

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Joseph M. Getty  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 1036  
Child Custody – Relocation of Child – Expedited Hearing  
**DATE:** February 16, 2022  
(2/24)  
**POSITION:** Oppose, as drafted

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The Maryland Judiciary opposes House Bill 1036, as drafted. This bill requires a court to schedule a hearing on a certain petition regarding the proposed relocation of a child who is the subject of a custody or visitation order on an expedited basis under certain circumstances.

This bill would require the court to set a hearing on a petition regarding certain proposed relocations on an expedited basis. Each circuit court has a differentiated case management plan that includes procedures for emergency relief and expedited case processing in family law actions where there is a credible prospect of imminent and substantial physical or emotional harm to a child. Md. Rule 16-302. Whether expedited processing is warranted depends upon the facts alleged.

The bill also specifies factors a court “shall” or “may not” consider. In custody and visitation cases, the court’s paramount concern is the best interest of a child. These types of mandates limit judicial discretion and the court’s ability to consider each child’s unique facts and circumstances.

cc. Hon. Nick Charles  
Judicial Council  
Legislative Committee  
Kelley O’Connor