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Commentary

Victims of abuse shouldn't have to pay for Maryland's fiscal woes | GUEST COMMENTARY



The Maryland House of Delegates meets at the State House in Annapolis. STAFF



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The Child Victims Act, written and passed by the General Assembly and signed by Gov. Wes Moore in 2023, is a critical and necessary legislative response to a crisis facing untold thousands of survivors of childhood sexual abuse in Maryland. In an effort to provide a measure of justice to survivors, Maryland's political leaders eliminated the statute of limitations that previously closed the courthouse doors to the vast majority of survivors of childhood sexual abuse. By virtue of the CVA, survivors can now confront their sexual predators, as well as the public and private institutions who permitted the sexual abuse to occur for decades. The CVA allows innocent children who suffered sexual horrors and decades of trauma to pursue justice, close this chapter of their lives, pursue psychiatric and psychological counseling and move forward.

Maryland citizens, including survivors, applauded Maryland's political leaders for passing the CVA. Contingency plans were launched by the institutions involved — including religious organizations, schools and their insurers — who fought against the CVA and the legal remedies the law provides. For example, the Archdiocese of Baltimore filed for bankruptcy in order to reorganize and compensate the Maryland children they had sexually abused for decades. The Archdiocese of Washington and other institutions, on the other hand, elected to challenge the constitutionality of the CVA in courts around the state. In September 2024, the issue was argued before the Supreme Court of Maryland where a decision awaits.

With the General Assembly back in session and grappling with the budget, some legislators have **voiced concern** about the potential liability facing the state by Maryland residents who suffered sexual abuse while in the custody of state juvenile facilities. While this concern is understandable, it would be a catastrophic mistake to fault survivors of sexual abuse or the CVA for Maryland's fiscal issues. The CVA permits civil claims to proceed against all sexual predators and their institutional enablers, regardless of whether those institutions are operated by private organizations, local governments or the state. Since Maryland's budget shortfall has nothing to do with the CVA, undoing this critical piece of legislation cannot and will not solve Maryland's budget issues.

Derisive language targeting lawyers representing survivors of childhood sexual abuse is equally misplaced. If the CVA is to accomplish its goals, survivors — like all litigants — should be free to select counsel of their choice, on terms of their choosing, to guide them through Maryland's complex legal system. That some claims will undoubtedly fail for various reasons — including insufficient evidence to establish liability on the part of institutional defendants — merely reflects the civil justice system operating as intended, and hardly indicates bad faith on the part of lawyers or subversion of the CVA.

Our focus must remain on Maryland's children, thousands of whom have been sexually abused for decades in our state and by our institutions. The focus must be on stopping these predatory practices and compensating those individuals who have had their lives destroyed by sexual abuse and lasting trauma — which the CVA is specifically designed to accomplish.

It would be a grievous mistake, however, to undo the CVA under the guise of fiscal concern. Eliminating the CVA would only, once again, close the courthouse doors to survivors of childhood sexual abuse and deprive them of their right to come forward, confront their wrongdoers, gain closure and rebuild their lives. Survivors have waited too long and fought too hard to be told in 2025 that their chance for justice has been eliminated.

If the law is revoked, the Church, private schools, all other non-state institutions and their respective insurers will be immunized from civil liability, realize a huge unjustified financial windfall and be released from any accountability and responsibility for decades of sexual abuse of our children.

We must not let this happen.

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