

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Matthew J. Fader  
Chief Justice

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 663  
Child Custody – Rebuttable Presumption of Joint Custody  
**DATE:** February 7, 2024  
(2/16)  
**POSITION:** Oppose

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The Maryland Judiciary opposes Senate Bill 663. This bill creates a rebuttable presumption in child custody proceedings that joint custodial arrangements are in the best interests of a child. It also authorizes a court to consider specified factors when determining the best interests of the child and to award sole custody when a joint custodial arrangement is determined by a preponderance of evidence not to be in the best interests of the child. It also requires the court to enter specified information on the record.

The presumption of joint custody in the bill limits the ability of the court to consider the specific needs of the child and the specific abilities of the parents. The bill directs the court to reach an outcome regarding the award of custody and directs the court to award approximately 50/50 time for each parent in every case unless a presumption for joint custody is rebutted. Further, this bill does not include any factors for the court to consider in the rebuttal of the presumption.

cc. Hon. Nick Charles  
Judicial Council  
Legislative Committee  
Kelley O'Connor