



BILL NO: Senate Bill 57
TITLE: Family Law – Child Custody and Visitation
COMMITTEE: Judicial Proceedings
HEARING DATE: January 26, 2021
POSITION: **SUPPORT WITH AMENDMENTS**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to amend and issue a favorable report on SB 57.**

Senate Bill 57 originates from the recommendations of the Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations, which was statutorily created in 2019. The Workgroup heard from numerous professional experts and met over an eighteen-month period to develop their recommendations. Currently, child custody factors are found in Maryland case law. This puts pro se litigants at an extreme disadvantage. Senate Bill 57 would codify, in Family Law Article Section 9-109, the factors that courts must consider when determining custody and visitation.

MNADV supports the codification of custody factors. We believe that it will benefit survivors of domestic violence who often appear as pro se litigants. However, we believe the factors should reflect the recommendation from the 2013 Commission on Child Custody Decision Making. Those factors were developed and recommended after a significant vetting process by the family law experts that served on the Commission.

Senate Bill 57 contains an important requirement that courts articulate their findings of fact on the record and explain their considerations of each custody factor. We believe that this language will be of great benefit to all parties in understanding how the court reached its decision on child custody and visitation, and the weight that was given to the various factors to consider including a child's exposure to domestic violence.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable with amendments report on SB 57.**