



MARYLAND  
PSYCHOLOGICAL  
ASSOCIATION

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Judiciary Committee  
100 Taylor House Office Building  
101 Taylor House Office Building  
Annapolis, MD 21401

**RE: HB 137 – Family Law – Child Custody Evaluators – Qualifications and Training**

**Position: OPPOSE**

Dear Chair Bartlett, Vice Chair Davis and Members of the Committee:

The Maryland Psychological Association, (MPA), which represents over 1,000 doctoral level psychologists throughout the state, asks the House Judiciary Committee to **report unfavorably on HB 137**.

The MPA recognizes the Committee's goal is to develop the qualifications and training necessary for mental health professionals who are appointed by the Courts to be custody evaluators in Maryland. We understand and appreciate the meaningful role mental health professionals have in these complex cases and the significant impact these evaluations can have on vulnerable youngsters in Maryland. We support your goal of ensuring that professionals involved in these evaluations have appropriate education and training including specialized knowledge in child development, family systems, intimate partner violence, child maltreatment, prevention of maltreatment, parenting, parent-child relationships, and family law, among others.

The MPA, however, is concerned that while the intent and goal of HB 137 is consistent with ensuring the professionals have specialized competence, the bill is unnecessary and duplicative because these education and training requirements overlap and are consistent with Maryland Rule 9-205.3 which has the power of law (Section 18 of Article IV of the Maryland Constitution). In addition, The Code of Maryland Regulations (COMAR) also contains specific requirements governing the professional conduct of licensed psychologists who perform child custody evaluations or who otherwise render an opinion on legal or physical custody, including standards related to the competence necessary to conduct child custody evaluations (see COMAR 10.36.09.00-05). Finally, professional guidelines and standards promulgated by the American Psychological Association (APA), the Association of Family and Conciliation Courts (AFCC), and other professional disciplines also set rigorous education and training requirements for custody evaluators that are even more comprehensive and wide-ranging.

Furthermore, when overlapping and duplicative education and training requirements are found in different laws (Maryland Rule 9-205.3) and statute, the result is likely to lead to confusion for the public, the profession, and the legal community.

The MPA applauds the Committee for its ongoing willingness to collaborate with the various stakeholders on this important issue and supports the Committee's concern for children and families. But because rigorous education and training standards already exist in Maryland Rule, Maryland regulations, and professional standards and guidelines, **the Maryland Psychological Association opposes HB 137 and urges an unfavorable Committee Report.**

If we can be of any further assistance as the Senate Judicial Proceedings Committee considers this bill, please do not hesitate to contact MPA's Legislative Chair, Dr. Stephanie Olarte, Ph.D. at [mpalegislativcommittee@gmail.com](mailto:mpalegislativcommittee@gmail.com).

Respectfully submitted,

*Stephanie Wolf, JD, Ph.D.*  
Stephanie Wolf, JD, Ph.D.  
President

*Stephanie Olarte, Ph.D.*  
Stephanie Olarte, Ph.D.  
Chair, MPA Legislative Committee

cc: Barbara Brocato & Dan Shattuck, MPA Government Affairs