

**SB693 2026 - MAJ Written Testimony .pdf**

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## 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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**SB693**

Uploaded by: Shaoli Sarkar

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**Bill:** SB 693 - Civil Actions - Child Sexual Abuse - Repeal of Limitations on Attorney's Fees

**Committee:** Senate Judicial Proceedings

**Position:** Favorable

**Date:** March 10, 2026

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The Maryland State Bar Association (MSBA) **supports** Senate Bill 693 - Civil Actions - Child Sexual Abuse - Repeal of Limitations on Attorney's Fees. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects the legal profession, preserves the integrity of the judicial system, and ensures access to justice for Marylanders.

MSBA supports the ability of clients and attorneys to negotiate fee agreements that align with the specific features and complexities of a given case. The reasonableness of attorney's fees is already regulated by Maryland's Supreme Court and Attorney Grievance Commission, through application of the Maryland Rules of Professional Conduct.

Limits on attorney's fees in child sexual abuse cases may discourage skilled attorneys from taking on these difficult cases, given the hours and cost involved, resulting in reduced representation options for survivors. SB 693 preserves and respects the ability of survivors and attorneys to decide on the appropriate value and compensation structure for cases.

MSBA supports SB 693 and urges a favorable report.

*Contact: Shaoli Sarkar, Advocacy Director ([shaoli@msba.org](mailto:shaoli@msba.org), 410-387-5606)*

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# **CSA - attys fees - surcharge - testimony -2026 - S**

Uploaded by: Lisae C Jordan

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**Working to end sexual violence in Maryland**

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**Testimony Supporting Senate Bill 693 with Amendments**  
**Lisae C. Jordan, Executive Director & Counsel**  
March 10, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 693 with Amendments

**Senate Bill 693 – Child Victims Act**  
**Surcharge on Fees to Help Survivors without Remedies**

In HB1378 (2025), effective June 1, 2025, limits were placed on attorneys' fees in cases filed under the Child Victim Act, the law that permits survivors of child sexual abuse to sue those responsible for their abuse. Senate Bill 693 seeks to remove those caps all together. MCASA does not oppose caps on fees in these cases and notes many attorneys are making a great deal of money in return for their services even with the caps. Our colleagues at the bar argue that the caps are depriving some survivors of access to the courts.

**Survivors will be deprived of access to the courts whether this bill passes or not.** There will always be cases that the private bar declines. In some cases, this will be because of business decisions, and in others because the case cannot be successfully litigated. Many cases involve witnesses whose memories have faded or are deceased, non-existent records, and little evidence. Others involve survivors who do not want to go to court or who do not have the ability to participate well in litigation. **These survivors need support also.**

**Child sexual abuse causes devastating problems for many of its victims.** Child sexual abuse victims can suffer depression, aggression, somatic complaints, problems sleeping, eating disorders, regression, sexual acting out or promiscuity, seductive behaviors, self-mutilation, substance abuse, and suicide gestures and attempts. Long-term effects of child sexual abuse include post-traumatic stress disorder, difficulties forming relationships, early teenage sex with older men, prostitution, and poor self-esteem. **These survivors need support even if a tort suit is not a viable option.**

MCASA is, as it has done for several years, urging the Committee to impose a surcharge in Child Victim Act cases to provide **services for survivors** who cannot access the courts and **support**

**prevention of sexual abuse.** In light of the tremendous and horrible issues at the Maryland Department of Juvenile Services and revelation of the many instances of abuse there, we also propose specifically including **training for state and local agencies responsible for detaining minors, including the Department of Juvenile Services.**

Specifically, amendments propose that the State:

- impose a surcharge on attorneys' fees in Child Victim Act cases of 10%
- create a Child Victim Services and Prevention Fund as a special fund
- give the Administrative Office of the Courts responsibility to collect the surcharge, and administrative responsibility over the fund to the state sexual assault coalition (coalitions administer funding in about half of the states, and currently administer some funding for services).

The purpose of the Child Victim Services and Prevention Fund would be to support:

- (1) SERVICES FOR VICTIMS OF SEXUAL ABUSE;**
- (2) PREVENTION OF SEXUAL ABUSE;**
- (3) TRAINING FOR STATE AND LOCAL AGENCIES RESPONSIBLE FOR DETAINING MINORS, INCLUDING THE DEPARTMENT OF JUVENILE SERVICES.**

Related administrative costs could be paid from the fund. Typical reporting requirements to the General Assembly would be required.

