

Law on the Frontlines

Legal Reference for Public Libraries



Navigating the Law: Consumer Law

This session is being recorded

TMSLL/CMCLLD/MdA2JC 2023 11.

Introductions

The Frontlines Workgroup includes representatives from the Thurgood Marshall State Law Library, Conference of Maryland Court Law Library Directors, the Maryland Access to Justice Commission, and the Access to Justice Department of the Administrative Office of the Courts.

Instructors for each course will vary but the information provided is based on the core curriculum of the ongoing Frontlines Project.

Today's instructors are...

Catherine McGuire

Thurgood Marshall
State Law Library

Vickie Yiannoulou

Prince George's
County Circuit
Court Law Library

Joan Bellistri

Anne Arundel
County Public Law
Library

Joy Hollerbach

Thurgood Marshall
State Law Library

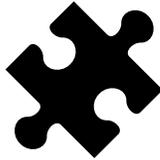
Hughston Vasil

Thurgood Marshall
State Law Library

Learning Outcomes



Describe the general topic of law



Identify best descriptive resources



Utilize primary sources of law for the topic



Assess and select among options for referral

Access to Justice

A quick review...



What is Consumer Law?

- Debt collection
- Credit issues
- Scams and frauds
- Consumer protection

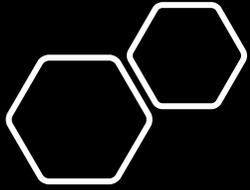
Spans multiple areas of law

Common Areas of Concern

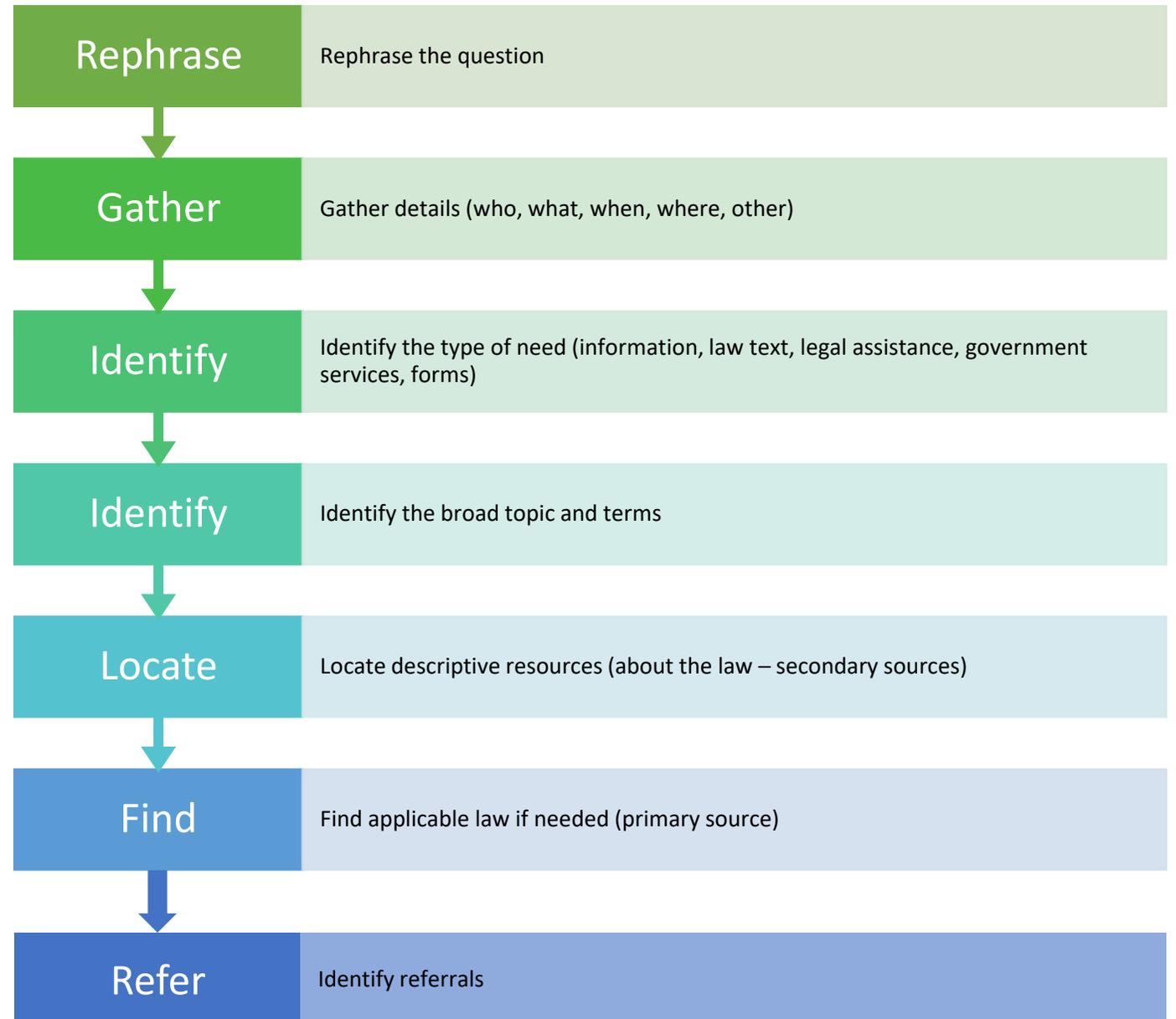
- Managing debt
- Debt collection practices
- Garnishments and liens
- Bankruptcy
- Identity theft
- False advertising
- Warranties
- Licensing
- Foreclosure

