity in safe and stable housing and provided transparency to the public. Unfortunately, the bill did not make it out of committee. We will push to bring this critical bill back to the Maryland General Assembly in 2024.

Members of the PJC race equity legislative committee advocated on these bills, including Executive Director Jeniece Jones, Legal Director Debra Gardner, attorneys Albert Turner and Ashley Black, former paralegal Gabriela Dickson La Rotta, and Office and Operations Manager Sabrina Harris.

◆ Strengthening the PJC's anti-racism workplace culture

The PJC has long been committed to developing our knowledge of institutional, cultural, systemic, and structural racism and to building strategies to advance racial equity within our organization and in our work.¹ Two examples of our work to create an anti-racist workplace are:

- Training in trauma-informed anti-racist client relations. The PJC contracted with Lorelei Williams—a former legal services attorney, trauma survivor, and member of the Shriver Center on Poverty Law's Racial Justice Institute cohort—to lead a training for all staff on trauma-informed anti-racist de-escalation strategies in September 2022. The training addressed several key concepts: 1) how trauma, racism, and intersectional oppression can impact cognitive load and communication; 2) how key emotions—such as overwhelm, compassion, and empathy—can impact communication; and 3) how to utilize language, empathy, and communications frameworks to communicate across lines of difference and through trauma exposure. The three-hour session was recorded and is shared with all new employees as part of their orientation to the PJC.
- Developing a Race Equity Action Plan. In November 2021, we hired Co-Lab Consulting (Co-Lab), a women- and women-of-color owned consulting cooperative with experience facilitating race equity-focused assessments, conversations, learning spaces, and strategic planning for nonprofit organizations. Our work with Co-Lab culminated in February 2023 with a Race Equity Action Plan focused on four priorities: 1) a transformative justice process that can be used to build community and address conflicts and harm within the PJC, 2) restorative justice culture and practices within the PJC, 3) anti-racist community engagement practices, and 4) supervision practices that incorporate racial equity considerations in one-on-one and team meetings, in problem-solving conversations, and in supporting staff experiencing racism in the course of their work. We have turned our attention to implementing the goals and action steps outlined in the plan, including: providing supervisors with support, education, and ongoing access to coaching around supervising across differences and incorporating anti-racism into their supervising styles; drafting guidelines for the transformative justice conflict resolution process and selecting a partner for training and externally facilitated community conferencing; supporting cross-collaboration between PJC teams on advocacy and outreach to community members; and creating more opportunities for community involvement in setting advocacy priorities and in PJC leadership.

The PJC's Race Equity Team

Michael Abrams ■ Elizabeth Ashford ■ Ashley Black ■ Erin Brock ■ Kelsey Carlson ■ Monisha Cherayil ■ Angelea Aldana Dwyer ■ Debra Gardner ■ Dan Gugliuzza ■ Hayley Hahn ■ Sabrina Harris ■ Jeniece Jones ■ Gabriela Dickson La Rotta ■ Charisse Lue ■ John Pollock ■ Renuka Rege ■ David Reische ■ Russell R. Reno, Jr. ■ Tyra Robinson ■ David Rodwin ■ Albert Turner ■ Lena Yeakey

¹ Read about our race equity journey at <https://www.publicjustice.org/en/about-the-pjc/>.

NATIONAL COALITION FOR A CIVIL RIGHT TO COUNSEL

The National Coalition for a Civil Right to Counsel (NCCRC) seeks to ensure individuals have a right to effective counsel when facing the loss of their basic human needs in the civil legal system. We work nationally to accomplish this by:

ENVISIONING AND ADVOCATING FOR THE RIGHT TO COUNSEL:

- Supporting, connecting, and coordinating federal, state, and local efforts to a) enact, litigate, implement, and evaluate right to counsel programs; and b) engage in social science research projects that demonstrate the impact of counsel.
- Establishing guidelines and best practices.
- Identifying and supporting a variety of funding sources for the right to counsel.
- Growing and diversifying our participant and partner base so as to help grow the larger national movement.
- Responding to threats to the movement while facilitating work to plan its future.

EDUCATING ABOUT THE RIGHT TO COUNSEL:

- Tracking and reporting on right to counsel litigation, legislation, education, and social science research efforts around the country.
- Maintaining a comprehensive right to counsel research repository and status map.
- Planning and/or presenting at convenings, educational sessions, and public events, and speaking with the media, in order to raise awareness and understanding of, and enthusiasm for, the right to counsel.



Establishing a Civil Right to Counsel: The First 20 Years

What began in 2003 as an effort of a small group of advocates has grown significantly in the last 20 years. The Public Justice Center and four legal organizations¹ recognized that there was a growing interest in the civil right to counsel across the country—as well as the need for better coordination of state and local efforts—and founded the National Coalition for a Civil Right to Counsel (NCCRC). Now a project of the PJC, the NCCRC has grown its network to more than 600 allies in 45 states and supported the expansion of the civil right to counsel across the country.

¹ The Public Justice Center and four legal organizations—the American Bar Association’s Standing Committee on Legal Aid and Indigent Defense (SCLAID), Brennan Center for Justice, Northwest Justice Center, and Shriver Center on Poverty Law (then Sargent Shriver National Center on Poverty Law)—formed the National Coalition for a Civil Right to Counsel in 2003.

We are the sole entity in the country devoted exclusively to establishing the right to an attorney for low-income people in civil cases where basic human needs are at stake, such as shelter, safety, sustenance, health, and child custody. Such a right serves to provide access to justice, fundamental fairness, racial equity, and protection of the rule of law. Over the last two decades, we've adhered to a single and straightforward belief: the right to counsel is an evidence-based intervention that improves case outcomes for civil litigants, furthers race equity, and addresses power imbalances for the most serious types of civil cases.

In our work to support allies' efforts around the country, we have:

- Directly supported right to counsel legislative campaigns at the federal, state, and/or local level involving housing, child welfare, child custody, mental health, civil incarceration, and more. In particular, and with our assistance, 22 jurisdictions have enacted a right to counsel for tenants facing eviction in the past six years.
- Assisted litigation to establish the right to counsel under state constitutions. Notable victories included cases that established the right to counsel for parents in adoption proceedings in Montana, New Jersey, and Ohio; for children in termination of parental rights proceedings in Pennsylvania; for parents in private child guardianship proceedings in Massachusetts; for residents facing suspension of their driver's licenses for inability to pay child support in New Jersey; for residents facing incarceration for inability to pay court fees/fines in Pennsylvania; and for parents in child neglect proceedings in Hawaii.
- Supported social science research efforts that demonstrate the impact and cost savings of a right to counsel in a variety of civil areas.
- Coordinated and connected advocates across the country.
- Educated thousands on the state of the civil right to counsel via webinars, conference presentations, keynotes, boot camps, and written publications.
- Maintained the country's only research hub and status map dedicated to tracking the current status of the right to counsel (www.civilrighttocounsel.org).
- Compiled resources related to the civil right to counsel in a comprehensive bibliography.
- Kept the press informed and focused on right to counsel.
- Grown our staff from one to three, with further staff expansion happening later in 2023.

CHANGE ACHIEVED IN FY23

✓ Enacting eviction right to counsel in four new jurisdictions

In May 2023, Westchester County, New York, became the first county and 19th jurisdiction to enact a tenant right to counsel. Enacted unanimously, the law became one of the first to cover a wide range of proceedings, including not just court-based evictions but also proceedings challenging unlawful rent increases and illegal lockouts, administrative proceedings that would result in the termination of tenancy or rental subsidy, appeals, and more. We supported the efforts of the Westchester right to counsel coalition and provided testimony upon request.

After five years of attempts, in May 2023, Minnesota finally established a statewide right to appointed counsel for public housing tenants threatened with eviction for an alleged breach of lease—becoming the 4th state and 20th jurisdiction with a right to counsel for tenants. While the right is more limited than the statewide right to counsel laws in Washington State, Maryland, and Connecticut, it is the first law to pass in a “purple” state. We provided input and strategic guidance to the Minnesota State Bar Association in their efforts around the bill.

In June 2023, Jersey City, New Jersey, became the 21st jurisdiction to establish a right to counsel for tenants. It is one of the first laws to include coverage of violations of the maintenance code and proceedings related to violations of rent control laws. We worked extensively with both Right to Counsel JC (the organizing coalition) as well as Councilmember James Solomon, who was the bill sponsor.

In July 2023, St. Louis, Missouri, became the 22nd jurisdiction to pass a right to counsel for tenants. Like Jersey City and Westchester County, the ordinance covers a broad range of proceedings besides court-based evictions, including extra-judicial evictions and unlawful utility disconnections. We collaborated with Homes for All St. Louis (the main organizing team), ArchCity Defenders, and the original sponsor of the bill, and we testified in support of the bill.

✓ Advancing housing, racial, and health justice through right to counsel for tenants

In partnership with Results for America and PolicyLink, we launched the first-of-its-kind Right to Counsel for Tenants Sprint—a two-month “bootcamp” for teams of policymakers, legal services providers, tenant organizers, and others in cities and states working to enact and successfully implement a right to counsel (RTC) for tenants facing eviction.

- The fall 2022 Sprint, *Advancing Housing Justice*, engaged teams from 12 cities and one state in weekly training sessions featuring leaders in jurisdictions that have passed and started implementing tenant RTC policies and other experts. Heartland Center for Jobs and Freedom and Red Bridge Strategies also partnered with us for the fall Sprint.
- The spring 2023 Sprint, with teams from nine jurisdictions, focused on the intersection of health justice, race equity, and the right to counsel for tenants and was offered in collaboration with Human Impact Partners. It was also part of the broader work of the Healing Through Policy partnership between the de Beaumont Foundation, the American Public Health Association, and the National Collaborative for Health Equity.

Participants in both Sprints built stronger intra-team relationships, completed assignments designed to help them work through RTC-related questions and solutions, participated in one-on-one meetings to discuss their challenges and action plans with the partners, and prepared to take bold, new steps toward RTC.

✓ **Authoring key thought pieces with national partners**

Affordable housing trusts, healthy rental housing, and legal support for renters (i.e. right to counsel) are three local policy solutions to promote health and equity in housing that are explored in “Addressing America’s Housing Crisis”;² a new report we co-authored with CityHealth (an initiative of the de Beaumont Foundation and Kaiser Permanente) and Enterprise Community Partners. The report builds on our work with CityHealth to develop and release a rating system for awarding medals (gold, silver, and bronze) based on the existence and quality of a city’s tenant RTC programs; CityHealth awarded two gold medals, six silver medals, and six bronze medals in 2023.

“Addressing America’s Housing Crisis” includes extensive background on each of the three policy solutions and how they are interconnected, primary benefits and evidence of effectiveness of the solutions, case studies from cities that have implemented the policies, and CityHealth medal criteria. Following the release of the report, we co-presented two webinars with CityHealth to share insights and best practices from city leaders and discuss how the three evidence-based, cost-effective policy solutions contribute to the health and racial equity of city residents by increasing housing affordability and availability, safety, and stability.

✓ **Expanding renter protections through ballot initiatives**

Ballot initiatives are a powerful tool for communities to advance housing solutions that will work for them, including rent stabilization, just cause eviction protections, and the right to counsel for tenants. To support organizers and housing justice advocates in running their own ballot initiative campaigns, we and PolicyLink co-authored “Housing Justice on the Ballot: A Ballot Initiative Guide”;³ filled with advice and tips from campaigns leaders across the country who have successfully led ballot initiative campaigns for housing justice or were currently running one. We also co-hosted a webinar⁴ to debut and dig deeper into the guide and highlight strategies that organizers and advocates from Portland, Maine, and Multnomah County, Oregon, have used to build power and

advance racial equity in local housing justice ballot initiative campaigns.

✓ **Assisting with enactment and implementation of right to counsel laws in a variety of civil areas**

Federal, state, and local advocates around the country are leading efforts to establish a right to counsel in civil cases where basic human needs are at stake—such as shelter, safety, sustenance, health, child custody, and more—through litigation, legislation, and ballot measures. We provide technical assistance, including coalition building, to support these initiatives. We regularly convene groups focused on policy reform and implementation of right to counsel to facilitate cross-jurisdictional learning and collaboration. We conduct legal research, author and file amicus briefs, submit testimony for key bills, and draft bill language in collaboration with allies. We also identify potential funding sources and assist with studies that measure the impact of counsel on case outcomes, cost savings, and racial equity. Our support is helping to build momentum for right to counsel around the country. Examples of progress made by advocates that we supported in the last year include:

- The St. Petersburg, Florida, City Council passed a resolution supporting free legal representation to tenants facing eviction and requesting that the City Administration explore creating a program to fund local nonprofit pro bono legal services providers.
- Voters in Los Angeles, California, approved measure ULA (United to House LA), which helps the city and county move toward a right to counsel for tenants facing eviction by creating a mechanism to fund right to counsel that is expected to provide \$80 million in RTC funding. Additionally, the LA County Board of Supervisors voted 5-0 to move forward with building a right to counsel program and asked County attorneys to return with a RTC ordinance in 10 months.
- The Maryland General Assembly passed SB 756 / HB 1050, which provides \$14 million per year for three years to implement Maryland’s right to counsel law. (Read more about the PJC’s advocacy to secure this funding on page 11).
- The Montana State Legislature enacted SB 148, which guarantees client-directed counsel to children in abuse and neglect proceedings regardless of whether a guardian ad litem (i.e. a court-appointed special advocate) has been appointed.
- The Legislature of the State of Oklahoma enacted HB 2259, which prohibits the jailing of unrepresented defendants who are in in civil contempt proceedings due to inability to pay court fines and fees. As a result

2 CityHealth, Enterprise Community Partners, and NCCRC. “Addressing America’s Housing Crisis: Three Local Policy Solutions to Promote Health and Equity in Housing.” <https://www.cityhealth.org/addressing-americas-housing-crisis/>.

3 Tram Hoang, Jasmine Rangel, and Amanda Insalaco. “Housing Justice on the Ballot: A Ballot Initiative Guide.” <https://www.policylink.org/resources-tools/housing-justice-on-the-ballot-guide>.

4 Listen to the Housing Justice on the Ballot webinar—presented by Tram Hoang and Jasmine Rangel from PolicyLink, Amanda Insalaco from the NCCRC, Jack O’Brien and Ana Lagunez from Portland, Maine, and Colleen Carroll from Multnomah County, Oregon—at https://www.policylink.org/webinar/housing-justice-on-ballot_3-21-23.

of HB 2259, a jail sentence may only be imposed if the hearing to determine the ability of a defendant to pay court financial obligations is conducted on the record and the defendant is either represented by counsel or has knowingly and intelligently waived the right to counsel.

- The most recent Emergency Rental Assistance (ERA) guidance from the U.S. Department of the Treasury makes it easier for legal aid programs to use ERA 2 funds by clarifying that tenants do not have to be eligible for ERA in order to receive legal services. This change was the result of advocacy we conducted with other national housing groups. We then promoted the availability of federal emergency funding for tenant representation and right to counsel; as a result, dozens of jurisdictions have used ERA funds to increase tenant representation, start pilot programs, or fund right to counsel programs.

