Circuit Court for Montgomery County
Case No. C-15-FM-21-000757

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1592

September Term, 2025

MAIRA MEHMOOD

v.

SHAHNAWAZ BAIG

Leahy,
Albright,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Leahy, J.

Filed: June 11, 2026

* This is an unreported opinion. The opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

This appeal arises from a custody modification proceeding in the Circuit Court for Montgomery County. Appellee Shahnawaz Baig ("Father") sought a modification of the order governing custody of the child ("Child") born to him and Maira Mehmood ("Mother"), along with a finding that Mother was in contempt of court for disobeying the existing custody order. After a hearing, the court entered a custody modification order on September 8, 2025, in which it ended Mother's in-person overnight visitation with Child and conditioned any future in-person visitation on Mother providing Father with satisfactory proof of her residence. The court also found Mother in contempt of court for failure to pay child support, and sanctioned Mother for failure to produce any documents in discovery.

Mother timely appealed the court's order. She presents several questions for our review, which we consolidate and rephrase:[1]

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[1] Mother's list of issues presented for our review is:

1. The trial court abused its discretion by modifying custody based on bias, without allowing Appellant to present evidence, and without making findings supported by the record.

2. The trial court abused its discretion by eliminating all overnight access without evidence, without required factual findings, and in disregard of the child's special needs and established bond with the mother.

3. The trial court ordered by imposing an unclear, impractical, and harmful Wednesday visitation schedule that disrupts the child's therapy, ignores the child's routine, and fails to address ongoing transportation conflicts.

(Continued)

1. Did the court abuse its discretion when it modified the custody arrangement so that (a) Mother would have no overnight visitation; (b) Mother and Father would alternate transportation responsibilities for exchanges; and (c) Mother's in-person visitation would continue only after Mother provided satisfactory proof of her residence?

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4. The trial court abused its discretion by limiting weekend visitation to daytime hours only, without evidence, without findings, and in disregard of the child's developmental needs and established bond with the mother.

5. The trial court failed to consider the history of transportation conflicts, repeated police involvement, and the emotional harm caused to the child by unnecessary back-and-forth exchanges, resulting in an unworkable and harmful visitation schedule.

6. The trial court failed to consider the documented history of the father's misconduct during exchanges, repeated police involvement, and the emotional harm caused to the child by unnecessary back-and-forth transitions, resulting in an unsafe and destabilizing visitation schedule.

7. The trial court abused its discretion by conditioning all visitation "proof of residence," despite Appellant having a stable home for 1.5 years, and by allowing the child to be kept away from his mother without any evidence of danger or instability.

8. The trial court erred in finding Appellant in contempt because the evidence showed she consistently paid child support, lacked the ability to pay during brief periods of unemployment due to health issues, and the father himself failed to pay court-ordered support for 1.5 years.

9. The trial court erred in finding Appellant in contempt because the evidence showed she consistently paid child support, lacked the ability to pay during brief periods of medical unemployment, and the arrears amount assessed was incorrectly calculated and unsupported by the record.

10. The trial court abused its discretion by imposing a $1,000 discovery sanction without identifying any specific violation, without making required findings, and without giving Appellant a fair opportunity to respond.

11. The trial court abused its discretion by imposing unreasonable, punitive, and legally unsupported purge conditions requiring Appellant to submit future job-search reports, despite her documented medical issues and ongoing efforts to obtain employment.

2. Did the court err when it held Mother in contempt and imposed purge conditions requiring Mother to submit monthly job-search reports?

3. Did the court err when it imposed sanctions on Mother for her discovery violations?

After a thorough review of the record, we affirm the court's careful and well-reasoned modification of custody and the sanction imposed for Mother's discovery violations. We discern only one error related to the court's finding of contempt and reverse only that portion of the court's order.

BACKGROUND

The Parties

In April 2012, Shahnawaz Baig ("Father"), a resident of Maryland, married Maira Mehmood ("Mother") in Pakistan. Mother then moved to Maryland in March 2013, and in January 2016 they had a child. Child is "autistic and non-verbal." Child "attends a special school [ ] in Montgomery County and requires a lot of therapy, a lot of stimulation, [and] a lot of consistency."

The Divorce

In December 2021, when Child was 5 years old, Mother filed for divorce on the grounds that Father and Mother had separated in October 2021. Mother sought primary physical custody and sole legal custody of Child and, alleging that Father forbade her from working, several forms of financial support. In January 2021, Father's counsel filed an answer and a countercomplaint, principally arguing that placing Child in Mother's unsupervised care would risk child abuse. Mother answered the countercomplaint in February 2022.

In March 2024, after more than two years of litigation, the court granted Mother an absolute divorce from Father, awarding them joint custody of Child and giving Father tie-breaking authority with respect to decision-making. Father was to have "primary residential custody" of Child with Mother having access every other weekend and every other Wednesday evening. The court also provided a schedule for summer, birthdays, and holidays. Regarding child support, the court ordered Mother to pay Father child support in the amount of $258 per month plus an additional $25 per month to pay down Mother's child support arrears balance of $3,612.

