



TESTIMONY FOR SB0167

Courts – Strategic Lawsuits Against Public Participation

Bill Sponsor: Senator Hettleman

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: **FAVORABLE**

I am submitting this testimony in strong support of SB0167 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Strategic Lawsuits Against Public Participation (SLAPP) are lawsuits with no real basis in fact that are designed to cause the party being sued to waste a lot of time and money proving that there was never any basis for the lawsuit. These suits are a drain on the resources of the courts as well as on the party being sued. In some cases, they will damage the reputation of the person being sued even though the allegations made in the lawsuit are false.

This bill, if enacted, would strengthen further define SLAPP lawsuits and update the current SLAPP statute by -

- Ensuring that the court will rule EXPEDITIOUSLY when the defendant requests the suit to be dismissed
- Requires the plaintiff to show that they have substantial justification for the suit
- If the discovery period for the suit is not extensive, the court may allow it to go forward, but the plaintiff now has to pay for it
- If the court grants an anti-SLAPP motion, the defendant will be able to recover costs and attorney fees
- If the court determines that the defendant's request to dismiss the suit was frivolous, it can award costs and attorney fees to the plaintiff

These are all reasonable measures that will help clear up some of the frivolous lawsuits that are currently jamming up our legal system. It will also level the playing field so that those with the resources to undertake a SLAPP suit in order to force those without the resources to defend themselves will be penalized.

We support this bill and recommend a **FAVORABLE** report in committee.

