

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 115
Civil Rights – Violations of Rights – Governmental Liability
DATE: January 11, 2023
(1/19)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes House Bill 115, as drafted. This bill requires the court to award reasonable attorney's fees and costs to a prevailing plaintiff in this type of case.

The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when making a determination. Provisions that place restrictions on the judge prevent the judge from considering factors unique to the case.

cc. Hon. Gabriel Acevero
Judicial Council
Legislative Committee
Kelley O'Connor