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David Lorenz, the Maryland director of Survivors Network of those Abused by Priests, talks to journalists Tuesday, Sept. 10, 2024, outside of the Supreme Court of Maryland in Annapolis, Md. (AP/Brian Witte)

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The Supreme Court of Maryland heard arguments on Tuesday about the constitutionality of [a 2023 law](#) that ended the state's statute of limitations for child sexual abuse lawsuits following [a report that exposed widespread wrongdoing](#) within the Archdiocese of Baltimore.

The arguments, which lasted several hours and often veered into highly technical legalese, largely focused on the intent of the Maryland legislature when it passed a preceding law in 2017 that said people in Maryland who were sexually abused as children could bring lawsuits up until they turned 38.

Teresa Lancaster, an abuse survivor and an advocate for others, said she was optimistic after what she heard in the courtroom.

"These crimes have harmed many, many people. We deserve our day in court. We deserve justice, and I'm very, very enthusiastic from what I heard today," Lancaster said outside the courthouse.

A ruling from the state's highest court is expected in the coming months.

Gov. Wes Moore, a Democrat, signed the Child Victims Act into law last year — less than a week after the state's attorney general released a report that documented rampant abuse committed by Baltimore clergy spanning 80 years and accused church leaders of decades of coverups.

The report, which is nearly 500 pages, included details about more than 150 Catholic priests and others associated with the Archdiocese of Baltimore abusing over 600 children. State investigators began their work in 2019.

Days before the new law was to take effect Oct. 1, the archdiocese [filed for bankruptcy](#) to protect its assets ahead of an anticipated deluge of litigation. That means claims filed against the archdiocese will be relegated to bankruptcy court, but other institutions such as Catholic schools and individual parishes can still be

sued directly.

While the court's ruling will have wide-reaching effects on child sex abuse cases in Maryland, the oral arguments Tuesday centered on a technical issue involving the earlier 2017 law change that established the cutoff at age 38.

The question at hand is whether a provision in the 2017 legislation was written in such a way that permanently protected certain defendants from liability. Answering that question likely requires the court to decide whether the provision should be considered a statute of limitations or a so-called statute of repose.

Attorneys for defendants facing liability claims under the new law contend it's a statute of repose, which they say can't be modified because it includes a "vested right to be free from liability."

"As a general matter, of course, a legislature may repeal existing laws and substitute new ones. But it may not do so in a manner that destroys substantive rights that have vested under the terms of existing law," the Archdiocese of Washington wrote in a brief filed ahead of oral arguments.

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David Lorenz, the Maryland director of Survivors Network of those Abused by Priests, said the archdiocese should be ashamed for "treating survivors like some product that has some limited liability."

"And that's what they're doing hiding behind the statute of repose," Lorenz said after court. "They should absolutely be ashamed of that, and then in the next minute they say, 'We will do whatever we can for survivors and help them through this.' They are doing nothing, nothing, but driving survivors harder and harder underground, and it's time for the survivors to come forward and start to heal."

Attorneys representing businesses, insurance companies and Maryland civil defense lawyers raised concerns in a brief about issues surrounding witness testimony and record retention in cases being filed decades after the fact.

But the most substantive arguments before the court Tuesday focused on legislative intent.

Attorneys for abuse survivors asserted that when the Maryland General Assembly passed the 2017 law, legislators did not intend to prevent future lawmakers from reconsidering the issue and altering the time limits on civil lawsuits. The law may have included the term “repose,” but that doesn’t mean the legislature wanted to make it permanent, attorneys argued.

“There is a debate between that label — statute of repose — and the actual operational function of the act,” attorney Catherine Stetson told the court’s seven justices, arguing that it should consider the statute’s structure, operation and full text rather than looking at “a word in a vacuum.”

“Child sexual abuse is a scourge on society, and it often takes survivors decades to come to terms with what they suffered,” victims’ attorneys wrote in a brief. “It is hard to imagine a law more rationally related to a legitimate governmental interest than this one.”

Some justices expressed skepticism about whether state legislators in 2017 knowingly chose language with the intention of limiting the powers of their successors.

“If it had that significance, wouldn’t you expect that there would be more explanation in the legislative record?” Chief Justice Matthew Fader asked. “Wouldn’t that have popped up somewhere?”

Attorneys for the Archdiocese of Washington and the Key School, a small private school in Annapolis, asserted that the legislature was unambiguous in its language.

“The General Assembly meant exactly what it said,” attorney Sean Gugerty told the court. “The plain language of the statute is what controls the analysis.”

Justice Brynja Booth pointed out that interpreting the law isn’t always cut and dry.

“Don’t we often look beyond a label ... to look at the characteristics to determine what it actually means,” she said.