✓ Building public awareness of and support for a right to counsel

Public understanding of the need for right to counsel is key to the success of local, state, and federal right to counsel initiatives. We increase public awareness by amplifying advocates' efforts in the media, sharing our expertise with journalists, writing law review articles and op-eds, hosting webinars, and presenting at conferences and public events. Highlights from the last year include:

- The Fall 2022 issue of the *MIE Journal*—a publication for leaders, managers, supervisors, administrators, and fundraisers in legal aid programs—featured a series of articles about the right to counsel for tenants. We co-authored “Implementing a Statewide Right to Counsel for Tenants: Learning from Washington, Maryland, and Connecticut.”⁵ The article highlights the experiences of co-authors Karen Wabeke (Maryland Legal Services Corporation), Natalie Wagner (Connecticut Bar Foundation), and Philippe Knab (Washington State Office of Civil Legal Aid) in implementing the only statewide RTC programs in the country and includes insights on funding, intake, and recommendations for other programs.
- In the winter issue of *Tenant Talk*,⁶ we wrote about the justifications for a right to counsel for tenants and the growing movement to ensure this protection in localities and states nationwide.
- We discussed the equity benefits of a civil right to counsel on two podcasts. NCCRC Coordinator John Pollock and Georgetown Law Professor Yael Cannon joined the American Constitution Society's Broken Law Podcast Episode 88: Closing the Justice Gap⁷ in February. The Democracy Policy Network convened a conversation in March about reforming the civil legal

5 Karen Wabeke, Natalie Wagner, Philippe Knab, John Pollock, and Maria Roumiantseva. “Implementing a Statewide Right to Counsel for Tenants: Learning from Washington, Maryland, and Connecticut.” *MIE Journal*. <https://bit.ly/45Poh1b>.

6 *Tenant Talk* is the National Low Income Housing Coalition's semi-annual newsletter to engage residents in advocacy. Read the winter issue at <https://bit.ly/3KVDs0w>.

7 Listen to the American Constitution Society's podcast moderated by Jeanne Hruska at <https://www.acslaw.org/podcast/episode-88-closing-the-justice-gap/>.

Data from cities and states across the country demonstrate the positive impacts of a right to counsel in eviction cases.

FROM 1% TO
91.5% AVOIDING
EVICITION

Of the resolved eviction cases in **Kansas City**, 91.5% of tenants have avoided eviction—almost a complete reversal from the 99% of tenants who were evicted before the program.

86% MET GOALS | **\$11.8-14**
MILLION

Cleveland Legal Aid attorneys helped 86% of all right to counsel clients achieve their goals, according to Stout's second annual evaluation of Cleveland's right to counsel program. The report also estimated that the City has seen between \$11.8 and \$14 million in financial benefits due to avoided expenditures related to the housing social safety net, foster care, education, health care, and tax base erosion caused by out-migration.

367 REMAIN
IN THEIR HOMES | **50%** WIN

The **Toledo, Ohio**, right to counsel program has helped approximately 177 adults and 190 children remain in their homes in its first year, according to data from the City of Toledo's Department of Housing and Community Development. This represented nearly 88% of all cases closed by legal aid.

Tenants remained in their homes in more than 50% of closed cases in **Washington State**. Court-appointed attorneys represented nearly 3,000 tenants in the first five months of 2022, according to the Office of Civil Legal Aid's first annual report. Attorneys have also helped expand tenant time to move, provided relief from future back-due rent claims, and achieved other outcomes that benefit the tenant.

100% SUCCESS

In **Boulder, Colorado**, all tenants who appeared in court and were provided an attorney avoided eviction; only the tenants who did not show up were given an eviction order.

system,⁸ featuring John Pollock, PolicyLink Director of Housing Rasheedah Phillips, and Consumer Watchdog Founder Harvey Rosenfeld (also the co-author of “Reboot Required: The Civil Justice System Has Crashed”).

- We presented on right to counsel at the Eviction Prevention Summit in Ohio’s Mahoning Valley hosted by Community Legal Aid to bring together renters, landlords, housing advocates, developers, public officials, nonprofit and for-profit leaders, and community members to share experiences, learn from each other, and design innovative and collaborative solutions for housing security.
- The right to counsel was featured—and we were quoted—in stories on housing by NPR,⁹ *Truthout*,¹⁰ *Newsweek*,¹¹ *Bloomberg*,¹² *Next City*,¹³ and *Shelterforce*¹⁴ and in a *ProPublica*¹⁵ story on the shadow foster care system in which parents and their children have little or no legal protection. Additionally, *Law360*¹⁶ included a rise in evictions and right to counsel at the top of its list of the four biggest access to justice issues in 2023.

✓ **Assisting in the creation of standards that measure and advance civil justice**

Several reports from the last year amplify the need for a right to counsel and create frameworks for consideration by advocates and policymakers at the federal, state, and local levels.

- The World Justice Project’s 2022 Rule of Law Index¹⁷ ranks the United States 115th out of 140 countries on its measure of the accessibility and affordability of civil courts, including whether people can access and afford legal advice and representation. The NCCRC serves as one of the expert consultants for the Rule of Law Index.
- The United Nations Committee on the Elimination of Racial Discrimination (CERD) released its latest reports from the United States in September 2022, which included concerns that a lack of a generally recognized right to counsel in civil proceedings

disproportionately affects low-income people belonging to racial and ethnic minorities.¹⁸ The CERD report recommended that the United States “take measures to ensure effective access to legal representation for indigent persons belonging to racial and ethnic minorities in civil proceedings, particularly with regard to proceedings that have serious consequences for their security and stability, such as evictions, foreclosure, discrimination in employment, domestic violence, loss of child custody, termination of subsistence income or medical assistance, and deportation.” The NCCRC submitted comments on the U.S. report to CERD and urged CERD to emphasize the lack of right to counsel in its recommendations.

- The Disability Economic Justice Policy framework¹⁹ articulates 14 values to bring a disability policy lens to policy development. Released in January 2023, the framework is a resource for policymakers at all levels of government and advocacy organizations. “Fair and equitable access to and treatment by the American legal system, including through civil, criminal, immigration, and family courts; court fines and fees; and the right to support for legal decision-making and the right to counsel as a reasonable accommodation” for every disabled person is one of the values in the framework. The NCCRC participates in the Disability Economic Justice Collaboration and contributed to the development of the Framework.
- The Blueprint for a Renters Bill of Rights,²⁰ released by the White House in January 2023, identifies five principles to support “the development of policies and practices that promote fairness for Americans living in rental housing.” Among its recommendations is that states provide “30 days’ notice of an eviction action and the right to counsel during an eviction proceeding...” The Blueprint was the product of strong advocacy by tenant organizers and housing justice groups across the country.

The National Coalition for a Civil Right to Counsel’s Team

Amanda Insalaco ■ John Pollock ■ Maria Roumiantseva

8 Watch the Democracy Policy Network conversation at <https://bit.ly/3QSOPKv>.

9 Jennifer Ludden. “More renters facing eviction have a right to a lawyer. Finding one can be hard.” *NPR*. <https://bit.ly/3EiYiDk>.

10 Tyler Walicek. “Amid Eviction Crisis, Organizers Win Right to Legal Representation for Tenants.” *Truthout*. <https://bit.ly/44sUJ7e>.

11 Giulia Carbonaro. “Housing Market Reckoning Won’t Provide Salvation for Would-Be Homebuyers.” *Newsweek*. <https://bit.ly/45wZkrG>.

12 Sarah Holder, Kriston Capps, and Mackenzie Hawkins. “In Housing Court, a Scramble for Eviction-Fighting Lawyers.” *Bloomberg*. <https://bloom.bg/3suMuLO>.

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PRISONERS' RIGHTS PROJECT

We aim to eliminate pretrial detention to the extent possible; to eliminate unnecessary arrests and detentions that disrupt and destabilize families and communities; and to end pretrial practices that have a disparate impact on people and communities of color.

Demanding Police Accountability

Systemic racism and implicit bias are deeply embedded in the culture and practices of police departments in the United States, resulting in officers disproportionately using force in low-income communities and against communities of color. Black and Latine individuals are 50% likelier to experience use of force during a police encounter, and an unarmed Black man is more than seven times as likely to be fatally shot by a police officer as an unarmed white man. The PJC joined the 100+ members of the Maryland Coalition for Justice and Police Accountability (MCJPA) to advocate for policies addressing racial disparities in policing and defeat attempts to roll back critical police accountability measures.

CHANGE ACHIEVED IN FY23

✓ Stopping a bill that would have prohibited disclosure of police body-worn camera records

We joined the Maryland Coalition for Justice and Police Accountability in defeating SB 40, a bill that would have prohibited disclosure of a wide array of police body-worn camera records by severely narrowing recent amendments to the Public Information Act. SB 40 would have been a giant step backwards for police accountability and transparency. The bill passed the Senate but succumbed to MCJPA opposition in the House committee. Thank you to Yanet Amanuel, Public Policy Director, ACLU of Maryland; Joanne Antoine, Executive Director, Common Cause Maryland; Rebecca Snyder, Executive Director, Maryland Delaware DC Press Association; and all the members of MCJPA.

✓ Defeating an attempt to roll back Anton's Law

Anton's Law—passed by the Maryland General Assembly in 2021—amended the Maryland Public Information Act to allow public disclosure of records of police misconduct investigations. Named for 19-year-old Anton Black, who was killed by police in Greensboro, Maryland, Anton's Law allows communities to know whether their police departments are appropriately handling complaints of police abuse and misconduct. This year, MCJPA was successful in defeating SB 747, which would have rolled back most of our coalition's recently hard-won law allowing public disclosure of records of police misconduct investigations.

Improving Conditions in Prisons and Jails in Baltimore City and Maryland

For decades, the Maryland Department of Public Safety and Correctional Services has failed to provide constitutionally adequate health care and conditions of confinement in the Baltimore City Detention Center. Court-appointed federal monitors tracking medical and mental health care in the city jail have found unsafe and dangerous conditions, including people with severe mental illness being held in solitary confinement, people with disabilities not being properly accommodated, and inaccurate medical records that can create life-threatening situations. The state is only in compliance with one of the eight major medical provisions required in the 2016 settlement agreement in *Duvall v. Hogan*, and will once again miss its deadline for compliance.¹

Discrimination—and the resulting threats to safety—against transgender, nonbinary, and intersex people in Maryland prisons and jails are also far too common. People in jails and prisons are typically assigned to housing based on their sex assigned at birth, regardless of how they identify or the status of their transition, and requests for transfers to housing based on gender identity are routinely denied. Transgender detainees and prisoners face a disproportionate risk of being sexually assaulted as well as being held in isolation or placed involuntarily in a mental health unit because of the facilities' inability to safely house them in less restrictive environments.²

These are not just issues of safety; they are racial justice issues, as people of color are more likely to experience incarceration due to over-policing and racial bias in pretrial detention proceedings.

ADVOCACY IN PROGRESS

◆ Pushing for major improvements to health care and facilities at the Baltimore City Detention Center

As co-counsel (with the ACLU National Prison Project) for the detainees in the Baltimore City jail, we continue to press aggressively for the overhaul of the Baltimore City Detention Center's health care system and major improvements to facilities, including accommodations for people with disabilities, required in the 2016 settlement agreement in *Duvall v. Hogan*. We toured the facility in fall 2022 for the first time since before the pandemic and again in February 2023. On both tours, we found troubling conditions and overcrowding, deteriorating health care, and other violations of the consent decree requiring improvements in these areas. As a result of our advocacy, the federal court ordered the state to file quarterly reports with the court due to its failure to make progress on compliance.

◆ Calling for an end to discrimination against transgender people in Maryland prisons and jails

We testified in support of the Transgender Respect, Agency, and Dignity Act (HB 426 / SB 761), which would have prohibited discrimination against transgender, nonbinary and intersex people in Maryland prisons and jails in interactions with guards and other staff, housing assignments, medical and mental health care, and more. Unfortunately, despite strong hearings on both sides, and little opposition, the bill did not get out of either committee for the second year in a row. Thank you to lead sponsors Sen. Jill Carter and Del. Lesley Lopez, all of the House sponsors, the Maryland Trans Rights Advocacy Coalition, and all of the coalition's individual and organizational members. The Trans Rights Advocacy Coalition plans to bring the bill back next year.

The PJC's Prisoners' Rights Team

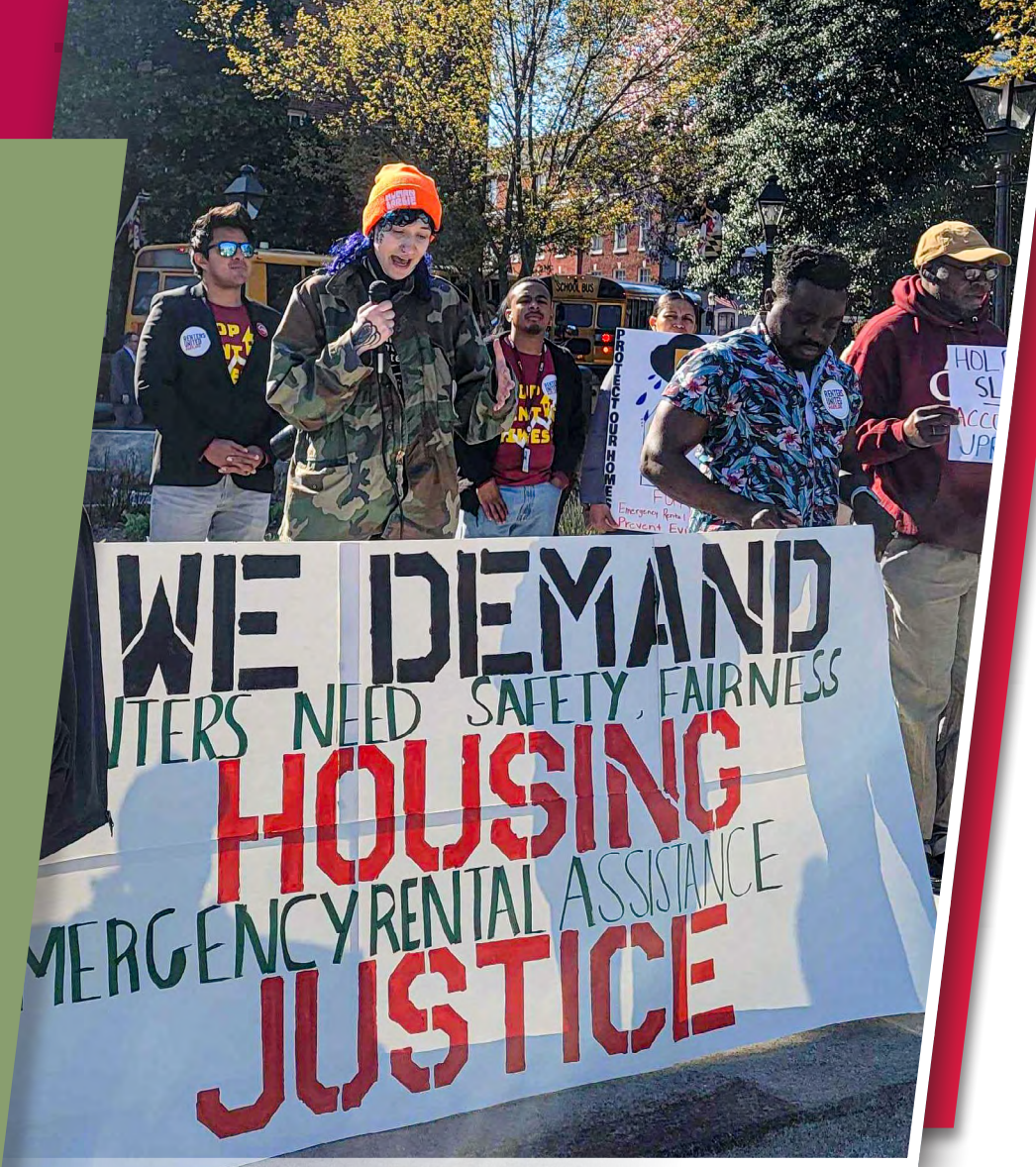
Debra Gardner

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HUMAN RIGHT TO HOUSING PROJECT

We stand with tenants to protect and expand their right to safe, habitable, affordable, and non-discriminatory housing and their right to fair and equal treatment by Maryland’s landlord-tenant laws, courts, and agencies. We defend renters facing eviction, demand repair of unsafe housing conditions, and represent renters seeking systemic relief from predatory landlord practices. We partner with tenants, tenant organizers, and community-based groups to advocate for changes to the law to further housing justice to demand the development of equitable and sustainable affordable housing.

