Circuit Court for Baltimore County
Case No.: C-03-FM-20-004690

UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND*

No. 2358

September Term, 2024

MARCUS TRENT

v.

JASMINE MARSHALL

Berger,
Beachley,
Sharer, J. Frederick
(Senior Judge, Specially Assigned),

JJ.

Opinion by Sharer, J.

Filed: January 14, 2026

*This is an unreported opinion. This 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).

On March 15, 2023, the Circuit Court for Baltimore County awarded appellee, Jasmine Marshall ("Mother"), sole physical custody and sole legal custody of the daughter (then about three and a half years old) she shares with appellant, Marcus Trent ("Father"). The court also ordered that Father "shall have no access to or visitation with" the child, and noted that it was "unable to impose a child support obligation at this time because Father is currently incarcerated." Seven months later, Father filed a motion to modify custody, asserting that he was no longer incarcerated and requesting immediate access to the child. Following a two-day merits hearing held in December 2024, the court awarded Father access to the child (then almost four and a half years old) via supervised visitation to take place for two hours every other weekend at the Baltimore County visitation center.[1] Father appeals that ruling. Representing himself, he presents the following issues for our review, which we quote:

1. Whether the Circuit Court erred by imposing supervised visitation without evidence of abuse or neglect, contrary to Fam. Law § 9-101.

2. Whether the Circuit Court abused its discretion by attempting to coerce Appellant into signing a "Consent Order."

3. Whether over one year of forced alienation constitutes unconstitutional infringement of civil liberties under Article 24 and the Fourteenth Amendment.

4. Whether the trial court's delay, coercion, and failure to issue findings violated Maryland's statutory and constitutional protections.

[1] The court also granted Father video access to his daughter twice a week via Zoom or FaceTime. Father does not challenge that part of the order. The order before us, announced on the record on December 6, 2024 at the conclusion of a two-day hearing, was subsequently reduced to writing and entered on the docket on June 27, 2025.

For the reasons to be discussed, we shall affirm the judgment.[2]

BACKGROUND

We need not summarize the entire factual and procedural background in this case as the parties themselves are well aware of it. What we do set forth here is what we deem necessary to put the matter in context and to address the issues on appeal.

Father and Mother dated but never married and did not live together. Mother met Father after moving to the Baltimore region to attend, post-college, the Johns Hopkins Hospital School of Medical Imaging.

In July 2020, Mother gave birth to the parties' daughter ("Daughter"). Shortly after Daughter's birth, "suspicions" Mother began to have about Father before the birth were confirmed when she discovered that he had misled her as to his true identity, age, and criminal history. In early November 2020, Mother moved, with Daughter, to her grandparent's home in Northern Virginia.

Father then filed a complaint for custody in the Circuit Court for Baltimore County. Mother in turn filed a counter-complaint for custody and child support. Before any court-issued rulings, Mother and Father agreed that Father could have access to Daughter (then still an infant) one day a week. Shortly after agreeing to that arrangement, however, Father failed to return Daughter when expected. Following an emergency court hearing, on April 19, 2021, the court ordered Father to return Daughter to Mother and granted temporary

[2] Both Father and Mother were represented by counsel at the December 5-6, 2024 hearing on Father's motion for modification of custody. Father represents himself on appeal. Mother did not file a brief.

primary physical custody and sole legal custody to Mother, with Father's visitation with the child to be as agreed upon by the parties or their respective attorneys. On June 24, 2021, the court entered a Temporary Consent Order For Visitation in which the parties agreed that Father would have access to Daughter every Sunday from 9:00 A.M. to 6:00 P.M. with exchanges taking place at a Montgomery County police station. On December 13, 2021, the court entered a Pendente Lite Order expanding Father's access to Daughter, giving him access every other weekend from Friday at 5:30 A.M. (when Mother left for work) to Sunday at 6:00 P.M. This order also set forth a temporary holiday schedule.

A custody hearing was scheduled for January 10, 2023, but it appears that the matter was stayed. The court on that date entered an Interim Suspension of Visitation Order suspending all "previously ordered visitation and child access granted to Father, . . . pending the resolution of this matter" and awarding Mother sole physical and legal custody of Daughter while the order remained in effect. The order indicates that the reasons for this interim order were "made clear on the record" and that the matter was "stayed at [Father's] request until March 15, 2023[.]"