Subsequent Litigation

The judgment of absolute divorce did not slow the litigation. Mother sought *in banc* review of the court's judgment—a procedure in which the court forms a three-judge panel to review the first judge's decision. *See* Rule 2-551. In October 2024, the *in banc* panel largely affirmed the first judge's judgment, but the panel sent the matter back to reconsider retroactive child support. On remand, the original judge elected not to award either party retroactive child support.

On February 26, 2025, just six days after the remand order, Father filed two documents at the center of this appeal. The first was a Petition for Modification of Access. In the Petition, Father alleged that Mother "started enlisting police to escort her to [Father's] home" with Child and would "continue to unnecessarily require law enforcement to be present at all exchanges where [Mother] is required to return [Child] to [Father]" unless Father agreed to change their exchange location. Father alleged that Mother had

often either "failed to return [Child] as scheduled or attempted to hold [Child] in violation of the" access schedule. Father also alleged that Mother did not bring Child to extracurricular activities that were "essential for [Child's] growth." Because of Mother's alleged "mental health issues," Father argued that it was in the best interests of Child for Father to have sole legal custody of Child. Father requested that the court amend the custody order to grant Mother "daytime visitation, only, and no overnights," grant Father sole legal custody of Child, and grant Father "reasonable and necessary attorney fees."

Father's second filing was a Petition for Civil Contempt. In this petition, Father alleged that Mother's involvement of police at exchanges routinely delayed her so that she was "an hour or more" late, sometimes delaying until the next day. Father also alleged that Mother had not made a scheduled child support payment in nearly 18 months (since October 2023). He requested that the court "[a]djudicate [Mother] in constructive civil contempt," "[o]rder [Mother] to exchange [Child] at [Father's] residence on time and without the assistance of police," "[r]equire [Mother] to produce [Child] for visitation as ordered," and grant Father "makeup time for the time [Mother] has deprived" Father of access to Child. As for the child support, Father requested that the court require Mother to pay her arrears in full and "put in place a wage withholding order."

Father subsequently filed a motion "for Immediate Sanctions" based on Mother's alleged failure to produce responses to discovery requests ahead of an upcoming trial on Father's contempt and modification petitions. Father sought sanctions "in the form of an adverse inference against [Mother] in favor of [Father] that the access schedule sought by

[Father] be and is in the best interests of [Child]" and "reasonable and necessary attorney fees for having to pursue a Court Order to address [Mother's] discovery failures."

At this point, it appears that Mother had significant trouble trying to litigate the case pro se. On August 6, 2025, she filed a motion requesting that the court revoke her efiling credentials so that she could file on paper and that the court appoint counsel to represent her. On August 13, she tried to file an opposition to Father's sanctions motion, but her filing was stricken for failure to include a certificate of service. On August 21, she filed a motion for a postponement of the upcoming trial because of her "medical circumstances" and her inability "to find legal representation." The next day, Father opposed postponement, Mother filed a reply, and the court denied the postponement motion.

The Hearing

On August 26, 2025, the parties met at the Circuit Court for Montgomery County for hearing on Father's Motion for Civil Contempt, Motion for Immediate Sanctions, and Petition to Modify Access. Mother appeared pro se and Father was represented by counsel. Father requested that the court grant him "sole legal custody" and that the access schedule "be modified . . . so that there is no interference with [Child's] school." According to Father, Mother was not meeting the needs of Child, especially in providing a consistent schedule. For that reason, Father requested that the court modify the access schedule so that Child is with Father on school nights.

Because the conduct of the hearing forms part of Mother's basis for this appeal, we will discuss it at some length. Father's counsel tried to admit certain evidence by having

Mother authenticate it, which led to disputes about both the evidence and its authenticity. During Mother's testimony, for example, the court sometimes refused to admit evidence offered by Father, even when Mother did not object, if that evidence was patently irrelevant. At least three times, the court had to instruct Mother on the limits of her ability to testify when called as a witness by the opposing party—that Mother had to answer the questions without adding her own narrative:

> THE COURT: Okay. You are limited to only responding to his questions. You will have an opportunity, ma'am, when he is done, to present your own testimony. Right now, you're only allowed to answer his question.
>
> [MOTHER]: Just to be clear, is it even -- I can see they're different days.
>
> THE COURT: Excuse me.
>
> [MOTHER]: Just accept it? Okay.
>
> THE COURT: I cannot serve as your lawyer. All I'm telling you is that you will have an opportunity to present testimony in your case.
>
> [MOTHER]: Okay.
>
> THE COURT: Right now, it's his opportunity to ask questions, and you're limited to responding only to his questions. Repeat your question, sir.
>
> * * *
>
> [COUNSEL] You did not produce any documents that demonstrate any payments to him in this case? Isn't that correct?
>
> [MOTHER] I was looking for a counsel, and I do have --
>
> THE COURT: I'm sorry, ma'am. This is not a narrative.
>
> [MOTHER]: Sorry. Sorry.

THE COURT: You have to answer --

[MOTHER]: Sorry.

THE COURT: -- only his question and no more.

[MOTHER]: Go ahead. Sorry. Ask again.

Over the course of her testimony as Father's witness, Mother identified some of Father's counsel's exhibits; admitted that although she had received discovery requests, she had not responded to them; and testified mostly that she did not recall relevant events in 2024. Mother testified, for example, that she did not recall whether she had filed criminal charges against her landlord or whether her landlord had filed criminal charges against her.

