



10480 Little Patuxent Parkway, Ste 910, Columbia, MD 21044. Office 410-992-4258. Fax: 410-992-7732. www.marylandpsychology.org

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Senator William C. Smith, Jr. Chair
Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 889 – OPPOSE

Dear Chair, Vice-Chair, and Members of the Committee:

The Maryland Psychological Association, (MPA), which represents over 1,000 doctoral level psychologists throughout the state, asks the Senate Judicial Proceedings Committee to issue an **UNFAVORABLE REPORT on Senate Bill 889**. SB 889 would provide for a rebuttable presumption that a 13-year-old child has considered judgment and allow them to file motions and testify regarding their preferences as though the child were a party.

One factor Maryland's courts already consider when making determinations in custody divorce cases is the preference of the child. The child's voice may be heard through the BIA, Child Advocate Attorney, sometimes through a custody evaluation, and sometimes directly by testimony.

This bill, if enacted, would irreparably harm Maryland's children. Research shows that the single greatest factor that negatively impacts a child's long-term adjustment when their parents divorce is being exposed to the parents' conflict. This bill not only exposes the child to the parents' conflict but directly involves them in the conflict. Children need to be protected from their parents' conflict, not placed in the middle.

Does Maryland law presume that 13-year-old children can decide whether they are going to attend school or presume that a 13-year-old child can make their own decision about marriage? Does Maryland law presume that a 13-year-old child can vote in local elections, purchase a gun, or adopt a child? The answer to all of these questions, of course, is no – Maryland does not presume that 13-year-old-children can exercise their own judgment in these circumstances because we know they do not have considered judgment – they are not able to understand and appreciate the risks, benefits, and long-term impact of their decision. Please do not put our children's health and well-being at risk by further involving them in their parent's divorce. For these and other reasons, we strongly urge the Judicial Proceedings Committee to issue an **UNFAVORABLE report on SB 889**.

Please feel free to contact MPA's Executive Director Stefanie Reeves at exec@marylandpsychology.org if we can be of assistance.

Sincerely,

Linda McGhee

Linda McGhee, Psy.D., JD
President

R. Patrick Savage, Jr.

R. Patrick Savage, Jr., Ph.D.
Chair, MPA Legislative Committee

cc: Richard Bloch, Esq., Counsel for Maryland Psychological Association
Barbara Brocato & Dan Shattuck, MPA Government Affairs