Following a hearing held on March 15th, the court entered a Final Custody Order awarding Mother sole physical custody and sole legal custody of Daughter. The court also ordered that Father "shall have no access to or visitation with" Daughter. The order states

that the court was "unable to impose a child support obligation at this time because Father is currently incarcerated."[3]

Seven months later, on October 16, 2023, Father filed a motion to modify custody. As grounds, Father asserted that, in "late August, 2023 [he] was acquitted of criminal charges in Carroll County and immediately released from custody[.]" He further asserted that his multiple attempts to contact Mother "to effect some kind of access and ascertain information" related to Daughter's health and well-being had gone unanswered. Father requested that the court grant him "immediate[] access" to Daughter. [4]

A merits hearing on Father's motion for modification of custody was held on December 5th and 6th, 2024.[5] Father testified that, after Daughter's birth and until their breakup, he and Mother "stayed together [and] shared responsibilities" and that he remained active in Daughter's life after the breakup. He related that, after the breakup and while the Pendente Lite Order was in effect, he had custody of Daughter every other weekend, and he submitted photographs of them enjoying time together.

Father admitted that sometimes there was "friction" between him and Mother when they exchanged Daughter, but that he was looking to "start fresh" with Mother in terms of

[3] Transcripts from the January 10, 2023 and March 15, 2023 hearings do not appear to be in the record before us, and it is not clear whether those hearings were ever transcribed.

[4] Father filed a "supplement" to his motion on November 20, 2023.

[5] Following a settlement conference held in May 2024, a hearing on Father's motion to modify custody was set to begin on October 3, 2024. Following a status conference held in July 2024, the hearing was reset to December 5 and 6, 2024.

their communications. He claimed to have taken some parenting classes and asserted that he has learned to communicate better.

Father testified that his access to Daughter ended on January 10, 2023 when he appeared in court for a custody merits hearing and "was told that [he] was under some type of investigation[.]" The court then issued the Interim Suspension of Visitation Order denying his access to Daughter "until the matter was cleared up." He claimed that the "matter was cleared up" about seven months later and alluded to it involving "false allegations" levied against him, but he declined to "go[] in depth about it[.]"

Father had no access to Daughter from January 10, 2023 to the present date (December 5, 2024), including no opportunity to speak or FaceTime with her. Father asserted that his texts and emails to Mother inquiring about their child went unanswered. He expressed his desire for shared custody, specifically having Daughter "every weekend, Thursday through Sunday" and "shared" holidays. He claimed that he has "a support system" consisting of "grandparents, aunts, cousins" and that he was successfully co-parenting until the Interim Suspension of Visitation Order suspending his access rights was put in place. He requested that Mother share with him all information related to Daughter's medical records, school, and clothing size.

Father testified that he was then unemployed, and he was supporting himself from his "savings[.]" He claimed that, before the "false allegations" were raised about him, he had been earning "over 200-and-something thousand dollars working for a PAC[.]" He lives with his mother in a two-bedroom condo and stated that Daughter could sleep, when in his care, in "the middle room" – the same room she had occupied in the past. He

expressed a desire to take Daughter to museums, such as Port Discovery to expose her to science, and to get her involved in playing musical instruments.

On cross-examination, Father testified that his full legal name is Marcus Leearn Trent, and confirmed it is not Markus Anderson Trent. He denied having a Maryland driver's license with the latter name, and he denied lying to Mother about his actual name even when confronted with a text message he sent to Mother with a copy of a driver's license identifying him as Markus Anderson Trent residing at an address on Greenspring Valley Road in Stevenson, Maryland. He did admit that he has never lived in Stevenson, Maryland.

When asked on cross-examination about his criminal history, Father refused to address it. When specifically asked whether he had been found guilty of second-degree assault in 2011, Father answered that he could not recall. When asked about a conviction in 2016 for reckless endangerment of a co-worker, Father again answered that he could not recall it. He did remember entering an Alford plea to "false identity" in Harford County but generally refused to address his criminal history because, in his view, he was in court that day seeking custody of Daughter, not litigating criminal matters. Father confirmed that he was currently unemployed and had no vehicle. He refused to divulge the extent of his savings that he claimed he is living on.