Father then testified. He explained that Mother would take things from Child, like a lunch bag or a microphone (to help Child communicate despite being nonverbal), and that those things would sometimes reappear in Child's bag later. He also said that Mother would dress Child in clothes that were visibly too small, and that Child would complain about related pain. Father said that Mother used the police to drop off Child at Father's house at least ten times in 2024, with Mother claiming to be "scared of" Father—behavior Father found "weird." Once, Mother forced Father to come get Child at the police station, but when Father finally agreed and drove to the station, neither Mother nor Child was there.

As it relates to coordinating custody and visitation, Father testified that Mother ignored Father's efforts to schedule his two-week summer vacation with Child. Father also explained that if he tried to set up recurring events for Child (like sports) that would occur on Wednesdays, Saturdays, or Sundays, he would try to coordinate with Mother so that her

every-other-week visitation would not interfere. Despite those efforts, Child was kicked off a soccer team for repeated absences during Mother's visitation periods. Similarly, Father tried to set up recurring therapy for Child on Wednesdays, but because Mother failed to take Child to the appointments, the therapist canceled the Wednesday sessions.

Father testified in some detail about a mosque event, at which Mother greeted Child at a time outside her ordinary visitation. Father tried to give Mother a fair chance to greet Child, but when he took Child indoors, Mother followed. Mother then tried to physically remove Child from Child's stroller over Father's objection. Father and Father's sister tried to hold Child in place, and then Mother started hitting Father's sister—"hitting her hand and … her body and scratching her." Father's sister sought a protective order, and a prosecutor filed criminal charges against Mother.

Father also testified at some length about altercations between Mother and Child's bus driver. Because the bus had a varying number of students to take home, the bus would ordinarily arrive at Father's house sometime within a 30-minute window. If Mother was not there at the beginning of this window and the bus came early, Father had to decide whether to bring Child inside or leave Child for up to 30 minutes waiting for Mother "just sitting [t]here in the heat." And Mother would argue with the bus driver, shouting loudly enough that Father's doorbell camera could record the sounds from down the street.

In support of his request that Mother's overnight visits be revoked, Father testified that on days after such visits, Child had "too many missed school days." Between tardies

and full absences, Child had been assessed ten missed school days after Mother's overnight visitation.

At the close of Father's case, the court told Mother that she could now testify about the relevant facts:

> THE COURT: Ma'am, this is your opportunity to testify in response to the evidence that was presented. So remember, we are looking at the time frame -- you may sit there -- from when the original order was entered by the Court on March 20th of 2024 and covering the time until the petition for contempt and the petition for modification was filed, which is February 26th of 2025. What would you like to tell me?

But soon after Mother started testifying, she moved off the issues in Father's motion, instead discussing Father's alleged failure to provide child support. When Father's counsel objected, the court sustained the objection, reminding Mother that "[t]his is not your action. This is only about his case, the two pleadings that he has filed." In response, Mother tried to argue that Father had insufficient evidence supporting his claim that Mother had failed to pay child support, so the court corrected her again: "This is not argument. This is testimony …. And so, what else would you like to say?"

Mother went on to testify that Child had attended therapy from her home; that she had taken Child to speech therapy and occupational therapy; and that she had been "properly involved" in Child's sports. When Mother asked for mediation, the court explained that the parties were not in mediation—"This is a trial." Mother explained that sole legal custody was inappropriate because it would "completely" remove her from Child's life, and it would "disturb" Child's life. Mother denied that Child missed school,

explaining that there was one Monday when Child was sick, and Mother brought Child to Father's home after work.

Mother explained that she did not "see any major problems where [she] forgot things." Regarding pick-up and drop-off issues, Mother explained that she had originally asked for some middle location for exchanges, but that instead, "right now [it] is on me."

Mother then identified a friend of hers, who Mother brought as a witness to testify about having "see[n] me with [Child] for over three years." Father's counsel objected to the witness as undisclosed, but the Court instead refused to hear the witness on the basis that testimony about Mother's care for child was not in issue—"this is not the original custody case, and we are not relitigating the original custody case."

After closing statements, the court took a recess. After the recess, the court reversed its own earlier ruling that had limited Father's relevant testimony, and the court allowed Father to resume testifying. Father's counsel then submitted several documents into evidence over Mother's objection to show Mother's behavior after Father filed the pending petitions: a failure to communicate about Child's swimming lessons; two of Mother's refusals to drop Child off (citing inclement weather and "not feel[ing] comfortable dropping [Child] off at your place"); Mother's nonpayment of Child support in recent months.

In response, Mother testified that she made her child support payments for March, April, May and June of 2025, when she was employed. She testified that she had made her full payments for "eight, nine months" "[p]rior to" these most recent payments.

On cross-examination, Mother reiterated that she "was not working in 2024," but she was working in the months when she made child support payments. She said that she paid child support over Zelle. When counsel pressed her for documentary evidence, Mother pulled up Zelle on her phone and showed counsel her payment of $125 for June 2025 and none for July 2025. Mother could not find a way to go back earlier than May 2025 on her phone, but she offered to look at earlier bank statements and eventually identified a payment in March 2025. It appears from the record that before Mother could complete that search, counsel resumed questioning. Mother explained that she had been on work-study, earning $17 per hour and that afterward, she sought employment at Giant and Target.

