

Senate Bill 584
Civil Actions – Noneconomic Damages – Personal Injury and Wrongful Death
Sponsors: Senators Waldstricher and Smith
Judicial Proceedings Committee

POSITION: SUPPORT (FAVORABLE)

February 7, 2025

Dear Chairman Smith and Members of the Senate Judicial Proceedings Committee,

As a trial lawyer, small business owner, mother of 3 young children and Maryland citizen, I am writing in support of SB584 and respectfully asking for a favorable report for the following reasons.

As a trial lawyer, I have seen firsthand the absolute injustice that the arbitrary cap on non-economic damages has on the rights of Marylanders that are severely injured at the hand of a negligent actor and by no fault of their own. It is so difficult to explain to clients that the Maryland legislature has limited their ability to be fully and completely compensated for their lifelong pain and suffering, which is often so tremendous it is difficult to even put a monetary value on it. It is also so difficult to tell clients that if a jury, who spends days listening to all of the evidence in their case, and then hours, if not days, deliberating their case, awards them a significant amount of non-economic damages, that jury award will automatically be reduced by the judge by law. Clients do not understand why this is the system that we have. Honestly, neither do I. We are one of only nine states that still puts an arbitrary cap on our citizens' quality of life and Maryland citizens deserve better.

As a small business owner, I am fully aware of the concerns that small business owners face in obtaining insurance and facing potential liability, but this bill would not increase either of those concerns. There has been no benefit to insurance costs or to the economy from this arbitrary cap; it is those that are injured that are forced to suffer even more.

As a mother of 3 young children and a Maryland citizen, it terrifies me that if someone significantly injures me or my children, we would not be able to be fully compensated for our injuries. My children, and any Maryland citizen, would not be able to be made whole when injured due to no fault of their own.

I am so proud to live and work in Maryland, especially in 2025. I know that we care deeply about our citizens. We should trust our juries as much as 41 other states in our nation do. Thank you for all of your work and for your consideration of this important bill and I urge a **FAVORABLE** report.

Respectfully,
Cara O'Brien (District 31)