Father's mother, Jessie Trent, testified that Daughter "adores her daddy[,]" and she described her son as an "[e]xceptional" father. She confirmed that Father lives with her in Reisterstown in a two-bedroom residence, and that she herself has never resided on Greenspring Valley Road in Stevenson. Ms. Trent testified that she knows that Father has

"income coming in" because he helps her with utilities and with food purchases, but she could not identify the "exact source" of his funds.

Mother testified on her own behalf. She related that she was then thirty-three years old, a graduate of the College of William and Mary, and works forty hours per week as an MRI technologist. She and Daughter reside with Mother's family in a single-family, five-bedroom home in Virginia located on a one-acre lot. She described Daughter as "healthy" and "happy." Daughter is current with medical and dental exams and attends a private pre-school. She plays soccer and does gymnastics.

Mother testified that she met Father in 2018 and learned she was pregnant with Daughter in October 2019. After Daughter's birth, "suspicions" she had begun to have about Father were confirmed. For instance, he had told her his name was Markus Anderson Trent, and he had sent her a copy of a driver's license showing that to be his name and bearing a Greenspring Valley Road, Stevenson, Maryland address. After learning his actual name, Mother discovered that Father had a "[v]ery extensive criminal record under two different names." When she confronted Father about what she had uncovered, Mother related that Father "denied all of it." When she asked Father about the Greenspring Valley Road address on the driver's license he had shown her, Mother related that Father told her that that was his mother's house.

Mother testified that, after learning "the truth about who [Father] really was," she went "home to [her] family." She moved to Virginia in November 2020, just a few months after Daughter's birth in July. She has no family in the Baltimore metropolitan area. She and Father agreed that he could have Daughter for one day each week, picking her up in

the morning and returning her that evening. The pick-up and drop-off occurred at a police station. However, on one early visit, Father failed to return Daughter, texting Mother "five minutes before he was supposed to be there" that he was not bringing the child back. Mother said that Father informed her that Daughter had a cold, and "then he blocked [her] number," cutting off her communication with him. Mother related that, following an emergency hearing held the next day, the court ordered Father to return Daughter. Eventually, Father was given access to their child every other weekend from Friday to Sunday. Although Father never again failed to return Daughter, Mother claimed that "most times" he was late returning her and, on those occasions, he would send "a message at the time [Daughter] was supposed to return" saying he would be late and then he would "again block[]" her number, and Father would not respond to Mother's phone calls, texts, or emails. Mother, who had traveled to meet Father at the exchange location, would wait there "up to four hours with no [further] communication" from Father.

Mother also spoke about Father taking Daughter to the emergency room "many times." In Mother's view, Father frequently "tried to fabricate some illness" that Daughter was experiencing when in his care. Mother claimed that she would learn about the emergency room visits after the fact "[i]n court."

Mother introduced into evidence a video which recorded an exchange of Daughter where Father yelled at her and accused her of "child abuse." Mother acknowledged that she herself could have handled this incident differently by trying "to stay calmer." She has never been found to have committed child abuse.

Mother related that her communication with Father stopped in 2023 when he was incarcerated. Mother expressed that she has "a lot of safety concerns" related to Father. Although Father claimed that he had been earning $200,000 until his incarceration in 2023, Mother testified that Father had not contributed any money towards Daughter's support.

Mother preferred that the court not modify its Final Custody Order, but if the court were inclined to do so, Mother believed that Father's access to Daughter should be supervised visitation by a neutral third-party. Her reasons were safety-related: her own safety, Daughter's safety, and "for everyone involved." She also expressed on-going concerns about Father returning Daughter after any visitation. Mother was not opposed to Father having phone or video calls with Daughter as long as the calls were recorded – because she would want "proof" if there was "any sort of manipulation[.]" She would like to be able to terminate any calls between Father and Daughter if "he says terrible things about [her] in front of [Daughter.]"

Mother expressed that she is willing to provide Father with information about Daughter related to her health and welfare. Although Mother testified that she would not object to Father coming to Daughter's soccer games or gymnastic events, she did have "concerns" about him doing so based on his prior conduct.

On cross-examination, Mother admitted that she had made no attempts since January 2023 to communicate with Father and keep him apprised of Daughter's well-being. When asked why, she pointed to the Final Custody Order (which provided that Father "shall have no access to or visitation with" Daughter), which she interpreted as ordering him to have "no contact with the child." When pressed by Father's counsel about her

"safety concerns" if Father were to have access to Daughter, Mother related they were based on the lies Father had told her about himself. When further pressed as to whether, during the time Father had regular access to Daughter "there [were] any safety issues" with Daughter, Mother responded "No." When asked if she thought Father "having zero access" to Daughter was in Daughter's "best interest[,]" Mother answered "No." Mother asserted that, "at the end of the day, he is her father." Again, however, Mother believed that "supervised visit[ation]" would be in Daughter's best interest.

