

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 1141
Family Law – Grandparent Visitation
DATE: February 16, 2022
(2/24)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 1141. This bill alters the circumstances under which an equity court may grant visitation rights to a grandparent of a child.

This bill is unnecessary. Maryland law already allows grandparents to ask the court for visitation or custody of their grandchildren. This bill would eliminate any consideration of parental fitness or exceptional circumstances at the threshold, which raises serious questions about its constitutionality. It also alters the best interest of the child analysis to focus on the relationship with the grandparents. Finally, requiring the court to consider a child's desires, regardless of age, is ill-advised and could be harmful to a child who may not want his/her/their desires communicated.

cc. Hon. Christopher Adams
Judicial Council
Legislative Committee
Kelley O'Connor