

Circuit Court for Anne Arundel County  
Case No. C-02-FM-21-004045

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND\*

No. 401

September Term, 2022

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VELESHA BEAUCHAMPS

v.

IVAN BEAUCHAMPS

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Arthur,  
Zic,  
Harrell, Glenn T., Jr.  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Harrell, J.

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Filed: March 1, 2023

\* At the November 8, 2022 general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

\*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

This case stems from a divorce action involving Velesha Burke Beauchamps (“Mother”) and Ivan Beauchamps (“Father”) in the Circuit Court for Anne Arundel County (the “Circuit Court”). As part of that action (filed in 2021), the parties asked the Circuit Court to determine custody of the parties’ two minor children, J.M. and Z.B. At the time, the parties were living in Germany. In April 2022, while Father and the minor children were still living in Germany, the Circuit Court entered an order declining to exercise jurisdiction as to the custody of the minor children on the grounds that Germany was the appropriate forum to determine the issue of custody. Mother filed this appeal, raising six questions. We have rephrased and consolidated those questions into a single question:<sup>1</sup>

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<sup>1</sup> Mother phrased the questions as:

1. Did the lower court err in exercising authority to determine it was an inconvenient forum and therefore relinquishing “exclusive jurisdiction” over the custody of [J.M.]?
2. Did the lower court err in determining a lack of subject matter jurisdiction over the custody of [Z.B.]?
3. Did the lower court err in making a determination directly contrary to the intent and purpose of the Uniform Child Custody Jurisdiction Enforcement Act?
4. Did the lower court err in failing to communicate with a foreign court as required by statute?
5. Did the lower court err in failing to impose a condition as required by statute?
6. Did the lower court err in failing to provide the parties with an opportunity for an evidentiary hearing on the matter of jurisdiction as required by statute?

Did the Circuit Court err in refusing to exercise jurisdiction over the custody dispute?

For reasons to be explained, we hold that the Circuit Court did not err and that, to the extent that the Circuit Court did err, any error was harmless. Accordingly, we affirm.

### **BACKGROUND**

The parties were married in Florida in 2016. They acquired custody of their first child, J.M., in 2017 after he was declared a child in need of assistance (“CINA”) by the Circuit Court for Baltimore City (hereinafter the “Juvenile Court”).<sup>2</sup> J.M. was approximately six years old at the time. The parties’ other child, Z.B., was born to them in 2018.

#### ***CINA Proceedings in the Juvenile Court***

In September 2019, in a review hearing in J.M.’s CINA case, the Juvenile Court entered an order terminating its jurisdiction.<sup>3</sup> The order stated that J.M. was to remain in Mother and Father’s custody and that “[n]o further action [was] needed.”

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<sup>2</sup> A “child in need of assistance” is “a child who requires court intervention because: (1) [t]he child has been abused, has been neglected, has a developmental disability, or has a mental disorder; and (2) [t]he child’s parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child’s needs.” Md. Code, Cts. & Jud. Proc. § 3-801(f).

<sup>3</sup> In her brief, Mother claims that “there is no evidence that the [Juvenile Court] relinquished its jurisdiction regarding [J.M.’s] custody and guardianship as a CINA[.]” That is incorrect. The Juvenile Court’s September 2019 order states clearly that the court was terminating its jurisdiction over the matter. Mother according to the Juvenile Court’s order, was present at the hearing that preceded the order.

***Parties Move to Germany***

In December 2019, Father, a civilian employee of the United States Department of Defense, was relocated temporarily to Germany as part of his employment. At the time, the parties and the minor children were living in Maryland. In January 2020, the family moved to Germany.

At some point, the parties became estranged, and Mother returned to the United States, while Father and the minor children remained in Germany. Father plans to return to the United States with the minor children in January 2025, upon the completion of his extended, but temporary, work assignment.<sup>4</sup> At all times since his initial relocation, Father and the minor children have resided in Germany.

***Custody Action Initiated in Maryland***

In November 2021, Father filed a complaint for absolute divorce in the Circuit Court for Anne Arundel County. Father claimed to be a resident of Maryland and stated that, upon the completion of his assignment in Germany, he would be returning to Maryland. Father asked for, among other things, sole legal and primary physical custody of the minor children. Mother filed a counter-complaint asking for, among other things, sole legal and primary physical custody of the minor children.