On the second day of the hearing, Mother's counsel informed the court that she did not want Father to have any in-person access to Daughter and if the court were inclined to permit video (FaceTime or Zoom) access, Mother proposed one call a week. Counsel recognized that recording the calls would require the consent of both parties. If the court were to grant Father physical access to Daughter, Mother wished it to be supervised. Counsel pointed out that, if the court ordered supervised visitation to take place at the Montgomery County supervision center, Father could build "a record" of his visits and, upon demonstrating "good parenting," he could later return to court "to modify custody again and to expand the visitation."

Father, however, was opposed to restricting his in-person access to Daughter, and he strongly objected to any video access being recorded. Father requested access to Daughter every weekend for at least a year as make up time and, thereafter, every other weekend. He also requested telephone access and FaceTime access and asked that those calls be "private" between him and Daughter. Counsel for Father argued that there was "no evidence that the child was ever in any clear and present danger while under the care of"

Father and, therefore, "no need for supervised access[.]" Father's counsel objected, moreover, to any supervised visitation at the visitation center, claiming "that place is for people who have been abusing drugs and have been found to be a danger to the child." Counsel pointed out that "[t]here's been no finding of that at all in this case" and "to subject the child and to subject the father to that kind of humiliation, where the visitation and access is limited to two hours, is absolutely unacceptable and is definitely and 100 percent not in the child's best interest."[6]

Findings and Ruling of the Court

After a recess, the court announced its ruling on the record. The court found that Daughter was then four years old, and Father had not seen or had any access to her "since around January of 2023, which is basically half of her life." The court noted that Father had spent a period of time incarcerated pending criminal charges and was ultimately acquitted of those charges following a trial, and then released. Consequently, the court

[6] Counsel presented no evidence to support its characterization of the county visitation center. Ultimately, the court ordered supervised visitation at the Baltimore County Visitation Center, which is described on the Baltimore County government website as a "neutral location for court-ordered supervised visitation and monitored exchange." The website further states that it "serves families" in which:

- One of the parents is estranged from his or her children
- There are concerns made about the parent's ability to care for the children
- There are allegations of risk to the children.

The website further relates that the Supervised Visitation Program "supervises and objectively reports the observations made during each visit back to the referring Judge" and that it "will oversee a limited number of visits, and eventually, the parties must make other visitation arrangements." *Visitation Center*, Baltimore County Government, http://www.baltimorecountymd.gov/departments/circuit/family/visitation (last visited December 14, 2025).

concluded that there had been "a material change in circumstances that has occurred . . . likely to affect [Daughter's] welfare."

The court then addressed the factors typically utilized in determining whether a modification in custody would be in Daughter's best interest. The court found that the parents "do not have the capacity to communicate at this time" and, therefore, concluded that "joint custody is simply not possible in this case." In considering the fitness of the parents, the court noted Mother's education, employment, and the well-being of Daughter while in Mother's custody and determined that Mother is a fit parent. With regard to Father, the court noted his "significant lack of truthfulness on the stand, his lack of candor, unwillingness to answer simple questions about if he's employed, where he's employed, how he gets income . . . just simply does not allow [the court] to find that he's a fit parent."

In considering the parents' "character and reputation[,]" the court found that Mother "is a good, decent person . . . well educated, law abiding, and hardworking." The court noted that Father is "clearly a proven liar, an admitted liar on multiple issues," including lying to Mother about his name and birth date. The court concluded, with "no hesitation," that Father is an "untrustworthy character" with a poor reputation.

The court found that both parents' custody requests were sincere, but that they could not agree on any shared arrangement. The court chastised Mother for using the Final Custody Order prohibiting Father's access to Daughter as an excuse for not keeping him apprised of Daughter's health, schooling, and well-being – noting that nothing in the Final Custody Order prevented her from doing so.

The court had no evidence that either parent has other children, and it found that Daughter was too young to have any preferences about custody. The court noted that both parents testified to a desire to communicate better with one another, but again found that "currently, the evidence is that they cannot" communicate well.

