



MARYLAND
LEGAL AID

Advancing
Human Rights and
Justice for All

FOR IMMEDIATE RELEASE

Media Contact:

Jennifer Lavella
Director of Marketing and Communications
410-951-7683 office
410-218-7313 cell
jlavella@mdlab.org

**MARYLAND LEGAL AID JOINS COALITION OF PRO BONO LEGAL SERVICES IN
AMICUS BRIEF IN THE APPELLATE COURT OF MARYLAND SUPPORTING
APPELLANT CARLY AVERY**

BALTIMORE, MD., (December 19, 2022) - Maryland Legal Aid (MLA) is one of several organizations in Maryland fighting for access to justice for low-income individuals and families. On November 30, 2022, Brown, Goldstein & Levy attorney Anthony May, representing Maryland Legal Aid (MLA) and a coalition of pro bono legal services organizations across the state, filed an amicus brief in the Appellate Court of Maryland supporting Appellant Carl Avery. Mr. Avery received legal services through the Maryland Volunteer Lawyers Service (MVLS). Despite meeting the state income requirements to receive such services, and despite prevailing on virtually all issues, the Circuit Court of Anne Arundel County nevertheless required Mr. Avery to pay \$5,000 for his adversary's fees because he "doesn't have attorney's fees," reimposing the economic burden that pro bono services are designed to eliminate.

The brief highlights several reasons why the circuit court's decision contradicts the fundamental purpose of pro bono legal services and runs afoul of public policy designed to ensure that underrepresented Marylanders have equal access to justice. Among other things, the court's ruling (1) contravenes the Maryland General Assembly's, Maryland Rules Committee's, and the Maryland Judiciary's goals of providing access to justice for low-income Marylanders; (2) fails to account for the importance of pro bono representation in family law matters and the increased need for such services during and in the wake of the COVID-19 pandemic; and (3) would dissuade and penalize low-income Marylanders for obtaining such services and discourage attorneys from providing volunteer services while their clients are forced to pay the fees of their opponents who have the financial ability to pay their own fees. The coalition of non-profit organizations has asked the Appellate Court of Maryland to reverse the judgment in a reported opinion to reaffirm the judiciary's longstanding commitment to eliminating economic barriers inherent in the justice system.

MLA Chief Legal & Advocacy Director Somil Trivedi said: "This ruling is dangerous for every area of poverty law in our state and would expose low-income Marylanders to paying legal fees they have already proved they cannot pay. It's as counterproductive

as it is unfair. MLA supports the appellant in *Avery v. Avery* and will fight this issue in the [Appellate Court of Maryland] – and beyond if necessary.”

This amicus brief represents Maryland Legal Aid’s commitment to expanding access to justice in civil matters for underrepresented Marylanders and advocating for a more equitable and just society.

[Read the amicus brief here.](#)

###

About Maryland Legal Aid

Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free, civil legal services to people who are in Baltimore City and Maryland's 23 counties from 12 offices. The firm handles cases involving a wide range of issues, including family, housing, government benefits, healthcare, employment, and consumer law. MLA also represents children in CINA (Child in Need of Assistance) proceedings in 16 jurisdictions. Other vulnerable populations, such as homeowners facing foreclosure, migrant and seasonal farm workers, people with developmental and mental health disabilities, nursing home and assisted living residents, and veterans seeking benefits and assistance with related legal issues also receive representation through special projects. MLA's Community Lawyering Initiative, which includes its Lawyer in the Library program, assists with expunging criminal records to remove barriers to obtaining housing, employment, and child custody through clinics held in libraries, community centers, non-profit organizations, places of worship, schools, healthcare facilities, and other communal places.