

Maryland Law

FRIDAY 2-14-03

“ We have a message for President Bush today — read the Constitution. ”

John Bonifaz

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Bell highlights rule of law, funding for legal services

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Chief Judge Robert M. Bell held out the begging bowl on behalf of legal services during yesterday's State of the Judiciary address.

Speaking before a joint session of the Senate and House of Delegates, with

Gov. Robert L. Ehrlich Jr. looking on, Bell dedicated most of his sixth speech as chief judge to praising the “rule of law” and the importance of applying it equally to all.

He then pleaded for lawmakers to approve the \$1.2 million he has allocated in his provisional budget for the **Maryland Legal Services Corp.** (MLSC) to make up for the shortfall caused by the decline in

IOLTA (Interest on Lawyer Trust Accounts) payments.

MLSC, which administers grants to organizations such as the Legal Aid Bureau and House of Ruth, says it needs the money just to maintain its current level of service, as IOLTA normally pays for around half its annual running costs.

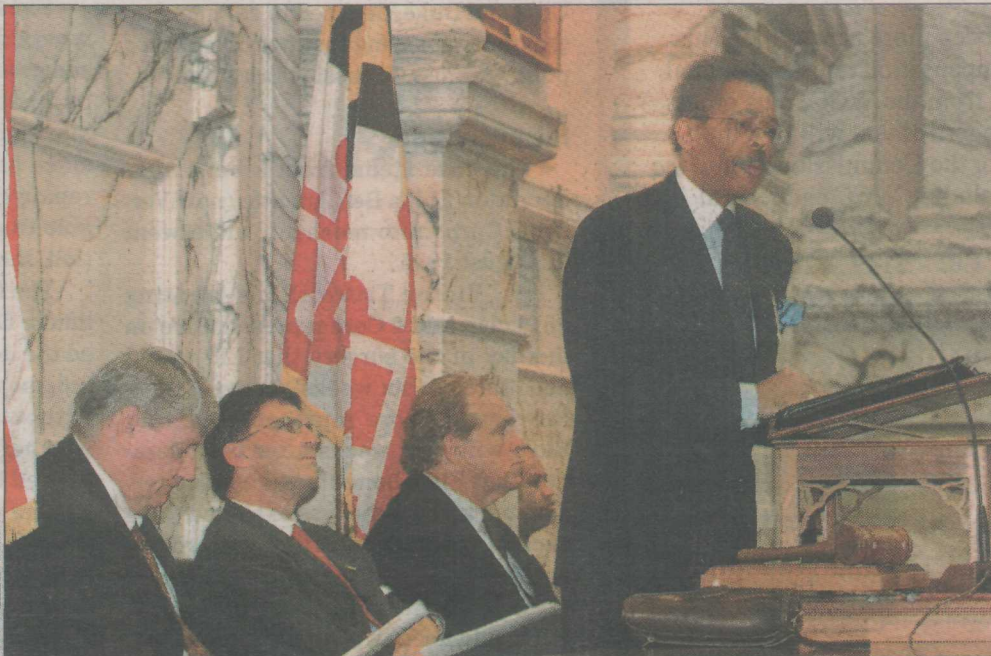
“It is a modest, even small, amount of money,” said Bell. “But it benefits people and, through them, gives substance and meaning to justice.”

Lawmakers appeared sympathetic — with many applauding in the chamber when Bell mentioned the issue — but also noncommittal, stressing the state's troubled fiscal plight as it faces a \$1.3 billion budget shortfall.

“The House and Senate fiscal committees will ask him [Bell] to prioritize,” Senate President Thomas V. Mike Miller, D-Prince George's/Calvert, said after the speech. “He is going to have to make choices.”

The chairman of the House Judiciary Committee, Del. Joseph F. Vallario, D-Prince George's/Calvert, agreed with that assessment, saying the chance of Bell getting everything he wanted was “between slim and none.”

“We are in a tight budget situation and



As House Speaker Mike Busch, Governor Robert L. Ehrlich Jr. and Senate President Thomas V. Mike Miller look on, Chief Judge Robert M. Bell, right, acknowledged budget constraints but asked lawmakers to approve the \$1.2 million he has requested for legal services.

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it's going to be 'cut, cut, cut,'" he said.

MLSC Executive Director Robert J. Rhudy was more upbeat, saying that he thought there is a "good chance" the funding, just one part of the corporation's projected \$7 million budget, will be secured.

He noted that the Women's Legislative Caucus has already said it will support the funding request.

Rhudy added that money generated by IOLTA is expected to be \$3 million next year — down from \$3.8 million last year — and predicted a "real tumble" in payments over the next six months.

"This funding source, which was provided by the General Assembly, is going down the tubes," he warned.

Elsewhere in his speech, Bell paid tribute to his fellow judges, especially Judge John C. Eldridge, who reaches mandatory retirement age in November.

"He has brought both integrity and a

powerful, probing intellect to the deliberations of the Court of Appeals," he said.

No more judges, for now

Bell opted not to discuss the judiciary's legislative agenda at all and went out of his way to say that he would not be requesting funding for more judges, even though he made it clear "there is ample justification."

He added that the increase in caseloads meant that 23 judges are needed, 13 in circuit courts and 10 in the district court.

"We recognize that the state's fiscal situation counsels against such a request," he said.

He did, however, mention other funds the judiciary is requesting for various projects, including \$778,000 for court interpreters and \$262,000 for regional drug court coordinators to provide technical assistance "to advance juvenile, family, and adult drug courts."

Finally, Bell renewed his request for an "inter-branch forum" featuring representatives from the General Assembly, Governor's Office and the judiciary, to collaborate on various issues.