Given the residences of the parents—one in Northern Virginia and the other in Baltimore County—the court found that the geographic proximity of the parents "makes it more difficult for a shared custody arrangement." The court concluded that Mother "has undoubtedly proven she can and is providing and maintaining a safe, stable, and appropriate home" for Daughter, but Father "at this point in time" was "unable to demonstrate any real evidence of his abilities to provide a stable and appropriate home[] because he hasn't seen [Daughter] in two years." The court was concerned about Father's current living situation, noting that the evidence was that he shared a two-bedroom residence with his mother and there was some testimony that Daughter would occupy the "middle room," which the court found "impossible in a two-bedroom apartment." Moreover, the court found that there was no "other significant evidence" regarding Father's neighborhood, schools, parks, and the like. In contrast, the court noted that Mother did testify about her home, its size, the acreage, and the surrounding neighborhood.

In considering the "demands of parental employment[,]" the court found that Mother works full time and family members assist with Daughter's care when she is at work. Father was unemployed and to date had been unable to secure a job.

Turning to the "relationship established between the child and each parent[,]" the court found that Daughter has a good relationship with Mother. Based on photographs of

Daughter when previously in Father's care, the court found that there was "a positive bond between Father and [Daughter]" such that it had "no concern that he did not have a good relationship with his daughter back then."

In addressing the "length of the separation of the parties[,]" the court noted, again, that Father had not seen Daughter in nearly two years which was "very concerning" to the court. The court found that, despite its concerns regarding Father's "overall fitness" as a parent and his "truthfulness as a person, there has been no evidence or argument of abuse" of Daughter by Father. The court also found no evidence of any "prior voluntary abandonment or surrender of custody of the child[.]"

With regard to any "potential disruption of the child's social and school life[,]" the court found that Daughter was attending a good school; had friends; was involved in extracurricular activities; and lived with extended family members. In short, the court concluded that Daughter "is thriving." The court concluded that this factor—potential disruption of Daughter's social and school life—weighed in favor of not changing custody, especially in light of the lack of any evidence before it regarding where Daughter would attend school and the like if she lived with Father.

After reviewing the aforementioned factors a court considers in determining the best interests of a child, the court noted that it had given "considerable thought" to the matter and concluded that it is in Daughter's best interest for Mother to maintain sole legal and primary physical custody. As for Father's access to Daughter, the judge stated:

> I also conclude that it is in the best interest of [Daughter] for she and Father to begin to reunite, and to begin to reacquaint, and to do so slowly. [Daughter] is four years old and hasn't seen her father in basically half of her

> life. To award Father, in essence, what he's asking for, full overnight visitation for a weekend, or for any length of time at this early age and this early stage, I find not to be in her best interest, and frankly, could be very well downright traumatic for her. At this point, I don't have much evidence that, given her age, that she knows her Father very well at all. This is going to be a process.

The court then awarded Father access to Daughter via supervised visitation every other weekend (Saturday or Sunday) for two hours at the Baltimore County Visitation Center. The court directed the parents to communicate via Our Family Wizard or similar app to arrange the visits and noted that any inability of the parents to agree on the weekend access "will be one of many factors as to how this - - if at all - - moves forward to increased access."

The court also granted Father access to Daughter via video (such as FaceTime or Zoom) twice a week for fifteen minutes. The court stated that, "for the time being," the calls "will be recorded for both parties' protection."

The court asked counsel to reduce its order to writing, and counsel for both Mother and Father agreed to do so. The written order, however, was not filed until June 27, 2025.

STANDARD OF REVIEW

In a custody case tried before the circuit court, "an appellate court will review the case on both the law and the evidence[,]" and we "will not set aside the judgment of the trial court on the evidence unless clearly erroneous," giving "due regard to the opportunity of the trial court to judge the credibility of the witnesses." Md. Rule 8-131(c). Because "[t]he trial judge" is the one "who sees the witnesses and the parties, and hears the testimony," that judge "is in a far better position than the appellate court, which has only a

transcript before it, to weigh the evidence and determine what disposition will best promote the welfare of the child." *Gizzo v. Gerstman*, 245 Md. App. 168, 201 (2020) (cleaned up).

