

**To:** Members of the Senate Judicial Proceedings Committee

**From:** Richard A. Montgomery III  
MSBA Director of Legislative & Governmental Relations

**Date:** February 24, 2021

**Subject:** **Senate Bill 669 - Constitutional Amendment - Civil Jury Trials**  
**Senate Bill 670- Courts - Civil Jury Trials - Amount in Controversy**

**Position:** **Support**

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The **Maryland State Bar Association (MSBA) SUPPORTS Senate Bill 669 and Senate Bill 670, relating to Civil Jury Trials – Amount in Controversy.** Senate Bill 669 would propose a constitutional amendment increases, from more than \$15,000 to more than \$30,000, the amount in controversy in civil proceedings in which the right to trial by jury would accrue and would put that proposition before the voters of Maryland. Senate Bill 670 would provide the statutory changes necessary to implement the provisions of the constitutional amendments, should it be approved at referendum.

The MSBA believes that the passage of SB 669 and SB 670 would allow the opportunity for more cases to be adjudicated in District Court, which currently has exclusive original jurisdiction in civil cases in which an amount in controversy is up to \$5,000, and concurrent jurisdiction with the Circuit Court in matters with an amount in controversy greater than \$5,000 and up to \$30,000, exclusive of prejudgment interest and cost.

The MSBA has found that civil claims with lower amounts in controversy cannot be litigated economically in the circuit courts. Generally, when those claims require testimony by medical experts, the high costs of those expert witnesses, as well as the expansive discovery in the circuit court combine make such cases unduly expensive to pursue. The result is that often plaintiffs with smaller claims face unfairly high barriers to justice. Given the ever-increasing costs associated with asserting medical claims, we believe the time has come to adjust the amount in controversy thresholds.

Accordingly, the **MSBA Supports Senate Bill 669 and Senate Bill 670, and urge a Favorable Committee Report on both bills.**