Renters United Maryland rallied in Annapolis in March 2023 for emergency rental assistance, a critical and underfunded component of the housing safety net.



Protecting Tenants’ Rights

Baltimore City has one of the highest eviction rates in the U.S. The toxic combination of substandard and unaffordable housing, legacies of discrimination in housing access and segregation, and economic inequality has resulted in an eviction crisis—with thousands of evictions per year. While more tenants than ever are obtaining legal representation in these cases, structural imbalances still often allow landlords to get away with unjust evictions, charges of illegal and predatory fees, and neglect of properties in low-income neighborhoods, forcing tenants to live with threats to health and safety. Due to hundreds of years of systemic, racist housing and economic policies, Baltimore’s eviction crisis is a racial equity issue that disparately impacts Black and female-headed households. A 2020 study by Dr. Timothy Thomas¹ found that about three female-headed households were evicted for every two male-headed households. The number of Black women evicted is 3.9 times higher than the number of white men evicted.

CHANGE ACHIEVED IN FY23

✓ Defending renters facing eviction and unsafe housing conditions

The PJC provides legal advice and represents Baltimore City tenants in eviction proceedings to prevent or delay evictions, avoid or obtain redress for illegal or unfair charges by the landlord, force landlords to make repairs, and enforce tenants’ rights to safe, habitable housing. We provided legal advice and/or

¹ Tim Thomas, Malcolm Drewery, Meredith Greif, Ian Kennedy, Alex Ramiller, Ott Toomet, & Jose Hernandez. Baltimore Eviction Map. <https://evictionresearch.net/maryland/report/baltimore.html>.

representation to 1,030 tenants and were successful in over 95% of representation cases. Through representation, we also challenge unjust practices that have a systemic impact on Baltimore renters in the trial and appellate courts and enforce Baltimore City's licensing and inspection law.

The PJC represented three tenants who shared the same landlord in six cases. Each tenant lived in a different property managed by the landlord, but their issues with the landlord were the same. The landlord was filing monthly failure to pay rent cases against them prematurely, charging the tenants illegal fees, and applying tenants' rent to those fees instead of to the rent. In total, the landlord had filed eight cases against the three tenants and got judgments against two of the tenants before we began representing them. In court, we were able to get the remaining six cases against our clients dismissed. Three of the cases were dismissed with prejudice, which prevents the landlord from filing failure to pay rent cases for those months again.

We also represented a father of two children whose landlord refused to address serious health and safety conditions in the property. The landlord retaliated by filing for eviction. At trial, the tenant was unrepresented, and the judge did not give him an opportunity to tell his story or properly present his defense. The PJC took his case on appeal and won in a preliminary motion to dismiss the case due to procedural defects. We are still working with our client to fight for repairs so that he and his kids can stay in their home and are not harmed by the unsafe conditions.

✓ **Supporting tenant organizing efforts by Baltimore Renters United**

The PJC partnered closely with Baltimore Renters United (BRU) in the past year to support their tenant organizing efforts. We offered case intake support at numerous citywide tenant meetings organized by BRU, assisted in know-your-rights trainings at apartment buildings in which BRU is organizing, helped BRU evaluate and develop policy advocacy campaigns, and assisted BRU in becoming financially sustainable as a tenant-organizing group. Supporting community-based organizing with a focus on racial equity and housing justice is central to the PJC's mission, and we look forward to continuing our partnership with BRU going forward.

Advancing a Human Right to Housing

People with limited means are at a significant disadvantage in the housing economy. Housing costs are skyrocketing, and affordable, safe, fair housing opportunities are increasingly rare. We partner with tenants, organizers and community-

based organizations in Renters United Maryland (RUM) to seek systemic change to this unjust system throughout Maryland, and with our partners in Baltimore Renters United (BRU) for issues specific to Baltimore City. Our policy advocacy supports the work of tenants and community-based organizations in addressing the racist, structural elements of housing courts and the housing economy that most affect renters and result in tens of thousands of evictions each year.

CHANGE ACHIEVED IN FY23 WITH RENTERS UNITED MARYLAND

✓ **Funding right to counsel in Maryland**

The passage of SB 756 / HB 1050—which provides \$14 million per year for FY24 through FY27 to implement Maryland's right to counsel law—is a significant step toward ensuring that all tenants with limited incomes who are facing eviction have access to legal representation. With our partners in Renters United Maryland (RUM) and the Maryland Legal Services Corporation, we educated elected officials, policy makers, and the public about barriers to the full implementation of right to counsel legislation and successfully advocated for a steady baseline of funding to implement Maryland's right to counsel law.

✓ **Preventing illegally operating landlords from accessing eviction court**

Landlord licensing protects public health and safety by requiring rental properties to pass a periodic health and safety inspection. Until the passage of HB 36 / SB 100, however, unlicensed landlords could easily use the courts' streamlined eviction procedures to continue their illegal operations through "tenant-holding-over" evictions and other loopholes. No longer! This new law closes the tenant-holding-over loophole and, with some exceptions, prohibits unlicensed landlords from filing eviction cases in Maryland in any locality that requires landlords to be licensed.

ADVOCACY IN PROGRESS WITH RENTERS UNITED MARYLAND

◆ **Protecting public health and safety in apartment buildings**

The Tenant Safety Act (HB 691 / SB 807) would have allowed tenants to file a group rent escrow action to force landlords to address severe conditions of disrepair that threaten health and safety of residents throughout their apartment building. The bill passed the House but did not receive a vote in the Senate Judicial Proceedings Committee. We look forward to partnering with advocates next year to get this bill over the finish line.

◆ **Enabling counties to pass “just cause eviction” laws**

Right now, landlords can refuse to renew leases for any reason and often do so to retaliate against tenants who speak up about severe conditions of disrepair or violations of the law—and state law currently prohibits counties from passing “just cause” laws to stop this practice. HB 684 / SB 504 would have allowed Maryland counties and Baltimore City to pass laws requiring landlords to have a “just cause” to evict. We look forward to advocating with RUM on this bill in the future.

◆ **Preventing evictions with emergency rental assistance**

Emergency rental assistance plays a critical role in helping families ensure that a financial setback—such as lost hours at work due to illness or an unplanned funeral expense—does not become a catastrophic eviction. That is why the PJC and RUM partnered with eight counties and over 50 organizations to demand that the State allocate \$175 million to emergency rental assistance to prevent evictions now that federal funds have run out. While the Moore administration did not include any funding for emergency rental assistance in the initial budget for FY24, the Maryland General Assembly added \$2 million in the final budget. We will continue to work with our allies and champions to lift up the need for this critical, underfunded component of the housing safety net going forward.

Thank you to our partners in Renters United Maryland and the many legislators and government officials who championed these bills, including Sen. Guy Guzzone, Sen. Shelly Hettleman, Sen. Anthony Muse, Sen. Alonzo Washington, Del. Mary Lehman, Del. Sandy Rosenberg,

Del. Vaughn Stewart, Del. Kym Taylor, Del. Melissa Wells, Del. Jheanelle Wilkins, Committee Chair Sen. Will Smith, Committee Chair Del. Ben Barnes, Committee Chair Del. Kumar Barve, Committee Chair Del. Luke Clippinger, and House Speaker Adrienne Jones.

CHANGE ACHIEVED IN FY23 WITH BALTIMORE RENTERS UNITED

✓ **Funding right to counsel in Baltimore City**

Along with Baltimore Renters United (BRU), we successfully advocated for Baltimore City to allocate \$1.6 million for right to counsel implementation in FY24. Our advocacy involved developing research and policy support for the funding, testifying in two City Council hearings, helping plan and participating in a rally outside City Hall, engaging PJC clients in this advocacy, and securing coverage from WYPR² and WBAL-TV.³ The \$1.6 million in funding includes \$400,000 cut from the Sheriff’s Office (based on our successful advocacy with BRU in spring 2022). The \$400,000 is designated for right to counsel outreach and education by community-based groups that can reach historically marginalized residents. The dedicated outreach and education funds will improve the effectiveness and equity of right to counsel in Baltimore City by connecting tenants facing eviction with attorneys before their trials, allowing legal counsel to conduct a full fact investigation instead of representing a client after only a 30-minute or less meeting at eviction court before the trial.

2 Emily Hofstaedter. “Baltimore City Council hears calls for renter protections and library funding during annual Taxpayers Night.” WYPR. <https://bit.ly/45eMwph>.

3 Kim Dacey. “Activists call for eviction prevention, more funding to protect renters.” WBAL-TV. <https://bit.ly/3rZWkVy>.



The PJC and Renters United Maryland advocated before the Maryland General Assembly in support of HB 36 / SB 100, a new law that prevents illegally operating landlords from accessing eviction court. PJC paralegal Angelea Aldana Dwyer (left) and attorney Matt Hill (center) were among the advocates.



✓ Ensuring fairness and due process in evictions

The Baltimore City Sheriff has begun to make meaningful changes in how evictions are processed that provide tenants with greater fairness and due process based on a 9-point letter that the PJC and BRU sent to Sheriff Cogen shortly after his election. Changes that have been implemented include posting eviction complaints to the door of the unit in multi-family buildings instead of in common areas or outside the building, providing ready access to any scheduled date of evictions directly to tenants upon request, and not serving any complaint unless the District Court provides the Sheriff's Office at least 10 days to serve the complaint in advance of the eviction trial. This additional time is critical for tenants facing eviction to make arrangements to attend trial, such as securing childcare and time off work, and to secure legal representation and other resources prior to trial.

✓ Implementing landlord licensing requirements in Baltimore City effectively

The PJC and BRU successfully pushed for changes in the Baltimore City Department of Housing and Community Development's (DHCD) implementation of landlord licensing. DHCD has made two key changes that will better protect public health and safety and reduce the instances of fraudulent inspections that arise from a system where the landlord chooses the inspector and pays the fee for the inspector. First, DHCD will no longer grant backdated licenses (i.e. granting a license based on an inspection that could be up to 12 months old and then providing a license backdated 12 months). And second, DHCD will investigate and act on complaints about fraudulent inspections and licenses lodged by residents using the 311 service.

ADVOCACY IN PROGRESS WITH BALTIMORE RENTERS UNITED

◆ Improving renters' safety

The Strengthening Renters' Safety Act, if passed, will provide for more inspections and accountability for larger landlords who have repeat housing code violations and involve renters in oversight of DHCD's enforcement of Baltimore City's licensing law. We look forward to advocating with BRU and Councilmembers Zeke Cohen and James Torrence to move this bill forward in the Baltimore City Council.

◆ Advocating for a more effective inclusionary housing law in Baltimore City

The City's 2007 inclusionary housing law expired more than a year ago and was not effective, resulting in only 37 affordable housing units in 14 years.⁴ As members of the Baltimore Inclusionary Housing Coalition, the PJC and BRU are providing research, policy, and messaging support to an initiative to replace the now-defunct inclusionary housing law with a more effective law that—when passed—will require any developer receiving a major public subsidy or significant rezoning to make at least 10% of the units affordable and marketed to low-income, historically excluded residents. The bill is pending in the Baltimore City Council.

At a May 2023 rally, Baltimore Renters United and PJC attorney Samantha Gowing (at microphone) call for the Baltimore City Council to pass a moral budget that includes funding for right to counsel for renters, for emergency rental assistance, and for the City Department of Housing and Community Development to offer inspectors competitive salaries so they have enough staff to ensure safe rental housing.

The PJC's Human Right to Housing Project Team

Nadrat Amos ■ Elizabeth Ashford ■ Angelea Aldana Dwyer ■
Samantha Gowing ■ Matt Hill ■ Gabriela Dickson LaRotta ■
Charisse Lue ■ Nina Masin-Moyer ■ Patrick O'Toole ■ Carolina Paul
■ Russell Reno, Jr. ■ Zafar Shah ■ Albert Turner

⁴ Charmeda McCready, Matt Hill and Maureen Daly. "Baltimore's inclusionary housing law is expiring; let's create a better one." *The Baltimore Sun*. <https://bit.ly/3q5STMM>.

EDUCATION STABILITY PROJECT

We seek to advance race equity, improve student achievement, and prevent involvement with the criminal legal system in Maryland public schools by combatting the illegal and excessive use of suspension, expulsion, school-based policing, and other forms of school pushout that disproportionately target Black and brown students. We envision a school system in which directly-impacted students and families are empowered to build safe and supportive school environments for all.



Combatting School Pushout

Exclusionary discipline and school policing harm students while doing nothing to improve school safety or student behavior. Children who are suspended, expelled, or arrested in school are more likely to fail a grade, drop out, or face criminal or juvenile charges, fueling the school-to-prison pipeline. On top of the preexisting harms of school pushout, the school closures, social isolation, economic hardship, illness, and loss of life resulting from the COVID-19 pandemic have had a profound and negative impact on the socio-emotional well-being of school-age children in Maryland, which have translated into an increase in behavior challenges in school. Many school districts in Maryland have responded to student misbehavior by relying on suspension and expulsion and other means to remove students from their regular classrooms and school communities, strategies that do not address the causes of student conflict and misbehavior, deprive students of education, and cause them to disengage from school. Moreover, in every school district, Black students experience suspension, expulsion, and school-based arrest at significantly higher rates than their white peers—even though there are fewer Black students than white students in Maryland and research shows that race-based discrepancies in discipline rates are not a product of measurable differences in behavior among students of different races.

CHANGE ACHIEVED IN FY23

✓ Representing students in school discipline proceedings

We represent students facing suspension, expulsion, school-based arrest, and other forms of school pushout, including at conferences with school district decisionmakers and in appeals before local and state school boards. In the

2022-23 academic year, we opened cases for 40 students ourselves and referred another 22 students to our partners in the Maryland Suspension Representation Project (MSRP): Disability Rights Maryland; the Maryland Office of the Public Defender; University of Maryland Carey School of Law Youth, Education and Justice Clinic; and University of Baltimore School of Law Bronfein Family Law Clinic. We help students revoke suspensions, avoid extended suspension or expulsion, remove suspensions from their student records, avoid prosecution, and obtain appropriate special education services.

One of the students we represented is a now-fourth grader in Prince George's County Public Schools (PGCPS) who was suspended by PGCPS more than 15 times in 18 months for behavior that PGCPS concedes arose directly from his disability. PGCPS never adequately implemented his Individual Education Plan or his Behavior Intervention Plan yet decided to remove him from school permanently and assign him to a special education placement. We filed a due process special education complaint with the Office of Administrative Hearings and represented the student in two mediation sessions. The resulting settlement allowed him to stay in his school through the end of the year, and then start a new school—one that is equipped to meet his needs and that he and his mother are eager for him to attend—in the 2023-24 school year.

We also represented siblings—a kindergartener and second grader—in the Charles County Public Schools (CCPS) who were repeatedly sent home for disruption and other minor behaviors, including for three full days immediately after they voluntarily changed schools. “Send homes” constitute suspensions in Maryland, and CCPS did not comply with the requirements of law. Neither of the school principals documented any of the removals or consulted with a mental health professional to determine that removal from school was necessary to avoid imminent threat of serious harm to others. We filed complaints on behalf of the students with the Maryland State Department of Education Special Education Division (MSDE). MSDE found that CCPS had subjected the students to at least one illegal suspension. MSDE required the district to implement specific remedies to meet the students' special education needs going forward and properly maintain the students' records. In this case, the benefits extended beyond the two students we represented: CCPS also agreed to implement new policies and provide staff training to ensure that other children are not illegally suspended.

