



2025 POSITION PAPER

HB 818

Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right

HB818 FAVORABLE

The Maryland Association for Justice respectfully requests a favorable report on HB818, and would encourage a clarifying amendment.

The proposed legislation seeks to provide a mechanism for a prevailing plaintiff to receive reasonable attorney fees for violations of the Maryland Constitution or the Maryland Declaration of Rights in actions against the State. The legislation would discourage bad conduct by State actors, and would provide remedy to those injured by unconstitutional conduct. The Maryland Association for Justice, whose members represent individuals harmed by unconstitutional State action, support this goal.

We would encourage an amendment which clarifies any award of attorney fees would be separate and apart from the cap established by the Maryland Tort Claims Act or similar law. This would provide victims of Constitutional deprivations a system more fairly designed to fairly and completely compensate them for unconstitutional acts.

The Maryland Association for Justice urges a FAVORABLE Report on HB818

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

10440 Little Patuxent Parkway, Suite 250
Columbia, MD 21044

(410) 872-0990 | FAX (410) 872-0993
info@mdforjustice.com

mdforjustice.com