



Domestic Violence Legal Clinic

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Bill No.: House Bill 848
Bill Title: Family Law – Child Custody - Determinations
Committee: Judiciary
Hearing Date: February 22, 2024
Position: **FAV**

House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George's County, and Montgomery County. House Bill 848 requires the court, when determining legal and physical custody, to consider certain factors. **We urge the House Judiciary Committee to favorably report on House Bill 848.**

House Bill 848 codifies the factors that courts must consider when making decisions about legal and physical custody of children. Currently, determinations regarding children are made based on factors set forth in several Maryland appellate cases. While attorneys are able to read these appellate decisions and determine how the factors apply to the facts of a particular case, most unrepresented litigants would have difficulty finding the right cases and analyzing them appropriately. Thus, unrepresented litigants are disadvantaged in their ability to present testimony and evidence a court needs to render a decision. Codifying the factors in a single statute makes this information accessible to everyone. With passage of this bill, Maryland would join the majority of states that statutorily clarify how courts are to make determinations regarding children.

HB 848 emphasizes that judges are to focus on the needs of an individual child and the parents' respective abilities to meet those needs. HB 848 ensures that child custody cases are not determine in cookie-cutter fashion, but rather than each child and family's situation is judged on its own merits based on the needs of the children and the resources of the family.

The House of Ruth urges the House Judiciary Committee to report favorably on House Bill 848.