✓ Expanding understanding of students' rights and school pushout

We conduct community-based outreach to educate students, parents, and family service providers on students' rights in school discipline proceedings and

how to enforce those rights, as well as on harms and failures of and alternatives to exclusionary discipline and school policing. Our approach is to meet people where they are—whether that is during an evening community meeting, at a weekend resource fair, or at a virtual event—and to share our expertise in a manner that is accessible, practical, bilingual if necessary, and family- and youth-friendly. And we gain valuable insight from the people most impacted by school pushout and school policing on the nature of exclusionary discipline in their school districts and alternative strategies that are working well in schools.

In the 2022-23 academic year, we participated in eight events reaching approximately 210 people.

- We presented multiple in-person and virtual sessions on school pushout in partnership with organizations on Maryland's Eastern Shore: Minary's Dream Alliance; Child, Adolescent & Young Adult Services, Mid Shore Behavioral Health; the Department of Social Services Talbot County; the Governor's Office of Crime Prevention, Youth & Victims Services' Local Management Board staff on the Eastern Shore; and others.
- PJC attorney Levi Bradford co-presented *The State of the School to Prison Pipeline in Maryland* with Alyssa Fieo, Maryland Office of the Public Defender, and Aarti Sidhu, Youth, Education and Justice Clinic at the University of Maryland Carey School of Law, at the 2023 Partners for Justice Conference. The presentation—moderated by Megan Berger, Disability Rights Maryland—covered current trends and new developments in school discipline, including changes in the law and how schools are (or are not) implementing them, issues with school discipline on-the-ground attorneys encounter most frequently, and next steps in dismantling the pipeline.

✓ Halting plans for alternative elementary schools in Dorchester County and Charles County

In recent years, two Maryland school districts—Charles County and Dorchester County—have attempted to establish alternative elementary schools for children as young as kindergarteners. Both districts proposed that, when elementary students engaged in challenging behaviors, they would remove the children from their schools and force them into these alternative placements. Research indicates that such a practice was likely to result in race- and disability-based segregation and derail the educational trajectory of the youngest learners just as it was beginning.

Dorchester County Public Schools (DCPS) first announced its proposal in early 2023, with the intention of opening the alternative elementary school in the 2023-24 academic year. At a spring 2023 public hearing of the Dorchester County Board of Education, the PJC testified about the harms that would result from the forced placement of young

students in an alternative setting and presented an analysis of why the district’s plan would likely violate state and federal law. DCPS halted plans for the alternative elementary school *and* made enrollment at its already-operating alternative school for older students completely voluntary.

In Charles County, we joined a community-driven coalition led by the local branch of the NAACP to oppose the opening of its elementary alternative school—the so-called Fresh Start Academy. The PJC, along with our coalition partners, testified at public hearings and wrote to the school board to express our concerns about the fairness and lawfulness of the program. We also helped to secure a letter from the Office of the Attorney General, which echoed the legal concerns we had shared. Following the coalition’s advocacy, CCPS restructured the Fresh Start Academy into a purely voluntary program, and the school opened in the 2019-20 academic year with only two students enrolled. The COVID-19 pandemic closed the school temporarily, and in March 2023, CCPS announced that the Fresh Start Academy would not re-open due to insufficient enrollment.

ADVOCACY IN PROGRESS

◆ Decriminalizing disruption

Along with our partners at the Office of the Public Defender, the Coalition to Reform School Discipline, Youth As Resources, and Disability Rights Maryland, the PJC advocated for a bill that would have ensured that students would no longer face arrest and other law enforcement consequences for so-called disruptive behaviors in school. Under current Maryland law, anyone—including students—can be arrested for disrupting school, an offense that is undefined and subject to the influences of implicit bias. Police can and do use this statute to arrest students for relatively

minor childhood or adolescent behaviors—such as horseplay, talking back, or roaming the hallways—and Black students are arrested for disruption at twice the rate of white students. Unfortunately, the bill died in committee, despite strong support from lead sponsor Del. Sheila Ruth and the rest of the bill’s sponsors. We will fight to decriminalize disruption in the next legislative session!

Reimagining School Safety

School-based arrests and law enforcement referrals funnel students from classrooms into courtrooms and jail cells without improving school safety, and Black students are more likely to face school arrest—and the increased risk for juvenile justice involvement—even when they engage in the same behaviors as their white peers. Police presence on campuses has expanded since 2018 when the Maryland General Assembly mandated that every public school have an on-site police officer or establish an adequate law enforcement coverage plan and created a \$10 million/year state fund, which incentivized the use of on-site police officers. At the same time, investment in student mental health services and behavioral supports has not kept pace with need; statewide, Maryland schools fall short of nationally recommended staff/student ratios for school counselors, social workers, psychologists, and nurses. As a result, schools may be more likely to respond to typical childhood or adolescent misbehavior with law enforcement rather than with social-emotional development and support.

CHANGE ACHIEVED IN FY23

✓ Creating safer schools in Baltimore City

Together, the PJC, Office of the Public Defender, and Disability Rights Maryland submitted comments on Baltimore City Public Schools’ (BCPS) revised school



policing policies in fall 2022. Our comments aimed to minimize the risk of excessive or harmful encounters between police and students and to promote the use of non-law enforcement responses to student behavior challenges. BCPS accepted many of our comments, and we expect the published revised policies will create a safer environment for all students with less overbearing police presence.

✓ **Pushing for implementation of reportable offense law reforms**

The Maryland General Assembly passed reforms to the state's reportable offense law (HB 146) in 2022, following advocacy by the PJC, the Office of the Public Defender (OPD), Disability Rights Maryland, and the Choice Program at the University of Maryland, Baltimore County. The new law: 1) clarifies that a reportable offense (any one of a wide range of criminal offenses) is an offense that occurs off school property, 2) directs school systems to follow existing, relatively strong school discipline procedures for general education students and special education students if they propose to remove a student from school based on a reportable offense, 3) ensures that the student's counsel is included in the process of removal from school, and 4) directs the Maryland State Department of Education (MSDE) to collect data on reportable offenses from local school systems. Since then, the PJC and our partners in the Maryland Suspension Representation Project have pushed MSDE to promulgate regulations to implement changes to the law resulting from HB 146 in order to address the widespread non-compliance we have identified through public records and our student representation across the state. MSDE published proposed regulations in October 2023; the OPD and the PJC are reviewing and commenting on the proposed regulations by the November 2023 deadline.

✓ **Strengthening the pipeline of mental health professionals in Maryland schools**

An expansion of the Janet L. Hoffman Loan Assistance Repayment Program adds mental health professionals to the current student loan debt forgiveness program alongside educators, helping to address a major barrier to minority participation—including highly valuable multilingual professionals—in school mental health professions. Originally introduced as HB 488 / SB 482, the bill was incorporated into Gov. Wes Moore's budget bill (HB 200 / SB 181) and the Maryland Educator Shortage Reduction Act of 2023 (HB 1219 / SB 893). We advocated for this bill along with lead sponsors Sen. Karen Lewis Young and Del. Joe Vogel and the 34 co-sponsors.

✓ **Defeating a bill that would criminalize parents whose children struggle with behavior in school**

Under a bill introduced in the 2023 legislative session (HB 69), parents would have been required to seek out



PJC paralegal Kelsey Carlson and attorney Levi Bradford testified before the House Ways & Means Committee in support of HB 488, a bill to strengthen the pipeline of mental health professionals in Maryland schools.

and participate in counseling with their child if the child engages in "violent and disruptive" behavior at school—or face a criminal conviction. This bill would have unnecessarily penalized parents without providing the infrastructure necessary to obtain the required mental health services. We testified in opposition to the bill on behalf of our partners in the Maryland Suspension Representation Project and succeeded in defeating the bill in committee.

✓ **Defeating expansion of the truancy court program**

We partnered with the Office of the Public Defender, the Coalition to Reform School Discipline, and the ACLU of Maryland to successfully oppose SB 220 / HB 1190, which would have paved the way to expand the truancy court program to all counties and circuits within Maryland. The truancy court program is fundamentally punitive, and there is no evidence that it is effective. Instead of providing funding for resources to address the underlying causes of truancy, it empowers judges to drag children into court and order them to comply. Research continues to show that status offenses like truancy may be signs of abusive home or foster environments and may be a child responding to traumatic environments, among other things. We reminded legislators that a judge is not a social worker and that issuing a child a court order is an inappropriate avenue for connecting students and families to support services. While the bill passed the House of Delegates, advocates' opposition helped kill the bill in the Senate.

The PJC's Education Stability Project Team

Levi Bradford ■ Kelsey Carlson ■
Monisha Cherayil ■ Renuka Rege

APPELLATE ADVOCACY PROJECT

We advocate in appellate courts to influence the development of civil rights and poverty law. We represent individuals whose cases can reform the law and write friend-of-the-court briefs (also known as amicus briefs) in appeals to help judges understand the impact of their decisions on people with low incomes and communities of color. The project is staffed by the Francis D. Murnaghan, Jr. Appellate Advocacy Fellow.

Influencing Civil Rights and Poverty Law

When judges issue an opinion in an appeal, their decision can have far-reaching consequences because appellate decisions are used by other judges as a guide when interpreting the law in similar cases. For instance, decisions in appellate cases in the U.S. Court of Appeals for the Fourth Circuit affect residents in the states of Maryland, North Carolina, South Carolina, Virginia, and West Virginia, and set legal precedents that impact people nationwide.

The PJC identifies cases on appeal that have the potential for accomplishing systemic change of the legal and social systems that create or permit injustice. We include race equity analyses in our arguments in amicus briefs with the intent of educating courts on racial bias, white supremacy, and oppressive systems. The PJC has used the tool of appellate advocacy to influence decisions related to workers' rights, police accountability, civil right to counsel, eviction, tenants' rights, debt collection, and more.



The Francis D. Murnaghan, Jr.
Appellate Advocacy Fellowship

CHANGE ACHIEVED IN FY23

✓ Condemning racist commentary in court decisions

In a noteworthy decision, the Maryland Supreme Court reminded appellate judges that they have a responsibility to uphold equal justice under the law and ensure that their biases do not get in the way of making a fair decision. The Court's May 2023 opinion condemns racist commentary in an opinion from the Appellate Court of Maryland in *Belton v. State*. The case concerned a manslaughter in Southwest Baltimore, in which the two defendants were a mother and her son represented by the Maryland Office of the Public Defender. The lower court's opinion characterized the Black defendants as monsters and drew on harmful stereotypes about Black mothers and Black neighborhoods. The PJC and partners filed an amicus brief that explained why, regardless of what the author of the opinion might have intended, the tropes in the opinion were racist and argued that the opinion's "style" crossed the line into lawlessness. The brief argued that no countervailing interests justified the Appellate Court's entirely gratuitous commentary.

The Maryland Supreme Court decision agreed with much of the brief, dedicating significant space to condemning the use of racial stereotypes and discussing the potential impact of the language in the Appellate Court opinion. The high court's decision repeatedly calls on judges to be mindful of how biases can influence the writing and interpretation of their rulings. The Maryland Supreme Court declined to decide whether the Appellate Court deprived Mr. Belton of due process through the opinion's language and instead ordered a new trial to reconsider Mr. Belton's conviction for voluntary manslaughter on other grounds. Nevertheless, the Maryland Supreme Court did state that biased language in a court opinion can deprive a person of their right to due process: *"If the language of an appellate court's opinion could cause a reasonable person to question the participating judges' impartiality or otherwise reasonably suggests bias on the part of the court, then the party potentially injured by that partiality or bias has been deprived of due process, and the court has abused its discretion."*

Organizations and individuals that signed onto the amicus brief include the ACLU of Maryland, the Maryland Criminal Defense Attorneys' Association, the League of Women Voters of Maryland, the Howard University School of Law Civil Rights Clinic, the University of Maryland Carey School of Law Clinical Program, then-Dean Renée McDonald Hutchins of the University of the District of Columbia Clarke School of Law (now Dean of the University of Maryland Carey School of Law), and Professor Michael Pinard of the University of Maryland Carey School of Law.

✓ **Protecting people's access to the courts when enforcing their civil rights**

The U.S. Court of Appeals for the Fourth Circuit overturned a counterproductive prohibition on certain attorneys' fees in civil rights cases; the August 2023 decision will help protect people's access to the courts when enforcing their civil rights and deter violations of the law. The PJC and a coalition of organizations signed onto an amicus brief authored by Wiley Rein's Theodore Howard. In the case of *Stinnie v. Holcomb*, the plaintiffs successfully challenged the Virginia Commissioner of Motor Vehicles' practice of automatically suspending drivers' licenses when people had not paid court fees. The plaintiffs filed for attorneys' fees, but the district court and a panel of judges from the Fourth Circuit denied their request because earlier legal precedent said that attorneys' fees could not be awarded unless the plaintiff won a final judgment.

On appeal to the full Fourth Circuit, the amicus brief argued that the denial of attorneys' fees after the preliminary injunction caused the state to reverse course contradicts decisions from the U.S. Supreme Court and other federal courts, as well as Congress' intent when it passed the Civil Rights Attorneys' Fees Awards Act of 1976. That law was meant to make it easier for individuals to enforce their civil rights through litigation by allowing them to seek attorneys' fees when they prevail, as the prospect of fees makes it more likely that private attorneys will take these cases. The possibility of having to pay attorneys' fees can also serve as a deterrent against government agencies prolonging litigation if they are unlikely to succeed and induce them to correct civil rights violations sooner rather than later. In its ruling, the full Fourth Circuit reversed the earlier decision and set new precedent allowing attorneys' fees to be awarded when a preliminary injunction achieves the goals of a civil rights case.

✓ **Ensuring Medicaid beneficiaries can enforce their civil rights through the courts**

Medicaid beneficiaries can seek relief in federal court when state officials violate their rights, according to a favorable opinion issued by the United State Supreme Court in June 2023. The case, *Hospital Corporation of Marion County, Indiana v. Talevski*, centered on the

claims of the family of Gorgi Talevski, who sued Mr. Talevski's nursing home after his death alleging that the facility's use of chemical restraints and involuntary transfer to a different facility deprived him of his rights guaranteed by the Federal Nursing Home Reform Act (FNHRA). The PJC signed onto an amicus brief principally authored by the National Health Law Program and joined by 41 other disability rights, health rights, and legal advocacy organizations. The brief urged the Supreme Court to affirm the decision of the U.S. Court of Appeals for the Seventh Circuit that Section 1983 of the FNHRA ensures that citizens can sue for civil rights violations of the FNHRA.

In its 7 to 2 ruling, the Supreme Court held that the FNHRA provisions at issue unambiguously create enforceable rights and private enforcement under Section 1983 is compatible with the FNHRA's remedial scheme. The National Health Law Program stated that the ruling "keeps the courthouse doors open for low-income people and preserves the ability of advocates to litigate on their behalf."

✓ **Demanding the transparency needed to stop police abuse**

Anton's Law, passed in 2021, amended the Maryland Public Information Act (PIA) to allow public disclosure of records of police misconduct investigations. Police agencies are violating Anton's Law by charging public interest organizations thousands and sometimes hundreds of thousands of dollars for public information requests, effectively blocking the transparency needed to combat police abuse. In December 2022, we joined the ACLU of Maryland and Washington Lawyers' Committee for Civil Rights and Urban Affairs, represented by Zuckerman Spaeder LLP, in filing an amicus brief in *Baltimore Police Department, et al., v. Open Justice Baltimore*.

