



Working to end sexual violence in Maryland

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Information Regarding Senate Bill 355
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence.

Senate Bill 355 –The Maryland Coalition Against Sexual Assault includes the Sexual Assault Legal Institute, one of the very agencies regularly handling family law cases involving allegations of child sexual abuse. These cases are highly contentious and protecting parents face high hurdles and great skepticism all too often. Custody evaluations are sometimes a part of these cases. A child custody evaluation is a process in which a mental health expert, often a psychologist or social worker, evaluates a family and makes recommendations to the court regarding a custody, visitation, or a parenting plan that they believe is in a child's best interests. It is critical that court custody evaluators are fully trained in the subject areas outlined in Senate Bill 355. In particular, evaluators must have expert knowledge of the Adverse Childhood Experiences study and the impacts on children of trauma and abuse.

MCASA supports the intent of this bill but is concerned about moving the educational and training requirements for court custody evaluators from the Maryland Rules of Court to the statute while leaving the rest of the conditions governing custody evaluators in the Maryland Rules. We believe that the Maryland Rules are the correct place for all of the requirements for custody evaluators, as the Court needs to be able to adjust and amend these conditions as necessary to meet the needs of the courts and families without having to wait for the next legislative session to come around. Additionally, it does not make sense to have some of the conditions governing custody evaluators in the Rules and some in the statute.