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Dear Chairman Vallario and members of the Maryland House Judiciary Committee:

We are pleased to be able to provide this testimony today on HB1440, "Family Law - Children's Civil Rights - Equal Parenting Time".

First, we applaud the work of Delegate Carter in this area. Many of us were present at Delegate Carter's rational and inspiring address to the Maryland Commission on Child Custody Decision-Making at Baltimore City Community College last fall. It was heartening to witness one of our elected officials accurately and vigorously representing the views of so many of us there that evening. Bravo!

We at the Maryland Affiliate of the National Parents Organization believe that the ultimate goal for family law reform when it comes to children of divorce is that what we call "equal shared parenting" becomes the norm. It is safe to now say, at this late date, that the conclusions of the social scientific research of the past 30-40 years in this regard have resoundingly confirmed what to many of us is obvious: Children need both parents in their lives, whether it be via an intact family or via spending roughly equal time with each parent post-divorce. HB1440 goes some way toward attaining this goal. But we don't think it goes far enough.

What we would like to see is a bill comprised of the following:

1. The Court shall award custody based on what is in the best interest of the child.
2. There shall be a rebuttable presumption that joint legal custody is in the best interest of the child.
3. There shall be a rebuttable presumption that shared physical custody, with each parent sharing roughly equal time with the child, is in the best interest of the child.
4. In cases where it is determined that joint legal custody is not in the best interest of the child, the Court must specify the reason(s).
5. In cases where it is determined that shared physical custody is not in the best interest of the child, the Court must specify the reason(s).
6. In cases where significantly unequal physical custody is awarded, the Court must specify the reason(s). "Significantly unequal physical custody" shall be defined as a physical custody situation where there is a time differential between the parties equal to or greater than 10 percent of the child's time.
7. In cases where sole physical custody is awarded to one of the parents, a preference should be to make the award to the parent who is most cooperative and will most likely support the non-custodial parent's continuing relationship with the child.

HB1440 goes some way toward attaining these goals. A bill that addresses all of them would make equal shared parenting a reality in the state of Maryland, surely a

good thing for the children of divorce.

Thank you for providing us the opportunity to submit this testimony.

Respectfully submitted,

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