

## Working with Law Topics

From a reference perspective, a few law topics are fairly straightforward, with a few key resources on which you can rely for information and referrals. Beyond those few topics, most law topics are complex and need resources beyond the basics. They also generally need legal advice (thus, the crucial role of referrals). Your goal is to get people started, provide basic resources and guidance, then move them to the next level of assistance (again – referrals).

### Frontlines Topics

Law is complex, and the language used in law is often specialized. Thus, when working with law topics we strongly recommend starting with secondary sources that describe law in a particular area and help guide researchers to primary law sources for citation support.

Frontlines sessions and content provide assistance for the most commonly asked topics: Family Law, Landlord-Tenant, Consumer, Life & Health Planning, and Public Benefits. For each of these topics, Frontlines provides a foundation:

- **Brief Description** of the topic and what it may include;
- **Common Areas of Concern** that can produce reference queries;
- **Useful Details** specific to the topic that can help you identify resources;
- **Descriptive Resources** to start with for that topic;
- **Law and Court Procedures** addressing or involving the topic;
- **Forms**, if available; and
- **Legal Assistance Connections** with which to start.

During live Frontlines sessions, instructors demonstrate resources using real-world examples. While reviewing the content provided on the Frontlines website is a helpful foundation, working through examples in an interactive environment can enhance your ability to work with questions at the reference desk.

+ Family Law
+ Landlord-Tenant
+ Consumer
+ Life & Health Planning
+ Public Benefits

**TIP: FOR ANY TOPIC, IF YOU HAVE HIT THE LIMIT OF YOUR RESOURCES, LAW LIBRARIANS ARE AN EXCELLENT OPTION FOR FURTHER HELP.**

## Family Law

### Brief Description

Family law generally deals with marriage and its related areas: divorce and children. It can also include care or management of extended family members, as with adult guardianship.

Family law does **NOT** include family spats over property ownership, inheritance, and similar issues. If two siblings cannot agree on how to split their inherited property, this is not a family law issue.

Family law is...	Family law is not...
<ul style="list-style-type: none"><li>▪ Divorce</li><li>▪ Child Support</li><li>▪ Visitation</li><li>▪ Name Changes</li><li>▪ Guardianship</li></ul>	<ul style="list-style-type: none"><li>▪ Property ownership</li><li>▪ Deeds</li><li>▪ Inheritance and probate</li></ul>

### Common Areas of Concern

Conflict in family law can commonly arise in several areas of concern:

- Child support modification or non-payment
- Visitation schedule modification or breach
- Guardianship of a minor or an adult
- Birth certificate issues
- Establishing paternity

### Useful Details

- Maryland state law establishes how marriage and family are defined, established, and dissolved.
- Maryland state law addresses or involves most processes for divorce, child custody, and child support.
- Federal law increasingly passes broad-level legislation within areas such as child welfare, child support services, adoption, and child protection

Foreign and international law can impact some family situations.

- While generally U.S. states recognize each other's court orders, U.S. court orders may not be recognized in other countries. Each country is a sovereign nation; sovereign nations cannot interfere with each other's legal systems, judiciaries, or law enforcement.

- International treaties can provide frameworks for countries to work together. As an example, the Hague Abduction Convention provides a framework for resolving international child abduction cases.

### **Descriptive Resources**

For family law topics, your best starting places are:

- [People's Law Library of Maryland](#)
- [Maryland Court Help](#) (Topics and other material)

### **Law and Court Procedures**

If you are seeking primary material (actual law) related to family matters, start with:

- Maryland Code, Family Law Article
- Maryland Rules, Title 9 – Family Law Actions. Note that, as a civil action, in addition to Title 9, your patron may also want to view Title 1, General Provisions, and Title 2, Civil Procedure – Circuit Courts.

The Maryland Code and Rules are available through the State Law Library's [Gateway to Maryland Law](#).

### **Forms**

Family law is an area in which the Maryland Circuit Courts do provide fill-in-the-blank forms for many basic actions. If your patron is seeking forms related to a family law matter, they may wish to start with the [Court Forms](#) provided by the Maryland Courts.

If no specific form seems on point or for additional resources, you may wish to review Frontlines: About Forms.

