

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 594
District Court - Small Claims – Examination of Money Judgments
DATE: February 7, 2023
(2/28)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 594. This bill would prohibit the court from ordering an individual to appear for enforcement of a money judgment or to answer interrogatories in a small claims action in District Court.

The Judiciary agrees that there should be a uniform procedure to enforce District Court orders in small claims actions. However, the method contemplated in Senate Bill 594 effectively eliminates the ability of the court to enforce its orders and removes any enforcement mechanism for small claim actions. Small claims are handled less formally than other cases and many of our citizens, including self-represented litigants, access the courts through these proceedings to litigate their civil disputes. After the court decides the case, and a litigant prevails, a judgment is entered. However, it is important to note that the court does not collect on that judgment. If the court rules in favor of a litigant, that litigant must then take further steps to collect on the judgment. This bill would remove the ability of litigants to effectuate such collection efforts, essentially leaving them with an unenforceable judgment rather than making them whole for their loss.

cc. Hon. William Smith, Jr.
Judicial Council
Legislative Committee
Kelley O'Connor