

Chapter 35

(Senate Bill 262)

AN ACT concerning

Task Force to Study Implementing a Civil Right to Counsel in Maryland

FOR the purpose of establishing the Task Force to Study Implementing a Civil Right to Counsel in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain public officials on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Implementing a Civil Right to Counsel in Maryland.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Implementing a Civil Right to Counsel in Maryland.

(b) The Task Force consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) three members appointed by the Governor, one of whom shall be an attorney who is a member of the Maryland State Bar Association and who is appointed after consultation with the President of the Maryland State Bar Association and one of whom shall be an attorney or a legal provider or both; and

(4) three members who are representatives of the Judiciary, appointed by the Chief Judge of the Court of Appeals.

(c) The Chief Judge of the Court of Appeals shall designate the chair of the Task Force, who shall have a vote in the recommendations of the Task Force.

(d) The Maryland Access to Justice Commission shall provide staff for the Task Force.

- (e) A member of the Task Force:
 - (1) may not receive compensation as a member of the Task Force; but
 - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

- (f) The Task Force shall:
 - (1) study the current resources available to assist in providing counsel to low-income Marylanders compared to the depth of the unmet need, including the resulting burden on the court system and the stress on other public resources;
 - (2) study whether low-income Marylanders should have the right to counsel at public expense in basic human needs cases, such as those involving shelter, sustenance, safety, health, or child custody, including review and analysis of the Maryland Access to Justice Commission's "Implementing a Civil Right to Counsel in Maryland" report and each other previous report by a task force, commission, or workgroup on this issue;
 - (3) study alternatives regarding the currently underserved citizenry of the State and the operation of the court system;
 - (4) study how the right to counsel might be implemented in Maryland;
 - (5) study the costs to provide meaningful access to counsel and the savings to the court system and other public resources;
 - (6) study the possible revenue sources; and
 - (7) make recommendations regarding the matters described in this subsection.

- (g) On or before October 1, 2014, the Task Force shall report its findings and recommendations to the Governor, the Chief Judge of the Court of Appeals, and, in accordance with § 2-1246 of the State Government Article, the President of the Senate, the Speaker of the House, the Senate Budget and Taxation Committee, the Senate Judicial Proceedings Committee, the House Appropriations Committee, and the House Judiciary Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013. It shall remain effective for a period of 1 year and, at the end of September 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, April 9, 2013.