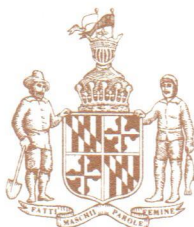


ROBERT G. CASSILLY
Legislative District 34
Harford County

Judicial Proceedings Committee

Joint Committee on Administrative,
Executive, and Legislative Review

Joint Committee on Federal Relations



THE SENATE OF MARYLAND
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February 4, 2020

RE: Senate Bill 249 – Courts – Documentary Evidence – Protective Order

Dear Committee Members:

I request your support for SB 249. In a civil lawsuit for damages for alleged professional liability, the complainant can request the defendant produce certain categories of documents to support the evaluation by the claimant's expert witness of the underlying facts. The law requires the defendant to produce those records within 30 days of the request and the defendant's failure to produce can be construed to constitute a waiver of the requirement for a certificate of expert witness. This bill allows a defendant to move for a protective order to limit the disclosure of discovery requested in order to protect the defendant from annoyance, embarrassment, oppression, or undue burden of expense. The ability to request a protective order or to appeal to the court already exists in all other sections of the law. This bill fixes the ambiguity in the law when it comes to professional liability. The request for discovery can be intrusive and expensive for a defendant if the majority of discovery requested is not necessary for the case at hand.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Bob Cassilly'.

Senator Bob Cassilly