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Judicial Proceedings Committee

Vice Chair, Baltimore County  
Senate Delegation



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January, 26, 2022  
The Honorable William C. Smith, Jr.  
Senate Judicial Proceedings Committee  
2 East Miller Senate Building  
11 Bladen Street  
Annapolis, Maryland 21401

**Re: Senate Bill – 17 – Child Custody – Cases Involving Child Abuse or Domestic Violence -  
Training for Judges**

Dear Chairman Smith and Members of the Committee,

The United States averages 4.3 million reported incidents of child abuse annually, one of the worst records among industrialized countries. The Center for Disease Control and Prevention found that 1 in 4 girls and 1 in 13 boys will experience sexual abuse in childhood. At the onset of the Covid-19 pandemic, reported incidents of domestic abuse in Maryland saw an increase.

Unfortunately, we have seen instances in our state's courts where the judges made serious mistakes in the child custody cases involving child abuse/domestic violence. This was not done out of malice, but by the steep learning curve associated with understanding family law.

The goal of Senate Bill 17 is to develop, in consultation with domestic violence and child abuse organizations a training program for judges hearing these cases to better understand the impact of these traumatic events on children. The proposed training includes learning about early childhood brain development, how traumatic events impacts this development, state investigatory processes and their limits, interpersonal dynamics that contribute to abusive behavior, and preventative measures to mitigate abuse such as family protections, witness credibility validation tools, and risk assessments.

Under Senate Bill 17, judges would receive 20 hours of initial training (approved by the Maryland Judiciary) within their first year of presiding over child custody cases involving child abuse or domestic violence, then an additional 5 hours every 2 years they preside. The bill also provides standards for those who are responsible for training the judges. These standards include that the professional have at least 3 years of experience training professionals on child abuse/domestic violence, or 5 years of experience working directly in the field of child abuse/domestic violence.

Former delegate now judge Kathleen Dumais and I chatted about the bills' necessity. I understand that the state judiciary has a number of objections to this bill. Judge Dumais and I agreed to sit down together and come up with a consensus bill.

I support Senate Bill 17 with amendments to clarify qualifications for training providers (Page 4, Section C, Lines 1-11) to *5 years' experience in directly assisting abuse survivors engaged in custody litigation, including child abuse, OR at least 5 years as a professional with expertise in providing expert assessment, protection, and treatment to survivors of child abuse*, and omit the term “Parental Alienation” from the language.

In the meantime, I appreciate the committee’s consideration of Senate Bill 17 and will be more than happy to answer any follow-up questions the committee may have.