***Custody Action Initiated in Germany***

In December 2021, Mother, while still living in Germany, absconded with the minor children and refused to disclose her whereabouts or allow Father access to the minor

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<sup>4</sup> Mother claims that Father’s work assignment was to be completed originally in January 2023; however, his employer extended his stationing to 2025.

children. Shortly thereafter, Father filed, through German counsel, an emergency petition in the Böblingen Local Court in Germany (the “German Court”) seeking “the right to determine place of residence” for the minor children. Father alleged that, in addition to absconding with the minor children, Mother had abused physically the children on multiple occasions. Mother, through her German counsel, opposed the petition. In January 2022, the German Court granted Father’s petition, found credible Father’s allegations of domestic violence, and ordered Mother to surrender the minor children to Father. The German Court upheld subsequently that decision, following a full evidentiary hearing, in which the parties participated. The minor children were returned to Father’s care on or about 29 January 2022.

That same month, the German Court issued an order terminating the case. The German Court noted that a custody dispute was pending in the United States as a result of Father having filed his complaint for divorce in the Circuit Court. The German Court found that the “earlier pendency of proceedings there precludes the continuation of the present custody proceedings relating to the same subject matter.” The German Court concluded that the “question of the right to determine place of residence for the children of the parties is to be finally clarified in the context of the custody dispute conducted in the USA.”

### ***Custody Proceedings in Maryland***

In March 2022, the Circuit Court entered a “Clarifying Order” regarding the minor children’s residential status. The Circuit Court ordered the parties to show cause in writing “why Maryland has jurisdiction over the custody/visitation issues in this case and clarify where and with whom the minor children resided within the six (6) months prior to the

filing of the Complaint for Absolute Divorce filed November 18, 2021.” The parties thereafter filed their respective responses, and a hearing was held on 14 April 2022.

At that hearing, Father argued that Germany was the appropriate forum for determining custody of the children. Father noted that the children were residents of Germany and had been for several years. He noted also that significant custody proceedings had been initiated in Germany and that he had been awarded custody of the children as a result of those proceedings.

Mother argued that the children’s residence was not dispositive because, with respect to J.M., the Juvenile Court had made a custody determination as part of the CINA proceedings. Regarding both children, Mother argued that, although the children resided in Germany, the German Court indicated that the issue of custody was to be decided in Maryland.

Ultimately, the Circuit Court declined to exercise jurisdiction over the custody of Z.B. The Circuit Court reasoned that, even if Germany had declined jurisdiction, which the Circuit Court construed that it had not, there would need still to be “substantial evidence” as to the children’s care, protection, training, and personal relationships in Maryland for the Circuit Court to exercise jurisdiction. The Circuit Court found that, based on the various proffers by the parties, such evidence was lacking.

As to J.M., the Circuit Court found that, because the Juvenile Court had already made a custody determination, Maryland would have exclusive, continuing jurisdiction unless the Circuit Court determined that Maryland was an “inconvenient forum.” After the parties proffered various facts related to that issue, the Circuit Court made the following

findings: that there were significant allegations of domestic violence that had been litigated in Germany; that J.M. had resided in Germany for nearly two years before Father filed his divorce complaint in Maryland; that the distance between Maryland and Germany was “very significant” and that travel between the two places would result in financial hardship on both sides; that Germany had issued a residential determination order and other related custody orders; that the “vast majority” of the evidence and witnesses to determine custody were located in Germany; that the German Court was familiar with the issues in the case; and that the Circuit Court had declined jurisdiction over the custody of Z.B., which would necessitate two separate proceedings were the Circuit Court to continue jurisdiction over the custody of J.M. Based on those findings, the Circuit Court found that Germany was the more appropriate forum to make a custody determination regarding J.M.

On 19 April 2022, the Circuit Court entered an order dismissing the parties’ custody action (but maintaining the divorce action). The Circuit Court found that Maryland lacked jurisdiction over the custody of Z.B. because Maryland was not the child’s “home state.” The Circuit Court relinquished jurisdiction over the custody of J.M. because Maryland was “an inconvenient forum.” On 4 May 2022, Mother noted the present appeal.