The brief, written by Adam Abelson and Samantha Miller of Zuckerman Spaeder LLP, argues that state and local agencies' frequent practice of charging nonprofit public interest organizations for public information requests violates the PIA's purpose of ensuring government accountability. The brief asked the Supreme Court of Maryland to uphold the Appellate Court's ruling that the Baltimore Police Department could not charge its quoted fees in this case and to clarify that the courts should not defer to agencies' judgment when reviewing agencies' denials of fee waiver requests from public interest organizations.

On the last day of its 2023 Term, the Maryland Supreme Court ruled that Baltimore Police Department's denial of the fee waiver was arbitrary and capricious and ordered that it reevaluate the request to consider how disclosure of the records would shed light on the public controversy concerning its grave history of misconduct, corruption and use of excessive force, and how blocking disclosure

exacerbates the lack of transparency surrounding this longstanding controversy.

✓ **Ensuring fair implementation of the new minimum age for juvenile court jurisdiction**

The Juvenile Justice Reform Council (JJRC) was established by the Maryland General Assembly in 2019 to recommend changes to the state’s juvenile court system. The JJRC released a report in January 2021, which included the recommendation that the legislature set a minimum age of juvenile court jurisdiction. The Maryland General Assembly, in April 2022, passed the Juvenile Justice Reform Act (JJRA), which adopted many of the JJRC’s recommendations. One key provision raised the minimum age at which a child can be sent to juvenile delinquency court to 13 years old, with limited exceptions for certain violent alleged delinquent acts, to prevent very young children from contact with the system. The law went into effect on June 1, 2022.

In July 2023, we filed an amicus brief with the Maryland Supreme Court in *In re MP* in support of a child who was 12 at the time he allegedly committed a delinquent act. The issue on appeal was whether the minimum age for juvenile court jurisdiction applies retroactively to children like MP whose alleged offense took place shortly before the new law went into effect. The juvenile court held that the law did not apply retroactively. Our brief argued that the juvenile court erred and that, because the minimum age is a remedial provision, it applies retrospectively. The brief highlighted findings by the JJRC that the juvenile delinquency system is a developmentally inappropriate response to alleged misbehavior by young children. It cited the national trend of setting a statutory minimum age of juvenile court jurisdiction, psychological research underscoring the inappropriateness of subjecting young children to that system, and the racial and gender considerations that reinforce the need for retroactive application of the jurisdictional limit.

In early September 2023, the Maryland Supreme Court issued an order directing the juvenile court immediately to dismiss MP’s delinquency proceeding on grounds of lack of jurisdiction, applying the JJRA retroactively as MP and the PJC had requested. Countless other children around Maryland will have their cases dismissed because of this ruling.

Our brief was joined by the ACLU of Maryland, the Baltimore Action Legal Team, the Center for Children’s Law and Policy, the Gault Center, and Juvenile Law Center.

ADVOCACY IN PROGRESS

◆ **Addressing Maryland’s administration of unemployment insurance benefits**

In *In re Petition of Betelehem Dejene*, we represented a flight attendant before the Appellate Court of Maryland in a case challenging the Maryland Department of Labor’s (MDOL) attempt to get

her to repay unemployment benefits. At issue is whether Ms. Dejene was unemployed as defined by law when she received unemployment insurance benefits from the state and COVID-leave payments from Southwest Airlines while prevented by her employer from working. Consistent with case law and prior agency decisions, an MDOL examiner initially determined that COVID-leave payments were not wages; however, the Unemployment Insurance Board of Appeals reversed this decision and its own precedent, determining that Ms. Dejene’s COVID-leave payments were part-time wages, even though her employer did not allow her to work. The agency seeks to hold Ms. Dejene liable for the \$15,880 in benefits paid to her. We briefed and argued the case in late 2022 and await the Court’s decision.

◆ **Stopping employers from using bankruptcy to avoid liability for wage theft (again)**

Too often, employers use bankruptcy to dodge responsibility and debts when employees successfully sue for wage theft. The PJC helped secure a favorable ruling in July 2022 from the U.S. Court of Appeals for the Fourth Circuit in *Cantwell-Cleary Co. v. Cleary Packaging* that exceptions to a debtors’ ability to be released from liability under Chapter 11 bankruptcy (for fraud, willful and malicious injury, and other violations of public policy) apply to both individual and corporate debtors.

In *Avion Funding LLC v. GFS Industries LLC*, the bankruptcy court held that Subchapter V of Chapter 11 of the bankruptcy code did not apply to corporate and individual debtors alike. Recognizing the conflicting decisions and public importance of the issue, the bankruptcy court certified the matter for direct appeal to the U.S. Court of Appeals for the Fifth Circuit. In June 2023, we filed an amicus brief with Cohen Milstein Sellers & Toll PLLC and several co-amici urging the Fifth Circuit to follow the Fourth Circuit’s ruling in *Cantwell-Cleary Co. v. Cleary Packaging*. We have continued to fight for the same protections as this problematic legal issue spreads across the federal circuits. In October 2023, we filed an additional amicus brief in the U.S. Court of Appeals for the Eleventh Circuit, *Benshot LLC v. 2 Monkey Trading LLC et al*, again with Cohen Milstein Sellers & Toll PLLC and several co-amici. Ensuring that Subchapter V applies with equal force to corporate and individual debtors is critical for workers’ ability to recover wages they earned but were not paid by their employers.

Thank you to co-counsel Christine E. Webber of Cohen Milstein Sellers & Toll PLLC for her collaboration on the amicus briefs in *Avion Funding LLC v. GFS Industries LLC* and *Benshot LLC v. 2 Monkey Trading LLC et al*. Thank you to our co-amici *Avion Funding LLC v. GFS Industries LLC* – Centro de Los Derechos del Migrante, Fe y Justicia Worker Center, Mountain State Justice, the National Employment Law Project, the North Carolina Justice



Project, and the PJC's Workplace Justice Project—and our co-amici in *Benshot LLC v. 2 Monkey Trading LLC et al*—Centro de los Derechos del Migrante, Florida Legal Services, Georgia Legal Services Program, National Center for Law and Economic Justice, National Employment Law Project, and Southern Poverty Law Center. Thank you as well to the Legal Aid Justice Center, Mountain State Justice Center, CASA, Centro de los Derechos del Migrante, the Farm Labor Organizing Committee, the National Black Worker Center, and the National Employment Law Project for joining our amicus brief in *Cantwell-Cleary Co. v. Cleary Packaging*.

◆ **Combatting the practice of hiding predatory fees in mortgage contracts**

An amicus brief we filed with Housing Initiative Partnership, Inc. in *Clair v. Federal National Mortgage Association* challenges the imposition of junk fees by loan servicers, including servicers that defendant Fannie Mae used to collect mortgage payments. Junk fees are hidden, unnecessary fees that loan servicers and processors charge consumers, including people who are applying for home loans. The fees can cost borrowers hundreds, sometimes thousands, of dollars and are often hidden by inclusion in the amount financed, continuing the financial harm through increased interest over the life of the loan.

Our brief, filed in the Appellate Court of Maryland in April 2023, highlights the disproportionate harm junk fees cause to people of color and low-income people of all races. Junk fees are one of the latest ways that the housing market has extracted wealth from communities, especially communities of color. Homeowners of all races who cannot afford to pay usurious fees face loss of their homes and eviction, which has ripple effects on families' physical and mental health. Given the harm, the brief argues that the law must provide recourse for people to challenge these predatory fees in court. The brief shows that this is consistent with the approach of the federal government, state of Maryland, and other states to reduce or eliminate junk fees. Unless victims can hold marketplace giants like Fannie Mae accountable for junk fees charged by their mortgage servicers, such behavior will remain difficult to detect, punish, or deter,

encouraging rampant consumer exploitation. After our brief was submitted, the parties settled the case and the appeal was dismissed.

◆ **Defending the purpose and viability of pro bono legal services**

In *Avery v. Avery*, a case before the Appellate Court of Maryland arising out of a proceeding to modify child custody, the PJC joined a coalition of pro bono legal service providers in signing on to an amicus brief authored by former Murnaghan Fellow Anthony J. May of Brown Goldstein & Levy, LLP. The brief supports a parent in challenging the Circuit Court of Anne Arundel County's order that he pay half of the approximately \$10,000 attorneys' fees for his opponent because he was represented pro bono through the Maryland Volunteer Lawyers Service and did not incur legal fees. The Court issued the order despite the absence of evidence regarding the parties' financial circumstances and testimony by both parties during the trial that he struggled to meet his monthly child support obligation.

According to the brief, the Circuit Court's decision "reimposes the economic burden that pro bono services are designed to eliminate," violates Maryland law, and contradicts the purpose of pro bono legal services. The decision deters attorneys from providing pro bono legal services and discourages low-income individuals from taking their cases to court by sending the message that the court can force them to pay their adversaries' legal fees—a bill they cannot afford to pay—because they qualified for free legal services.

The PJC's Appellate Advocacy Project Team

Michael Abrams, Murnaghan Fellow (2021-22) • Debra Gardner • Hayley Hahn, Murnaghan Fellow (2022-23)

Former Murnaghan Fellow Dena Robinson (2019-20), Kelsey Carlson, Angelea Aldana Dwyer, Sabrina Harris, Gabriela Dickson La Rotta, Nina Masin-Moyer, Carolina Paul, Becky Reynolds, Emily Woo Kee, and former paralegal Lena Yeakey also contributed to the appellate advocacy described above.

WORKPLACE JUSTICE PROJECT

We advance justice and equity for Maryland workers by defending and expanding workers' rights based on the principle of worker power. We focus on low-wage, high-violation industries where Black and immigrant workers predominate: home care, cleaning, transportation, construction, food service, etc. We collaborate with community partners—including unions and community membership organizations—to ensure that those we serve determine our priorities. We provide know-your-rights education to empower and learn from workers; represent workers in wage-theft and other litigation; and advocate to change policies that maintain racial and economic inequity.



Promoting Work with Dignity

In many low-wage industries, employers do not pay their employees fully for all hours worked, income that workers need to support themselves and their families. The U.S.'s history of racism and discrimination created occupational segregation, often relegating Black workers, women, and immigrants to the lowest rungs of the economic ladder. Lower wage jobs, in turn, often have high rates of wage violations such as wage theft. Wage theft can include failure to pay "off-the-clock" work; tip theft; failure to pay minimum wage, overtime, and anything for worktime spent traveling between worksites; misclassification of employees as independent contractors; and denial of employers' accountability for unpaid wages. The impacts of wage theft are devastating: loss of wages needed to support families and build wealth, increased need for public benefits, and depression of wages across industries. Misclassification, in particular, has a direct effect on workers' incomes and job quality. It denies workers their rights to minimum, overtime, and travel-time wages under state and federal law; denies them state and federal benefits, including workers' compensation, unemployment insurance, employer-sponsored health insurance, and sick and safe leave; imposes on workers a high self-employment tax burden (which frequently leads to significant debt); and makes it far harder to obtain the protections of anti-discrimination statutes.

CHANGE ACHIEVED IN FY23

✓ Educating workers on their rights in the workplace

Workers empowered with knowledge can stand up for their right to full and fair pay, recover unpaid wages, and create systemic and sustained change in the way high-violation industries do business by holding their employers accountable to the law. We collaborate with unions and worker membership organizations, workforce development organizations, community colleges, and other organizations that serve low-wage workers and/or predominately Black and Latine communities to reach and engage workers in low-wage industries where wage theft and other violations are common. We conduct in-person and virtual know-your-rights trainings in English and Spanish, sharing information on the harms of and remedies for misclassification and other forms of wage theft, including workers' options for enforcing their rights. We also engage workers in sharing their experience



and identify patterns of rights violations by specific employers and in specific industries. We held 23 events reaching approximately 430 people.

The PJC was one of six organizations in the entire country awarded funding by the U.S. Department of Labor Women's Bureau to undertake projects to assist marginalized and underserved women workers in understanding and accessing their employment rights, public services, and benefits. As a result, we have:

- Formed new partnerships for know-your-rights trainings with eight organizations: America Works – Howard County, America Works – Prince George's County, Baltimore City Mayor's Office of Employment Development – Eastside One-Stop Center, Baltimore City Schools Career Technical Education Department, Bon Secours Community Resource Center, Comité Latino de Baltimore, University of Maryland Community Engagement Center, and Women in Construction, affiliated with the International Union of Painters and Allied Trades – District Council 51.
- Begun connecting workers with screenings for 22 public benefits programs—including utilities, energy assistance, health, nutrition, tax credits, and more—with the CASH Campaign of Maryland and with free help accessing SNAP (food stamp) benefits with Maryland Hunger Solutions.
- Expanded workers' access to know-your-rights resources in Spanish, including a PowerPoint presentation on how to assert workers' wage rights and how to access public benefits and a one-page summary of common violations of employees rights on www.publicjustice.org/benefits. Our Spanish-language know-your-rights training with Comité Latino de Baltimore, a Latina-led community organization dedicated to serving Baltimore's Latine community, was also streamed online via Facebook Live for community members who could not attend in person.

✓ **Holding employers accountable to employment law**

We represent workers in lawsuits challenging employers' wage theft and other violations of the law in order to obtain unpaid wages and damages for workers and reform employers' wage and hour practices. These cases spread knowledge among workers concerning their rights in the workplace, empower workers through their success in combatting harmful and illegal employer practices, and force companies to comply with the law. Our legal victories ensure all workers who experience the same violations at the companies we sue, not just those we represent in these lawsuits, are paid fully for all hours worked. We settled two lawsuits on behalf of 15 workers, defended two workers for allegedly breaching a non-compete agreement, are awaiting a decision in one wage theft lawsuit on behalf of 11 workers, and are litigating another wage theft lawsuit on behalf of four workers.

In *McCoy, et al. v. Transdev Services, Inc.*, we reached a settlement in September 2022 providing the 13

workers with more than \$410,000, a sum that amounts to more than twice their estimates of unpaid wages, plus attorneys' fees and costs. The case dates back to 2019 when the PJC and our co-counsel Outten & Golden LLP filed a collective action lawsuit in federal court on behalf of six paratransit and medical transportation drivers and one dispatcher against Transdev Services, Inc. Our clients alleged that they were jointly employed by Transdev and a subcontractor to perform work under government contracts that Transdev held with Baltimore City and the State of Maryland. The workers further alleged that they were paid just a few dollars an hour, despite working extraordinarily long hours, including many overtime hours. Six more workers joined the case during the course of litigation. The Court ruled in favor of the workers on most issues—including that Transdev jointly employed them and that the workers were entitled to their unpaid wages *and* to damages on top of those wages. This outstanding result sends a powerful message to government contractors that public dollars must not be used to violate workers' rights—and that violators will be held accountable.

In *Salim and Islam v. Mysha Management 4 Inc., et al.*, a lawsuit filed in federal court by the PJC in January 2023, Mohammed Salim and Rafiedul Islam, both Bangladeshi immigrants, alleged that they were paid abysmally low wages equating to around \$5 per hour or less over several years while working 40 to 80 hours per week at a fast-food restaurant in Salisbury, Maryland. They further alleged that they continued working, despite the low wages, out of trust in the owners' empty promises of one day making Mr. Salim a business partner and of paying Mr. Islam all he was owed. In August 2023, the parties reached a settlement that provides Mr. Salim and Mr. Islam with \$260,000 in unpaid wages and damages plus attorneys' fees and costs—far more than their estimate of wages owed.

