Circuit Court for Montgomery County
Case No. C-15-FM-24-001263

UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND*

No. 1364

September Term, 2025

IYAPO JONES

v.

TAYLOR JONES

Berger,
Leahy,
Wright, Alexander Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Wright, J.

Filed: March 30, 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 persuasive value only if the citation conforms to Md. Rule 1-104(a)(2)(B).

Appellant Iyapo Jones ("Father") timely appealed an order entered by the Circuit Court for Montgomery County pertaining to child support and custody of the minor children he shares with appellee Taylor Jones, n/k/a Arrington ("Mother").[1] Father, representing himself, asks us to consider the following issues:

1. Whether the Circuit Court erred by entering a final Custody, Access, and Child Support Order while Appellant's timely jurisdictional objections and related dispositive motions remained pending and unresolved, including challenges to service, subject-matter and personal jurisdiction, and a Motion to Strike Appellee's deficient Pre-Trial Statement.

2. Whether Appellant's alleged "waiver" of jurisdictional objections was legally sustainable where the pleading treated as an Answer lacked a signed certificate of service required by Md. Rule 1-323 and where Appellant expressly and repeatedly contested jurisdiction on the record, thereby precluding any knowing, voluntary, and intentional relinquishment.

3. Whether the Circuit Court committed reversible error by entering a child support award without a contemporaneously filed and completed Maryland Child Support Guidelines Worksheet in the record, and by later denying Appellant's Md. Rule 2-534 motion that specifically identified this defect.

4. Whether the Circuit Court abused its discretion or applied an incorrect legal standard by imposing material restrictions on Appellant's custodial rights without making the specific findings of harm or likelihood of harm required by Md. Code, Family Law § 9-101(b), despite recognizing Appellant as a fit and involved parent.

5. Whether the Circuit Court erred by permitting and relying upon a video recording and other electronic evidence that was never formally admitted into evidence, without affording Appellant a meaningful opportunity to object, and without proper authentication or foundation as required by Md. Rules 5-103(a) and 5-901.

[1] In its order granting absolute divorce to Mother, the court restored the use of her former name.

6. Whether, after finding that Appellee was receiving public assistance and that Title IV-D child support enforcement applied, the Circuit Court erred by denying Appellant's motions to join the Maryland Office of Child Support Enforcement as a necessary party under Md. Rule 2-211 and by entering custody and child support judgments in OCSE's absence.

For the reasons that follow, we will affirm the circuit court's custody order.

BACKGROUND

Mother and Father married in 2016 and had two children together, P. (born 2015) and R. (born 2023).[2] After several separations and reconciliations, they separated for the final time in August 2023.[3]

In February 2024, Mother filed for absolute divorce on the grounds of irreconcilable differences and a six-month separation. In her complaint, Mother sought sole legal and primary physical custody of the children, along with an award of rehabilitative alimony, use and possession of the family home, and child support.[4]

Father filed a counter-complaint for absolute divorce on the ground of irreconcilable differences, asserting that Mother admitted to committing adultery. He sought sole legal and primary physical custody of the children, along with child support. He also requested

[2] Mother's middle child, C., was conceived with another man while she was separated from, but still married to, Father. C. is not implicated in this appeal.

[3] Although Mother's complaint for absolute divorce cites an August 2023 separation date, both parties later appeared to agree that the relationship ended in February 2024, after Mother obtained a protective order against Father for having struck P. on the head.

[4] In 2016, Father had signed a consent order in the Circuit Court for Anne Arundel County requiring him to pay child support for P. in the amount of $387 per month (R. had not yet been born.)

an annulment of the marriage, based on Mother's fraud and misrepresentation (adultery), which rendered the marriage contract voidable.

Following a *pendente lite* hearing on January 28, 2025, the court awarded Mother and Father temporary joint legal custody, and Mother temporary primary physical custody, of P. and R.[5] The court granted Father *pendente lite* supervised visitation with the children through the Safe Passage Center every Wednesday from 4:30 until 7:00 p.m., along with a telephone or video call every Monday at 7:30 p.m. The court enjoined the parties from using any form of corporal punishment on the children and required Father to take an anger management and a parenting class. The court further ordered Father to pay Mother child support in the amount of $1,771, through an earnings withholding.[6]

On February 27, 2025, Father moved to challenge the circuit court's jurisdiction over him on the ground that the child support order was based on his presumptive parenthood of P. and R., rather than established fact. He asserted his right to withdraw from his legal and financial obligations if he were determined not to be the biological father of the children. Court-ordered genetic testing later determined that it was 99.99% likely that Father was indeed the biological father of P. and R.; the court so adjudged him.

