

HOUSE BILL 137

D4
HB 152/25 – JUD

(PRE-FILED)

6lr0929
CF SB 222

By: **Delegates Kaufman, Arikian, Foley, and Taylor**

Requested: September 23, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Child Custody Evaluators – Qualifications**

3 FOR the purpose of establishing qualifications for an individual to be appointed by a court
4 as a custody evaluator; and generally relating to child custody and visitation.

5 BY adding to

6 Article – Family Law

7 Section 9–109

8 Annotated Code of Maryland

9 (2019 Replacement Volume and 2025 Supplement)

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

12 **Article – Family Law**

13 **9–109.**

14 (A) IN THIS SECTION, “CUSTODY EVALUATOR” MEANS AN INDIVIDUAL
15 APPOINTED OR APPROVED BY A COURT TO CONDUCT A CUSTODY EVALUATION.

16 (B) ON MOTION OF A PARTY OR CHILD’S COUNSEL, OR ON ITS OWN
17 INITIATIVE, A COURT MAY:

18 (1) ORDER AN ASSESSMENT TO AID THE COURT IN EVALUATING THE
19 HEALTH, SAFETY, AND WELFARE OR BEST INTERESTS OF A CHILD IN A CONTESTED
20 CUSTODY OR VISITATION CASE; OR

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) APPOINT A CUSTODY EVALUATOR DETERMINED BY THE COURT TO**
2 **BE COMPETENT TO CONDUCT A HOME STUDY OR AN EVALUATION OF A SPECIFIC**
3 **ISSUE.**

4 **(C) A COURT MAY NOT ORDER THE COST OF AN ASSESSMENT TO BE PAID, IN**
5 **WHOLE OR IN PART, BY A PARTY WITHOUT GIVING THE PARTIES NOTICE AND AN**
6 **OPPORTUNITY TO OBJECT.**

7 **(D) A COURT MAY NOT APPOINT AN INDIVIDUAL AS A CUSTODY EVALUATOR**
8 **UNLESS:**

9 **(1) THE INDIVIDUAL MEETS THE QUALIFICATIONS SPECIFIED IN**
10 **SUBSECTIONS (E) AND (F) OF THIS SECTION; OR**

11 **(2) THE COURT WAIVES THE QUALIFICATIONS IN ACCORDANCE WITH**
12 **SUBSECTION (G) OF THIS SECTION.**

13 **(E) (1) A CUSTODY EVALUATOR MUST BE:**

14 **(I) A PHYSICIAN LICENSED IN ANY STATE WHO IS**
15 **BOARD-CERTIFIED IN PSYCHIATRY OR HAS COMPLETED A PSYCHIATRY RESIDENCY**
16 **ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL**
17 **EDUCATION OR A SUCCESSOR TO THAT COUNCIL;**

18 **(II) A MARYLAND-LICENSED PSYCHOLOGIST OR A**
19 **PSYCHOLOGIST WITH AN EQUIVALENT LEVEL OF LICENSURE IN ANY OTHER STATE;**

20 **(III) A MARYLAND-LICENSED CLINICAL MARRIAGE AND FAMILY**
21 **THERAPIST OR A CLINICAL MARRIAGE AND FAMILY THERAPIST WITH AN**
22 **EQUIVALENT LEVEL OF LICENSURE IN ANY OTHER STATE;**

23 **(IV) A MARYLAND-LICENSED CERTIFIED SOCIAL**
24 **WORKER-CLINICAL OR A CLINICAL SOCIAL WORKER WITH AN EQUIVALENT LEVEL**
25 **OF LICENSURE IN ANY OTHER STATE;**

26 **(V) 1. A MARYLAND-LICENSED GRADUATE OR MASTER**
27 **SOCIAL WORKER WITH AT LEAST 2 YEARS OF EXPERIENCE IN:**

28 **A. ONE OR MORE OF THE AREAS LISTED IN SUBSECTION**
29 **(F)(4) OF THIS SECTION;**

30 **B. CONDUCTING CUSTODY EVALUATIONS; OR**

1 C. ANY COMBINATION OF THE EXPERIENCE DESCRIBED
2 IN ITEM A OR B OF THIS ITEM; OR

3 2. A GRADUATE OR MASTER SOCIAL WORKER WITH AN
4 EQUIVALENT LEVEL OF LICENSURE AND EXPERIENCE IN ANY OTHER STATE; OR

5 (VI) A MARYLAND-LICENSED CLINICAL PROFESSIONAL
6 COUNSELOR OR A CLINICAL PROFESSIONAL COUNSELOR WITH AN EQUIVALENT
7 LEVEL OF LICENSURE IN ANY OTHER STATE.

8 (2) A CUSTODY EVALUATOR SHALL COMPLY WITH ALL CONDITIONS
9 NECESSARY TO MAINTAIN PROFESSIONAL LICENSURE, INCLUDING COMPLETING
10 ALL MANDATORY CONTINUING EDUCATION REQUIREMENTS.

11 (F) EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, A CUSTODY
12 EVALUATOR MUST HAVE:

13 (1) COMPLETED A TRAINING PROGRAM THAT CONFORMS TO
14 GUIDELINES ESTABLISHED BY THE ADMINISTRATIVE OFFICE OF THE COURTS;

15 (2) COMPLIED WITH THE CONTINUING EDUCATIONAL
16 REQUIREMENTS OF THE CUSTODY EVALUATOR'S FIELD;

17 (3) EXPERIENCE IN CONDUCTING OR OBSERVING CUSTODY
18 EVALUATIONS; AND

19 (4) DEMONSTRATED KNOWLEDGE OF AND EXPERIENCE IN THE
20 FOLLOWING TOPICS:

21 (I) DOMESTIC AND FAMILY VIOLENCE;

22 (II) CHILD NEGLECT AND ABUSE, INCLUDING SEXUAL ABUSE;

23 (III) CHILD AND ADULT DEVELOPMENT;

24 (IV) TRAUMA AND ITS IMPACT ON CHILDREN AND ADULTS;

25 (V) FAMILY DYNAMICS AND CONFLICT RESOLUTION;

26 (VI) DISABILITY-RELATED ISSUES; AND

27 (VII) THE IMPACT OF DIVORCE AND SEPARATION ON CHILDREN
28 AND ADULTS.

1 (G) A COURT MAY WAIVE THE REQUIREMENTS IN SUBSECTIONS (E) AND (F)
2 OF THIS SECTION FOR A COURT EMPLOYEE OR AN INDIVIDUAL UNDER CONTRACT
3 WITH THE COURT WHO:

4 (1) CONDUCTED CUSTODY EVALUATIONS FOR AT LEAST 14 YEARS
5 PRIOR TO JANUARY 1, 2025;

6 (2) HAS COMPLETED A TRAINING PROGRAM REQUIRED BY
7 SUBSECTION (F)(1) OF THIS SECTION; AND

8 (3) COMPLETES AT LEAST 20 HOURS PER YEAR OF CONTINUING
9 EDUCATION RELEVANT TO CONDUCTING CUSTODY EVALUATIONS.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2026.