***Back to the Custody Proceedings in Germany***

On 18 October 2022, while this appeal was pending, Father filed for sole custody in the German Court. In his petition, Father referred to the Circuit Court’s 19 April 2022 order, and a copy of that order was attached purportedly to the petition. On 10 November

2022, Mother filed a response, in which she asked that Father’s petition be denied and that she be awarded sole custody of the minor children.<sup>5</sup>

On 11 January 2023, the German Court held an evidentiary hearing regarding Father’s request for custody. Mother did not appear. Mother’s attorney was scheduled to appear in her stead, but he was unable to appear due to an illness. Despite those absences, the German Court received testimony from Father, the minor children, and the minor children’s guardian ad litem. In addition, the German Court received evidence establishing that “the requests for custody of the children made in Maryland were rejected [by the Circuit Court] and the divorce proceedings continued without them.”

On 17 January 2023, the German Court entered an order giving Mother two weeks from the date of the order to inform the court “whether she would like a hearing scheduled in accordance with the statutory requirements, whether she would like to make a written statement, or whether she will await a decision by the court without a statement.” Mother responded, and the German Court scheduled an evidentiary hearing to be held on 15 March 2023.

## **DISCUSSION**

In this appeal, Mother contends that the Circuit Court erred in relinquishing jurisdiction over the custody of J.M. and in declining to exercise jurisdiction over the

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<sup>5</sup> Mother, appearing to distance herself from the 16 November 2022 filing, suggests that her response did not constitute a “filing” because it was in the form of a letter, was submitted by her German attorney, and was not signed by her. Although the response did come in the form of a letter from Mother’s German attorney, it was filed nevertheless in the German Court. Moreover, the letter states quite clearly that it was being submitted “on behalf and by authority of the mother.”



custody of Z.B. Before we delve into the merits of Mother’s various arguments, we set forth the relevant statutory scheme regarding the Circuit Court’s jurisdiction over the matter and the applicable standard of review.

### ***Standard of Review***

“We review *de novo* whether a trial court interpreted a jurisdictional statute correctly.” *Pilkington v. Pilkington*, 230 Md. App. 561, 581 (2016). “The paramount object of statutory construction is the ascertainment and effectuation of the real intention of the Legislature.” *Andrews & Lawrence Pro. Servs., LLC v. Mills*, 467 Md. 126, 149 (2020) (citation and quotations omitted). “The starting point of any statutory analysis is the plain language of the statute, viewed in the context of the statutory scheme to which it belongs.” *Kranz v. State*, 459 Md. 456, 474 (2018) (citations and quotations omitted). “If the language of the statute is unambiguous and clearly consistent with the statute’s apparent purpose, our inquiry as to legislative intent ends ordinarily and we apply the statute as written, without resort to other rules of construction.” *Noble v. State*, 238 Md. App. 153, 161 (2018) (quoting *Espina v. Jackson*, 442 Md. 311, 322 (2015)). If, on the other hand, the words of a statute are ambiguous, “a court must resolve the ambiguity by searching for legislative intent in other indicia, including the history of the legislation or other relevant sources intrinsic and extrinsic to the legislative process.” *Id.* at 162 (citations and quotations omitted).

### ***Custody Jurisdiction of Juvenile Court and Equity Court***

The circuit court’s authority over custody matters differs depending on whether the court is sitting as a juvenile court or in equity. When sitting as a juvenile court, the court’s

jurisdiction is governed by the Courts and Judicial Proceedings Article (“CJP”) of the Maryland Code. Under that statutory scheme, the juvenile court “has exclusive original jurisdiction over ... [p]roceedings arising from a petition alleging that a child is a CINA[.]” CJP § 3-803(a)(2). The court also “has concurrent jurisdiction over ... [c]ustody, visitation, support, and paternity of a child whom the court finds to be a CINA[.]” CJP § 3-803(b)(1)(i). “If the court obtains jurisdiction over a child, that jurisdiction continues in that case until the child reaches the age of 21 years, unless the court terminates the case.” CJP § 3-804(b). “After the court terminates jurisdiction, a custody order issued by the court in a CINA case: (1) [r]emains in effect; and (2) [m]ay be revised or superseded only by another court of competent jurisdiction.” CJP § 3-804(c).

