



BILL NO: Senate Bill 25
TITLE: Family Law - Child Custody Evaluators - Qualifications
COMMITTEE: Judicial Proceedings
HEARING DATE: January 28, 2025
POSITION: **OPPOSE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judiciary Committee to issue an unfavorable report on SB 25.**

A version of SB 25 has been introduced for the past several years. Senate Bill 25 this year purports to place into statute what qualifications child custody evaluators must have in order to be evaluators. However, during the interim (and recently), the sponsors of SB 25 collaborated with Judiciary representatives to propose amendments to Maryland Rule 9-205.3 (Custody and Visitation-Related Assessments). The amendments were approved by the Rules Committee on January 10, 2025. This is what the opponents of this bill have been asking for and is excellent news, obviating the need for this bill.

The required education and mandatory topics of training for the custody evaluators are clearly enumerated in the Rule. Maryland Rule 9-205.3 has the force of law and will preclude the need for a separate statute as proposed by SB 25. In fact, the enactment of a separate statute which overlaps Rule 9-205.3 would lead to confusion as the two would differ from the outset and any amendments or revisions made in the future may cause increased conflict in interpretation.

We need to give the new Rule time to see if it is making a difference in how evaluators are trained and whether their recommendations are incorporating new understanding of how child abuse, child sexual assault, intimate partner violence and the like affect children and should impact custody decisions.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges an unfavorable report on SB 25.**

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