

January 20, 2026
Maryland General Assembly 2026 Legislative Session
SB111/HB0137 Family Law-Child Custody Evaluators- Qualifications

Favorable with Amendments

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To the Honorable Members of Judicial Proceedings and Judiciary Committee,

I am writing to lend my support in favor of SB222/HB0137 Family Law-Child Custody Evaluators- Qualifications *with amendments*.

This is now the fifth time that such a bill has been proposed, and while this bill is markedly better than previous versions, and is again no doubt well intended, there are still areas that are lacking or will better serve with clarification.

You'll read testimony from my colleagues that voices concerns over this ambiguity in experience and qualifications. I echo those concerns. Outlined in (E)(1)(V)(A), (B), and (C) (Page 2, lines 26-30, Page 3, lines 1-2) is "... WITH AT LEAST TWO YEARS OF EXPERIENCE IN" (A) "ONE OR MORE AREAS LISTED IN SUBSECTION (F)(4)" and (B) "CONDUCTING CUSTODY EVALUATIONS," and (C) ANY COMBINATION OF THE EXPERIENCE DESCRIBED IN ITEM A OR B OF THIS ITEM." The reality is that custody evaluations mandate an evaluator who is wholly competent in *all* areas of (F)(4), not just "ONE OR MORE..." Further, it would be ideal for there to be a minimum number of evaluations completed rather than just a time in practice. What if the evaluator only performs evaluations once in a while? That could leave them with only a few evaluations over two years rather than a minimum number of evaluations. **A proposed amendment here would be to clarify number of evaluations using the AAML Guide that Maryland Courts already rely on for training curriculum^{1,2}.**

The second concern with SB222/HB0137 is the list of qualifications for custody evaluators. As you are aware, custody evaluations require highly skilled and versed professionals with a broad and deep range of knowledge. This again is imperative when considering decisions regarding the life, welfare, and future of children and especially for children who are already the subject of contested custody. While the areas of knowledge listed in (F)(4) seem comprehensive, section (II) fails to include psychological and emotional abuse along with physical abuse, even though psychological abuse has been identified as being as equally harmful³. Further, there is no mention of parent-child contact problems. Interestingly, Maryland Courts already recognize the importance evaluators to be knowledgeable with parent-child contact problems, yet this item

¹ https://aaml.org/wp-content/uploads/MAT201_3.pdf page 12.

² <https://www.courts.state.md.us/legalhelp/family/custodyandvisitation>

³ <https://www.apa.org/news/press/releases/2014/10/psychological-abuse>

continues to be unrecognized by any past and current proposed legislation⁴. It is perplexing why bill sponsors continue to avoid addressing psychological abuse in child custody legislation, considering it is a pervasive society problem, is recognized by other states, and is identified as being as harmful as sexual and physical abuse. **A proposed amendment would add psychological and emotional abuse to (F)(4)(II) and add (VII) Parent-child contact problems.**

I urge adapting clarifications to (E)(1)(V)(A), (B), and (C) and urge the legislature to once and for all understand the peril psychologically abused children suffer and address it in the mandated training requirements for evaluators. Maryland children deserve a better understanding of what they are experiencing when they are unfortunately in the center of contentious family proceedings.

Thank you for your work in protecting Maryland children.

Sincerely,
Melissa Krawczyk
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