

# COMPLAINT PROCESS OF THE MARYLAND COMMISSION ON CIVIL RIGHTS (MCCR)

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**Maryland law prohibits discrimination in employment, housing and public accommodations on the basis of a person's race, religion, sex, national origin/ancestry, marital status, age, disability, gender identity and sexual orientation.**

**INTAKE**—Initiate on website, telephone or mail. MCCR staff will follow up to conduct intake interview. Staff will then formalize allegations on official complaint form and mail to be signed and returned. *Complaint must be filed within 180 days of the alleged discriminatory action (one year for housing claims).*

**FACT FINDING**—MCCR staff may convene a “fact-finding conference” for the purpose of clarifying the issues and attempting to resolve the dispute prior to an investigation. Parties are required to participate.

**MEDIATION**—At any time during the complaint process, either party may request the matter be referred to mediation. Mediation is a voluntary process that both parties must agree to. Mediators are neutral facilitators who simply assist the parties in discussing the issues and conflicts involved. Mediators will make no determination as to the allegations and will not offer advice. If the parties reach an agreement, the mediator may assist in writing a settlement agreement. *All communications during a mediation conference are confidential and may not be used as evidence in the investigation.*

**INVESTIGATION**—If the matter is not resolved through mediation, the complaint is assigned to an investigator. The investigator is a neutral “fact-finder”; he or she does not advocate or represent either party. The investigator will conduct interviews of both parties and witnesses, request and inspect documents and possibly conduct on-site inspections. After collecting all evidence relevant to the claims, the investigator will issue “findings of fact” detailing the evidence discovered and making a determination as to whether “probable cause” exists to believe the law has been violated as alleged.

**POST-DETERMINATION**—If the investigator finds no probable cause, the person bringing the complaint may request within 15 days that the findings be reviewed by the Director of MCCR. The Director will review the investigative file and any additional evidence presented before making a determination to uphold or reverse the finding or conduct further investigation. If the investigator does find probable cause, attempts will again be made to resolve the dispute through mediation. If no resolution is reached, the matter will be set for a hearing before the Office of Administrative Hearings and presented by MCCR General Counsel. In the alternative, either party may elect to have the claims heard in State or federal court.

**PUBLIC HEARING**—If no timely election is made to bring the claims in a State or federal court, a hearing will be held by an Administrative Law Judge. Following the evidentiary hearing, the ALJ will make a final decision, which may be appealed to the MCCR Appeals Board.

**PRIVATE CIVIL ACTION**—Either party may remove the claims from the administrative process to state or federal court 180 days after filing the complaint with MCCR.