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House Bill 973: Family Law - Grandparent Visitation Hearing Date: March 4, 2021 – Judiciary Committee

Please support HB 973, Favorable with Amendments

My name is Tamika Winkler; and I am a staffer with the Maryland General Assembly. I have the pleasure of knowing many of you, and that's partly why I have struggled to share my experiences as a mother of an incarcerated child and as a grandmother of handsome grandson, that I am unable to see. Each day, my heart ache due to my son's incarceration. It worsens due to the fact that I am unable to visit my grandson, who I haven't seen in three and a half years. His mother prohibits me from visiting him, although I seek to fill the void left by his separation from his father and develop my own relationship with him as his grandmother.

Marcus Garvey once said, "A people without the knowledge of their past history... is like a tree without roots." I sit before you today expressing that I want my grandson to be firmly rooted. This is why I support **House Bill 973 favorable with Amendments**, which has been introduced by Delegate Chanel Branch. This bill would allow me and other grandparents rights to visit our grandchildren when prevented, prohibiting the court from denying visitation rights to a grandparent based on certain allegations.

Maryland law is severely flawed and makes it rather difficult for grandparents to win visitation rights. Currently, while state law allows us to ask the court for visitation rights, we are treated as a third party, unless we can prove that we have been acting as the parent. Further, a grandmother or grandfather is unlikely to be successful in winning visitation rights over the protest of a parent – in my case my grandson's mother – unless we can show that the parent is unfit.¹

I urge you to **support this legislation with amendments**, as the long-term effects that my grandson may have by not having a relationship with me, his paternal grandmother, especially while he is separated from his father concern me. Researchers at the University of Oxford have found that having a close relationship with grandparents can reduce difficulties associated with parental separation² – which is the case for my son and the mother of his son. As grandparents we are also able to provide historical information, including health history that will be invaluable as our grandchildren navigate their adult lives.

The study at Oxford also found that children who have a relationship with their grandparents are less like to experience behavior issues. And a study published by the

¹ *Maryland Code, Family Law, Section 9-102; Koshko v. Haining, 398 Md. 404 (Court of Appeals 2007)*

² *Grandparents contribute to children's wellbeing | University of Oxford. (n.d.). Www.ox.ac.uk. <https://www.ox.ac.uk/research/research-impact/grandparents-contribute-childrens-wellbeing>*

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Journal of Social Issues found that young people who have relationships with their grandparents are less likely to be depressed.³

The General Assembly can remedy this and provide solace to grandparents, by granting us visitation rights under certain circumstances. I humbly ask you to support this bill **favorable with amendments to include grandparents of incarcerated children.**

³ Ruiz, S. A., & Silverstein, M. (2007). *Relationships with Grandparents and the Emotional Well-Being of Late Adolescent and Young Adult Grandchildren*. *Journal of Social Issues*, 63(4), 793–808.
<https://doi.org/10.1111/j.1540-4560.2007.00537.x>