



House of Ruth Maryland

Domestic Violence Legal Clinic

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Bill No.: Senate Bill 438
Bill Title: Family Law – Fundamental Parental Rights
Committee: Judicial Proceedings
Hearing Date: February 14, 2024
Position: **UNF**

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. Senate Bill 438 would create a fundamental parental right to direct the upbringing of their children absent a showing of clear and convincing evidence to the contrary. **We urge the Senate Judicial Proceedings Committee to report unfavorably on Senate Bill 438.**

Under current law, courts must make decisions about child custody and visitation based on the best interests of the child and an individualized assessment of the needs of the child and family. SB 438 would do away with this standard and elevate the rights of the parents above that of the child. SB 438 presumes that most families function in a similar way; this is simply not the case. Each child, each family, each situation needs to be judged on its own merits and decided based on its own needs and resources. One size does not fit all when it comes to decisions regarding the welfare of children.

The House of Ruth urges the Senate Judicial Proceedings Committee to issue an unfavorable report on Senate Bill 438.