When sitting in equity, the court’s jurisdiction is governed by the Family Law Article (“FL”) of the Maryland Code. Under that statutory scheme, the court “has jurisdiction over ... custody or guardianship of a child except for a child who is under the jurisdiction of any juvenile court and who previously has been adjudicated to be a child in need of assistance[.]” FL § 1-201(b)(5). That authority empowers the court to make determinations regarding, among other things, custody, visitation, and support. FL § 1-201(b). The court’s equity powers do not, however, “take away or impair the jurisdiction of a juvenile court ... with respect to the custody, guardianship, visitation, and support of a child.” FL § 1-201(d).

***The Uniform Child Custody Jurisdiction and Enforcement Act***

The circuit court’s jurisdiction over custody matters is also proscribed by the Uniform Child Custody Jurisdiction and Enforcement Act (“UCCJEA”). The UCCJEA

was enacted to “deter abductions and other unilateral removals of children undertaken to obtain custody awards.” *Pilkington*, 230 Md. App. at 575 (citations and quotations omitted). One of the primary goals of the UCCJEA is to establish a uniform jurisdictional standard to prevent jurisdictional conflicts between Maryland courts and courts of other states with respect to custody determinations regarding a child who has been relocated either to or from Maryland. *Pilkington*, 230 Md. App. at 575-79.

Under the UCCJEA, a Maryland court has jurisdiction to make an initial child custody determination if Maryland “is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within 6 months before the commencement of the proceeding and the child is absent from this State but a parent or person acting as a parent continues to live in this State[.]” FL § 9.5-201(a)(1). The child’s “home state” is “the state in which a child lived with a parent or a person acting as a parent for at least 6 consecutive months, including any temporary absence, immediately before the commencement of a child custody proceeding[.]” FL § 9.5-101(h)(1). The statute recognizes certain foreign countries as “states” for the purposes of applying the UCCJEA, and it is undisputed that Germany would qualify as a “state” within the meaning of the UCCJEA. FL § 9.5-104.

Once a Maryland court has made a child custody determination consistent with the UCCJEA, that court has exclusive, continuing jurisdiction over the determination unless “a court of this State determines that neither the child, the child and one parent, nor the child and a person acting as a parent have a significant connection with this State and that substantial evidence is no longer available in this State concerning the child’s care,

protection, training, and personal relationships[.]” FL § 9.5-202(a)(1). Finally, where a Maryland court has jurisdiction to make a child custody determination pursuant to the UCCJEA, that court “may decline to exercise its jurisdiction at any time if it determines that it is an inconvenient forum under the circumstances and that a court of another state is a more appropriate forum.” FL § 9.5-207(a)(1). The UCCJEA defines “court” as “an entity authorized under the law of a state to establish, enforce, or modify a child custody determination.” FL § 9.5-101(g).

With these principles in mind, we now turn to Mother’s arguments.

**A.**

Mother first contends that the Circuit Court erred in relinquishing its jurisdiction over the custody of J.M. Mother argues that the Circuit Court lacked authority to render that decision because the Juvenile Court had made already a custody determination as part of the CINA case, which meant that the Juvenile Court had exclusive, continuing jurisdiction over the custody of J.M. Mother argues further that, even if the Circuit Court had concurrent jurisdiction, and thus the authority to render a decision in the matter, the Circuit Court was obligated statutorily to contact the Juvenile Court before relinquishing jurisdiction. She asserts that no such contact was made.

Father contends that the Circuit Court had appropriate authority to render a decision on the matter, as it had concurrent jurisdiction with the Juvenile Court. He asserts that the Circuit Court did not err in relinquishing its jurisdiction based on a finding that the Maryland court was an “inconvenient forum” to decide custody of J.M. Father asserts also that, even if the Circuit Court erred in relinquishing its jurisdiction without first contacting

the Juvenile Court, any error was harmless because “the [J]uvenile [C]ourt would have been required to engage in the very same inconvenient forum analysis and would have surely reached the same conclusion.”

We hold that the Circuit Court did not err in exercising its authority over the matter, despite the Juvenile Court’s prior custody determination. Although the Juvenile Court did have exclusive, continuing jurisdiction as a result of the CINA proceedings, the Juvenile Court terminated that jurisdiction by way of its September 2019 order. *See* CJP § 3-804(b) (“If the court obtains jurisdiction over a child, that jurisdiction continues in that case until the child reaches the age of 21 years, *unless the court terminates the case.*”) (emphasis added). From that point forward, J.M. was no longer “under the jurisdiction of any juvenile court[.]” FL § 1-201(b)(5). Thus, the Circuit Court had concurrent jurisdiction with the Juvenile Court under FL § 1-201 and CJP § 3-803(b). Pursuant to that jurisdiction, the Circuit Court possessed the authority to make a decision regarding the custody of J.M.

