

QUESTION 2: CONSTITUTIONAL AMENDMENT

Civil Jury Trials – Amount in Controversy

Chapter 480 of 2010 (Senate Bill 119)

Summary

This constitutional amendment would provide that legislation may be enacted to limit the right to a jury trial in a civil proceeding in which the amount in controversy is not more than \$15,000 instead of not more than \$10,000, as currently specified in the Maryland Constitution. The dollar amount specified in the constitutional amendment excludes attorney's fees that may be recoverable in the civil proceeding.

Legislation passed in the 2010 session of the General Assembly, contingent on the approval of this constitutional amendment by the voters, would provide that a party may not demand a jury trial in a civil proceeding if the amount in controversy does not exceed \$15,000, excluding attorney's fees if attorney's fees are recoverable in the proceeding. In that case, a judge, rather than a jury, would determine the verdict.