### **Legal Assistance Connections**

Family law is an area for which there are many referral resources. Start with:

- [Maryland Court Help Centers](#)
- [Maryland Family Court Help Centers](#)
- [Women's Law Center of Maryland](#)
- [Maryland Legal Aid](#) (income restricted)
- [PLL Legal Services Directory](#)
- [PLL Legal Clinic Calendar](#)

**TIP: ALWAYS CHECK FOR LOCAL ASSISTANCE, THROUGH THE LOCAL BAR ASSOCIATION, LOCAL COUNTY LAW LIBRARY, COUNTY GOVERNMENT, AND OTHER RESOURCES.**

## Landlord-Tenant

### Brief Description

Landlord-Tenant law addresses residential rental properties like apartments and houses.

This area of law does not include or refer to ownership of real property, homeowners associations or condominium associations, mobile homes, or commercial property. These topics fall under their own areas of law – they are property-related, but not specific to the area of “landlord-tenant”.

### Common Areas of Concern

Conflicts can arise in the areas of rent or maintenance disputes, entrance issues (when can the landlord enter, can the tenant change the locks, etc.), nuisance concerns (neighbor smoking, etc.); ending a lease early (by either the landlord or the tenant), and security deposits.

### Useful Details

- Maryland state law dictates lease language as to what *must* be in a lease and what *cannot* be in a lease. There is a great deal of room between those two.
- Maryland local law (county and/or municipal) can address specifics regarding livability (also called habitability) and property conditions, among other details.
- Federal law addresses areas such as low-income and public housing – noting that federal law provides language, guidelines, rules, etc., for such housing, though the management of such housing is generally done on the local level. Federal law also addresses discrimination issues.
- In Maryland, landlord-tenant cases are generally heard in the District Court in the county in which the property is located. This is often referred to as “rent court” though technically, it’s not a separate court.

### Descriptive Resources

For landlord-tenant questions, your best starting places are:

- [People’s Law Library of Maryland](#)
- [Maryland Court Help](#) (Topics and other material)

### Law and Court Procedures

Statutory (Legislative) Law:

- Maryland Code, Real Property Article, Title 8 (landlord-tenant actions)
- Local or county Code (various places within each)

Maryland Court Procedures:

- Maryland Rules, Title 3. Civil Procedure – District Court

The Maryland Code and Rules as well as local and county codes are available through the State Law Library's [Gateway to Maryland Law](#).

### Forms

- Maryland Courts, [District Court Forms](#)

### Legal Assistance Connections

- [Maryland Court Help Centers](#)
- [Maryland Access to Counsel in Evictions](#)
- [Fair Housing Action Center of Maryland](#)
- [Maryland Volunteer Lawyers Services \(MVLS\)](#)
- [Maryland Legal Aid](#)
- [PLL Legal Services Directory](#)

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## Consumer

### Brief Description

Consumer law covers debt collection, credit issues, scams and frauds, and consumer protection. This topic spans multiple areas of law and can therefore be complex when addressing as a reference interaction.

### Common Areas of Concern

Conflicts arise within consumer law in a hefty list of areas, including managing debt; debt collection practices; garnishments and liens; bankruptcy; identity theft; false advertising; warranties, licensing, and foreclosure. Student loans also fall into this topic area.

### Useful Details

Consumer law is generally addressed at the federal and state levels. If it helps – at the federal level there is a Bureau of Consumer Protection within the Federal Trade Commission; and the Maryland State level, there is a Consumer Protection Division within the Office of the Attorney General.

Consumer conflicts can be heard in many courts. At the state level, Maryland's District Courts hear small claims matters; larger claims can be heard in either the District Court or Circuit Court, depending on specifics. Bankruptcy matters are heard in the federal court system, generally in the U.S. Bankruptcy Courts.

Referrals for reference questions related to consumer law often include credit counseling services.

General information for this topic is challenging as the situations are very specific.

### **Descriptive Resources**

- [People's Law Library of Maryland](#)
- [Maryland Attorney General, Consumer Protection Division](#)
- [Federal Trade Commission](#)
- [National Consumer Law Center](#)
- [MVLS Factsheets](#)
- [Nolo](#) (website and texts)

### **Law and Court Procedures**

As this is a complex topic, the list of law and court procedures is extensive and includes the sources listed. Law related to consumer situations can be found in more places, but this list covers your most likely locations.

#### **Maryland Statutory Law**

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

#### **Maryland Regulatory Law**

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

#### **Maryland Court Procedures**

- Maryland Rules, Title 3 – Civil Procedures – District Court, Rule 3-701. Small Claim Actions

For non-small claim actions, see the general Rules of Civil Procedure for Circuit Court (Title 2) and District Court (Title 3).

