

SUSAN C. LEE
Legislative District 16
Montgomery County

MAJORITY WHIP

Judicial Proceedings Committee

Joint Committee on
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Women Legislators of the
Maryland General Assembly, Inc.



James Senate Office Building
11 Bladen Street, Room 223
Annapolis, Maryland 21401
410-841-3124 · 301-858-3124
800-492-7122 Ext. 3124
Susan.Lee@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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Senate Judicial Proceedings Committee

Senate Bill 665 - Family Law -Custody Evaluator -Information to Parties

Senate Bill 665 is a very simple bill that was brought up in a subcommittee meeting of a Workgroup to study abuse and custody decision-making. While not a direct recommendation from that workgroup, because final recommendations are to be released later in the year, this was supported unanimously from all members present. SB 665 is a common sense provision to provide information to parties regarding the role, availability, and cost of a custody evaluator.

Custody evaluators are not a cure-all and there are many problems with their use and cost, but access to them can be crucial to protect children against abuse and to find the signs of trauma that may not be apparent to less trained professionals. The Workgroup has looked at many anecdotes surrounding abuse and custody decisions, custody evaluators are usually the best able to protect children when they are astute, present and when judges listen to their insights.

Children who are abused might not show signs of trauma that can be easily observable by the untrained eye. There might even be counterintuitive actions like being comfortable with the abuser when there are others present, because the victim feels secure only when not alone with the abuser. Best Interest Attorneys are not trained to find these signs of trauma, and too often one's opinion is used to supersede the trained expert's insights. That is an issue for another day.

The courts must do all they can to protect children from abuse, this bill is perhaps the lowest hanging fruit they may see this legislative session to protect children, so I'm hoping we can work with them to harvest this ripe fruit and regroup to enact more provisions both through the court administration and legislation where required.

For these reasons, I respectfully request a favorable report on SB 665.