



Marjorie Cook Foundation
Domestic Violence Legal Clinic

2201 Argonne Dr • Baltimore, Maryland 21218 • 410-554-8463 • dlennig@hruthmd.org.

TESTIMONY IN OPPOSITION TO SENATE BILL 889

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DOROTHY J. LENNIG, LEGAL CLINIC DIRECTOR

House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. Senate Bill 889 creates a rebuttable presumption that a child at least 13 years old has considered judgment and that a child advocate attorney shall be appointed to represent them. **We urge the Senate Judicial Proceedings Committee to issue an unfavorable report on Senate Bill 889.**

SB 889, as written, essentially requires the court to appoint a child advocate attorney in every custody case that involves a child who is at least 13 years old. While it may not be the intent of the bill to order a child advocate attorney in every case, contested or not, the bill does not distinguish between contested and uncontested cases.

In addition, SB 889 does not address who pays for the child advocate attorney if the parties are unable to do so. Given the number of unrepresented litigants in family law cases, House of Ruth believes that children and families would be better served if the courts appoint attorneys for the parties, instead of allocating funds to appoint attorneys for children in every case.

SB 889 also allows the child to file motions and testify regarding their preference as though they were a party. This approach completely disregards the concerns of many child psychologists, who believe that involving a child in a custody dispute between the child's parents causes severe emotional distress and is one of the worst experiences a child can have.

Custody cases in which the parents are not able to agree on parenting time and decision making are highly contentious. Although there may be individual cases where it is beneficial to the child to have a voice in the legal proceedings, the decision to involve a child in the case as if they are a party should be exercised judiciously. In most situations, it is not in the child's best interest to be involved and certainly should not be done in cookie cutter fashion as it would be under SB 889.

The House of Ruth urges the Senate Judicial Proceedings Committee to issue an unfavorable report on Senate Bill 889.