Moreover, because the Circuit Court had concurrent jurisdiction over the matter, the Circuit Court qualified as a “court of this state” within the meaning of the UCCJEA. As such, the Circuit Court possessed the power, under either FL § 9.5-201(a)(1) or FL § 9.5-207(a)(1), to determine whether Maryland was an appropriate forum to decide the matter. That is precisely what the Circuit Court did here.

Mother maintains that, even if the Circuit Court had concurrent jurisdiction, the Circuit Court was required nevertheless to contact the Juvenile Court before rendering a decision. Mother bases that claim on language from CJP § 3-803, which states that “[i]f the court and another court both have pending actions involving a child described in

paragraph (1) of this subsection, the court shall communicate with the other court expeditiously to determine the more appropriate court to take further action, consistent with the best interest of the child.” CJP § 3-803(b)(3)(ii).

Mother is mistaken. When the Circuit Court made its decision, there was no “pending action” in the Juvenile Court, as that court had relinquished its jurisdiction and terminated the CINA case. Thus, there was no obligation for the Circuit Court to communicate with the Juvenile Court

Assuming, *arguendo*, that the Circuit Court had a duty to communicate with the Juvenile Court and that the Circuit Court skirted that responsibility, any error was harmless. The record makes plain that the Circuit Court engaged in a thorough analysis of the facts and relevant law and reached a reasonable conclusion based on the best interest of the children. There is nothing in the record to suggest remotely that the Juvenile Court would have reached a different conclusion or that Mother was prejudiced by the Circuit Court’s possible failure to communicate.

**B.**

Mother next argues that the Circuit Court erred in refusing to exercise jurisdiction over the custody of Z.B. Although Mother concedes that Germany was Z.B.’s “home state” under the UCCJEA, she argues that that factor is not dispositive when the child’s home state declines jurisdiction, which the German Court did by way of its January 2022 order. Mother contends that the Circuit Court failed to engage in the appropriate statutory analysis given the circumstances of the case. Father asserts that the Circuit Court’s analysis was appropriate because the German Court never declined jurisdiction.

As noted, a court’s jurisdiction to make an initial custody determination under the UCCJEA is governed by FL § 9.5-201. The relevant portion of that statute reads as follows:

(a) Except as otherwise provided in § 9.5-204 of this subtitle, a court of this State has jurisdiction to make an initial child custody determination only if:

(1) this State is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within 6 months before the commencement of the proceeding and the child is absent from this State but a parent or person acting as a parent continues to live in this State;

(2) a court of another state does not have jurisdiction under item (1) of this subsection, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this State is the more appropriate forum under § 9.5-207 or § 9.5-208 of this subtitle, and:

(i) the child and the child’s parents, or the child and at least one parent or a person acting as a parent, have significant connection with this State other than mere physical presence; and

(ii) substantial evidence is available in this State concerning the child’s care, protection, training, and personal relationships;

(3) all courts having jurisdiction under item (1) or (2) of this subsection have declined to exercise jurisdiction on the ground that a court of this State is the more appropriate forum to determine custody of the child under § 9.5-207 or § 9.5-208 of this subtitle; or

(4) no court of any other state would have jurisdiction under the criteria specified in item (1), (2), or (3) of this subsection.

FL § 9.5-201(a).

We hold that the Circuit Court did not err in its analysis. The record makes plain that the German Court did not decline to exercise its jurisdiction on the ground that Maryland was the more appropriate forum, as required by FL § 9.5-201(a)(2). Rather, the

German Court, by way of its January 2022 order, terminated simply the custody proceedings in Germany upon learning that a custody dispute was pending already in the United States as a result of Father having filed his complaint for divorce in the Circuit Court. In so doing, the German Court stated that the “earlier pendency of proceedings there precludes the continuation of the present custody proceedings relating to the same subject matter” and that the “question of the right to determine place of residence for the children of the parties is to be finally clarified in the context of the custody dispute conducted in the USA.” We see nothing in that language to indicate that the German Court was declining jurisdiction, only that the German Court was deferring to the Maryland Court to clarify the children’s place of residency. That is what the Circuit Court did in the present case.

