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TESTIMONY IN SUPPORT WITH AMENDMENTS OF SENATE BILL 594

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The House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. Senate Bill 594 would require a court to articulate its finding that there is no likelihood of further child abuse or neglect by a party in a custody or visitation proceeding where the court has reasonable grounds to believe that a child has been abused or neglected by a party and the court is ordering that the child visit with that parent. **We urge the Senate Judicial Proceedings Committee to amend and report favorably report on Senate Bill 594.**

Under current law, in a custody or visitation proceeding, if the court has reasonable grounds to believe that a child has been abused or neglected, it must determine whether abuse or neglect is likely to occur if custody or visitation is granted to that parent. Unless the court finds that there is no likelihood of further abuse or neglect, the court must deny custody or visitation. SB 594 would require the court to specifically state on the record the reasons for finding that there is no likelihood of further child abuse or neglect before ordering supervised visitation with the parent. SB 594 would provide further protections to children who have already been found to be abused or neglected.

SB 594 also amends the current statute to require “neutral and physically present supervision.” In addition to being vague and likely to cause confusion, this language creates a one-size-fits-all method of addressing visitation in situations involving likely future abuse or neglect. Courts should continue to have discretion to structure visitation in a way that best meets the needs of the children and the family in each individual case. House Ruth urges that SB 594 be amended to remove this language.

The House of Ruth urges the Senate Judicial Proceedings Committee to amend and report favorably on Senate Bill 594.