The court issued its oral ruling from the bench and asked Father's counsel to submit a proposed order. The court worked factor by factor through a standard child custody analysis, evaluating every part of the relationship among Mother, Father, and Child. Based on this extensive review, the court concluded that giving Father sole legal custody was in Child's best interests. The court found that Mother's testimony was not credible, listing several contradictions in Mother's testimony and her evasive answers, and noting that Mother could not even answer questions about her own recent legal actions against her landlord.[2] What's more, Mother's evasiveness and refusal to provide key information made it more difficult for the court to assess some of the most important factors. The court

[2] "I don't believe her at all when she says she has no information about [the] notice [to immediately vacate and surrender premises]."

struggled to evaluate the "suitability of the residents of the parents," because Mother would not answer basic questions about where she lived or whether she has some steady income—"I have no idea where the mother lives" and "I have zero information about the financial status of the mother, other than her election not to work, not to offer a single piece of evidence." Based on its review of these factors, the court revised the custody arrangement so that Mother would have no overnight visits; Mother and Father would share the responsibility to drive Child to and from visits; and Mother would have a video call with child on Friday nights when it was not Mother's weekend for visitation.

Despite these findings adverse to Mother, the court worked extensively with Mother to make sure that she understood the terms of the new custody arrangement. But after several minutes of asking questions and working through the terms of the order, Mother started arguing about the order and asking for changes. The Court went on to clarify the precise terms of its order, and then (with Mother continuing to interject), the Court concluded the proceedings.

Custody Modification Order

On September 8, 2025, the court issued a Custody Modification Order ("CMO"), setting out its oral ruling from the conclusion of trial. Under this new order, Father has sole legal custody of Child. Mother's visitation schedule was changed significantly: no overnight access; visitation every other Wednesday until 7 p.m.; video visitation around dinner time on Fridays for up to 30 minutes; visitation every other weekend from 9 a.m. to 6 p.m. Saturdays and Sundays; and there was to be no visitation except for Friday video

calls until Mother submitted to Father proof of her residence (a current lease, a utility payment receipt, change of address forms, or other similar documents).

In addition, the court found Mother in contempt for failure to pay child support, ordering her to pay $4,111 in arrears or submit a sworn affidavit and exhibits showing that she made "attempts to obtain suitable employment on October 1, 2025, November 1, 2025, and December 1, 2025." In regard to the motion for sanctions for Mother's failure to respond to discovery, the court assessed a fine of $1,000 to be paid by December 1, 2025. The court denied Father's request for attorneys' fees.

We shall supplement these facts in our discussion of the issues.

DISCUSSION

Standard of Review

When our court reviews child custody determinations, we apply a three-part standard of review:

> When the appellate court scrutinizes factual findings, the clearly erroneous standard of … Rule 8-131(c) applies. [I]f it appears that the [trial court] erred as to matters of law, further proceedings in the trial court will ordinarily be required unless the error is determined to be harmless. Finally, when the appellate court views the ultimate conclusion of the [trial court] founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the [trial court's] decision should be disturbed only if there has been a clear abuse of discretion.

Azizova v. Suleymanov, 243 Md. App. 340, 372 (2019) (quoting *In re Yve S.*, 373 Md. 551, 586 (2003)) (cleaned up). When we apply these standards, we are mindful of two reasons to be deferential toward the trial court. First, we "give[] due regard 'to the opportunity of the lower court to judge the credibility of the witnesses.'" *Id*. Second, "it is within the

sound discretion of the [trial court] to award custody according to the exigencies of each case." *Id*.

In other words, our court will affirm the trial court's findings of fact so long as there is "competent or material evidence in the record to support the court's conclusion," and we will affirm the ultimate custody determination unless "no reasonable person would take the view adopted by the [trial] court' or when the court acts 'without reference to any guiding rules or principles.'" *Id*. (quoting *Lemley v. Lemley*, 109 Md. App. 620, 628 (1996)), and *Santo v. Santo*, 448 Md. 620, 625-26 (2016)). "Put simply, we will not reverse the trial court unless its decision is well removed from any center mark imagined by the reviewing court." *Santo*, 448 Md. at 626 (internal marks omitted).

Allegations Regarding Bias

Before we proceed to Mother's appellate issues, we will separately address her contentions that the court prevented her from fully testifying and exhibited judicial bias. At various points in her brief, Mother accuses the court of preventing her from making her case:

- "the court … did not allow [Mother] a meaningful opportunity to present her side";
- "The trial court's refusal to hear [Mother]'s full explanation"; and
- "the court refused to hear [Mother's] explanation[, which] reflects clear judicial bias and a failure to consider the full context."

These claims are belied by the record. The court gave Mother a full and fair chance to participate in the proceedings, including an opportunity to testify to any relevant facts. The court *did* interject when Mother offered evidence that was irrelevant to the pending motions

or otherwise outside the scope of the proceedings, but those interjections were entirely appropriate in context.

Mother's claim that the court's conduct reflects bias is similarly belied by the record. The court interrupted Father's counsel at least as many times as it interrupted Mother, carefully policing the bounds of relevant evidence and holding both parties to the same standard. The court gave Mother a fair chance to object to any evidence Father submitted. Indeed, we find that the court was appropriately cautious when interjecting, carefully explaining to Mother the bounds of the proceeding and the relevant rules, while also giving Mother the freedom to (at the appropriate times) submit relevant evidence and offer relevant arguments.

The record also established that the court gave Mother every reasonable opportunity to submit evidence and provide argument. When Mother gave testimony, the court made sure that Mother avoided repetitive testimony ("Don't repeat what you've already said") while remaining engaged in Mother's testimony. When Mother testified about a protective order, the Court asked questions to make sure she understood Mother's testimony in light of the procedural history. The court ended Mother's testimony only after Mother told the court that she had concluded her testimony: "And I believe that is – that is it." It is pellucid from the record that the court was thoughtful and generous to all parties during the trial.

Mother's more generalized claims of judicial bias similarly ring hollow. We acknowledge, of course, that "Maryland law guarantees litigants the right to a judge who is, and has the appearance of being, unbiased and impartial." *Harford Mem'l Hosp., Inc.*

v. Jones, 264 Md. App. 520, 541 (2025). Even so, our court applies a "strong presumption" that "judges are impartial participants in the legal process." *Id*. (quoting *Balt. Cotton Duck, LLC v. Ins. Comm'r of the State of Md.*, 259 Md. App. 376, 402 (2023)).

"A litigant claiming bias on the part of the trial judge must 'generally' move for relief 'as soon as the basis for it becomes known and relevant.'" *Id*. (quoting *Braxton v. Faber*, 91 Md. App. 391, 406 (1992)). When the litigant believes that the trial judge is acting out of bias, the litigant "must identify the conduct to which they object and the relief they want *during the trial*." *Id*. (emphasis added). Mother did not object on this basis during the trial or otherwise identify the issue so that the court could address it. She thus has not preserved the issue for our review.

Even if the argument were preserved, however, we would reject it. An "adverse ruling[]"—the mere fact that a court rules against someone—cannot overcome this presumption. *Id*. at 541-42 (citing *Reed v. Balt. Life Ins.*, 127 Md. App. 536, 556 (1999)). Here, Mother accuses the court of bias based on its rulings: "The court's refusal to hear [Mother]'s full testimony, combined with its acceptance of opposing party's misleading narrative, further demonstrates bias." These accusations, without more, are insufficient to show that the court judge was biased.

Proof of Mother's Residence

We now turn to Mother's challenge regarding her primary residence, because resolving this issue first will help resolve some of the others. Although the CMO provides

for many types of in-person visitation, it makes all such visitation contingent on Mother providing proof of residence:

> **ORDERED**, that no visitation shall occur until [Mother] provides [Father], proof of residence, to include but not limited to, a current lease, proof of utility payments, change of address forms, or other documents that would be necessary to determine the [Mother] has suitable residence, and until such proof of residency is provided to [Father], [Mother] may only have video calls every other Friday, as so ordered above;

This portion of the order was based on the court's uncertainty about Mother's home: "right now, I am not satisfied that there is a stable home … for this child to go to." It appears that the court did not decide that Mother *lacks* a stable home; the court decided only that it had insufficient evidence from which to determine whether Mother has a stable home.

When Mother asked the court to explain this requirement at the end of the trial, the court did so at some length:

> THE COURT: But remember that you have to show Father where you are living. He's not going to be just dumping the child off to somewhere unknown.
>
> [MOTHER]: Your Honor, as I stated before as well, then he knows that I have been living for that space for over a year now.
>
> THE COURT: Okay.
>
> [MOTHER]: And then, it's – it's --
>
> THE COURT: What I'm saying is, if you are, if you have told him that and Father is satisfied, it's fine.
>
> [MOTHER]: I just wanted to know what kind of proof. Do I have to provide it to Dad or his attorney? Like, what should I --
>
> THE COURT: Satisfactory proof of where you are living. So for example, you can offer a lease. You can offer a change of address with the MVA. That's for you to figure out.

[MOTHER]:	Okay, Your Honor.
THE COURT:	All right. And then it's still going to be up to the father because I am giving him that trust. Do you understand?
[MOTHER]:	Yes.
THE COURT:	Do not break the trust.

Dispute of Fact

Mother contends that this portion of the CMO is error for two reasons. Mother's first contention is that she "had a stable residence" and that the court was wrong to find otherwise. This dispute is one of fact, so as we explained above, we will affirm the trial court unless there was no competent evidence on which it could have relied.

We find that the trial court had adequate evidence from which it could doubt whether Mother had a stable residence. For example, Mother could not answer whether she was facing eviction:

[COUNSEL]:	**Are you facing eviction?**
[MOTHER]:	**I don't know how to answer that.** There's no eviction notice yet or anything.
[COUNSEL]:	You haven't received any notice from anyone that you're going to be evicted?
[MOTHER]:	Not the eviction notice.
THE COURT:	No. Listen carefully to his question.
[MOTHER]:	Okay. No.