The decision of "whether to grant a [custody] modification rests with the sound discretion of the trial court and will not be disturbed [on appeal] unless that discretion was arbitrarily used or the judgment was clearly wrong." *Leineweber v. Leineweber*, 220 Md. App. 50, 61 (2014) (cleaned up). A court abuses its discretion "when 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, or when the ruling is clearly against the logic and effect of facts and inferences before the court." *Gizzo*, 245 Md. App. at 201.

DISCUSSION

I.

Father first asserts that there was no evidence or findings before the circuit court which "established risk of abuse." He cites Family Law Article § 9-101 of the Maryland Code ("Fam. Law") and states that it "requires 'reasonable grounds' for abuse or neglect."[7] Thus, he maintains that there was a "lack of evidence supporting supervised visitation." In

[7] Fam. Law § 9-101 provides:

> (a) In any custody or visitation proceeding, if the court has reasonable grounds to believe 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) Unless the court specifically finds that there is no likelihood of further child abuse or neglect by the party, the court shall deny custody or visitation rights to that party, except that the court may approve a supervised visitation arrangement that assures the safety and the physiological, psychological, and emotional well-being of the child.

other words, Father is arguing that the court could only impose supervised visitation if the court had reasonable grounds to believe that Father had abused Daughter or that she was at risk of being abused by Father in the future, and there were no such findings in this case. He also implies that supervised visitation was imposed to punish him.

Although we agree with Father that the court did not find that Father had abused Daughter or that she was at risk of abuse in the future, we disagree with him that such a finding was required before the court could order supervised visitation. Fam. Law § 9-101 certainly applies when there has been a finding of abuse or neglect, but a court is "not required to base its decision regarding supervised visitation solely on [Fam. Law] § 9-101[.]" *Baldwin v. Baynard*, 215 Md. App. 82, 108 (2013). Rather, "[t]he best interest of the child standard is the overarching consideration in all custody and visitation determinations." *Id*.

Here, after finding that there had been a material change in circumstances, the court then addressed—as it was required to do—whether a modification in custody would be in Daughter's best interest. *See McMahon v. Piazze*, 162 Md. App. 588, 593-94 (2005). In doing so, the court properly considered the factors typically considered when making an original custody decision.[8]

In considering the "fitness" of each parent, the court specifically found that Father was not a "fit" parent, and the judge also concluded, with "no hesitation," that he has an

[8] Many of these factors, set forth in *Taylor v. Taylor*, 306 Md. 290, 304-11 (1986) and *Montgomery County Department of Social Services v. Sanders*, 38 Md. App. 406, 420 (1978), were recently codified at Fam. Law § 9-201, effective October 1, 2025.

"untrustworthy character" and a poor reputation. These conclusions were based on the court's finding of Father's "significant lack of truthfulness on the stand, his lack of candor, unwillingness to answer simple questions" about his employment and his lying, particularly to Mother about his name, birth date, and criminal history. Despite its concerns about Father's "overall fitness" as a parent and his "truthfulness as a person," the court acknowledged that "there has been no evidence or argument of abuse." The court also recognized that it appeared that Father and Daughter had developed "a positive bond" in the first couple years of Daughter's life, but it was "very concern[ed]" about the nearly two years that had elapsed since they had seen each other. The court concluded that it was in Daughter's best interest for her to "begin to reunite" and become "reacquaint[ed]" with Father but, given that Daughter was only four years old, found that the process should move forward "slowly." The court specifically found that overnight visits or visits "for any length of time at this early age and this early stage" was not in Daughter's best interest, noting that it "could be very well downright traumatic for her" given that the court at this point in time did not have any significant evidence that she "knows her Father very well at all."

It is clear to us that the court carefully considered the requisite factors in determining the best interest of Daughter and recognized that, despite its concerns about Father's "overall fitness" as a parent and his lack of truthfulness, she should be reunited with him. We perceive no abuse in the court's discretion to initiate that process slowly and via supervised visitation. *See In re G.T.*, 250 Md. App. 679, 698 (2021) ("Generally, decisions concerning visitation are within the sound discretion of the trial court, and we accordingly will not disturb such decisions unless there has been a clear abuse of discretion." (cleaned

up)). We also note that the court articulated that supervised visitation was a first step and that it was open to the possibility of moving forward with increased access if all went well. Moreover, the court also authorized video access twice a week which would certainly provide another forum for Daughter to familiarize herself again with Father. Father's suggestion that supervised visitation was ordered to punish him is unpersuasive.

