



## 2026 WRITTEN TESTIMONY

CIVIL ACTIONS - CHILD SEXUAL ABUSE - REPEAL OF LIMITATIONS ON ATTORNEY'S FEES

### SB693 - FAVORABLE

The Maryland Association for Justice (MAJ) supports SB 693, which repeals the limit on attorneys' fees for lawyers representing survivors in civil claims brought under the Child Victims Act (CVA).

MAJ is opposed to any limit on attorneys' fees. Fee caps not only interfere with the freedom of private parties to contract, they also function as a barrier to justice.

Catastrophic injury cases are among the most complex and expensive matters in our civil justice system. They often require hundreds of hours of attorney time, extensive discovery, and tens or even hundreds of thousands of dollars in upfront costs for experts, discovery, records, and trial preparation. Plaintiffs' lawyers advance these costs – sometimes for years – with no guarantee of recovery.

Arbitrary fee caps make it economically impossible for many attorneys to take these high-risk cases. This is especially true for CVA claims, which involve events that occurred decades ago. Evidence is difficult to obtain, proving institutional knowledge is challenging, legal hurdles are significant, and costly expert testimony is essential.

These realities are compounded by the Legislature's 2025 decision to reduce the non-economic damage cap in CVA cases to \$700,000 for private entities and \$400,000 for government entities. Limiting attorneys' fees to 20% means under these circumstances means that very few lawyers will be able to devote the time and financial resources required to represent survivors. Without lawyers, survivors cannot pursue the very remedy the CVA was enacted to provide.

Allowing this fee cap to stand sets a dangerous precedent. Limits on attorneys' fees shift the balance of power away from injured people and toward those who already have the resources to defend themselves. Limiting attorneys' fees does not protect survivors of child abuse or other victims of harmful conduct. Instead, it limits their ability to obtain justice.

## Maryland Association for Justice urges a FAVORABLE Report on SB693.

### 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.

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