(Emphasis added). After this exchange, Father's counsel presented evidence from a public court record showing that Mother was "being sued" in the District Court of Maryland for Montgomery County for wrongful detainer of real property. The trial court rationally

concluded that Mother's testimony about her residence was not credible when she denied knowledge *of her own recent actions*—she could not answer whether she had filed criminal charges against her landlord: "**Q** Are you aware that you have pending criminal charges with your landlord? **A** I'm not sure about that." This was enough evidence from which the court could rationally conclude that Mother's claims about her permanent residence were doubtful, and that Mother faced imminent eviction or other serious housing instability.

Dispute of Law

Mother's second challenge to the trial court's order about permanent residence is that the trial court erred as a matter of law when it conditioned in-person visitation on proof of residence, because "Maryland law does not permit courts to suspend visitation unless there is clear evidence that the child is unsafe."

We must acknowledge that the core of Mother's argument finds support in Maryland jurisprudence. "[A] child is almost always benefitted by having the maximum opportunity to develop a close and loving relationship with both parents, especially in situations where the parents are separated or divorced." *Boswell v. Boswell*, 352 Md. 204, 235 (1998). For that reason, visitation should be restricted "only upon a showing of actual or potential harm to the child." *Id*. at 209. Applying this standard, the "right of visitation" should be "denied" only in "exceptional case[s] and under extraordinary circumstances." *In re Yve S.*, 373 Md. 551, 570-71 (2003). Without this strict test, "the

most disadvantaged of our adult citizens always would be at greater risk of losing custody of their children than those more fortunate." *Id*.

Still, we do not agree with Mother that the court's order amounts to a complete suspension of visitation or denial of her right of visitation. First, no matter what Mother does, she will have video visitation with Child every other Friday night. Second, the only barrier to Mother's expanded visitation (in-person visitation every other Wednesday and every other weekend) is telling Father where she lives—proof of her stable residence. She does not need to show anything about her home other than its location. And she can satisfy this requirement with documents that should be readily available to her, including her "current lease, proof of utility payments, [or] change of address forms."[3]

The court's choice to condition in-person visitation on Mother's honesty about her own housing was reasonable in context. The court concluded that Mother's testimony about her residence was not credible: "I don't believe her at all when she says she has no information about [the] notice [to immediately vacate and surrender premises]." Mother refused to admit whether she had filed charges against her own landlord—as the court summarized her testimony: "Maybe I filed charges against the landlord or the landlord's family, but she doesn't know." As a result, the court did not know where Mother would take Child during in-person visitation: "So as of right now, this Court has no idea where she is living, and where Abdullah would be. … I have no idea if Mother has a home."

[3] Indeed, we hope that Mother has since provided this documentation to Father so that this entire dispute is moot.

What's more, because Mother refused to comply with her discovery requests, and because Mother did not introduce the necessary evidence in her case, the court could not figure out anything about Mother's financial picture. The court lamented: "I have zero information about the financial status of the mother, other than her election not to work, not to offer a single piece of evidence, not to comply with any obligation in discovery. I have zero information."

In this context, the court correctly focused on the best interests of Child: "I am not going to put this child overnight into [an] unknown location." *See A.A. v. Ab.D.*, 246 Md. App. 418, 441 (2020) ("When the custody of children is the question, the best interests of the children is the paramount fact." (internal marks omitted)). To that end, the court conditioned Mother's in-person visitation on her providing Father with proof of her address. Thus, if Mother fails to show father where she lives, she will have only video visitation on Friday nights. Based on Mother's evasive testimony, the court reasonably imposed a *de minimis* obligation on Mother to ensure that Child would be safe during in-person visitation. We affirm that decision.

Reduced Maternal Visitation

We turn next to Mother's contention that the court erred in eliminating all her overnight visitation. Mother argues that revoking her overnight visitation ignores Child's unique needs—Child "is autistic, non-verbal, and deeply attached to his mother"—and that Maryland law required the court to make "specific factual findings to justify restricting" her visitation.

Mother misdescribes the law governing her visitation proceeding. Neither Maryland statutes nor our cases require that the court make specific factual findings to justify limiting her overnight visitation. At the time of the hearing, the court's custody decision was governed by "a non-exhaustive delineation of factors that a court must consider" and additional factors that courts "are encouraged to consider." *Azizova v. Suleymanov*, 243 Md. App. 340, 345-46 (2019). The court worked line by line through these factors, addressing each. The court discussed Child's age and special needs; Father's and Mother's "capacity … to communicate and reach shared decisions"; the parents' fitness, willingness to share custody, and relationship with Child; the potential disruption to Child's life from changes in custody; Child's preference; the geographic proximity of parents' homes; the age and number of children; the suitability of the parents' residences; the demands of each parent's employment; the sincerity of the parents' requests; and any effect on public welfare programs. Based on the evidence presented, the court reasonably concluded that giving Father sole legal custody and sole overnight physical custody would help Child feel safe, attend school, attend sports and other social hobbies, and develop consistent routines around therapy.