This system of surcharges is similar to what is currently in place for Workers Compensation cases with the uninsured employer surcharges.

There is no response to survivors of sexual abuse that is perfect. But the General Assembly can make this modest effort to help increase services for the survivors that are not helped by the Child Victims Act and to help prevent sexual abuse in the future.

**The Maryland Coalition Against Sexual Assault urges the  
Judicial Proceedings Committee to  
report favorably on Senate Bill 693 with Amendments**

**Proposed amendments to SB693**

Courts & Judicial Proceedings

5-117 ...

On page 2, line 23, after the bracket, insert:

**(F) (1) IN ANY ACTION FOR DAMAGES ARISING OUT OF A CLAIM OR CLAIMS OF SEXUAL ABUSE THAT OCCURRED WHILE THE CLAIMANT WAS A MINOR, THERE SHALL BE A CHILD VICTIMS SERVICES AND PREVENTION FUND SURCHARGE ON THE SETTLEMENT, JUDGEMENT, OR AWARD OF AT LEAST 10% AND NO LESS THAN 20% OF FEES PAID UNDER SUBSECTION (E).**

**(2) PAYMENT OF THE SURCHARGE SHALL BE ALLOCATED BETWEEN THE PARTIES BY THE COURT OR AS AGREED AND MAY NOT BE WAIVED.**

**(3) THE SURCHARGE SHALL BE SUBMITTED TO THE ADMINISTRATIVE OFFICE OF THE COURTS WITHIN 15 DAYS OF BEING COLLECTED.**

**(4) THE SURCHARGE SHALL BE DEPOSITED IN THE CHILD VICTIMS SERVICES AND PREVENTION FUND.**

5-117.1

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "SEXUAL ABUSE" HAS THE MEANING STATED IN § 5-117 OF THE COURTS & JUDICIAL PROCEEDINGS ARTICLE.**

**(3) "SEXUAL ASSAULT COALITION" IS THE STATE COALITION RESPONSIBLE FOR CERTIFYING SEXUAL ASSAULT CRISIS PROGRAMS UNDER §11-923 OF THE CRIMINAL PROCEDURE ARTICLE.**

**(B) THERE IS A CHILD VICTIMS SERVICES & PREVENTION FUND.**

**(C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO SUPPORT:**

**(1) SERVICES FOR VICTIMS OF SEXUAL ABUSE;**

**(2) PREVENTION OF SEXUAL ABUSE;**

**(3) TRAINING FOR STATE AND LOCAL AGENCIES RESPONSIBLE FOR DETAINING MINORS, INCLUDING THE DEPARTMENT OF JUVENILE SERVICES.**



**(D) THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL**  
**(1) ADMINISTER COLLECTION OF THE SURCHARGE ESTABLISHED IN §5-117 OF THIS ARTICLE AND DEPOSIT FUNDS IN THE CHILD VICTIM SERVICES & PREVENTION FUND;**  
**(2) IN ACCORDANCE WITH THE STATE BUDGET, DISTRIBUTE MONIES IN THE CHILD VICTIM SERVICES & PREVENTION FUND TO THE STATE SEXUAL ASSAULT COALITION TO ADMINISTER AND FULFILL THE PURPOSES OF THE FUND THROUGH:**  
**(I) GRANTS TO SEXUAL ASSAULT SERVICES PROVIDERS;**  
**(II) TRAINING AND TECHNICAL ASSISTANCE REGARDING SEXUAL ABUSE PREVENTION;**  
**(III) TRAINING AND TECHNICAL ASSISTANCE TO STATE AND LOCAL AGENCIES RESPONSIBLE FOR DETAINING MINORS REGARDING IDENTIFYING, PREVENTING, AND RESPONDING TO SEXUAL ABUSE.**  
**(3) SUBMIT A REPORT WITH INFORMATION ON THE DISTRIBUTION OF FUNDING TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, BEFORE DECEMBER 1 EACH YEAR.**

**(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**  
**(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**(F) THE FUND CONSISTS OF:**  
**(1) SURCHARGES ON ATTORNEY FEES FROM ACTIONS FILED UNDER § 5-117 OF THE COURTS & JUDICIAL PROCEEDINGS ARTICLE.**  
**(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**  
**(2) ANY INTEREST EARNINGS OF THE FUND; AND**  
**(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

