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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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The Senate Judicial Proceedings Committee
SB 336 Family Law- Custody Evaluators-Qualifications and Training
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Smith, Vice Chair Waldstreicher, and members of the distinguished Senate Judicial Proceedings Committee for this opportunity to present Senate Bill 336, Custody Evaluators – Qualifications and Training, and to respectfully ask for your support for this bill which would help ensure the safety and well-being of children and protective parents involved in State custody proceedings involving child abuse or domestic violence allegations.

Serving on the Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations has been one of my most important public service assignments, given the magnitude of the trauma that many children and protective parents experience going through court custody proceedings involving child abuse or domestic violence allegations. I have been granted the opportunity to continue working on domestic violence issues and advocating for children with my recent appointment to the Governor’s Family Violence Council this past October.

My bill, co-sponsored by Senators Susan Lee and Chris West, focuses on the Workgroup’s recommendations dealing with custody evaluators. After hearing from parents, advocates, and legal child custody experts over the past three years, it has become clear that there are no consistent qualifications or training for custody evaluators. This is especially concerning when the courts follow the recommendations in the custody evaluations in over 90 percent of custody cases.

This bill simply requires that certain qualifications and training requirements be met before an individual may serve as a court custody evaluator in these most sensitive cases involving child abuse and domestic violence allegations. The urgent need to establish basic qualifications and training for custody evaluators is heightened by a protective parent, Katie Spearman, who will painfully recount how the custody evaluator assigned to her was a school counselor with no formal training on cases involving sexual abuse.

I know this Committee recognizes that custody evaluators have an important role in assisting family law courts in determining custody outcomes in some of the most sensitive and difficult cases involving allegations of domestic violence and child abuse. We have an obligation to ensure a custody evaluator meets certain qualifications and has completed 20 hours of training and five hours of continued training every two years.

This is the third year in presenting this legislation to this Committee. In an effort to work in good faith and address some of the issues raised by the Judiciary, the bill has been revised to eliminate the Master's degree requirement if other qualifications are met, and the number of hours of training has been reduced from 60 to 20 hours to be consistent with the number of hours in Senate Bill 17 sponsored by Senator West.

Given that the Maryland General Assembly last session unanimously approved legislation (SB 159) sponsored by Vice Chair Waldstreicher to require education and training requirements for animal control officers (80 hours of training and 6 hours of continued training every two years), I believe we can take this same commonsense approach and move forward in approving SB 336 this session. We can ensure that custody evaluators meet certain qualification and training requirements which would result in better protecting the safety and well-being of those children, many of who are experiencing trauma, as they go through a custody court proceeding involving child abuse or domestic violence allegations.

Mr. Chair and Vice Chair, I respectfully urge the Senate Judicial Proceedings Committee Members for a favorable report on Senate Bill 336. Thank you for your kind attention and consideration.