

February 6, 2024

Written testimony in opposition to House Bill 405/Senate Bill 365

My name is Angela Layne. I am a licensed clinical social worker who has worked as a custody evaluator with the Montgomery County Circuit Court for almost 13 years. I currently hold the position of senior court evaluator and have served in that role for approximately five years. I thank you for the opportunity to offer my testimony in opposition to House Bill 405.

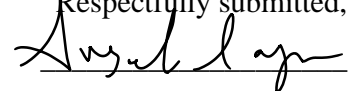
As the senior court evaluator, I have the distinct honor of managing the daily operations of the Custody Evaluator's Office. I have also conducted over 350 custody evaluations. That number represents the lives of children and families whom I have been afforded the privilege of assisting in various capacities. I understand that the court and families rely on the important work that my colleagues and I perform every day.

Our role as custody evaluators is to evaluate information provided to us throughout the course of an evaluation and offer non-biased, clinical assessments and recommendations to the court. It is imperative that custody evaluators are well trained and have the experience and expertise to work in this capacity. Neither myself nor any of my colleagues are disputing that. As mental health professionals, we are required by our licensing boards to participate in ongoing continuing education to remain compliant with our licenses. Many of these trainings already focus on the topics that are being proposed in this bill. Requiring additional trainings (within a specific timeframe) that focus solely on domestic violence and child abuse while placing additional restrictions on who can provide those trainings could present challenges with regards to resources, time, and availability of such trainings.

Today's reality is that caseloads are high, and burnout amongst the clinicians performing evaluations is even higher. Custody evaluators work tirelessly to complete their evaluations. We are tasked with the responsibility of working on sensitive, extremely complex, contentious cases, and at times are faced with unsafe situations. We understand that our recommendations are held in high regard by the court and impact what is in the best interests of children. Making these recommendations are not always easy and never something we take lightly.

Another proposal of this bill is that custody evaluations be ordered if a court identifies one or more of several listed issues. This proposal will lead to a significant increase in custody evaluations ordered, possibly in many cases in which the service is not absolutely necessary. The unintended consequence will be that evaluators' offices across the state, that are already dealing with shortages of custody evaluators, challenges with staff retention and extreme difficulties in hiring new staff, despite having the resources to do so, may become completely overwhelmed and unable to meet the high demand of cases being ordered. There is also the risk of losing current custody evaluators, which will result in limited staff to manage the significant increase in caseloads. If there are no more custody evaluators available to do the work, courts will be left without having information that would otherwise be made available during a custody evaluation. Those who will be greatly impacted by this will be the children, who benefit from having an expert, neutral third party involved to provide recommendations to the court that are in their best interests.

Respectfully submitted,



Angela Layne, LCSW-C