In *MMFC LLC v. Campos and de Romero*, we successfully defended residential cleaners Mariela Campos Corado and Patricia de Romero in a September 2022 trial against their former employer, MMFC LLC, commonly known as Molly Maid of Frederick and Columbia. MMFC LLC sued Ms. Campos Corado and Ms. de Romero for allegedly breaching a non-compete agreement that sought to bar them from cleaning certain homes. The judge in the District Court of Maryland for Frederick County entered a judgment in favor of the workers and dismissed the case, observing that the contracts at issue appeared to contain inauthentic signatures. Our representation in the non-compete matter led Ms. Campos Corado and Ms. de Romero—along with Maria Ayala and Jackeline Chavez, who were also formerly employed by MMFC LLC—to file a collective action complaint in federal court against MMFC LLC and its owners in October 2022. The lawsuit alleges that MMFC LLC failed to pay its employees overtime

and the promised wage rates and made additional unlawful deductions from the employees' wages without their prior consent.

In *Aguilar et al. v. David E. Harvey Builders, Inc. et al.*, the PJC represented eleven construction workers—Angella Aguilar, Luis Baires, Carlos Chavarria, Blanca Ferrer, Jacinto Garcia, Fabricio Marroquin, Antonio Martinez, Wilson Panozo, Freddy Veizaga Prado, Jose Feliciano Revelo, and Jose Antonio Torres—during a week-long trial in May 2023, alleging that they worked for weeks on the construction of a Gold's Gym facility in January and February 2018 without any compensation at all. The lawsuit, originally filed in December 2018, was brought against both the subcontractor who hired the workers as well as the general contractor on the construction project. Relying on the joint employment standard that the PJC helped establish in *Salinas v. Commercial Interiors, Inc.*—a 2017 case in the U.S. Court of Appeals for the Fourth Circuit—*Salinas v. Commercial Interiors, Inc.*, the construction workers testified at trial that the subcontractor and general contractor jointly exercised control over their work on the project such that both should be liable for the workers' unpaid wages. Following the trial, the parties submitted post-trial briefs and are currently awaiting the judge's decision.

✓ **Improving job quality and training for direct care and services workforce**

The Maryland Regional Direct Services Collaborative released a report¹ in March 2023 co-authored by PJC attorney David Rodwin and the Collaborative's Executive Director, Meg LaPorte, that examines the factors driving the staffing crisis in Baltimore City's direct care and services workforce, including nursing homes, assisted living facilities, and home- and community-based care settings. Research and in-depth stakeholder interviews uncovered issues of inadequate compensation, low staffing ratios, insufficient training, and Medicaid reimbursement rates that are not high enough for employers to offer competitive compensation. The report offers six systemic solutions, including pushing for state-level legislative and policy changes that increase Medicaid funding for care and ensure that publicly funded direct service worker jobs offer living wages; supplementing wages for Medicaid-funded direct service workers; and investing in initiatives that offer direct service workers access to obtainable and meaningful career pathway and advancement opportunities.

✓ **Making non-compete agreements unenforceable for low-wage jobs**

Employers sometimes require their employees to sign exploitative "non-compete agreements"—contract provisions prohibiting an employee from working for other employers in the same field or from starting

their own business. Non-compete agreements harm workers—keeping people trapped in jobs, suppressing wages, and hindering entrepreneurship—and are bad for consumers and the economy. Such agreements are especially harmful for low-wage workers, who need to maximize their earning power to support themselves and their families. The passage of SB 591 broadens Maryland's existing limitation on non-compete agreements by barring enforcement of non-compete agreements against anyone earning within 150% of minimum wage, extending this important protection to many tens of thousands of Maryland workers.

Thank you to Sen. Will Smith for championing this legislation, and to Geoffrey Simpson of Webster & Fredrickson, PLLC, Lynne Bernabei of Bernabei & Kabat, PLLC, and the Maryland State and D.C. AFL-CIO for their support of the bill.

✓ **Strengthening Maryland's new family and medical leave insurance program**

The Time to Care Act, passed in 2022, created Maryland's new paid family and medical leave program. The law left several details to be clarified, including the split in how much workers and employers each pay into the insurance program. SB 828 / HB 988 set the contribution split at a fair 50/50 between workers and employers, gives the Maryland Department of Labor more time to issue necessary regulations and set up the technology needed to operationalize the program, provides workers the ability to appeal the amount or duration of benefits, and gives workers the opportunity to file claims before taking leave when the need for leave is foreseeable. Following the passage of this legislation, we have continued our work on this law by leading the Time to Care Coalition in engaging with the Maryland Department of Labor and providing detailed analysis and feedback on draft regulations to ensure that the regulations implementing the law are as strong and worker-friendly as possible.

Thank you to sponsors Sen. Antonio Hayes and Del. Lily Qi, as well as the dozens of advocates and workers who contributed to this effort, including the Time to Care Coalition, A Better Balance, and the Center for American Progress.

✓ **Defeating an attempt to weaken Maryland's sick and safe leave law**

The PJC helped organize opposition to a bill (HB 1015 / SB 902) that would have increased the number of days an employee must work before having the right to take leave from 106 days to 120 days. The bill would have made Maryland an outlier among states with sick leave protections, as most states with such laws allow workers to take leave after just 90 days, and it would have weakened Marylanders' sick leave rights just

¹ Read *Long-Term Services and Supports in Baltimore: A Framework for Improving Job Quality and Creating a Highly Trained Direct Care and Services Workforce* at <https://bit.ly/3YFXIVB>.



when the COVID-19 pandemic has proven once again the critical importance of workers' ability to stay home when sick. Thanks to oral and written testimony from multiple organizations in opposition to the bill, the bill died in committee.

Job Opportunities Task Force, the Maryland Center on Economic Policy, and SEIU Maryland and DC State Council joined the PJC in providing oral and written testimony in opposition to HB 1015 / SB 902. In addition, 1199SEIU, the Baltimore DC Metro Building Trades Council, IBEW Local 24, Jews United for Justice, LiUNA – Baltimore Washington Laborers' District Council, the Maryland State and DC AFL-CIO, and the Women's Law Center of Maryland provided written testimony opposed to the bill.

ADVOCACY IN PROGRESS

◆ Requiring home care agencies to classify personal care aides as employees in order to receive Medicaid reimbursement

Most home care provided in Maryland is funded by Medicaid and carried out under programs operated by the Maryland Department of Health's Office of Long Term Services and Supports. Unfortunately, many of the home care agencies that employ personal care aides to provide care under these programs wrongly classify the workers as independent contractors. SB 180 / HB 489—sponsored by Sen. Pam Beidle and Del. Robbyn Lewis—would have required that the Maryland Department of Health only reimburse home care agencies for in-home personal care provided under certain Medicaid waiver programs if the aides who do the work are classified as employees. With support from businesses (including the Maryland National Capital Homecare Association, a trade

association of home care agencies), workers, consumers, and others, it passed the House but did not get a Senate vote. The progress we made this year, however, has helped lay the groundwork for the bill to pass next year.

Thank you to our allies who helped push this bill forward in the 2023 Maryland General Assembly: 1199SEIU, AARP Maryland, Alzheimer's Association – Greater Maryland Chapter, Caring Across Maryland, Job Opportunities Task Force, Maryland Center on Economic Policy, Maryland Office of the Attorney General, Maryland State and DC AFL-CIO, National Domestic Workers Alliance, National Employment Law Project, National Women's Law Center, Women's Law Center of Maryland, and numerous home care agencies, such as HomeCentris and Complete Home Care.

◆ Raising the Medicaid reimbursement rate for home care agencies and increasing pay for personal care aides

Personal care aides who provide care for older adults and people with disabilities deserve to be fairly compensated. The reality is that thousands of workers whose labor is funded by Medicaid earn very low wages that trap them and their families in poverty because the reimbursement rate that home care agencies receive for an hour of care is too low and because the state sets no minimum rate that workers must receive. Sponsored by Del. Heather Bagnall and Sen. Joanne Benson, HB 318 and SB 604 would have increased to \$25 the hourly Medicaid reimbursement rate for certain home care programs; required that workers be paid at least \$16 per hour; and made the pay ratio requirement permanent by mandating that, as reimbursement rates increase,

workers must be paid at least 64% of the hourly Medicaid reimbursement rate. The bill would have also created a system to monitor and enforce these requirements. While an amended form of HB 318 passed the House of Delegates unanimously, it did not get a vote in the Senate.

We plan to work with home care workers and advocates—including 1199SEIU, AARP Maryland, Alzheimer’s Association, Caring Across Maryland, Disability Rights Maryland, Job Opportunities Task Force, Maryland Centers for Independent Living, Maryland Commission on Caregiving, Maryland Center on Economic Policy, Maryland State and DC AFL-CIO, Marylanders for Patient Rights, National Domestic Workers Alliance, and Women’s Law Center of Maryland—to push for fair compensation for personal care aides in the 2024 Maryland General Assembly.

Fixing Unemployment Insurance

A group of Marylanders sought to correct gross and systemic failures in the Maryland Department of Labor’s administration of unemployment benefits in accordance with the United States Constitution and federal Social Security Act when they sued Maryland Secretary of Labor Tiffany Robinson in November 2021, represented by the PJC and Gallagher Evelius & Jones LLP. The Department’s failures affected Marylanders who applied for benefits and waited many months without receiving a determination of eligibility; Marylanders who started receiving unemployment benefits but whose benefits were interrupted for long periods without explanation or an opportunity to appeal; and Marylanders who were granted and received unemployment benefits but were then told they had been overpaid benefits without prior notice of—or an opportunity to refute—that claim before their benefits were cut off or their taxes intercepted. These failures could not go unanswered.

CHANGE ACHIEVED IN FY23

✓ Reforming Maryland’s broken unemployment system

The PJC and Gallagher Evelius & Jones LLP filed the lawsuit *Gorres, et al v. Robinson* in November 2021 on behalf of six Marylanders who experienced these gross and systemic failures with the unemployment system: long delays, suspended benefits, and unexplained and unappealable overpayment notices. The December 2022 settlement requires the Maryland Department of Labor (MDOL) to make critical reforms to the unemployment insurance system,² including the following:

- Processing 92% of claims for unemployment insurance in no more than 21 days.
- Assigning an MDOL ombudsman to handle claims that take longer than 21 days.
- Improving the processes for applying, determining eligibility, correcting mistakes in applications, and resolving disputes.
- Limiting the suspension of benefits to 14 days when MDOL has questions about a person’s eligibility.
- Ensuring a fair process to investigate and inform claimants about alleged overpayments of benefits and providing the opportunity for people to appeal.
- Reimbursing eligible claimants who were sent overpayment notices during the COVID-19 pandemic and had to repay benefits to MDOL.
- Improving the online BEACON claims platform, allowing people to apply over the phone, providing the option to select a preferred method of communication, and enhancing customer service to claimants.

✓ Limiting recovery of the overpayment of unemployment benefits due to agency mistakes or other reasons unrelated to fraud

The Maryland Department of Labor often pays unemployed Marylanders more unemployment benefits than they are eligible for because of its own errors or a claimant’s honest mistake, not fraud. Until the passage of HB 140 / SB 136, Maryland law allowed the state to recover overpaid benefits by keeping 100% of any future unemployment benefits, regardless of whether the overpayment resulted from fraud or the agency’s mistake. That meant that many people who needed benefits due to continued unemployment, or may have needed benefits in the future, would not get any benefits at all. The new law limits recovery of overpaid benefits to 50% of ongoing benefits for people who were overpaid benefits through no fault of their own, allowing unemployed Marylanders and their families some amount of money to cover the essentials of life: rent, food, gas, and other basics.

Thank you to sponsors Del. Julie Palakovich Carr, Del. Lorig Charkoudian, and Sen. Kathy Klausmeier, as well as the CASH Campaign of Maryland, Economic Action Maryland, the Maryland Catholic Conference, Maryland Legal Aid, and the National Employment Law Project for supporting the bill.

The PJC’s Workplace Justice Project Team

Monisha Cherayil ■ Diana Jarek ■ Tyra Robinson ■ David Rodwin ■ Emily Woo Kee ■ Lucy Zhou

² More details on the policy and practices changes to expect following the settlement of *Gorres, et al v. Robinson* is available at <http://www.publicjustice.org/en/news/strengthening-unemployment-insurance-in-maryland/>.

HEALTH AND BENEFITS EQUITY PROJECT

We advocate to protect and expand access to health care and safety net services for Marylanders struggling to make ends meet. We support policies and practices that are designed to eliminate racial and ethnic inequities and enable every Marylander to attain their highest level of health.



On May 1, Governor Wes Moore signed the Trans Health Equity Act (HB 283 / SB 460) into law, providing comprehensive gender-affirming care for transgender Marylanders enrolled in Medicaid. PJC attorney Ashley Black (behind and to the right of Gov. Moore) advocated for this new law.

Ensuring Provision of Language Access Services

People with limited English proficiency—defined as not having English as a primary language and having a limited ability to read, write, speak, or understand English—face barriers to accessing high quality, culturally competent health and mental health care. In Maryland, nearly 20% of residents spoke a language other than English at home in 2019, according to the U.S. Census Bureau. Thousands of children, adolescents, and families in Maryland could benefit from receiving health care in their primary language through bilingual health professionals or trained interpreters but do not. The State of Maryland has not provided strong monitoring and enforcement of language access rights and provider obligations embedded in Title VI of the Civil Rights Act of 1964 and Section 1557 of the Affordable Care Act, leaving individuals with limited English proficiency with little recourse.

CHANGE ACHIEVED IN FY23

✓ Closing the language access gap for children and adolescents with mental health needs in Maryland

Many mental health providers in Maryland do not offer or refuse to provide interpretation and translation services that enable communication between individuals with limited English proficiency and their providers, despite receiving federal financial assistance that requires providers to provide language access to patients, according to a report from the PJC and Centro SOL. Released in December 2022, *Speaking the Language: The Right to Interpretation & Translation Services for Children and Adolescents with Mental Health Needs in Maryland*¹ describes the experiences of children and adolescents who were denied recommended mental health care due to their primary and preferred language, highlights challenges to providing interpretation and translation from the perspective of mental health providers, and offers five recommendations to mental health providers and policymakers to close the gap in communication between patients and their providers.

The recommendations to ensure the provision of consistent and timely mental health care with necessary language services are:

- The Maryland Department of Health should provide a guide to interpretation and translation services for mental health providers serving immigrant families in Maryland.
- All mental health providers should have a language access plan and policy.
- The Maryland Department of Health should provide financial support for interpretation and translation services.
- The State of Maryland should adopt a monitoring and enforcement policy for interpretation and translation.
- The State of Maryland should provide public education on the right to interpretation and translation services.

PJC attorney Ashley Black, Dr. Sarah Polk of Centro SOL, Dr. Joshua Sharfstein of Johns Hopkins Bloomberg School of Public Health, and graduate student Maria Ruiz authored the report.

¹ Read *Speaking the Language: The Right to Interpretation & Translation Services for Children and Adolescents with Mental Health Needs in Maryland* in English at <https://bit.ly/SpeakingTheLanguage> and in Spanish at <https://bit.ly/Hablando-El-Idioma>.

✓ **Raising awareness of rights to language services**

People with limited English proficiency have the right to language services to access quality and timely mental health care. PJC attorney Ashley Black and Centro SOL, co-authors of *Speaking the Language*, are raising awareness of barriers that communities with limited English proficiency, particularly children,

face in accessing behavioral health services. We presented findings of the report to the Baltimore City Mayor's Trauma Informed Care Task Force, as part of the Maryland Latinos Unidos' People's Policy Series, to the Frederick County Local Behavioral Health Authority, and in a Baltimore Immigration Summit panel with Centro SOL and other Johns Hopkins staff. We also collaborated with the PJC's Education Stability Project for a training for Spanish-speaking parents

on language access rights in education settings, hosted by the Maryland Coalition of Families. Additionally, the PJC has developed a know-your-rights brochure for community members on language access rights, which will be made available in multiple languages.



