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TESTIMONY IN SUPPORT OF SENATE BILL 849

March 10, 2022

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House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. The House of Ruth Domestic Violence Legal Clinic has offices in Baltimore City, Baltimore County, Prince George's County, and Montgomery County. Senate Bill 849 requires the court, in determining the appropriate allocation of legal decision making or parenting time between the parties, to consider certain factors. **We urge the Senate Judicial Proceedings Committee to favorably report on Senate Bill 849.**

SB 849 codifies the factors that courts must consider when making decisions about how to allocate "parenting time" and "legal decision making" authority. These terms would replace "custody" and "visitation" in an effort to better describe the rights and responsibilities of parents vis-à-vis their children. Currently, determinations regarding children are made based on factors set forth in several Maryland appellate cases. While attorneys are able to read these appellate decisions and determine how the factors apply to the facts of a particular case, most unrepresented litigants would have difficulty finding the right cases and analyzing them appropriately. Thus, unrepresented litigants are disadvantaged in their ability to present the testimony and evidence a court needs to render a decision. Codifying the factors in a single statute makes this information accessible to everyone. With passage of this bill, Maryland would join the majority of states that statutorily clarify how courts are to make determinations regarding children.

SB 849 rests on the premise that neither parent is presumed to have any right to legal decision making or parenting time that is superior to the right of the other parent, and emphasizes that judges are to focus on the needs of an individual child and the parents' respective abilities to meet those needs. SB 849 ensures that child access cases are not determined in cookie-cutter fashion, but rather that each child and family's situation is judged on its own merits based on the needs of the children and the resources of the family.

The House of Ruth urges the Senate Judicial Proceedings Committee to report favorably on Senate Bill 849.