Similarly, as previously noted, caselaw dictates that the court was correct to prioritize Child's best interest, not make some finding of fact about Mother. "[C]ustody determinations must be made on a case-by-case basis due to the uniqueness of the fact patterns in such disputes." *Petrini v. Petrini*, 336 Md. 453, 469 (1994). Because of the individualized nature of a best interests analysis, not all factors will be relevant to every

situation, and no one factor "has talismanic qualities." *Id*. Indeed, our cases direct the court to maintain its unwavering focus on the best interests of Child, whatever that may require: Children have "an indefeasible right to" have their best interests fully considered. *Flynn v. May*, 157 Md. App. 389, 410 (2004). We observe, however, that the court did not "ignore" Mother's testimony on these issues; the court reviewed Mother's testimony carefully and found her to be not credible. In situations like this, we give

> due regard to the opportunity of the lower court to judge the credibility of the witnesses. We recognize that it is within the sound discretion of the trial court to award custody according to the exigencies of each case, and a reviewing court may interfere with such a determination only on a clear showing of abuse of that discretion. Such broad discretion is vested in the trial court because only he sees the witnesses and the parties, hears the testimony, and has the opportunity to speak with the child; he is in a far better position than is an appellate court, which has only a cold record before it, to weigh the evidence and determine what disposition will best promote the welfare of the minor.

Gillespie v. Gillespie, 206 Md. App. 146, 171 (2012) (cleaned up). Indeed, as we discussed above, we find substantial evidence in the record supporting the court's finding that Mother's testimony was consistently not credible.

Based on Father's credible testimony and Mother's conflicting accounts, the court reasonably concluded that Child's staying overnight at Mother's home was not working out in Child's best interests. The court heard evidence that Mother failed to bring Child to school after an overnight visit because *she* (not Child) was "feeling sick"—"I don't know how Mother not feeling good has anything to do with [C]hild not going to school." Another time, Mother kept child after hours "because of bad weather," explaining herself only after her drop-off time had passed and Father inquired. And another time, Mother wrote two-

and-a-half hours after her drop-off time that she did "'not feel comfortable dropping [Child] off' based on nothing."

If Mother's refusals to exchange Child were not enough to justify revoking overnight visitation, the court also had testimony that Mother inadequately clothed and cared for Child after overnights in ways that were painful:

> He'll be dressed poorly, you know. At -- last year, he was 8, so, you know, he'll be wearing -- he'll be wearing clothes that are two to three sizes too small for him. And you could see it, when he's -- if he's -- if he's just standing up and walking. The pants are too -- the pants are too high. You could see his -- you could see his ankle. You could see his feet. His shoes would be too tight. He'll come home complaining, you know, that his feet hurt and that he needs a massage.

Considering this testimony, we cannot agree with Mother that the court "ignored [Child's] unique needs." To the contrary, the court was keenly aware of Child's unique needs and reasonably concluded that those needs are best met by Child living overnight with Father and in Father's sole legal custody.

Somewhat separately, Mother argues that the court gave inadequate weight to "transportation conflicts" and "repeated police involvement" that had a detrimental effect on Child. The record evidence shows, however, that the court reasonably concluded Mother had precipitated substantially all of these conflicts, needlessly calling the police for routine drop-offs. Despite this, the court gave significant weight to Mother's complaint that she had to provide all of Child's transportation for exchanges, ordering that Mother and Father alternate drop-offs. This reflects the court carefully weighing the evidence presented, not as Mother contends, a "failure to consider" relevant evidence.

In sum, the court was well within its discretion when it restricted Mother's visitation to daytime visits.

Contempt for Failure to Pay Child Support

Mother also challenges the court's determination that she was in contempt of court for failure to pay child support and the court's related orders. Mother argues that the court failed to find that she had "willfully failed to pay despite having the ability to do so." Here, Mother correctly summarizes the applicable law: "The Maryland Rules do not explicate the standard for finding contempt; however, our decisional law makes plain that one may not be held in criminal or civil contempt of a court order unless the failure to comply with the court order was or is willful." *Sayed A. v. Susan A.*, 265 Md. App. 40, 71 (2025) (internal marks omitted); *see also Dep't of Health v. Myers*, 260 Md. App. 565, 616 (2024) ("there must be a showing that the failure to comply with the court order was willful").

But "[t]he circuit court need not explicitly use the word 'willful' to find a defendant in contempt, provided that 'the court's ruling, when read as a whole, clearly implies that' the court found the defendant's conduct willful." *Sayed A.*, 265 Md. App. at 72. Here, it is clear in context that the court made a sufficient equivalent finding. The court explained that it did not believe Mother's claims that she lacked the ability to make her child support payments. Mother failed to produce any competent evidence tending to show that she was unemployed at the relevant times or otherwise unable to make her child support payments. And Mother offered no evidence showing her "reasonable efforts to become or remain employed, or otherwise lawfully obtain[] funds necessary to make payments." These

findings together show that the court believed Mother's refusal to make child support payments were willful.

Mother contends that the court unfairly disregarded her evidence that she had paid child support. But the court credited every payment Mother could prove on paper: the $150 payment that father conceded he had received and the $125 payment that Mother pulled up on her phone on the witness stand. But because of the court's well-supported credibility determinations, it was under no obligation to credit Mother's unsupported testimony that she had made other payments to Father. Mother's lack of credibility was especially acute on this point, because Mother failed to produce relevant records in discovery or bring them with her to the hearing. The court thus acted within its discretion when it calculated arrearages as $258 per month, less $125 and $150, for a total of $4,111.