Details to Know

- Addressed by state and federal law
- Which court?
 - District Court – small claims
 - Circuit Court – larger claims
 - Bankruptcy – federal court
- Referrals can often include credit counseling services
- General information is more challenging – situations are very specific



Best Practices Review



Descriptive Resources

- Maryland Peoples Law Library
www.peoples-law.org
- Maryland Attorney General, Consumer Protection Division
www.marylandattorneygeneral.gov/Pages/CPD/default.aspx
- Federal Trade Commission
www.ftc.gov or www.consumer.gov
- National Consumer Law Center
www.nclc.org
- MVLS Factsheets
<https://mvlslaw.org/free-legal-help/legal-resources/>
- Nolo (website and texts)
www.nolo.com



Demonstration:
Descriptive Resources

Practice: Using Descriptive Resources

01

LAST YEAR SOMEONE STOLE MY IDENTITY AND MESSED UP MY CREDIT, BUT I THOUGHT I FIXED IT. HOW CAN I GET THIS OFF MY RECORD?

02

MY CAR HAS JUST BEEN REPAIRED BUT IT'S STILL NOT BEHAVING RIGHT AND I'M PRETTY SURE THEY OVERCHARGED ME. CAN I GET MY MONEY BACK?

03

WE HIRED SOMEONE TO REPLACE OUR DECK. WE BOUGHT ALL THE MATERIALS, BUT THE DECK IS UNFINISHED AND THE GUY HAS DISAPPEARED. WHAT CAN WE DO?

04

MY WAGES ARE BEING GARNISHED TO PAY A DEBT. THE AMOUNT THEY ARE TAKING EACH WEEK IS TOO MUCH, I WON'T HAVE ENOUGH TO LIVE ON. CAN I GET THE AMOUNT CHANGED?

Law and Court Procedures

Maryland

Statutory Law

- Md Code, Commercial Law Article, Title 13 – Consumer Protection Act
- Md Code, Commercial Law Article, Title 14 – Miscellaneous Consumer Protection Provisions
- Md Code, Business Occupations & Professions
- Md Code, Business Regulation

Regulatory Law

- COMAR 02.01 OAG Consumer Protection Division
- COMAR 14 – Independent Agencies
- COMAR 31 – Maryland Insurance Agencies

Court Procedures

- Md Rules, Title 3 – Civil Procedure – District Court; Rule 3-701. Small Claim Actions