II.

Father asserts that the circuit court "delay[ed] entry" of its order "for seven months, attempting to coerce [him] into signing a 'Consent Order[.]'"

There is no evidence in the record before us to support Father's claim. It is true that the court's order—announced on the record at the December 6, 2024 hearing—was not reduced to writing and docketed until June 27, 2025. Initially, we note two things: (1) at the December 6, 2024 hearing, the court announced its findings and ruling from the bench and counsel for Mother and counsel for Father both agreed to prepare the written order; and (2) in a footnote in the written order, the court stated: "As this case proceeded through the appellate process, the Appellate Court of Maryland recognized that a written Order memorializing this Court's oral ruling was never executed. That is the purpose of this Order."

There is nothing before us that supports Father's claim that the delay was due to attempts by the court to "coerce" him into signing a consent order. In an "Amendment To Informal Brief and Supplemental Appendix," Father included a letter from an attorney (different from his trial counsel) stating that counsel had been trying to reach him because "[t]here is an Order that must be signed and the Judge['s] chambers is insisting on your

compliance. They will likely sign the Order without your input should you continue to be unresponsive."[9]

In short, there is no indication before us that the court intended to issue a "consent order" signed by the parties. In fact, the evidence is to the contrary as reflected in the court's oral announcement of its ruling at the December 6, 2024 hearing.

III.

Father claims that, for over a year, he and Daughter were "unjustly separated, not because of any evidence of abuse, neglect, or misconduct, but because of judicial delay, alienation, and a punitive misapplication of supervised visitation." Consequently, he claims that his constitutional rights were infringed upon.

First, Father fails to support his bold allegation of "judicial delay" with any facts from the record. Second, it is not exactly clear to us what "delay" in time he is referring to. Based on his supplemental brief, it appears that his complaint is that his visitation rights were not immediately restored upon his release from incarceration in late August 2023. He relies heavily on the January 10, 2023 Interim Suspension Of Visitation Order which apparently was issued upon Father's incarceration. That Order stated, among other things, that "all previously ordered visitation and child access granted to Father . . . is hereby suspended, pending the resolution of this matter." What Father ignores, however, is that the January 10, 2023 Interim Suspension of Visitation Order was superseded by the March

[9] There is nothing before us suggesting what "input" the court may have been seeking from Father. Based on our review of the December 5-6, 2024 transcripts, we could surmise that the input may have been related to Father's agreement to record his video sessions with Daughter. We will not, however, make that assumption.

15, 2023 Final Custody Order granting Mother sole legal and sole physical custody of Daughter and ordering that Father "shall have no access to or visitation with" Daughter. In other words, there is nothing before us that indicates that Father's visitation rights would automatically be restored upon the resolution of his criminal case.

Father filed his motion to modify custody on October 16, 2023 and a supplemental motion on November 20, 2023. Although represented by counsel, Father personally also filed various pleadings, including a motion to assign a different judge and magistrate to the case. Mother filed an Answer to Father's motion to modify custody on December 20, 2023, and a counter-complaint for child support on March 11, 2024. Father, through counsel, also filed additional pleadings, including a motion seeking pendente lite relief. When Father failed to respond to discovery requests, Mother filed a motion to compel discovery responses. A settlement conference was held on May 15, 2024 and trial was initially set for October 3, 2024. Following a status conference on July 31, 2024, trial was reset to December 5-6, 2024. Given the litigiousness of this case, we cannot say that any delay in the merits hearing was the fault of the court.

As discussed above, we are not persuaded that the court ordered supervised visitation for the purpose of punishing Father.

IV.

Finally, Father seems to assert that the court erred by failing to issue findings in support of its decision. He notes that legislation enacted by the General Assembly in 2025 (Fam. Law § 9-201) sets forth factors a court "may consider" when determining what legal

custody and physical custody is in the best interest of a child. He then points to the lack of findings in the court's written Order filed in this case.

We hold that the court did not err. First, the legislation Father relies on became effective October 1, 2025 – well after the decision was made in this case. Second, even if applicable, Fam. Law § 9-201(b) provides that the "court shall articulate its findings of fact on the record or in a written opinion[.]" (Emphasis added.) Here, the court did review on the record the relevant factors to be considered in determining custody and stated its findings on the record at the December 6, 2024 hearing.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANT.