Ladies and Gentlemen,

Perdue, the market leader in the poultry industry in the guise of defending the family farm, has come to Annapolis wielding its influence to shut down funding to education-based legal clinics that take on its business practices. Before this happens, the General Assembly needs to reexamine the ramifications of its proposal.

Lawyers must often take on unpopular causes. To its great credit, the Maryland General Assembly does not shy away from funding these efforts. It pays for the prosecutor to bring to justice a police officer who used unreasonable force, resulting in the killing of a drug dealer during an arrest. It also pays for the public defender who secures the acquittal of a drug dealer whose Fourth Amendment right of protection from unreasonable searches and seizures were violated. It pays for the Attorney General’s office to bring claims against a business that may employ over hundreds of people in a small town but whose business practices have brought substantial economic harm to a few Maryland citizens. It has always funded these efforts because protecting constitutional rights, creating the opportunity for fairness and giving voice to those who cannot be heard are part of the foundation of our judicial system and separate us from many other countries around the world.

Upholding these rights is the mission of the University of Maryland School of Law’s clinical program, which is perennially ranked by the *U.S. News and World Report* as one of the top clinical programs in the country and was the first law school program in the country to receive the ABA’s leading public service honor. The clinic serves hundreds of clients every year and its work reaches to all parts of the state and all areas of practice. For example, earlier this month, after more than 15 years and three trips to the Maryland Court of Appeals, Professor Sherrilyn Ifill and students won a ruling that prevented the building of a construction rubble dump 25 feet from a historic community in Havre de Grace. The Low Income Taxpayer Clinic helped a disabled veteran, living on a fixed income with a mountain of medical bills, resolve a $30,000 tax dispute with the IRS that resulted when he filed a mistaken tax return. The Civil Rights of Persons with Disabilities Clinic was instrumental in a federal ruling that determined closed captioning of scoreboard announcements at FedEx Field was not optional but required. And on the Eastern Shore, the Community Development Clinic has been working since last fall to help families preserve family farmland for future generations. Now, the environmental law clinic is working to address a primary source of pollution for the Chesapeake Bay, the current business model for chicken farming.

While we support accountability for the use of public funds, the General Assembly’s proposal goes far beyond accountability, and instead ties funding to whether the Law School’s clinic work is politically objectionable. Moreover, it sets precedent to apply this same linkage between funding and political convenience to other aspects of the court system; setting the stage for the pulling of funds to a state prosecutors’ office that takes on a powerful purveyor of political influence, or a public defender’s office that is viewed as standing in the way of
unconstitutional, but politically popular crime fighting strategies. In short, Maryland’s legal clinic will be the “canary in the coal mine” for the independence of the State’s judicial system. The Maryland General Assembly stands a precipice where a company with a personal stake has exercised a significant and disproportionate influence to choke off State funds to a legal clinic that has challenged its business practices. We must reverse course and reject the proposed budget amendments.

Deborah Lynne Potter ’90
Matthew G. Hjortsberg ’96
Jonathan M. Kucskar ’08
Stanley Rohd ’66
Maura L. Demouy ’96
Ellen A. Callegary ’78
Richard Bloch ’71
Martin H. Schreiber II ’92
Gregory G. Hopper ’99
C. Diane Wallace Booker ’96
Heather Doherty Clark ’98