

HOUSE BILL 137

D4
HB 152/25 – JUD

(PRE-FILED)

6lr0929
CF SB 222

By: **Delegates Kaufman, Arikan, 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.



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

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

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

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

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

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

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

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

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

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

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

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

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.