The End Medical Debt Maryland coalition rallied in March 2023 at the Lawyers' Mall in Annapolis and on Zoom to build support for legislation that puts patients before profits.

ADVOCACY IN PROGRESS

◆ **Advocating with Maryland's Department of Human Services to address language access issues**

The Governmental Access Workgroup (GAW)—led by PJC attorney Ashley Black—works to address language access issues that people with limited English proficiency face when seeking access to services from state agencies. GAW received numerous complaints about issues with the Department of Human Services (DHS), including complaints that clients with limited English proficiency have been turned away from local offices and declined services due to their preferred language; letters with vital information on benefits continue to be sent in English when the client's preferred language is not English; and people have been unable to consistently reach an interpreter when calling their local DHS office about their benefits. GAW successfully advocated for changes to DHS practices in fall 2022 and is now pushing DHS to implement additional training on language access for front-facing staff, in-person secret

shopper investigations in less spoken languages, and quarterly meetings with advocates for the purpose of increased accountability and transparency from DHS and collaboration on addressing language access issues without delay.

GAW is comprised of language access advocates, including Homeless Persons Representation Project, CASA, Maryland Hunger Solutions, Maryland Legal Aid, Health Care for the Homeless, La Clinica del Pueblo, the Intercultural Counseling Connection, and Maryland interpreters.

◆ **Ensuring equal access to state government public services for individuals with limited English proficiency**

Language should not be a barrier to receiving public services. However, many of our clients and allies who assist individuals with limited English proficiency in navigating public services, including safety net services, frequently encounter language access violations in state-run agencies and programs. We joined Del. Gabriel Acevero, sponsor of HB 1144, and allies in advocating for a bill that would have helped ensure equal access to state government public services for individuals with limited English proficiency. The bill would have required state departments, agencies, and programs to designate a language access compliance coordinator, establish a language access policy and plan, and take other actions to ensure reasonable access to the entity's programs and activities for individuals with limited English proficiency. It would have also designated the Maryland Commission on Civil Rights as the oversight, monitoring, investigation, and enforcement authority for compliance with Maryland's language access law. We look forward to working with The Arc of Prince George's County, Jubilee Association of Maryland, Maryland Legal Aid, Homeless Persons Representation Project, Centro SOL, Maryland Hunger Solutions, and other advocates to bring this bill back to the Maryland General Assembly in 2024.

Strengthening Safety Net Services for Low-Income Individuals and Families

Low-income individuals and families rely on safety net services, including food and cash assistance to survive, but Maryland's safety net has weaknesses the PJC is advocating to address. The nationwide Electronic Benefits Transfer (EBT) card skimming theft crisis, made possible because of vulnerability in EBT card security, has left families with young children, seniors, individuals with disabilities, and others unable to afford food, rent, and utilities. Based on data available during the state legislative session, more than 3,800 households receiving food and cash assistance had more than \$2.5 million in benefits stolen in Maryland alone since 2021, driving them deeper into poverty.

CHANGE ACHIEVED IN FY23

✓ Reimbursing households for stolen food and cash assistance benefits

SB 2 / HB 502 was a big win for thousands of households in Maryland affected by Electronic Benefits Transfer (EBT) card skimming theft that resulted in the loss of food and cash assistance benefits. The Prevent Electronic Benefits Theft Act requires the Department of Human Services (DHS) to reimburse households for stolen food and cash assistance benefits and allows DHS to issue retroactive reimbursements for households whose benefits were stolen back to January 2021. The law does not require households to file a police report as proof of the theft and does not place limits on the number of months a household can receive reimbursement of benefits lost due to theft. Finally, the law requires DHS to invest in security protections for EBT cards to prevent future EBT theft.

Advocates for the bill included directly impacted community members who bravely shared their personal stories about EBT skimming theft with the Maryland General Assembly; Sen. Katie Fry Hester, Sen. Benjamin Kramer, Del. Robbyn Lewis, Del. Courtney Watson, Del. Tiffany Alston, and Committee Chair Joseline Peña-Melnyk; and allies at the Maryland Department of Human Services, Homeless Persons Representation Project, Maryland Hunger Solutions, Catholic Charities of Baltimore, Maryland Center on Economic Policy, CASH Campaign of Maryland, Maryland Legal Aid, Marylanders Against Poverty, Anne Arundel County Food Bank, Baltimore Jewish Council, Civil Advocacy Clinic at the University of Baltimore School of Law, Cornerstone Community Housing, Earl's Place/Prospect Place, Disability Rights Maryland, Economic Action Maryland, Health Care for the Homeless, Montgomery County Food Council, Prince George's County Food Equity Council, and Welfare Advocates.

The PJC and Homeless Persons Representation Project (HPRP) are monitoring implementation of the new law, holding DHS accountable to the provisions of the law, and equipping people with information on their rights to reimbursement as well as how to appeal and cite the law when DHS denies reimbursement requests. Our outreach included a PJC Justice for Breakfast² with HPRP and Maryland Hunger Solutions in May 2023 about the administrative and legislative advocacy efforts conducted by advocates in Maryland to restore benefits for low-income individuals and families. The PJC has now expanded its community outreach and education on EBT theft reimbursement to low-income individuals and families so they can advocate for their rights under the new law.

New data reported by DHS shows that this issue was much worse than Marylanders knew during the legislative session. As of August 2023, DHS has approved 20,461 claims for reimbursement and more than \$12.2 million in funds have been reimbursed to households.

Enhancing Patient Protections Against Harmful Medical Debt Collection Practices

Hospitals have long sued patients, who are disproportionately people of color and women, for relatively small amounts of debt instead of using the millions of dollars in charity care funding they receive to cover the cost of care for those who cannot afford their medical bills. Hospitals have garnished wages, placed liens on homes, and pushed families into bankruptcy, threatening their financial and housing security and placing an immense emotional and physical burden on them and their families. In 2021, the Health Service Cost Review Commission (HSCRC) released a study reporting that not only were 60% of people who should have received free care reported as bad debt and pursued for collection by hospitals, but hospitals also collected roughly \$60 million in 2017 and then again in 2018 from patients who were eligible for free care and, thus, should not have been charged.

CHANGE ACHIEVED IN FY23

✓ Growing the movement to end medical debt in Maryland

End Medical Debt Maryland collectively represents over 350,000 Marylanders and is on a mission to increase that number through community outreach and base-building to advocate for legislation that puts patients before profits. To that end, in March 2023, the PJC and allies in the End Medical Debt Maryland coalition held a successful hybrid rally at Lawyers' Mall in Annapolis and on Zoom. The PJC emceed the virtual component of the rally with technical support from Progressive Maryland and Maryland PIRG. The focus of the rally was to uplift legislation that would help end medical debt in Maryland through personal, powerful storytelling from patients and healthcare providers. The stories touched on inequities and injustices in healthcare, including immigration status being a barrier to health insurance coverage, massive out-of-pocket costs for a survivor's breast cancer screening, Medicaid beneficiaries being denied access to life-saving gender-affirming care, a lupus and cancer survivor unable to afford medication for her conditions, and one family carrying hundreds of thousands of dollars in medical debt. The rally was attended by community members, advocates, and

² Watch *Making Things Right: The Journey to Replacement of Stolen Food and Cash Benefits in Maryland* at <http://www.publicjustice.org/en/news/video-from-justice-for-breakfast/>.

legislators; got press coverage from *Maryland Matters*³ and *WBAL-TV*;⁴ and attracted new members to End Medical Debt Maryland.

✓ **Ensuring equitable implementation of patient protections against medical debt collection**

The PJC and other health advocates successfully backed a bill during the 2022 Maryland legislative session that addressed the failure of Maryland’s hospitals to meet their obligation to provide charity care to eligible patients. The law required the Maryland Health Services Cost Review Commission (HSCRC)—in coordination with the Department of Human Services, the State designated exchange, the Office of the Comptroller, and the Maryland Hospital Association—to develop a process for identifying those who paid for hospital services between 2017 and 2021 but may have qualified for free care and reimbursing them. In monitoring the HSCRC’s implementation of the law, we discovered that the workgroup convened in summer 2022 to develop this process was missing key voices. The PJC and End Medical Debt Maryland advocated with HSCRC and secured two seats on the workgroup—one for a medical debt advocate and one for a patient representative. We believe their voices have been crucial in shaping a process that does not place an undue burden on patients seeking their refund.

✓ **Identifying and reimbursing patients who may have qualified for free care**

The Medical Bill Reimbursement Act of 2023 (HB 333 / SB 404) builds on the 2022 law requiring the Maryland Health Services Cost Review Commission (HSCRC) and various state agencies to develop a process for identifying patients who were wrongly charged for hospital services and have the hospitals reimburse them. This year’s bill is the product of the summer 2022 workgroup convened by HSCRC with stakeholders, including hospitals, certain state agencies, patients’ rights advocates, and domestic violence survivors advocates to fine tune the refund process. The Medical Bill Reimbursement Act of 2023 allows data sharing between state agencies and hospitals to identify and refund patients in compliance with privacy laws and ensures that refund notifications will be sent to designated safe addresses maintained by the hospital for those experiencing domestic violence. Thank you to Del. Lorig Charkoudian, Sen. Antonio Hayes, Sen. Stephen Hershey, and End Medical Debt Maryland for championing this effort to make low-income patients whole.

Expanding Health Care Access

Many systemic barriers keep people from attaining their highest level of health. In Maryland, the Black maternal mortality rate is four times the white

maternal mortality rate; among the reasons is racial bias by health care providers that results in Black women’s concerns being ignored and a lower quality of care. The lack of access for low-income transgender Marylanders to comprehensive gender-affirming care—care that would be covered in private insurance—leaves them vulnerable to discrimination in various areas of life as well as physical and mental health complications. The use of emergency rooms for crisis stabilization when community supports are not readily available can be dangerous or deadly for children and adults with behavioral health disabilities and increases unnecessary contact with law enforcement. These are just a few of the ways that our health care systems and safety net services fail our communities, and in particular, fail people with low-incomes and people of color.

CHANGE ACHIEVED IN FY23

✓ **Providing gender-affirming treatment through Medicaid**

Maryland will join more than ten other states that provide comprehensive gender-affirming care when HB 283 / SB 460 goes into effect on January 1, 2024. The Trans Health Equity Act will require the Maryland Medical Assistance (Medicaid) Program to cover medically necessary and life-saving gender-affirming treatment and will provide care to the approximately 6,000 transgender Marylanders enrolled in Medicaid. Thank you to Del. Anne Kaiser, Sen. Mary Washington, and the Maryland Trans Rights Advocacy Coalition for championing this important legislation, and thank you to the directly impacted Marylanders who shared their personal experience with legislators in support of the bill.

✓ **Eliminating high prescription drug costs**

The passage of SB 202 / HB 279 will help eliminate high prescription drug costs as a barrier to good health for low-income Marylanders. The new law reestablishes the Prescription Drug Affordability Board’s authority to set upper limits on prescription drug products that are purchased or paid for by or through certain State or local government entities, plans, or programs. It also requires the Board to, under certain circumstances, draft a plan of action for implementing a process to set upper payment limits for certain prescription drug products. Thank you to Sen. Brian Feldman and Del. Bonnie Cullison for championing the bill and Maryland Citizens Health Initiative for leading advocates on this important issue.

✓ **Improving health outcomes for immigrant and uninsured communities**

The lack of health insurance coverage is associated with delays in care, lower rates of preventative care, and increased rates of hospitalization and mortality

³ William J. Ford. “Advocates rally for bills that would expand access to health care.” *Maryland Matters*. <https://bit.ly/3OLx1jc>.

⁴ Kim Dacey. “Rally held in Annapolis to end crippling medical debt.” *WBAL-TV 11*. <https://bit.ly/3s5p13B>.

for preventable illnesses. SB 806—championed by Sen. Ariana Kelly, Sen. Shelly Hettleman, and CASA and its members—will help Maryland better understand and meet the health needs of uninsured residents, thus enabling our state to improve health outcomes for immigrant and uninsured communities. The new law requires the Maryland Health Benefit Exchange and the Maryland Department of Health to develop a report comparing options for offering affordable health and dental care to state residents who are ineligible for Medicaid, the Maryland Children’s Health Program, qualified health plans, or stand-alone dental plans due to immigration status.

✓ **Addressing behavioral health crises through funding for the 9-8-8 Trust Fund**

9-8-8 is the designated official phone number for the National Suicide Prevention Lifeline, a resource for individuals experiencing a behavioral health crisis to connect to local crisis services. The passage of SB 3 / HB 271 creates a steady funding source for much needed services—including crisis call centers, mobile crisis team services, and crisis stabilization centers—by requiring the Governor to include an appropriation of \$12 million to Maryland’s 9-8-8 Trust Fund in the annual budget for FY25. We thank Sens. Malcolm Augustine, Ariana Kelly, Jack Bailey, Joanne Benson, Paul Corderman, Sarah Elfreth, Guy Guzzone, Shelly Hettleman, Michael Jackson, J.B. Jennings, Nancy King, Cory McCray, Jim Rosapepe, Johnny Ray Salling, and Craig Zucker and Del. Heather Bagnall for championing the legislation. We also thank Behavioral Health Systems Baltimore, the Mental Health Association of Maryland, and the Maryland Behavioral Health Coalition for leading advocates on this bill.

ADVOCACY IN PROGRESS

◆ **Ensuring equitable and inclusive implementation of Medicaid reimbursement for doula care**

Maryland Medicaid began providing Medicaid reimbursement in February 2022 for doula care. Doulas are non-medical birth workers who provide emotional and physical support, information, and advocacy to birthing people and families during the prenatal, birth, and postpartum periods. Since then, we learned through a Public Information Act request that the enrollment rate of in-network doula service providers has been extremely low and that there were no enrolled providers in Baltimore City or other parts of the state with the highest rates of maternal death. We are working with the Reproductive Health Equity Alliance of Maryland (RHEAM) and other maternal health advocates to conduct listening sessions with community-based doulas in Maryland on barriers to participation in the program. We will share what we learn from the doulas directly with Maryland Department of Health and Maryland Medicaid, and we will continue advocating with allies and directly impacted people to address inequities in the doula care reimbursement program.

◆ **Advocating with community health workers for Medicaid reimbursement and other funding**

Community health workers (CHWs) are frontline public health workers who are members of the communities they serve and have a deep understanding of those communities. They play a vital role in addressing racial and economic disparities in accessing health care. They provide culturally competent health education, care coordination, and social and emotional support; help people navigate health and social service systems; and serve as advocates for individuals and communities. The support CHWs provide helps address social determinants of health, improve health outcomes, and reduce costs. Yet, the State of Maryland has not financially invested in the field in a way that is sustainable. More than 15 states reimburse or have committed to reimburse CHWs through their Medicaid programs and are models for how it could work in Maryland. Other sources of sustainable funding are also necessary to ensure that immigrant communities that do not qualify for Medicaid can also access CHW support.

The PJC has begun to build a coalition centered on the needs of CHWs, starting with outreach to CHWs, trainers and employers of CHWs, people who have submitted legislative testimony on CHW certification, universities, and the Institute for Public Health Innovation. We held the first coalition meeting in June 2023, and 15 CHWs, CHW trainers, and health care and advocacy organizations participated in identifying long-term goals, including: 1) reimbursing CHWs in a way that is sustainable and allows low-income and undocumented communities to access CHW services; 2) ensuring the health care system is person-centered and recognizes that CHWs are key to improving health outcomes; 3) building relationships with allies to educate policymakers about the CHW field, barriers to being a CHW, and recommendations on how to address these issues; 4) ensuring access to language services and cultural orientation for CHWs coming from non-English speaking communities; and 5) educating CHWs about the legislative process and building their advocacy skills.

