

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.

Testimony to the House Judiciary Committee

HB1036 - Child Custody - Cases Involving Child Abuse or Domestic Violence - Training for Judges and Child's Counsel

March 4, 2021

**** SUPPORT CONCEPT ****

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform.

CPMC members listed below support the CONCEPT of House Bill 1036 insofar as it encourages the Maryland Judiciary to develop a training program for judges presiding over child custody cases involving child abuse or domestic violence and to review and update the training program at certain intervals; and insofar as it encourages best interest attorneys and children's counsel to be trained on certain topics relating to child abuse and domestic violence. CPMC members listed below take NO POSITION on the legality of the separation of powers issue between the legislature and judiciary and NO POSITION on the number of hours needed for the trainings.

As advocates who work with and on behalf of children and who understand the dynamics of adverse childhood experiences (ACEs) and the effect of trauma, we write in general support of the intent of this bill to promote further educating appropriate members of the bench and the bar on the complexities of child abuse, disclosure, and trauma. Suggested courses include: the typical brain development of infants and children; the impact of adverse childhood experiences; complex trauma, and chronic toxic stress on a child's brain development and the ways that a child's response to trauma varies; the process for investigating a report of suspected child abuse or child sexual abuse; and potential impacts of explicit and implicit bias on child custody decisions.

One of the suggested training topics is the limitations of the CPS investigation process, including that child abuse and child sexual abuse may have occurred even without an "indicated" finding of abuse, any physical evidence of abuse, or a verbal disclosure of abuse by the child. For example, some court personnel may not understand cases that are "unsubstantiated" (which is not the same as "ruled out") by CPS do not mean that the child is safe for unsupervised visitation with the offending caregiver.

We urge a favorable report for HB1036 to the extent it promotes better routine training for members of the judiciary and children's attorneys on these complicated issues.

Advocates for Children and Youth | Board of Childcare | Center for Hope, LifeBridge Health | Child Justice, Inc | Citizens Review Board | Court Appointed Special Advocates | Family Tree | MD Chap. National Association of Social Workers | State Council on Child Abuse and Neglect