



TESTIMONY FOR SB0251

Civil Actions – Maryland Uniform Public Expression Protection Act

Bill Sponsor: Senator Love

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0251 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.

Our system of law is designed to ensure that there are remedies for individuals and companies that have been harmed. However, you can pretty much drive a truck through the loopholes. If you have money, you can file a frivolous lawsuit, known as a Strategic Lawsuit Against Public Participation (SLAPP) the purpose of which is to make the defendant in the suit waste money and potentially lose their assets or their business. This happens in all kinds of situations, and we have seen it play out in national news. National press, law firms, universities have all been sued in order to get them to back away from their core mandates. It has had a chilling effect in silencing some of the organizations, such as the press, that we all rely upon.

The issue is that the current law requires that the defendant provide proof that the lawsuit they are the target of was brought in bad faith, which puts the burden of proof squarely on the victim. This is some seriously backwards logic.

This bill, if enacted, would change that dynamic. It allows courts to address SLAPP suits early, before defendants are forced to endure extensive discovery and mounting legal expenses. It flips the burden of proof to the plaintiffs to demonstrate that their claims have legal and factual merit at the outset. Importantly, it authorizes courts to award attorney's fees and costs when a SLAPP suit is dismissed—an essential deterrent to lawsuits filed solely to drive firms and individuals into bankruptcy and silence the businesses that we rely upon to protect us.

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