The Maryland Code and Rules are available through the State Law Library's [Gateway to Maryland Law](#).

#### **Federal Statutory Law**

- U.S. Code, Title 15. Commerce and Trade, in particular:
- Chapter 41. Consumer Credit Protections (sec. 1601 et seq.)
- Chapter 46A. Automobile Title Fraud (sec. 2041)
- Chapter 47. Consumer Product Safety (secs. 2051-2089)
- Chapter 50. Consumer Product Warranties (secs. 2301-2312)

#### **Federal Regulatory Law**

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

The US Code and CFR are available through the federal government's [GovInfo](#) platform.

### Forms

- [Maryland Court Forms](#)
- Agency websites for complaint and related forms

### Legal Assistance Connections

Organizations that provide general assistance for civil law matters are good options. Remember that for many debt-related questions, it's often helpful to provide a debt counseling service referral in addition to other options.

- [Maryland Court Help Centers](#)
- [Maryland Volunteer Lawyers Services](#) (MVLS)
- [Civil Justice, Inc.](#)
- [Debtor Assistance Project](#)
- Consumer Credit Counseling Services
- [Maryland Attorney General's Office, Consumer Protection Division](#)
- [PLL Legal Services Directory](#)

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### Resources for Further Discovery

- [National Consumer Law Center](#)
- [Maryland Attorney General](#), Consumer Protection Division, Consumer Publications
- [Nolo](#) (print and web)

## Life and Health Planning

### Brief Description

Life and Health Planning combines several areas of concern for people plotting their futures – planning for finances, care and support, health issues and other concerns becomes more complex and urgent as the population ages but can be a concern for all ages.

For this topic, we include financial matters such as Powers of Attorney, property ownership (including deeds), wills, and trusts; advance directives for healthcare; and guardianships and supported decision making (SDM).

### Common Areas of Concern

Life and health planning can induce anxiety for many people. Some common areas for questions or concern include types and wording of documents (What do I need to fill out? How do I say this?); filing or storage of documents (Do I file this with the court? Can my attorney store this for me?); updating and changing documents (My parent wants to put my name on the deed; My will needs to be updated); and structuring guardianships.

### Useful Details

Much of the law for this topic is at the state level.

*Guardianships* are generally dealt with at the Circuit Court (this topic crosses over into Family Law)

*Wills* are filed with the Office of the Register of Wills in the county where the decedent resided. Orphans' Court handles challenges about wills, estates, and probate process. In most counties, the Orphans' Court is housed with the Circuit Court; in a few, it has been fully integrated into the Circuit Court.

Some actions in this area may never need to have court activity. Advance directives and powers of attorney, as examples, are used at the point of need; unless there is a challenge or conflict in their use, the courts are generally not involved.

**TIP: LANGUAGE MATTERS! HOW A WILL, DEED, DIRECTIVE, GUARDIANSHIP, OR POWER OF ATTORNEY IS WORDED CAN IMPACT HOW IT IS USED, APPLIED, INVOKED, ETC. THUS, LEGAL ADVICE IS A GOOD IDEA – HOW A DOCUMENT IS WRITTEN CAN HAVE LASTING IMPACTS.**

Which steps may be needed depends on the specific set of circumstances.

### Descriptive Resources

- [People's Law Library of Maryland](#), Topic: Life & Health Planning
- [Maryland Court Help](#): Life Planning & Power of Attorney; Guardian Video Series
- Maryland Department of Health, [Advance Directive Program](#)
- [MOLST](#) (Maryland Orders for Life Sustaining Treatment)
- [Nolo](#), both general and Maryland-specific topic discussion

### Law and Court Procedures

Maryland Statutory (Legislative) Law:

- Maryland Code, Estates and Trusts Article
  - Title 4 (Wills)
  - Title 13 (Protection of Minors, Disabled Persons, Susceptible Adults, and Older Adults)
  - Title 17 (Maryland General and Limited Power of Attorney Act)
  - Title 18 (Supported Decision Making)
- Maryland Code, Health-General Article
  - Title 5, Subtitle 5 (Health Care Decisions Act) - Advance Directives



- Maryland Code, Real Property Article
  - Title 4 (Requisites of Valid Instruments) - Deeds
- Maryland Code, Tax-Property Article
  - Titles 12 and 13 (Recordation and Transfer taxes)

*Note: Guardianship spans multiple Articles in the Maryland Code but is mainly found in the Courts & Judicial Proceedings Article*

Maryland Court Procedures:

- Maryland Rules, Title 10. Guardians and Other Fiduciaries

The Maryland Code and Rules are available through the State Law Library's [Gateway to Maryland Law](#).

