

SENATE BILL 889

D4

2lr1647

By: **Senator Lee**

Introduced and read first time: February 7, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Child Custody Actions – Considered Judgment of Minor Children**

3 FOR the purpose of establishing a rebuttable presumption that certain minor children in
4 certain actions involving child custody or child access have considered judgment;
5 requiring a child advocate attorney to be appointed to represent a certain child under
6 certain circumstances; authorizing a certain child to take certain actions as though
7 the child were a party under certain circumstances; and generally relating to the
8 considered judgment of minor children in actions involving child custody or child
9 access.

10 BY adding to

11 Article – Family Law

12 Section 1–202.1

13 Annotated Code of Maryland

14 (2019 Replacement Volume and 2021 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Family Law**

18 **1–202.1.**

19 **(A) IN AN ACTION INVOLVING CHILD CUSTODY OR CHILD ACCESS, THERE IS**
20 **A REBUTTABLE PRESUMPTION THAT A MINOR CHILD AT LEAST 13 YEARS OLD HAS**
21 **CONSIDERED JUDGMENT.**

22 **(B) IF A CHILD HAS CONSIDERED JUDGMENT UNDER THIS SECTION:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) A CHILD ADVOCATE ATTORNEY SHALL BE APPOINTED TO**
2 **REPRESENT THE CHILD; AND**

3 **(2) THE CHILD MAY FILE MOTIONS AND TESTIFY REGARDING THE**
4 **CHILD'S PREFERENCES AS THOUGH THE CHILD WERE A PARTY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2022.