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Finance Committee

Executive Nominations Committee

Joint Committee on Ending Homelessness

*Senate Chair*

Joint Audit and Evaluation Committee

Joint Committee on Fair Practices and  
State Personnel Oversight

*Chair*

Howard County Senate Delegation

*Secretary*

Asian-American & Pacific-Islander Caucus

## THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

### **SUPPORT -- SB50 Human Relations - Commission on Civil Rights - Appeal of Final Orders**

#### **Background**

- The Maryland Commission on Civil Rights (MCCR) investigates complaints of discrimination in a variety of areas, including employment, housing, and public accommodations.
- After reviewing a complainant's evidence, if MCCR finds in a preliminary investigation that the evidence does not support a finding of discrimination, MCCR issues a finding of "No Probable Cause"
- Last year, in *Rowe v. MCCR*, the Supreme Court of Maryland ruled 4-3 that plaintiffs seeking review of MCCR determinations of no probable cause could not have their cases appealed beyond the circuit court.

#### **What This Bill Does**

- This bill clarifies that findings of no probable cause may be appealed beyond the circuit court.

#### **Why This Bill is Needed**

- The majority of complaints that MCCR handles result in a finding of no probable cause, and circuit courts typically uphold these findings: it is critical that Marylanders are able to access a higher level of judicial scrutiny in cases of discrimination to correct any mistakes.
- It was already a widely held belief, including by MCCR, that the statute permitted review beyond the circuit court. The issue was raised *sua sponte* in *Rowe*.
  - In *Vasvori v. Commission on Human Relations*, 65 Md. App. 237 (1985): MCCR failed to argue that the Appellate court had no jurisdiction
  - In *Rowe v. MCCR*, MCCR's counsel stated that the Appellate Court had jurisdiction
- This precedent applies to all cases of discrimination in public accommodation, including race, sex, disability, and other classes; these Marylanders should be able to access the full extent of the judiciary just like any other administrative proceeding.