

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 665

(Senators Lee and Carozza)

Judicial Proceedings

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**Family Law - Custody Evaluator - Information to Parties**

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This bill requires a court, in any action in which child support, custody, or visitation is at issue, to provide information to the parties regarding the role, availability, and cost of a custody evaluator.

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**Fiscal Summary**

**State Effect:** The Judiciary can handle the bill's requirements using existing budgeted resources. Revenues are not affected.

**Local Effect:** The circuit courts can handle the bill's requirements using existing budgeted resources. Revenues are not affected.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** Pursuant to Maryland Rule 9-205.3, a custody evaluation is the study and analysis of (1) the needs and development of a child who is the subject of an applicable action or proceeding and (2) the abilities of the parties to care for the child and meet the child's needs. A custody evaluator is an individual appointed or approved by the court to perform a custody evaluation. On motion of a party or child's counsel, or on its own initiative, the court may order an assessment (including a custody evaluation) to aid the court in evaluating the health, safety, welfare, or best interests of a child in a contested custody or visitation case. Maryland Rule 9-205.3 establishes specified requirements for custody evaluators, including those related to education, licensing, and training. In some jurisdictions, custody evaluators are court employees and perform custody evaluations free

of charge to litigants. In other jurisdictions, the family support services coordinator maintains a list of qualified custody evaluators and the county administrative judge is required to develop and adopt maximum fee schedules for custody evaluations.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2020  
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