

Maryland Judicial Equality Committee

Name: Andrea Fletcher Harris Office Sought: Delegate, 24th District

Date: 8/5/02

Position Survey

1. Under what conditions if any, should preferential treatment be shown to one gender in family law cases? Which gender and with what restrictions? Explain:

There should be no preferential treatment in family law cases.

2. What percentage of all domestic violence do you believe is committed by men?

Circle One 100% 90% 80% 70% 60% 50% 40% 30% 20% 10%

Based on (a) news reports, (b) case statistics, (c) prosecutions, (d) research studies, (e) other

I believe that there is a good percentage committed by women, but not reported.

3. To your knowledge and in your opinion, does the issuance of a protective order result in decreased domestic violence? Explain:

I believe that the issuance of a protective order results in decreased domestic violence, but not significantly

4. Do you believe the current Family Law system treats both men and women equally and what would you change if given the opportunity? Explain:

I do not believe the current Family Law system treats both men + women equally. I would like to see more research into a family's history before judgements are made

5. Do you believe that false testimony occurs frequently in contested custody or divorce cases? If so, what can be done to deal with this situation? Explain:

I do believe that false testimony occurs in contested custody divorce cases. I believe that more research into the family history could help although people will do what they feel is necessary to have

6. Currently, judges issuing protective orders via Ex Parte' requests consider only the written statement made in the request and if the accused is capable of carrying out the alleged action. Do you feel that the civil rights of the accused are adequately protected under these conditions? If not, what changes would you recommend?

Explain: I think that this is probably the best way to handle the issue. Although there are many that do not tell the truth, there are many who are truly traumatized and accusations must be treated seriously until otherwise proven

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7. Are you concerned that the number of domestic violence protective orders fall disproportionately against men and to what do you attribute it? Explain: Many of these orders fall against men because many men that are victims will not report such acts. Additionally, many men are victims of under- and unemployment and do not know how to adequately channel their frustration.
8. Would you support legislation to modify the current domestic violence statutes to correct abuses currently occurring in the system? Explain: Anytime there is an effort to correct existing problems, it is a good thing. Nothing is truly perfect and we should always seek improvement.
9. Do you believe that given the opportunity, as a single parent, both men and women are equally capable of raising children? Explain: Yes. I truly believe that both men & women are equally capable of raising children.
10. Would you support legislation to direct judges to require the joint legal physical custody of children unless there are compelling reasons not to do so? Explain: Yes. The explanation of this is the same as question #9. Both men & women are equally capable of raising children.
11. What are the compelling reasons for not giving joint legal physical custody of children to both parents who live in the same jurisdiction? Explain: If there is evidence of abuse, -- physical, sexual, mental, emotional, drug -- joint physical custody should not be awarded. However, there should be visitation and the case should be revisited over time.