## Forms

Guardianships

- [Maryland Court Forms](#): Family Law Forms

Powers of Attorney

- MD Code, Estates & Trusts Article, sec. 17-202 and 17-203

Health Planning

- Maryland Department of Health, [Advance Directive Program](#)
- [MOLST](#) (Maryland Orders for Life Sustaining Treatment)

Wills

- Gale Legal Forms (database)

Estates

- [Maryland Office of the Register of Wills](#)

## Legal Assistance Connections

- [Maryland Court Help Centers](#), for procedural questions about guardianships
- [Maryland Legal Aid](#) (income restricted), for adult guardianship and long-term care and for brief advice for drafting wills and/or advance directives
- [Civil Justice, Inc.](#), for end of life planning and for “limited scope” assistance
- [Maryland Volunteer Lawyers Services](#) (MVLS), for estate planning, estate administration and probate
- [PLL Legal Services Directory](#)

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## Public Benefits

### Brief Description

Public benefits covers benefits provided by the government, generally for people in financially tight situations. It includes food stamps (SNAP, TANF), temporary cash assistance (TCA), Social Security (SSI, SSDI), Medicaid, utilities relief, and unemployment insurance.

Section 8 or public housing, while a public benefit, is generally viewed through the landlord-tenant lens.

### Common Areas of Concern

Generally, questions about public benefits focus on eligibility requirements, applications for benefits, appealing a benefit determination, and challenges with language and technology access.

### Useful Details

Public Benefits are addressed by both state and federal law. Many programs founded (and financed) at the federal level are managed at the state level (as with public housing). Wikipedia has a helpful description on Administration of Federal Assistance in the US

([https://en.wikipedia.org/wiki/Administration\\_of\\_federal\\_assistance\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Administration_of_federal_assistance_in_the_United_States))

Public benefit questions are rarely court-related matters. More often, they may involve an administrative hearing.

Referrals for this topic generally include government agencies.

This is a complex area of law which generally requires extensive resource reading.

### Descriptive Resources

#### *General*

- [People's Law Library of Maryland](#)
- [Nolo](#) (website and texts)
- [USA.gov](#), in particular the section on [Benefits](#)

#### *Specific*

- [Medicaid](#) (US government site)
- [Maryland Medicaid](#) (MD Department of Health)

#### *Food & Cash Assistance*

- [MD Department of Human Services](#), Food & Cash Supplements

#### *Unemployment*

- MD Department of Labor, [Maryland Unemployment Insurance](#)

*Social Security*

- [SSA Benefits](#)
- [Supplemental Security Income \(SSI\) Appeals](#)

*Utilities*

- [MD Department of Human Services](#) (DHS), Home Energy
- [MD 2-1-1 Utility Assistance](#)
- USA.gov - [Help With Utility Bills](#)

**Law and Court Procedures***Maryland statutory law*

- Md Code, Human Services Article
- Md Code, Labor & Employment Article, Title 8. Unemployment Insurance

*Maryland regulatory law*

- COMAR 07. Dept of Human Services, 07.03 Family Investment Administration
- COMAR 09. Dept of Labor, 09.32 Unemployment Insurance

*Maryland court procedures*

- Md Rules, Title 7. Appellate Review in Circuit Court

*Federal materials*

- [Federal Rules of Procedure](#), or check the website of the federal court where the proceeding is taking place
- US Code, Title 42. Public Health
- CFR, Title 42. Public Health

**Forms**

- [Maryland Court Forms](#)
- Agency websites - Applications for benefits are generally found as links on the pages of the government agency responsible for the program.
- [myMDTHINK](#): Gateway to Health and Human Services
- [Local Departments of Social Services](#)

**Legal Assistance Connections**

- [Maryland Volunteer Lawyers Services](#) (MVLS)
- [Civil Justice, Inc.](#)
- [Maryland Legal Aid](#)
- [Disability Rights Maryland](#)
- [Maryland Court Help Centers](#) (for procedures in court)
- [PLL Legal Services Directory](#)

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