

Approved May 28, 1985.

CHAPTER 659

(House Bill 853)

AN ACT concerning

Child Abuse and Neglect - Visitation and Custody

FOR the purpose of ~~altering--the--law--as--to--the--denial--or--suspension--of--custody--or--visitation--on--the--basis--of--likely--abuse--or--neglect--of--a--child;--providing--that--the--court--shall--terminate--custody--or--visitation--rights--of--a--party--if--the--court--finds--by--clear--and--convincing--evidence--that--the--party--abused--or--neglected--the--child;--providing--that--the--rights--may--be--reinstated--only--if--the--party--proves--certain--facts--by--clear--and--convincing--evidence;--providing--that--if--the--rights--are--reinstated;--the--court--shall--order--supervised--visitation--that--meets--certain--requirements~~ clarifying that, where there is reasonable grounds to believe that child abuse has occurred, the court may approve a supervised visitation arrangement that assures the physiological, psychological, and emotional well-being of the child, in addition to the child's safety; and generally relating to custody and visitation in cases of abuse or neglect.

BY repealing and reenacting, with amendments,

Article - Family Law
Section 9-101
Annotated Code of Maryland
(1984 Volume)

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

Article - Family Law

9-101.

(a) ~~{1}~~ In any custody or visitation proceeding, if the court ~~{has reasonable grounds to believe}~~ ~~FINDS---BY---A~~ ~~PREPONDERANCE--OF--THE--EVIDENCE~~ that a child has been abused or neglected by a party to the proceeding, the court shall determine whether abuse or neglect is likely to occur if custody or visitation rights are granted to the party.

~~{(b)}~~-~~{2}~~ Unless the court specifically finds that there is no likelihood of further child abuse or neglect by the party, the court shall--~~{deny}~~ ~~SUSPEND~~ custody or visitation rights to