

HOUSE BILL 1114

D4

0lr0959

By: **Delegates Charles, Acevero, Bridges, Crutchfield, Henson, Lehman, Mosby,
Pena-Melnyk, Smith, R. Watson, and P. Young**

Introduced and read first time: February 6, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Custody and Visitation – Best Interest of the Child – Factors**

3 FOR the purpose of requiring the court, in determining the appropriate allocation of
4 custody or visitation between the parties that is in the best interest of the child, to
5 consider certain factors; authorizing the court to consider certain factors; requiring
6 the court to articulate certain findings of fact on the record; and generally relating
7 to child custody and visitation.

8 BY adding to

9 Article – Family Law

10 Section 9–109

11 Annotated Code of Maryland

12 (2019 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Family Law**

16 **9–109.**

17 **(A) SUBJECT TO THE PROVISIONS OF §§ 9–101, 9–101.1, AND 9–101.2 OF**
18 **THIS SUBTITLE, IN DECIDING THE APPROPRIATE ALLOCATION OF CUSTODY OR**
19 **VISITATION BETWEEN THE PARTIES THAT IS IN THE BEST INTEREST OF THE CHILD,**
20 **THE COURT SHALL CONSIDER:**

21 **(1) THE ABILITY OF EACH OF THE PARTIES TO MEET THE CHILD’S**
22 **DEVELOPMENTAL NEEDS, INCLUDING:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(I) ENSURING PHYSICAL SAFETY;**
- 2 **(II) SUPPORTING EMOTIONAL SECURITY AND POSITIVE**
3 **SELF-IMAGE;**
- 4 **(III) PROMOTING INTERPERSONAL SKILLS; AND**
- 5 **(IV) PROMOTING INTELLECTUAL AND COGNITIVE GROWTH;**
- 6 **(2) THE RELATIONSHIP BETWEEN THE CHILD AND THE PARTIES, THE**
7 **CHILD’S SIBLINGS, AND OTHER RELATIVES;**
- 8 **(3) THE ABILITY OF EACH PARTY TO MEET THE DAY-TO-DAY NEEDS**
9 **OF THE CHILD, INCLUDING:**
- 10 **(I) EDUCATION;**
- 11 **(II) SOCIALIZATION;**
- 12 **(III) CULTURE AND RELIGION;**
- 13 **(IV) FOOD;**
- 14 **(V) SHELTER;**
- 15 **(VI) CLOTHING; AND**
- 16 **(VII) MENTAL AND PHYSICAL HEALTH;**
- 17 **(4) THE ABILITY OF EACH PARTY TO:**
- 18 **(I) CONSIDER AND ACT ON THE NEEDS OF THE CHILD, AS**
19 **OPPOSED TO THE NEEDS OR DESIRES OF THE PARTY;**
- 20 **(II) PROTECT THE CHILD FROM THE ADVERSE EFFECTS OF ANY**
21 **CONFLICT BETWEEN THE PARTIES; AND**
- 22 **(III) MAINTAIN, FOSTER, AND FACILITATE RELATIONSHIPS WITH**
23 **THE OTHER PARTY, SIBLINGS, OTHER RELATIVES, AND OTHER INDIVIDUALS WHO**
24 **HAVE A SIGNIFICANT RELATIONSHIP WITH THE CHILD;**
- 25 **(5) THE HISTORY OF ANY EFFORTS BY A PARTY TO INTERFERE WITH**
26 **THE CHILD’S RELATIONSHIP WITH THE OTHER PARTY;**