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### **HB1036 — Unfavorable/Opposed**

Child Custody – Cases Involving Child Abuse or Domestic Violence –  
Training for Judges and Child’s Counsel  
**HB1036 does not deserve your vote.**

HB1036 is inevitably and hopelessly narrow-minded and biased because it is the product of a process that was thoroughly narrow-minded and biased. In the old days it would have been called a Railroad Job. Today we recognize it as an abject failure to embrace the benefits of **viewpoint** diversity, **gender** diversity and **experience** diversity.

- Perhaps the most telling evidence of the workgroup’s failure of diversity is that it was statutorily required to include a member of a “fathers’ rights group” but failed to comply even with that minimal, token effort to give the appearance of being interested in diversity.
- The failure of diversity is evident in two ways
  - The membership of the workgroup.
  - The witnesses it invited to speak at its meetings and the topics they covered.

The bill is **poorly written, vague and ambiguous**, leaving ample room for the Railroad to run wherever it wishes. Opponents of the bill have requested the following clarifications from Vice Chair Atterbeary, but as the deadline for this submission approaches we have received no reply, nor an acknowledgment of our request.

- Would judicial training under the bill tell judges that consideration of Parental Alienation is inappropriate only for custody cases “involving child abuse or domestic violence” or for all custody cases?
  - Section A-1 says the training would be “for judges presiding over child custody cases involving child abuse or domestic violence”
  - On the other hand, Section B-11-III says Parental Alienation is inappropriate “in child custody cases.”
- What is meant by “involving” child abuse or domestic violence? Would a mere statement that a person is afraid of his or her spouse constitute involvement?
  - This uncertainty is especially worrisome because:
    - B-2-III would make it a finding of the General Assembly that “child abuse and child sexual abuse may have occurred even without an indicated finding of abuse...”
    - ditto for B-6: “domestic violence can occur... without documented evidence of abuse.”

The workgroup relies heavily on the **pretext** that an early effort of science to identify Parental Alienation as a syndrome was, as early science often is, inaccurate and incomplete. Rather than encouraging further research, study and discussion of Parental Alienation, the workgroup would require judges to ignore it as “inappropriate.” By contrast no one would ever dare to insist that judges ignore the realities of Domestic Violence because its ideological underpinning — the Duluth Model Power & Control Wheel — is much-criticized by domestic violence researchers. *The impact of a problem is not negated by our difficulty in understanding what causes it.*

**Maryland’s children need all the good parenting they can get.** We tell fathers we want them to be more invested in their children. But the undeniable reality that HB1036 exacerbates is that we do too little to insure fathers’ investments and when their love is embezzled we provide them no help, protection or recourse.

*Please reject HB1036.*

*We need a diverse workgroup to study all the complexities of custody decision-making.*

**Working Well With Men**  
*tools and training for the Social Work profession to help men give and get all the love they can*  
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