

## Testimony in Support of HB0365

Imagine a psychologist, custody evaluator labeling as having a “formal thought disorder, not being able to distinguish the difference between reality and fantasy”. This is probably one of the most damaging labels given to a mother, In contested custody cases, Formal thought disorder Is psychological speak for one of the major hallmarks of schizophrenia.

Hi, I'm Susan Carrington. I'm a survivor of domestic violence. I'm here today and supportive House Bill 0365. I am going to share a brief portion of my story/custody casse having well over 800 docket entries in Montgomery County not to mention ones in other states.

I sharing with you my horrific experience, so it can be used to illustrate a very real and traumatic way how custody cases are currently handled. I want to make it clear that I'm not a disgruntled litigant, I am a mother, who, along with her children has been failed by the family court system, which could've all been prevented. Had these custody evaluators received the appropriate training in domestic violence and the dynamics that are present in custody cases, my daughters and I would've been able to have each other in our lives as they went through childhood to adulthood.

Instead, we've not seen each other in 10 years. One is a little over 20 years old one is a little under They have been manipulated to the point where to them I'm not their mother. This not only affects my daughter's relationship with me, but it extends much further. They have also been deprived of knowing my large very large, Successful, close-knit Montgomery County-based family. I can only hope one day they will Be curious enough to start questioning it all. That may or may not happen because if it does, that's a pretty heavy thing to digest. It would take years of therapy just to work through it all. Regardless, this is how far an abuser will go who wants to win at all costs And this is what can happen when the custody evaluator fails to recognize the dynamics of domestic violence in highly contested custody cases.

As I mentioned, I am a survivor of domestic violence. Two separate judges on two separate occasions, found by clearance mining evidence that my ex-husband placed me in fear of imminent bodily harm and physically assaulted me, much witnessed by our young children at the time.

At the time I filed for divorce, the court ordered both parties for a custody evaluation due to the findings of domestic violence, and a criminal history of substance abuse substantiated the evaluation was done by an LCSW within the Montgomery County Circuit Court. This social worker was the only one who understood the dynamics of the case not to mention it was free. Once the evaluation was completed. It was filed with the court as a result of the evaluation,

confirming the domestic violence and substance abuse issues. My ex was furious with the outcome as a result through his council, he filed several motions before the court order that a second custody evaluation be performed by a well-known highly respected private evaluator. Finally, his wish was granted, and his part of our divorce was that the court ordered that we participate in a second custody evaluation specifically with the private evaluator requested, which not to mention was very expensive.

Once this private evaluator completed the evaluation he submitted his findings via a deposition before our attorneys. During his deposition while sworn under oath the evaluator stated that he administered psychological testing in which in my case as a result of one of these tests, administered, he determined that I had a "formal thought disorder" and "couldn't distinguish the difference between reality and fantasy" he went on to great length as to how he administered the test send them out to be scored, gets the data back and interprets them. To anybody sitting or reading this deposition, you would be convinced that this test had been administered.

The evaluator recommended that primary custody be changed from me to my ex, also my ex would have final say over school and activities, and I would have the final say over their medical and mental health all this other. This was not before the court at the time, and without due process this evaluator was able to change custody. It wasn't until nine months later, when we did have a custody child that my ex-husband paid the cost for this evaluator to testify as his expert witness.

During that custody trial, the evaluator was on the stand sworn under oath and admitted that he never handled this case as a domestic violence case and he was unable to conclude or rule out domestic violence despite the fact that the Maryland Court had now already issued two final protective orders. This evaluator also admitted that psychological testing of victims could give invalid test results.

In addition, when questioned further, regarding the formal thought disorder, and the test administered gave him these results, he later admitted on the stand, that he only "thought he administered the test he could not find the results anywhere".

One can only imagine the emotions and feelings. I can't describe with words just how disturbing, depressing, helpless, and hopeless I was.

In the court's ruling, the court still put "great weight" to this evaluator's testimony and recommendations, even though he essentially committed perjury on the stand, and admitted that he never administered a psychological test, which was based on his scathing diagnosis of me.

You can imagine being the victim of what was nothing less than legal abuse. I wanted accountability but unfortunately, accountability is gonna have to start with the judges, not being allowed to delegate judicial powers to these evaluators I did file a complaint with the Maryland Psychological Licensing Board. Unfortunately, my complaint was simply not worth anything, other than a simple note in this evaluator file regarding my case. You would think something of this magnitude would have consequences but then again when your wife sits on the board of the very same licensing board it becomes obvious that that holding the evaluators accountable is a task that will require resources I don't have.

It is imperative that custody evaluators having to be required to have substantial training in domestic violence and the dynamics on child custody cases. The system has failed my daughters and me. We have become innocent victims of a flawed system, They have been denied a relationship with their mother through no choice of their own all because of a custody evaluator who labeled me as having "formal thoughts disorder". This set into motion years of litigation. The Time money and personal toll was extreme but the real tragedy is my daughter's missing out on what it's like to have a loving mother as well as the love and support of her family. You can't put a price tag on that.

Thank you for your time.

Susan Carrington