Additionally, the PJC identified a bill introduced in the 2023 Maryland General Assembly (HB 290) that included a provision to reimburse CHWs for working with dental patients as part of a larger effort to expand access to pediatric dental care. We submitted written testimony in favor of the bill with amendments, including an amendment for the Maryland Department of Health (MDH) to conduct a study of providing reimbursement for services provided by CHWs working in a variety of settings with patients with dental and other health needs. The amendment was incorporated into the bill that passed. MDH is required to report its findings by December 1, 2024.

The PJC’s Health and Benefits Equity Project Team Ashley Black ■ David Reische

JOHN P. SARBANES COURAGE AWARDS

The John P. Sarbanes Courage Awards honor clients and others who exhibit tremendous courage in the face of injustice.

Devin Carpenter and her son were living in a home with unsafe conditions. The home had multiple violations cited by the City of Baltimore, but the landlord refused to make any repairs and somehow still had a valid rental license. Ms. Carpenter believed that this license was issued fraudulently and asked that the City revoke the license until repairs were made. She displayed tremendous courage by testifying in front of the City Council and sharing her experience of living in unsafe conditions. She advocated for safer housing and increased rental inspection accountability measures, not only for herself and her son, but for all the other Baltimore City tenants in similar situations.

Awura-Adzua Cummings-Martin suffered financially due to COVID, fell behind on rent, and relied on COVID-19 eviction prevention funds to become current on her rent. Then, she became an advocate for other renters: taking time out of her week to speak out in Annapolis to ask legislators to fund ongoing eviction prevention efforts beyond the pandemic-related rental assistance. As COVID-related eviction protections expired, Ms. Cummings-Martin was a voice for renters dealing with setbacks that put them at risk for eviction.

Antione Hudnell, the father of two children, stood up to a landlord who refused to address serious health and safety conditions in the property. The landlord retaliated by filing for eviction. At trial, Mr. Hudnell was unrepresented, and the judge did not give him an opportunity to tell his story or properly present his defense. The PJC took his case on appeal and won in a preliminary motion to dismiss the case due to procedural defects (i.e., the legal procedures were not followed). We are still working with him to fight for repairs so that he and his kids can stay in their home and are not harmed by the unsafe conditions.

Sharnae Hunt was illegally evicted by her landlord two days before Thanksgiving 2022. Because of an “error” by her landlord, Ms. Hunt came home from work to find that all her belongings had been removed from her unit and thrown carelessly into the street. Her landlord acknowledged the error and returned her keys, but the damage had already been done; the landlord’s agents had damaged, broken, dirtied, and even stolen her belongings—including precious keepsakes her son had made, her Social Security card, and bank information. Her son’s pet turtle has been missing since the eviction. Ms. Hunt did not want such a traumatic event to happen to anyone else in Maryland. She joined Renters United Maryland in advocating for a proposed bill in the 2023 legislative session that would have given tenants the right to reclaim their property up to seven days after an eviction. Ms. Hunt testified

passionately and effectively, telling every grisly detail and letting state legislators know that she is but one of many tenants who deal with this cruel process every year. Instead of simply allowing her landlord to make her whole and putting it behind her, she worked diligently to make housing more equitable for Maryland tenants. While the bill did not pass in 2023, Ms. Hunt has joined Renters United Maryland to bring this bill back in 2024.

The plaintiffs in **Aguilar et al. v. David E. Harvey Builders, Inc. et al.** deserve special recognition for their courage and persistence in fighting for their unpaid wages over the last five years. They bravely brought a lawsuit in 2018 after they worked for various weeks on a construction project without any compensation at all. Their pursuit of justice culminated in a week-long federal trial in May 2023, at which each of the plaintiffs—**Angella Aguilar, Luis Baires, Carlos Chavarria, Blanca Ferrer, Jacinto Garcia, Fabricio Marroquin, Antonio Martinez, Wilson Panozo, Freddy Veizaga Prado, Jose Feliciano Revelo, and Jose Antonio Torres**—provided compelling direct testimony and withstood cross-examination from two sets of defendants. Although a decision from the court is still pending, regardless of the ultimate outcome, the plaintiffs were able to share their stories on the stand and proved that workers can and will bring unscrupulous employers to court.

Andre Simmons and Darryl Evans were shocked when their food and cash assistance benefits were stolen from their Electronic Benefits Transfer (EBT) card accounts by an unknown individual or group through skimming theft. Their trauma was compounded when they learned that the Department of Human Services (DHS) was not replacing stolen benefits for thousands of Marylanders like themselves who were the victims of theft. This nationwide crisis has left the victims, including families with young children, seniors, and individuals with disabilities, unable to afford food, rent, and utilities, driving them deeper into poverty. Mr. Evans and Mr. Simmons showed immense courage in advocating for state legislation to require DHS to replace stolen food and cash assistance benefits for victims of EBT card theft and enhance security protections for the cards. Further, they overcame numerous obstacles to testify virtually at the bill hearing before the legislative committee. As a result of Mr. Evans’ and Mr. Simmons’ tireless advocacy for justice and of sharing their personal experiences with benefits theft, the legislation is now law. More than 11,000 Maryland households have been reimbursed for more than \$7 million in stolen benefits, and EBT cards now have new security features.

FY 2023 Income & Expenses

July 1, 2022 - June 30, 2023

Thanks to our many supporters, the Public Justice Center had another very strong year financially. Highlights from FY 2023 include:

- ✓ The PJC Board approved a budget of \$3,292,216—including just over \$380,000 in new development (i.e., funds to be identified and raised throughout the year to fully cover anticipated expenses). We ended the year with a net positive income of \$459,302 when unrealized gains are included, considerably more than projected.
- ✓ Attorneys’ fees we earned by successfully challenging employers’ wage theft in the courts (\$416,220) came in at more than three times the amount budgeted. We saw steady growth in contributions from individuals and foundations (both in unrestricted and restricted grants), while donations from law firms and fees from fiscal sponsorships of three Black-led organizations declined slightly from the prior fiscal year.
- ✓ At the end of the year, we have nearly \$2.8 million in unrestricted net assets (reserves) that will help us weather any fluctuations in the economy, invest in staff and training, and respond to unanticipated opportunities.

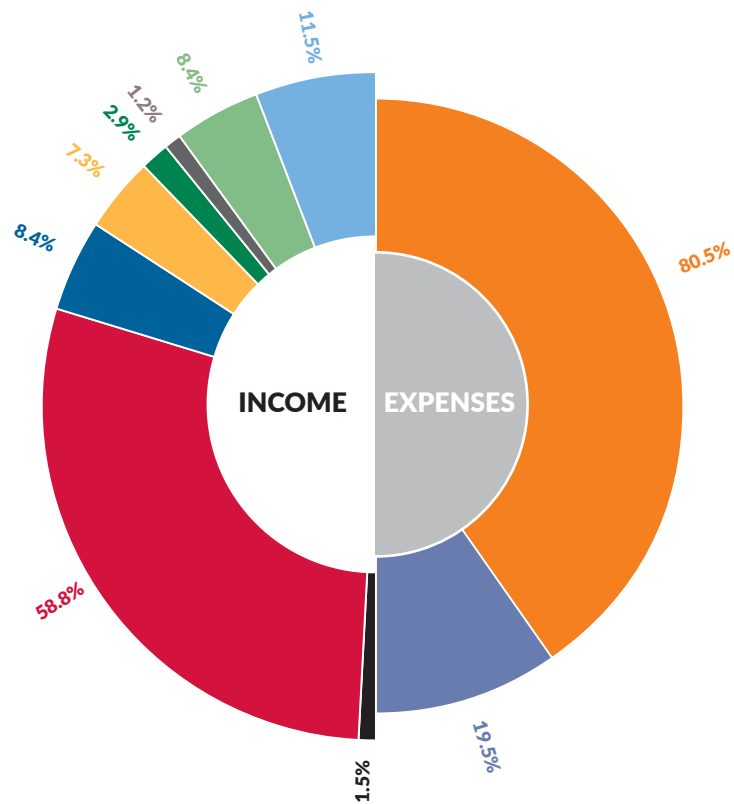
Thank you for trusting the PJC to use your contributions wisely to create systemic change and for continuing or increasing your financial commitment to our mission and advocacy. You make the progress described throughout this annual report possible!

INCOME: \$3,625,271

Attorneys’ Fees Earned	\$416,220
Individual Donations	\$303,187
Law Firm Donations	\$44,315
Murnaghan Fellowship	\$106,001
Unrestricted Foundation Grants	\$265,000
Government Grants	\$304,914
Restricted Foundation Grants	\$2,130,878
Interest and Other	\$54,756

EXPENSES: \$3,328,996

Personnel	\$2,678,922
Non-Personnel	\$650,004



The Standards for Excellence evaluate principles of honesty, integrity, fairness, respect, trust, responsibility, and accountability in nonprofit program operations, governance, human resources, financial management, and fundraising. The Public Justice Center was re-certified by Maryland Nonprofits in August 2019.

This financial summary was prepared on a cash basis from end of year (June 30, 2023) financial statements prior to completion of the annual independent audit. The audited financial statements will be available at <http://www.publicjustice.org/financials-and-annual-reports/> in December 2023.

The Public Justice Center, Inc. is a 501(c)(3) organization, gifts to which are deductible as charitable contributions for federal income tax purposes. The Public Justice Center is incorporated in the State of Maryland. Copies of current financial statements are available upon request by contacting the Public Justice Center at 201 N. Charles Street, Suite 1200, Baltimore, MD 21201 or by telephone at 410-625-9409. Documents and information submitted to the State of Maryland under the Maryland Charitable Solicitations Act are available from the Office of the Secretary of State, Annapolis, MD 21401 for the cost of copying and postage. The Public Justice Center is registered to request contributions in the states that require charitable solicitation registration. See <http://www.publicjustice.org/charitable-solicitation-disclosures/> for more information.

THANK YOU TO OUR PARTNERS!

Thank you to the many organizations and individuals that led us and partnered with us in advocating for good laws, policies, and practices at the local, county, and state levels between July 1, 2022, and June 30, 2023.

Organizations

1199SEIU
AARP Maryland
Access to Counsel in Evictions Task Force
ACLU National Prison Project
ACLU of Maryland
Advance Maryland
Alzheimer's Association – Greater Maryland and National Capital Area Chapters
America Works – Baltimore City
America Works – Howard County
America Works – Prince George's County
Anne Arundel County Food Bank
The Arc of Prince George's County
Baltimore Action Legal Team
Baltimore City Community Action Partnership
Baltimore City Mayor's Office of Children and Family Success
Baltimore City Mayor's Office of Employment Development – Eastside One-Stop Center
Baltimore City Mayor's Office of Immigrant Affairs
Baltimore City Mayor's Trauma Informed Care Task Force
Baltimore City Schools Career Technical Education Department
Baltimore DC Metro Building Trades Council
Baltimore Democratic Socialists of America
Baltimore Jewish Council
Baltimore Movement of Rank and File Educators
Baltimore Regional Housing Partnership
Baltimore Renters United
Behavioral Health Systems Baltimore
Bernabei & Kabat, PLLC
Birthers United
Black Alliance for Just Immigration
Bon Secours Community Resource Center
Brown, Goldstein & Levy LLP
Capital Area Immigrants' Rights Coalition
Caring Across Maryland
Caroline Center
CASA
CASH Campaign of Maryland
Catholic Charities of Baltimore
Center for Children's Law and Policy
Centro de Los Derechos del Migrante
Centro SOL
Child, Adolescent & Young Adult Services, Mid Shore Behavioral Health
CHOICE Program at the University of Maryland Baltimore County
Civil Justice Network
Coalition for a Safe and Just Maryland
Cohen Milstein Sellers & Toll PLLC
Comité Latino de Baltimore
Common Cause Maryland
Community Development Network of Maryland
Communities United
Comprehensive Nursing Services
Cornerstone Community Housing
Department of Social Services Talbot County
Disability Rights Maryland
District Court Self-Help Center
DLA Piper LLP
Dolores Street Community Services
Earl's Place/Prospect Place
Economic Action Maryland
End Medical Debt Maryland
Equal Access Language Services LLC
Family Values @ Work
Fayette Street Outreach
Fe y Justicia Worker Center
Florida Legal Services
Food and Water Watch
Frederick County Local Behavioral Health Authority
Free State PTA
Gallagher Evelius & Jones LLP

Gault Center
Georgia Legal Services Program
Governmental Access Workgroup
Governor's Office of Crime Prevention, Youth, and Victims Services, Eastern Shore Local Management Boards
Health Care for the Homeless
Homeless Persons Representation Project
Housing Initiative Partnership
Housing Justice Network
Howard University School of Law Civil Rights Clinic
IBEW Local 24
IMAGE Center of Maryland
Intercultural Counseling Connection
International Union of Painters and Allied Trades – District Council 51
Jews United for Justice
Job Opportunities Task Force
Johns Hopkins Bloomberg School of Public Health
Jubilee Association of Maryland
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Matt Hill honored with the Peter M. Cicchino Public Service Award from the American University Washington College of Law

Congratulations to Matt Hill for winning the 2022 Peter M. Cicchino Public Service Award in the category of American University alumna or alumnus whose career has spanned 5-15 years! Presented at the annual Awards Ceremony in October 2022, the award from American University Washington College of Law recognizes Matt for his advocacy as an attorney and team leader of the PJC's Human Right to Housing Project.

"Matt has represented hundreds of tenants facing eviction and substandard housing conditions. Together with partners in Renters United Maryland and Baltimore Renters United, he has advocated to create a right to access legal representation in eviction cases in Maryland, advocated to create Baltimore City's Affordable Housing Trust Fund with a dedicated funding source, acted as lead or co-counsel in a number of appeals involving landlord-tenant law as well as collective actions challenging predatory landlord practices and fair housing act violations."¹

Carolina Paul recognized with the 2023 Latino Providers Network Community Service Award

The Latino Providers Network (LPN) selected Carolina Paul from among numerous nominations to receive a 2023 LPN Community Service Award. The awards are presented annually to individuals providing meaningful service to the Latine community in the Baltimore metropolitan area. Carolina was recognized as part of the LPN Hispanic Heritage Month Celebration in September for going above and beyond for the PJC's Latine clients, forming strong relationships with community providers, and advocating with the court and city agencies to improve services for people with limited English proficiency. Congratulations, Carolina!

David Rodwin recognized with 2023 Caring Across Maryland Award

Congratulations to PJC attorney David Rodwin for receiving Caring Across Maryland's first annual advocacy award! The award recognizes David's years of work to improve the quality of Maryland's home care jobs, specifically "for building broad support to improve pay and working conditions for home care workers with persistence and determination."

¹ American University Washington College of Law. Previous Peter M. Cicchino Public Service Award Recipients. <https://bit.ly/3PiFOYQ>.

PROGRESS
IN FY 2023

PURSUING SYSTEMIC CHANGE



The Public Justice Center took 199 impact cases and advocacy actions to pursue systemic change in our Fiscal Year 2023 (July 1, 2022-June 30, 2023). You'll read many examples of the change we achieved in FY23 and our advocacy in progress in this annual report. Pictured here are advocates and Governor Wes Moore at the bill signing for SB 2 / HB 502, a new law that reimburses households for stolen food and cash assistance benefits. (See page 29 for more on how this new law is strengthening safety net services for low-income Marylanders.)



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Maryland Charity Campaign: 521412226
Combined Federal Campaign: 40003