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Project 3
Statutory Analysis Memo
11/18/2023

TO: Alice Chong, Esq.

FROM: Francis Nicholas, Paralegal

RE: Statutory Limitations on Ms. Hastings' Legal Case

DATE: 11/18/2023

On January 2, 2018, Mary Hastings, a school counselor in Evans, Maryland, slipped and fell on black ice at a local park owned by the Gilford Pines Condominium Association (GPCA). Despite GPCA's purported efforts to clear the sidewalks and paths, Ms. Hastings suffered a broken right arm in the fall. No witnesses observed the incident, but she managed to walk home for assistance. After receiving medical treatment, including eight weeks in a cast, Ms. Hastings reported the incident to GPCA. Her case against GPCA focuses on scrutinizing their actions, prompting an assessment of legal liability under Maryland's law. Ms. Hastings' interview with her legal team regarding the incident occurred on June 5, 2021.

Issue

Whether Maryland's statute of limitations law prohibits Ms. Hastings from pursuing her case against GPCA?

Rule

In Maryland, Md. Code. Ann., Cts. & Jud. Proc. § 5-101 (West, Westlaw through all legislation from the 2023 Regular Session of the General Assembly) sets the statute of limitations for civil actions in court. It mandates that these actions must be initiated within three years from the date they accrue unless another Code provision prescribes a different timeframe.

Application

Ms. Hastings' legal fate intricately hinges on enforcing § 5-101, establishing the statute of limitations for civil actions in the Maryland court system. This statute explicitly mandates that individuals must initiate such actions within three years from the date they accrue. Examining Ms. Hastings' case, the accrual date is unequivocally identified as January 2, 2018, the day she sustained injuries from a slip-and-fall incident at the park owned by GPCA.

From Ms. Hastings' viewpoint, the statute poses a formidable challenge. The interview with her legal team on June 5, 2021, indicates that the three-year statutory period had elapsed, potentially rendering her time-barred from pursuing a complaint against GPCA. This perspective highlights the tension between the imperative for injured parties to seek redress and the legal obligation to initiate legal proceedings promptly. The statute acts as a temporal constraint, emphasizing the importance of taking swift legal action to preserve one's rights.

Conversely, from the standpoint of GPCA, the statute of limitations operates as a protective shield against prolonged legal exposure. The expiration of the three years ensures that GPCA avoids the burden of defending against claims that may have become challenging to prosecute due to the passage of time. This perspective aligns with the broader policy goals of statutes of

limitations, which seek to balance the interests of individuals seeking justice and defendants safeguarding against indefinite exposure to potential claims.

Scrutinizing the specific elements of Ms. Hastings' case against the statutory provisions reveals a concrete temporal constraint. The incident occurred on January 2, 2018, marking the accrual date for the cause of action. The statute mandates initiating a civil action within three years from this date, setting the deadline at January 2, 2021. Unfortunately, the interview with her legal team occurred on June 5, 2021, surpassing the prescribed three-year period. This application emphasizes Ms. Hastings' potential legal impediment in seeking redress for her injuries.

Conclusion

In conclusion, Ms. Hastings' pursuit of a legal remedy against GPCA is hampered by the strict application of Md. Code. Ann., Cts. & Jud. Proc. § 5-101 (West, Westlaw through all legislation from the 2023 Regular Session of the General Assembly). The statute establishes a clear temporal boundary by mandating that individuals file a civil action within three years from the date it accrues. In Ms. Hastings' case, the incident occurred on January 2, 2018. Unfortunately, Ms. Hastings' legal team interviewed her on June 5, 2021, beyond the prescribed three-year period. As a result, Ms. Hastings is time-barred from bringing her complaint against GPCA under this statutory provision. This outcome highlights the critical importance of prompt legal action, as failure to adhere to the statute of limitations can extinguish a legitimate claim, highlighting the delicate balance between ensuring justice for the injured party and providing legal certainty for potential defendants.

Reference

Md. Code. Ann., Cts. & Jud. Proc. § 5-101 (West, Westlaw through all legislation from the 2023 Regular Session of the General Assembly)