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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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The Senate Judicial Proceedings Committee
SB 57 Family Law – Child Custody and Visitation
Statement of Support by Senator Mary Beth Carozza

Thank you Chairman Smith, Jr., Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee for the opportunity to respectfully ask for your support of Senate Bill 57 Family Law – Child Custody and Visitation, which will require a court, in a custody or visitation proceeding, to deny custody or visitation rights to a certain party if the court has reasonable ground to believe that a child has been abused or neglected by the party unless the court specifically finds that there is no likelihood of further child abuse or neglect by the party and states the reasons for the finding.

I became aware of the need for legislation on this matter by serving on the Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations. The Workgroup was tasked with studying State child custody processes for when child abuse or domestic violence allegations are made during court proceedings; studying available science and best practices pertaining to children in traumatic situations, including trauma-informed decision making; and making recommendations about how State courts could incorporate in court proceedings the latest science regarding the safety and well-being of children and other victims of domestic violence. Our workgroup made up of experts and advocates with experience with child custody cases involving abuse, adopted over 20 recommendations focused on better protecting children through these custody court proceedings and putting the best interest of the child first in these cases.

In current law, Maryland courts resolve child custody disputes based on a determination of “what is in the child’s best interests.” However, the factors to be considered by a court in making such a determination are not specified in statute but have instead been developed through Senate Bill 57.

This bill will address the gap in existing law, ultimately, resulting in better protection for the safety and well-being of children, many of who experience trauma, going through child custody court proceedings involving child abuse and domestic violence.

I urge you, Mr. Chair and members of the Judicial Proceedings Committee, to move favorably on Senate Bill 57. Thank you for your kind consideration.