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## TESTIMONY IN SUPPORT OF HB 48

### Family Law - Children in Need of Assistance and Termination of Parental Rights (Right to Fight Act) Judiciary Committee January 29, 2026

**Social Work Advocates for Social Change strongly supports HB 48**, which will repeal the provision that waives the court's responsibility to pursue reasonable reunification efforts when a custodial parent has previously had parental rights of a sibling to a Child in Need of Assistance (CINA) terminated. The current statute is detrimental to family justice, basing Child Protective Services (CPS) reports on potentially unrelated events rather than current circumstances. Present law disregards years of positive parental progress and eliminates a parent's right to fight for their child, with families of color being disproportionately affected.

**HB 48 promotes racial justice, and may significantly improve outcomes for Black children and families in Maryland.** Historically, CPS has disproportionately interfered with the lives of Black families versus white families in all domains, including the removal of children and termination of parental rights.<sup>1</sup> This alarming reality has been attributed to a higher likelihood of poverty among Black families compared to White families.<sup>2</sup> HB 48 removes a punishing statute preventing the reunifications of families in which poverty is often the common denominator in their division.

**HB 48 promotes improved mental health outcomes for children placed in the foster care system.** Thirty-nine percent of children aged seven through eleven, and sixty percent of children aged 12-17 in the foster care system rely on mental health services to manage clinical behavioral symptoms.<sup>3</sup> Continued contact between a child and their biological family has an overwhelmingly positive impact on children within foster care as well as those who have transitioned out of foster care<sup>4</sup>. This continued contact, often in the form of reunification, is indicated by healthy emotional and development outcomes with children who remain in contact with their biological parents having significantly lower rates of depression and mental health conditions compared to their counterparts<sup>5</sup>. In children who are ultimately adopted, grief

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<sup>1</sup> Thomas MMC, Waldfogel J, Williams OF. Inequities in Child Protective Services Contact Between Black and White Children. *Child Maltreat*. 2023 Feb;28(1):42-54. doi: 10.1177/10775595211070248. Epub 2022 Feb 2. PMID: 35081781; PMCID: PMC9325927. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9325927/>

<sup>2</sup> Thomas MMC, Waldfogel J, Williams OF. Inequities in Child Protective Services Contact Between Black and White Children. *Child Maltreat*. 2023 Feb;28(1):42-54. doi: 10.1177/10775595211070248. Epub 2022 Feb 2. PMID: 35081781; PMCID: PMC9325927. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9325927/>

<sup>3</sup> Vandivere, S., Malm, K., & Radcliff, L. (2009). *Adoption USA: A chartbook based on the 2007 National Survey of Adoptive Parents*. US Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation.

<sup>4</sup> McWey, L. M., Acock, A., & Porter, B. E. (2010). The impact of continued contact with biological parents upon the mental health of children in foster care. *Children and Youth Services Review*, 32(10), 1338–1345. <https://doi.org/10.1016/j.childyouth.2010.05.003>

<sup>5</sup> McWey, L. M., Acock, A., & Porter, B. E. (2010). The impact of continued contact with biological parents upon the mental health of children in foster care. *Children and Youth Services Review*, 32(10), 1338–1345. <https://doi.org/10.1016/j.childyouth.2010.05.003>



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resulting from the loss of their birth family and culture, even a family and culture they cannot remember, can permeate into adulthood and cause identity and relational difficulties<sup>6</sup>.

**As rising social workers, we are obligated to advocate for racial and social justice in family law as well as the wellbeing of children involved in the child welfare system.** With involuntary Termination of Parental Rights (TPR) as one of the conditions under which the courts can waive the requirement of reunification efforts, parents are faced with an impossible choice: fight for their current child and potentially lose access to reunification efforts of a future child or voluntarily terminate their parental rights to their current child. It is devastating, unfair, and unjust for a parent to have to make this choice. This forced decision introduces unimaginable pain into family units and directly conflicts with social work values that center around justice, dignity, and the preservation of families.<sup>7</sup>

### **Social Work Advocates for Social Change urges a favorable report on HB 48.**

*Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.*

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<sup>6</sup> Meyer, M., Wiggins, E., & Elliott, G. M. (2023). Adult Adoptees' Adoption-Related Experiences of Counseling, Loss, and Grief: A Transcendental Phenomenological Study. *The Professional Counselor (Greensboro, N.C.)*, 13(2), 129–144. <https://doi.org/10.15241/mm.13.2.129>

<sup>7</sup> National Association of Social Workers. (2021). *Code of ethics*. National Association of Social Workers. <https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Code-of-Ethics-English>