

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 594 (Senator Lee)
Judicial Proceedings

Child Custody and Visitation - Abuse or Neglect of Child

This bill alters statutory provisions that require a court to deny custody or visitation rights to a party in specified circumstances involving the abuse or neglect of a child.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect the finances or operations of the Judiciary.

Local Effect: The bill is not anticipated to materially affect the finances or operations of the circuit courts.

Small Business Effect: Minimal.

Analysis

Bill Summary/Current Law: In any custody or visitation proceeding, if the court has reasonable grounds to believe that a child has been abused or neglected by a party to the proceeding, the court must determine whether abuse or neglect is likely to occur if custody or visitation rights are granted to the party.

Under current law, unless the court specifically finds that there is no likelihood of further child abuse or neglect by the party, the court must deny custody or visitation rights to that party. The bill also requires the court to state the reasons for the finding. If the court specifically finds that there is no likelihood of further child abuse or neglect by the party, the court is authorized under current law to approve a supervised visitation arrangement that assures the safety and physiological, psychological, and emotional well-being of the

child. The bill specifies that the visitation arrangement must be with *neutral and physically present* supervision.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2020
af/lgc

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