

SENATE BILL 222

D4
SB 25/25 – JPR

(PRE-FILED)

6lr0797
CF HB 137

By: ~~Senators Carozza and West~~, **Folden, Smith, Waldstreicher, and West**

Requested: September 8, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 20, 2026

CHAPTER _____

1 AN ACT concerning

2 **Family Law – Child Custody Evaluators – Qualifications**

3 FOR the purpose of establishing qualifications for an individual to be appointed by a court
4 as a custody evaluator; and generally relating to child custody and visitation.

5 BY adding to
6 Article – Family Law
7 Section 9–109
8 Annotated Code of Maryland
9 (2019 Replacement Volume and 2025 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That the Laws of Maryland read as follows:

12 **Article – Family Law**

13 **9–109.**

14 **(A) IN THIS SECTION, “CUSTODY EVALUATOR” MEANS AN INDIVIDUAL**
15 **APPOINTED OR APPROVED BY A COURT TO CONDUCT A CUSTODY EVALUATION.**

16 **(B) ON MOTION OF A PARTY OR CHILD’S COUNSEL, OR ON ITS OWN**
17 **INITIATIVE, A COURT MAY:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(1) ORDER AN ASSESSMENT TO AID THE COURT IN EVALUATING THE**
2 **HEALTH, SAFETY, AND WELFARE OR BEST INTERESTS OF A CHILD IN A CONTESTED**
3 **CUSTODY OR VISITATION CASE; OR**

4 **(2) APPOINT A CUSTODY EVALUATOR DETERMINED BY THE COURT TO**
5 **BE COMPETENT TO CONDUCT A HOME STUDY OR AN EVALUATION OF A SPECIFIC**
6 **ISSUE.**

7 **(C) A COURT MAY NOT ORDER THE COST OF AN ASSESSMENT TO BE PAID, IN**
8 **WHOLE OR IN PART, BY A PARTY WITHOUT GIVING THE PARTIES NOTICE AND AN**
9 **OPPORTUNITY TO OBJECT.**

10 **(D) A COURT MAY NOT APPOINT AN INDIVIDUAL AS A CUSTODY EVALUATOR**
11 **UNLESS:**

12 **(1) THE INDIVIDUAL MEETS THE QUALIFICATIONS SPECIFIED IN**
13 **SUBSECTIONS (E) AND (F) OF THIS SECTION; OR**

14 **(2) THE COURT WAIVES THE QUALIFICATIONS IN ACCORDANCE WITH**
15 **SUBSECTION (G) OF THIS SECTION.**

16 **(E) (1) A CUSTODY EVALUATOR MUST BE:**

17 **(I) A PHYSICIAN LICENSED IN ANY STATE WHO IS**
18 **BOARD-CERTIFIED IN PSYCHIATRY OR HAS COMPLETED A PSYCHIATRY RESIDENCY**
19 **ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL**
20 **EDUCATION OR A SUCCESSOR TO THAT COUNCIL;**

21 **(II) A MARYLAND-LICENSED PSYCHOLOGIST OR A**
22 **PSYCHOLOGIST WITH AN EQUIVALENT LEVEL OF LICENSURE IN ANY OTHER STATE;**

23 **(III) A MARYLAND-LICENSED CLINICAL MARRIAGE AND FAMILY**
24 **THERAPIST OR A CLINICAL MARRIAGE AND FAMILY THERAPIST WITH AN**
25 **EQUIVALENT LEVEL OF LICENSURE IN ANY OTHER STATE;**

26 **(IV) A MARYLAND-LICENSED CERTIFIED SOCIAL**
27 **WORKER-CLINICAL OR A CLINICAL SOCIAL WORKER WITH AN EQUIVALENT LEVEL**
28 **OF LICENSURE IN ANY OTHER STATE;**

29 **(V) 1. A MARYLAND-LICENSED GRADUATE OR MASTER**
30 **SOCIAL WORKER WITH AT LEAST 2 YEARS OF EXPERIENCE IN:**

1 **A. ONE OR MORE OF THE AREAS LISTED IN SUBSECTION**
2 **(F)(4) OF THIS SECTION;**

3 **B. CONDUCTING CUSTODY EVALUATIONS; OR**

4 **C. ANY COMBINATION OF THE EXPERIENCE DESCRIBED**
5 **IN ITEM A OR B OF THIS ITEM; OR**

6 **2. A GRADUATE OR MASTER SOCIAL WORKER WITH AN**
7 **EQUIVALENT LEVEL OF LICENSURE AND EXPERIENCE IN ANY OTHER STATE; OR**

8 **(VI) A MARYLAND-LICENSED CLINICAL PROFESSIONAL**
9 **COUNSELOR OR A CLINICAL PROFESSIONAL COUNSELOR WITH AN EQUIVALENT**
10 **LEVEL OF LICENSURE IN ANY OTHER STATE.**

11 **(2) A CUSTODY EVALUATOR SHALL COMPLY WITH ALL CONDITIONS**
12 **NECESSARY TO MAINTAIN PROFESSIONAL LICENSURE, INCLUDING COMPLETING**
13 **ALL MANDATORY CONTINUING EDUCATION REQUIREMENTS.**

14 **(F) EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, A CUSTODY**
15 **EVALUATOR MUST HAVE:**

16 **(1) COMPLETED A TRAINING PROGRAM THAT CONFORMS TO**
17 **GUIDELINES ESTABLISHED BY THE ADMINISTRATIVE OFFICE OF THE COURTS;**

18 **(2) COMPLIED WITH THE CONTINUING EDUCATIONAL**
19 **REQUIREMENTS OF THE CUSTODY EVALUATOR'S FIELD;**

20 **(3) EXPERIENCE IN CONDUCTING OR OBSERVING CUSTODY**
21 **EVALUATIONS; AND**

22 **(4) DEMONSTRATED KNOWLEDGE OF AND EXPERIENCE IN THE**
23 **FOLLOWING TOPICS:**

24 **(I) DOMESTIC AND FAMILY VIOLENCE;**

25 **(II) CHILD NEGLECT AND ABUSE, INCLUDING SEXUAL ABUSE;**

26 **(III) CHILD AND ADULT DEVELOPMENT;**

27 **(IV) TRAUMA AND ITS IMPACT ON CHILDREN AND ADULTS;**

28 **(V) FAMILY DYNAMICS AND CONFLICT RESOLUTION;**

1 (VI) DISABILITY-RELATED ISSUES; AND

2 (VII) THE IMPACT OF DIVORCE AND SEPARATION ON CHILDREN
3 AND ADULTS.

4 (G) A COURT MAY WAIVE THE REQUIREMENTS IN SUBSECTIONS (E) AND (F)
5 OF THIS SECTION FOR A COURT EMPLOYEE OR AN INDIVIDUAL UNDER CONTRACT
6 WITH THE COURT WHO:

7 (1) CONDUCTED CUSTODY EVALUATIONS FOR AT LEAST 14 YEARS
8 PRIOR TO JANUARY 1, 2025;

9 (2) HAS COMPLETED A TRAINING PROGRAM REQUIRED BY
10 SUBSECTION (F)(1) OF THIS SECTION; AND

11 (3) COMPLETES AT LEAST 20 HOURS PER YEAR OF CONTINUING
12 EDUCATION RELEVANT TO CONDUCTING CUSTODY EVALUATIONS.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2026.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.