Importantly, after the Circuit Court made its decision here, Father initiated a new custody action in the German Court, and the German Court, after being apprised of the Circuit Court’s decision, resumed jurisdiction over the matter. That action has proceeded to an evidentiary hearing (with another to follow), and it appears that the German Court is set to make a custody determination soon. In fact, Mother is scheduled to appear (in whatever elective form she chooses) in the German Court on 15 March 2023, to present argument and/or evidence.

In light of those pending proceedings, we see no reason to disturb the Circuit Court’s ruling. Germany is clearly J.B.’s “home state.” Maryland would have no jurisdiction to decide the issue of custody without Germany first relinquishing its jurisdiction, and Germany has made clear to us that it is willing to exercise jurisdiction over the matter.



**C.**

Mother next argues that the Circuit Court’s decision contradicts the intent and purpose of the UCCJEA because the decision precludes modification of any German custody order. Mother cites FL § 9.5-203, which states, in pertinent part, that “a court of this State may not modify a child custody determination made by a court of another state unless a court of this State has jurisdiction to make an initial determination under § 9.5-201(a)(1) or (2) of this subtitle[.]” She contends that the Circuit Court’s decision in the present case would force the parties to initiate and litigate an action in Germany should they seek modification of a German custody order. Father disagrees, pointing out that the Circuit Court’s decision was consistent with the UCCJEA and does not preclude future modification of a German order by a Maryland Court if, as, and when the minor children return to Maryland.

Father is correct. The UCCJEA was designed to allow a child’s home state to make custody determinations. At the present time, Germany is the children’s home state and thus has the power under the UCCJEA to enter a custody order. Should the children move to Maryland, and should Maryland then become the children’s home state, then Maryland would have authority pursuant to the UCCJEA to modify that order.

**D.**

Mother continues that the Circuit Court, prior to rendering a decision, was required by statute to stay the proceedings and communicate with the German Court to determine which forum was appropriate for determining the custody matter. She perceives that the Circuit Court, upon making its decision, was required to stay the proceedings upon the

condition that custody proceedings be commenced promptly in Germany. Mother asserts that the Circuit Court failed to fulfill those requirements.

These arguments have been rendered moot by the fact that the German Court has assumed rightly jurisdiction over the matter and custody proceedings were commenced. That is, even if the Circuit Court failed to communicate with the German Court before making its decision, that failure was harmless, given that Germany has exercised its jurisdiction as the children’s home state. Any failure by the Circuit Court to ensure that proceedings be commenced promptly in Germany was harmless similarly, as custody proceedings are in fact pending in Germany.

**E.**

Mother’s final claim is that the Circuit Court failed “to provide ... for an evidentiary hearing on the matter of jurisdiction[.]” Mother asserts that, under FL § 9.5-109(c)(2), the parties must “be given the opportunity to present facts and legal arguments before a decision on jurisdiction is made.” Mother contends that the Circuit Court’s hearing on 14 April 2022 did not constitute compliance with that statute. Father asserts that an evidentiary hearing was not required and that, even if one were required, the Circuit Court complied with that obligation.

FL § 9.5-109 states, in pertinent part:

(b) A court of this State may communicate with a court in another state concerning a proceeding arising under this title.

\* \* \*

(c)(1) The court may allow the parties to participate in the communication.

(2) If the parties are not able to participate in the communication, they shall be given the opportunity to present facts and legal arguments before a decision on jurisdiction is made.

FL § 9.5-109.

We find nothing in this statute that would suggest error on the part of the Circuit Court. The statute states that a court may communicate with another court and allow the parties to participate in the communication and that, if the parties cannot participate, they must be given the opportunity to be heard before a decision on jurisdiction is made. Given that the Circuit Court did not communicate with the German Court before making its decision, there was no need for the parties to participate in any communication or partake in an evidentiary hearing in lieu of participating in said communication.

Nevertheless, to the extent that the Circuit Court was obligated in some fashion by FL § 9.5-109(c)(2), the Circuit Court satisfied that obligation. The parties were given “the opportunity to present facts and legal arguments” at the hearing on 14 April 2022.

**JUDGMENT OF THE CIRCUIT COURT  
FOR ANNE ARUNDEL COUNTY  
AFFIRMED; COSTS TO BE PAID BY  
APPELLANT.**