



BILL NO: House Bill 104
TITLE: Family Law - Child Custody and Visitation
COMMITTEE: Judiciary
HEARING DATE: January 27, 2022
POSITION: **SUPPORT WITH AMENDMENTS**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue a favorable report with amendments on HB 104.**

House Bill 104 originates from the recommendations of the Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations, which was statutorily created in 2019. The Workgroup heard from numerous professional experts and met over an eighteen-month period to develop their recommendations.

House Bill 104 contains important requirements in child custody and visitation proceedings when a court finds that a party has abused or neglected a child. The bill requires the court to make specific findings and articulate their findings with specificity. We believe that these requirements will be of great benefit to all parties in understanding how the court reached its decision.

MNADV suggests amending the bill language found on page 2, lines 30-33. While MNADV appreciates the intent to not penalize a “protective parent,” as drafted it is vague and overly broad. MNADV is concerned that this language can and will be exploited by a party in a case. For example, an offending parent could allege they are acting as a protective parent and use this as a mechanism to further manipulate and abuse.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with amendments on HB 104.**