



Senate Bill 355- Family Law – Custody Evaluators – Qualifications and Training
Senate Judicial Proceedings Committee – January 26, 2021
Testimony of Joyce Lombardi, Director of Government Relations and Legal Services
Position: **SUPPORT**

Center for Hope (CFH) writes in support of SB355, which would increase the qualification and training requirements for Maryland’s custody evaluators.

Center for Hope, a subsidiary of LifeBridge Health, helps clients and patients heal from acute violence such as child abuse, domestic violence, street violence and elder abuse through integrated, evidence-based programs that extend beyond hospital walls. Center for Hope provides trauma-informed crisis intervention, forensic interviews, medical exams, mental health, wraparound case management, family advocacy and workforce development services. Center for Hope now includes the Baltimore Child Abuse Center, one of the state’s oldest and largest children’s advocacy centers. Children’s advocacy centers in Maryland must be available to children in each county, must meet accreditation standards, and must engage multidisciplinary teams of experts to respond to allegation of child abuse. Md. Cts and Jud Proc §11-928.

Custody evaluators assist family law courts in determining custody outcomes in contested cases, including ones involving allegations of physical and sexual child abuse. They have an important role in a delicate but difficult process.

As noted in the 2020 final report of the *Governor’s Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations* (of which I was a part) it has been estimated that up to 58,000 children each year in this country are ordered by a court into some form of unsupervised contact with a physically or sexually abusive parent. Some of the children end up abused again; others are subsequently killed by the abusive parent.

This alarming fact occurs in part because many well-meaning court personnel are not adequately trained in the nuances and difficulty of gathering evidence and assessing evidence in child abuse cases – especially evidence from the children themselves. It also occurs in part because there is a pervasive bias among most of us, that permeates courtrooms: that allegations of abuse in custody cases are often fabricated.

My role at Center for Hope includes helping distraught parents navigate family law courts in custody cases after an allegation of abuse has been made. The protective parents I speak to are almost always *pro se*, are often survivors of domestic violence, and often describe very poor treatment in court. That treatment can lead to dangerous outcomes for children.

Better training can help. Over time, I have learned about: the role of multiple agencies in child abuse investigations; the exacting standards of forensic interviewing; child development; forensic medical exams; children’s mental health and brain chemistry; the dynamics of child sexual abuse, disclosure of abuse; and what children tell us with words, play, and with their bodies, I also learned that coaching and suggestibility are less frequent than most people realize (estimated 2-8% of cases, per some peer-

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reviewed studies). Though custody evaluators reportedly get some of this training, standards vary. Moreover, these topics are not covered in all social work programs.

Furthermore, the recommendations for custody evaluation trainings generally comport with national standards listed in, e.g. *Model Standards of Practice for Child Custody Evaluation*, Association of Family and Conciliation Courts (2006)

http://content.sfbbar.org/source/BASF_Pages/PDF/B181265materials.pdf

We urge a favorable report for SB355.

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LifeBridge Health is a regional health system comprising Sinai Hospital of Baltimore, Levindale Geriatric Center and Hospital in Baltimore; Northwest Hospital; Carroll Hospital and Grace Medical Center (formerly Bon Secours). At LifeBridge Health and Center for Hope, we are committed to convening national best practice and trauma experts to respond to violence, abuse and exploitation of our area's most vulnerable populations.