Mother also argues that it is inequitable to hold her to her child support obligations, because Father owes her $22,000 in earlier child support payments. As the court correctly noted, this is not an excuse. Mother remains free to seek these allegedly overdue funds from Father in the underlying litigation, but two wrongs do not make a right—Mother cannot refuse to adhere to a court order based on her allegation that Father has failed to comply with a different order. *Stancill v. Stancill*, 41 Md. App. 335, 339-40 (1979), *aff'd,* 286 Md. 530 (1979); *see Donner v. Calvert Distillers Corp.*, 196 Md. 475, 489 (1950) (even an order "based upon erroneous facts" or "an erroneous conception of the law … must be obeyed until such time as it is stricken out on application, or reversed on appeal, or otherwise ceases to be a vital and subsisting direction of a court").

Even so, the court realized that because Mother had provided so little in terms of relevant documentary evidence or credible testimony, it could not be sure of Mother's ability to pay child support going forward. For that reason, the court set up a schedule on which Mother could file a sworn statement about her efforts to obtain work. If Mother filed these sworn statements in three consecutive months, then the court would purge the contempt finding. This was a thoughtful and evenhanded way for the court to start collecting information about Mother's financial situation that might help evaluate Child's best interests going forward.

We pause to note that Mother's obligation to pay child support is not a purgeable contempt sanction, because child-support obligations "cannot be waived or bargained away." *Matter of Marriage of Houser*, 490 Md. 592, 607 (2025). Indeed, it is clear from the CMO that the court did not order Mother to pay her child support arrears as a contempt sanction, but rather as a separate and independent order: "ORDERED, that Plaintiff is assessed child support arrears totaling $4,111.00 as of August 26, 2025." Thus, Mother's satisfaction of her purge conditions would not affect what she owes to Father in support of Child.

The problem is, the court's order holding Mother in contempt lacks any associated sanction. If Mother fails to comply with her purge provision, there is no associated monetary or other sanction imposed on Mother. *See Md. Dep't of Health v. Myers*, 260 Md. App. 565 (2024) ("Here, although there was a sanction imposed [for other reasons], there was no sanction … included for the finding of contempt."). Under our cases, a

contempt order like this that "lacks a valid sanction" must be reversed. *Breona C. v. Rodney D.*, 253 Md. App. 67, 75 (2021). If, by contrast, the court had imposed some monetary or other sanction for Mother's failure to file her monthly line, we would not have had to reverse on this ground.

Finally, Mother argues that her contempt purge provision is illegally punitive. Because this issue might be considered again on remand, we note that the purge provision imposed here—three monthly updates showing that Mother is looking for work—would have been valid had there been some associated sanction for failing to file the updates. "[B]ecause the purpose of civil contempt is to coerce or facilitate compliance with court orders, the sanction imposed for civil contempt 'must provide for purging.'" *Dodson v. Dodson*, 380 Md. 438, 449 (2004). A purge provision is not "impermissibly arbitrary or punitive" if it has "some reasonable connection to the enforcement of the support order." *Arrington v. Dep't of Human Res.*, 402 Md. 79, 103 (2007). Here, Mother's documenting her efforts to find work is reasonably connected to her obligation to pay child support to help raise Child.

Because the court failed to impose any contempt-related sanction, we must reverse and vacate the portion of the CMO holding Mother in contempt, and remand for further proceedings.

Discovery Sanctions

We have explained before that discovery sanctions in child custody cases are a special part of our jurisprudence:

> Normally, we evaluate a trial courts' discovery sanction in a civil case through a well-defined lens—abuse of discretion. However, before we look through that lens in a child custody case, we must be satisfied that the court has applied the best interests of the child standard in its determination. When the custody of children is the question, the best interests of the children is the paramount fact. Rights of father and mother sink into insignificance before that.

A.A. v. Ab.D., 246 Md. App. 418, 441 (2020) (internal marks omitted). For this reason, we have held that trial courts should resolve discovery disputes in child custody proceedings so that "the court's decision is as well-informed as possible." *Id*. at 447.

Here, the court heeded this command and focused on finding the best interests of Child based on all available evidence. Rather than refuse Mother's testimony or draw adverse inferences (as Father sought), the court heard as much evidence as it could, including Mother's testimony about things she could not document, and even about Mother's efforts on the witness stand to pull up bank documents on her phone. The court took this route even though Mother admitted that she wholly failed to respond to discovery despite full knowledge of the requests—Mother "completely failed in her discovery response obligations," which was "not okay." Mother's discovery failures meant Father had to pay an attorney to file motions and argue the motions in court. For that reason, the court imposed a $1,000 fine that would be entered as a judgment.

We cannot conclude that the court abused its discretion when it awarded this sanction. Mother admitted on the record that she knew about the discovery requests but

wholly failed to comply with them. Mother asserted that her failure was because she was trying to find counsel, but the court correctly held that her difficulty finding counsel did not excuse her utter failure to provide Father any evidence or documents to which he was entitled. And given the court's explanation that it was trying to reimburse Father for some approximation of Father's reasonable costs related to the discovery failures, $1,000 was undoubtedly a reasonable sanction.

JUDGMENT OF THE CIRCUIT COURT FOR MONTGOMERY COUNTY AFFIRMED IN PART AND REVERSED IN PART; CASE REMANDED FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION: COSTS TO BE DIVIDED EQUALLY BETWEEN THE PARTIES.