**(G) THE FUND MAY BE USED ONLY FOR THE PURPOSES IN SUBSECTION (C) OF THIS SECTION AND RELATED ADMINISTRATIVE COSTS.**

**(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

**(2) ANY INTEREST EARNINGS OF THE FUND, INCLUDING INTEREST EARNINGS UNDER SUBSECTION (F) OF THIS SECTION, SHALL BE CREDITED TO THE FUND.**

**(I) (1) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.**

**(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PURPOSES OF THE FUND AS STATED IN SUBSECTION (C) OF THIS SECTION.**

# **MDCAPE Testimony - SB 693 - Attorney Fees - OPPOSE**

Uploaded by: Ariel Sadwin

Position: UNF



**SENATE JUDICIARY COMMITTEE**

**MARCH 10, 2026**

**SENATE BILL 693**

**CIVIL ACTIONS - CHILD SEXUAL ABUSE – REPEAL OF LIMITATIONS ON ATTORNEY’S  
FEES**

**OPPOSE**

Maryland CAPE is our state’s chapter and one of 40 state chapters of the Council for American Private Education. Our network includes the Catholic, Christian, Evangelical Lutheran, Friends, Independent, Jewish, Lutheran, Montessori, Muslim, and Seventh Day Adventist school communities. We speak on behalf of the 138,000+ nonpublic school students attending over one thousand nonpublic schools across our great state of Maryland. We issue this testimony today in opposition to Senate Bill 693.

Senate Bill 693 would repeal the limitations of attorney fees in child sexual abuse cases that were enacted last year. Currently, attorneys may receive no more than twenty percent of the settlement or twenty five percent of the judgement, for claims filed after June 1, 2025. We believe that these limitations ensure that the needs and traumas of the victims of abuse are centered, rather than the financial concerns of attorneys and lawyers. We therefore wish to voice our concerns that repealing these limitations is ill-advised.

The current safeguards ensure that the recompensation goes primarily to the victims of abuse. Obviously, no amount of financial recovery can ever heal psychological wounds, but prioritizing the victims allows them to further pursue their healing, counseling, and care. We therefore respectfully request an UNFAVORABLE REPORT on Senate Bill 693.

Thank you.

**Maryland Catholic Conference\_SB 693\_UNFAV.pdf**

Uploaded by: Jenny Kraska

Position: UNF



MARYLAND  
CATHOLIC  
CONFERENCE

March 10, 2026

**SB 693 Civil Actions – Child Sexual Abuse – Repeal of Limitations on Attorney’s Fees**

**Senate Judicial Proceedings Committee**

**Position: Unfavorable**

The Maryland Catholic Conference (MCC) offers testimony in opposition to **Senate Bill 693**. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state’s second largest social service provider network, behind only our state government.

This bill would repeal the recently enacted limits on attorney contingency fees in child sexual abuse cases—limits that currently ensure that counsel may receive no more than **20% of a settlement or 25% of a judgment** for claims filed on or after June 1, 2025.

The person who has been harmed must be at the center of any legal or policy response. Survivors of child sexual abuse have endured profound trauma. The legal system should ensure that the compensation awarded is directed primarily toward their healing, counseling, medical care, and long-term stability.

The fee limits enacted last year were designed precisely to safeguard this principle. They ensure that:

- **The majority of financial recovery goes to the survivor**, not to legal intermediaries.
- **Legal representation remains available**, but without disproportionate financial gain.
- **The system prioritizes justice and healing**, not profit.

Repealing these limits would shift the balance away from survivors and toward attorneys, allowing fees that could consume 30%, 40%, or even more of a victim’s compensation. That is neither just nor compassionate.

The current caps were enacted only last year. Repealing them now would be unfair for several reasons:

- **It undermines the intent of the legislature** to ensure that survivors—not attorneys—receive the bulk of any award.
- **It creates instability and unpredictability** for survivors who have been preparing to file claims under the new framework.
- **It risks incentivizing excessive legal fees** in cases where the moral priority should be the survivor’s well-being, not maximizing attorney profit.
- **It sends the wrong message:** that the financial interests of the legal profession outweigh the needs of those who have suffered grave harm.

Claims against the State of Maryland already have immense financial liability and exposure due to the Child Victim’s Act (CVA). This bill incentivizes profit-seeking attorneys to file even more claims against the state. An unfavorable report on this bill is warranted to limit further financial exposure against the state of Maryland, which is already estimated to be in the billions.

The MCC appreciates your consideration and, for these reasons, respectfully requests an unfavorable report on **Senate Bill 693**.