



State Council on Child Abuse and Neglect (SCCAN)

Edward Gallo, LCSW-C Executive Director

edward.gallo2@maryland.gov

Phone: (667) 203-0898

SCCAN is an advisory body required by Maryland Family Law Article (Section 5-7A) “to make recommendations annually to the Governor and General Assembly on matters relating to the prevention, detection, prosecution, and treatment of child abuse and neglect, including policy and training needs.”

TESTIMONY IN SUPPORT OF HB 152:

FAMILY LAW – CUSTODY EVALUATORS – QUALIFICATIONS AND TRAINING

****SUPPORT****

TO: Hon. Luke Clippinger, Chair, and members of the House Judiciary Committee

FROM: Edward Gallo, LCSW-C, Executive Director, State Council on Child Abuse & Neglect (SCCAN)

DATE: January 23, 2025

Testimony in Support of HB152 – Family Law: Child Custody Evaluators – Qualifications

To the Honorable Chair and Members of the Judiciary Committee:

The Maryland State Council on Child Abuse and Neglect (SCCAN) is an advisory body to the Governor and General Assembly on matters relating to the prevention, detection, prosecution, and treatment on issues of child abuse and neglect, strongly supports HB 152, SCCAN strongly supports this bill which seeks to establish rigorous qualifications for child custody evaluators appointed by the courts in Maryland. Divorce and separation, all forms of child abuse and neglect, and domestic violence are all experienced by a child as adverse childhood experiences (ACEs) which may have profound lifelong consequences on all learning, behavior, and health to follow. ***How courts address allegations of child abuse and domestic violence in the context of custody hearings is not only critical to the child's well-being across his/her lifespan, but to the prosperity of our state as a whole.***¹

This bill is critical in addressing a significant gap in safeguarding the health, safety, and welfare of children involved in contested custody and visitation cases by ensuring that professionals appointed to conduct custody evaluations possess the necessary knowledge, skills, and training to fulfill this vital role.

¹ As, child abuse and neglect costs Maryland taxpayers an estimated \$1.7 billion each year, reducing children's exposure to ACEs makes good economic sense. For every \$1 invested in prevention, it is estimated that the state would save \$15 on treating its long-term effects. See, "An Environmental Scan of Maryland's Efforts to Prevent Child Maltreatment", Terry V. Shaw, Ph.D., MSW, MPH, University of Maryland, School of Social Work, 2014.

Custody evaluators play a pivotal role in court decisions that profoundly affect the lives of children and families, and the accuracy and reliability of their evaluations are paramount. The bill mandates that evaluators have training or experience in observing or performing custody evaluations and possess knowledge of critical issues such as domestic violence, child neglect and abuse, trauma and its impact on children and adults, family conflict and dynamics, child and adult development, and the effects of divorce and separation. They assess complex family dynamics, evaluating the best interests of children, and may even address allegations of abuse, neglect, or violence. Given the weight of their recommendations, it is imperative that custody evaluators possess the appropriate education, training, and experience to perform their duties competently and ethically. These provisions are essential to ensuring that evaluators can address the complex and sensitive nature of custody disputes.

Without the Legislation being passed children are exposed to significant risks posed by unqualified custody evaluators. Children have been subjected to unsafe visitation arrangements, exposing them to further trauma by prolonging their exposure to abusive environments underscoring the importance of ensuring evaluators have the necessary expertise to prioritize child safety.

As highlighted in a report from the Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations, properly trained evaluators are critical to protecting children's best interests and mitigating the long-term effects of trauma.

HB152 ensures that custody evaluators meet specific qualifications that currently do not exist and have placed children at harm, which has too often included death. By completing training programs approved by the Administrative Office of the Courts and maintaining ongoing education in their field the evaluators will remain current with best practices and emerging research.

By ensuring that custody evaluators possess the necessary qualifications and training, HB 152 will help to protect children from harm and ensure that their voices are heard, and their needs are prioritized in all custody proceedings. It is essential to remember the stories of children and families who have suffered due to inadequately trained evaluators and work to prevent such outcomes in the future.

SCCAN urges a favorable report.

Sincerely,

Edward Gallo, Executive Director

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