Federal

Statutory Law

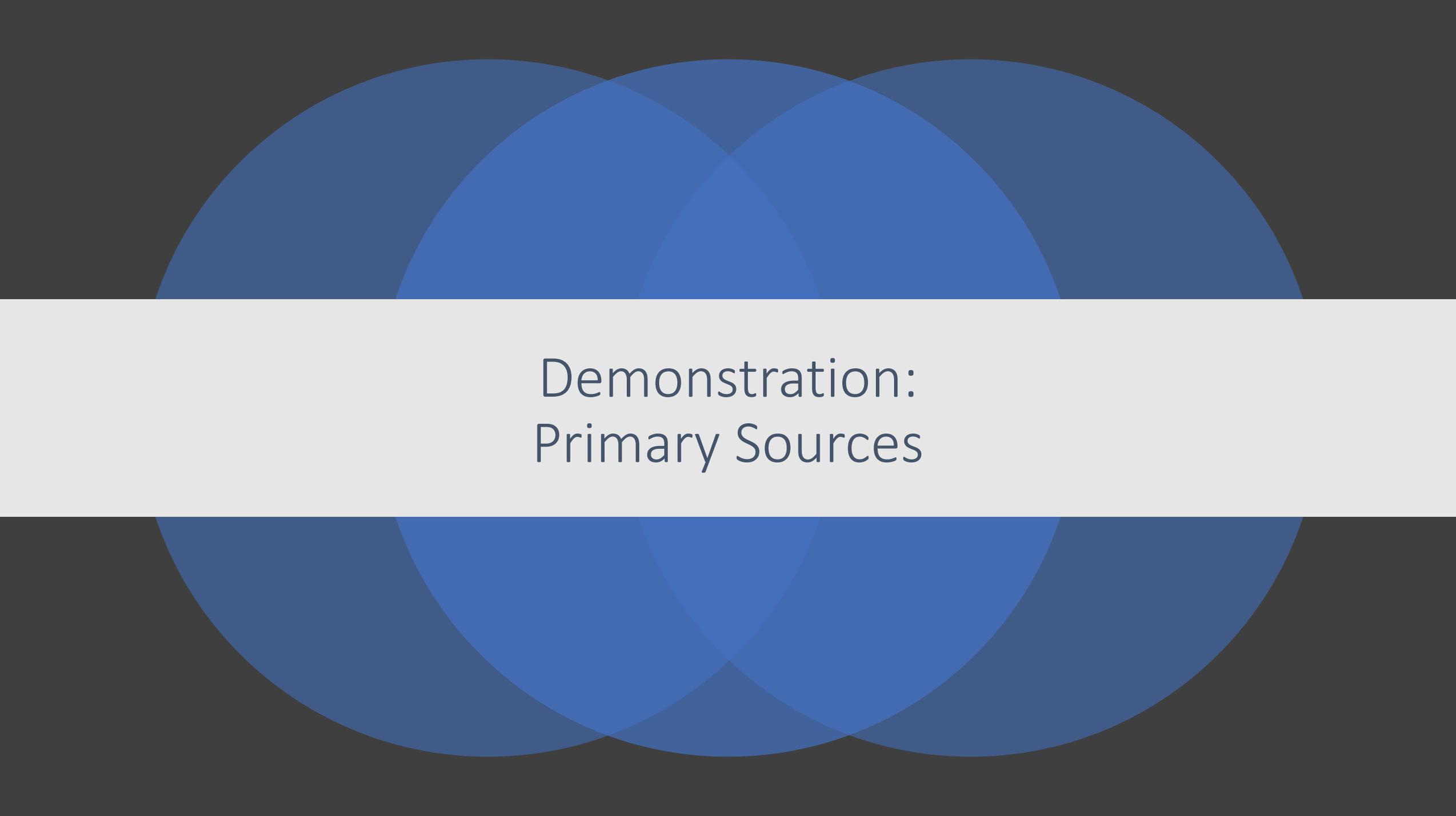
- US Code, Title 15. Commerce and Trade
 - Chapter 41. Consumer Credit Protections (secs. 1601-1693r)
 - Chapter 46A. Automobile Title Fraud (sec. 2041)
 - Chapter 47. Consumer Product Safety (secs. 2051-2089)
 - Chapter 50. Consumer Product Warranties (secs. 2301-2312)

Regulatory Law

- CFR Title 16. Commercial Practices
 - Chapter I. Federal Trade Commission
 - Chapter II. Consumer Product Safety Commission

Gateway to Maryland Law:

<https://mdcourts.gov/lawlib/research/gateway-to-md-law>



Demonstration: Primary Sources

Forms

- Maryland Court Forms
<https://mdcourts.gov/forms>
- Agency websites for complaint forms
Example: Complaint form for filing against a contractor with the MHIC
www.dllr.state.md.us/license/mhic/mhicfaqcomp.shtml

Connect to Legal Assistance

MVLS

mvlslaw.org

Civil Justice, Inc.

www.civiljusticenetwork.org

Debtor Assistance Project

www.mdb.uscourts.gov/content/debtor-assistance-project

Consumer Credit
Counseling Service

www.cccsmd.org

Md Attorney General,
Consumer Protection
Division

www.marylandattorneygeneral.gov

Court Help Centers

mdcourts.gov/helpcenter

Law Libraries

mdcourts.gov/ccll

PLL Legal Services
Directory

www.peoples-law.org/directory

Self-Study

- People's Law Library
- National Consumer Law Center,
www.nclc.org
- Maryland Attorney General,
Consumer Protection Division,
[Consumer Publications](#)
- Nolo (print and web)
- Maryland Public Library Toolkit,
<https://mdcourts.gov/lawlib/using-library/for-librarians/public-library-toolkit>

Assessment: What do you know now?

1. What kind of law is consumer law?
 - a. Civil
 - b. Criminal
2. Which of the following could be considered a consumer law issue? **Choose ALL that apply.**
 - a. Debt collection
 - b. Automobile accident
 - c. Divorce
 - d. Bankruptcy
3. What type of law would likely NOT apply to a consumer problem?
 - a. Federal
 - b. State
 - c. Local (county or municipal)
4. True or false – all consumer cases in Maryland are heard in the District Court.
5. Which of the following would be a helpful referral for a consumer debt problem?
 - a. St Ambrose Housing Center
 - b. Maryland Court Help Center
 - c. Public Justice Center
 - d. Women's Law Center

Next session-

Wednesday, November 29, 2023,
9-10am, Frontlines Topics: Lab,
Consumer Law

Questions?

