



2026 WRITTEN TESTIMONY

CHILD SEXUAL ABUSE CLAIMS - DOCTRINE OF CHARITABLE IMMUNITY
- ABROGATION

HB722 - FAVORABLE

The Maryland Association for Justice supports HB722, which affirms that the doctrine of charitable immunity does not apply to civil child sexual abuse cases arising under the Child Victims Act of 2023.

The doctrine of charitable immunity is a court-created doctrine that provides immunity from tort liability for charitable institutions. Maryland remains in the small minority of states that continue to honor this legal protection from liability. Injured Marylanders have tried to challenge the immunity in court multiple times, but Maryland Courts have always said that, “despite its fall into disfavor elsewhere in the country,” abolishment of the doctrine is a matter for the Legislature. See *Abramson v. Reiss*, 334 Md. 193, 207 (1994) (“Our lawmakers have yet to declare that the doctrine of charitable immunity no longer has a place in our society.”)

In 2023, the General Assembly passed the Child Victims Act, which appropriately opened the courthouse doors to survivors of childhood sexual abuse by eliminating the statute of limitations on their claims. That door has since been slammed in the face of some survivors by Maryland courts. Numerous defendants in these cases – most notably, independently wealthy Churches – have invoked legal technicalities to avoid responsibility.

When it enacted the CVA, this Legislature never intended for charitable immunity to operate as a roadblock to the pursuit of justice. To the contrary, by eliminating the statute of limitations on these claims, this Body was affirmatively telling survivors of childhood sexual abuse, many of whom had suffered in silence for decades, that no longer should a legal technicality operate as a bar to their recovery.

MAJ strongly opposes any limits on the rights of injured Maryland citizens to seek redress in the courts. No one should be immune from accountability for child sexual abuse because of an antiquated concept like charitable immunity. MAJ urges the Legislature to clarify the Child Victims Act to provide that charitable immunity is not a defense in these tragic cases.

Maryland Association for Justice urges a FAVORABLE Report on HB722.

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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