



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 561 with Amendments
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. MCASA urges a favorable report on House Bill 561 with Amendments.

House Bill 561 –The Maryland Coalition Against Sexual Assault includes the Sexual Assault Legal Institute, one of the very agencies regularly handling family law cases involving allegations of child sexual abuse and intimate partner sexual assault. These cases are often highly contentious. Survivors of domestic violence and parents who have tried to protect their child from sexual abuse face high hurdles and great skepticism all too often. Judges and attorneys for children play a critical role in these cases. HB561 would impose training requirements to help provide these professionals with the expertise they need to effectively perform their important roles.

We strongly encourage the Committee to revise the provisions regarding who performs training. Training should be developed in consultation with both national groups such as the National Council of Juvenile and Family Court Judges (NCJFCJ) and state organizations with experience litigating family law cases involving domestic violence, child sexual abuse, and child abuse. It is critical that training for judges include the perspective of those who work in courtrooms.

MCASA also expresses concern about the requirement that cases involving child abuse or domestic violence be assigned only to judges who have had the required training. Some counties have very small benches and if the judges in these counties chose not to attend the training, it is unclear how the legislation would be implemented.

Additionally, MCASA appreciates the detailed list of topics included in HB561 and believes it would provide an excellent training curricula in 2022. In particular, we note that it is crucial to specifically address the issue of child sexual abuse. References to "child abuse" far too often result in omitting sexual abuse and the very difficult and nuanced issues it raises. We concur with our colleagues, however, in suggesting that the bill could be improved by permitting greater flexibility as knowledge about these issues continues to develop.

Finally, although there is no question that training is helpful, it is no substitute for counsel for survivors of abuse. Many of the issues addressed by HB561 would be better addressed by providing victims of domestic violence and protective parents with attorneys, and by ensuring that those attorneys have the resources needed to present expert testimony and evidence appropriate in a particular case.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on House Bill 561 with Amendments**