On March 12, 2025, Father moved to modify custody and visitation. He claimed that the prevailing custody order was no longer in the children's best interests because: (1)

[5] Although Father includes some pages of the transcript of the *pendente lite* hearing in his record extract, the transcript is not part of the record, except to the extent it was admitted for limited purposes at the May 2025 custody hearing.

[6] The newly imposed child support expressly superseded any previously imposed child support obligations.

the protective order Mother had obtained against him had expired; (2) the Safe Passage Center, where supervised visitation took place, would not accept custody orders for supervised visitation in the absence of a protective order, which, again, had expired; and (3) Mother acknowledged that she was living with the children in a foreclosed-upon house, threatening their stability.[7] Father sought primary physical custody of the children, with Mother to have weekend visitation.

On May 6, 2025, Mother filed her own motion to modify custody and visitation, stating that Father had not availed himself of visitation with P. and that the adults who were approved to supervise Father's visitation were not available to do so.[8] She therefore asked that Father's physical visitation be limited to the location of the children's daycare/after school care.

The custody merits hearing, with both parties self-represented, took place on May 12-13, 2025. Therein, the court's custody evaluator, Yvette Sneed, recommended that the court grant Mother sole legal and primary physical custody of the children. Sneed further recommended that Father be granted only supervised daytime visitation, as her virtual tour

[7] At the custody merits hearing, Mother denied that the home she had lived in since 2023 was in foreclosure.

[8] Of the two adults approved to supervise Father's visitation with P., Rachel Mohr, the mother of Father's oldest child, had moved out of the home she had been sharing with Father and was herself involved in litigation against him, and Isaiah Hayes, Father's brother, was unable to present adequate identification to meet the requirements of supervision. In the absence of either of those supervisors, Father was only permitted visitation with R.

of his home did not show adequate accommodations for the children, including space dedicated to their use or beds for overnight visits.

Mother presented several witnesses to speak to her parenting ability. Her friend Mikala Ragin testified that, although Father is "really invested" in his oldest son from another relationship, he does not really interact with P. and R. and does not appear to have much patience for them. Kenjuan Gray, a close family friend, said Mother is a "superb parent," "[v]ery attentive, very caring." Alfredo Saavedra Uribe, C.'s father, having seen a video of Father striking P., expressed discomfort with the idea of Father having custody of P. and R. Mother's friend Lauryn Maurer testified that she stayed with Mother and the children for a few months in 2019. During that time, she observed the children to be happy around Mother, but P. told her that he did not want to go to visitation with Father. Maurer lauded Mother's parenting style but stated she never saw Father come over, call the children, or bring them any essentials.

Mother testified that, after P. was born, Father suggested she give him up for adoption because they could not afford to have a child, and after R. was born, Father forced her to be a stay-at-home mother because he did not want to pay for childcare. Father also struggled with R. having colic and tried to force the crying baby to go to sleep by holding him down, almost smothering him.

According to Mother, P. suffers from medical challenges, including ADHD, hearing loss in one ear, a stutter, PTSD, and chronic bronchitis. She said that Father disputed P.'s ADHD diagnosis and took the child's ADHD medication for himself. R. suffers from

asthma, which requires a daily inhaler. Father did not take either child to any of their many medical appointments and did not reach out to Mother to inquire as to their wellbeing.

Mother stated that Father refused to provide for the family financially unless she did as he said. Father handled all the expenses but elected not to pay for bills in Mother's name, so she was evicted from her home and had her car repossessed. In addition, Father joined a "cult" and forced to her join. He also permitted strangers from the cult to move into their basement while she was sleeping.[9]

Since the entry of the *pendente lite* order, which required supervised visitation, Father had not asked the approved supervisors—his brother and the mother of his oldest child—to supervise, so Father had not seen P. Father also missed scheduled visits with R. because he had not procured a car seat, and even after purchasing a car seat, he canceled visitation with R. without offering an explanation. When he did visit with R., Father sometimes returned the baby to Mother without feeding him or changing his diaper, which led to her concern about Father having the children alone.

Mother explained to the court about an incident caught on an interior security camera in her home. One morning in February 2024, Father woke P. at 6:45 a.m.—unnecessarily early—and was angry when the child dropped some trash onto the floor to be found by the family's cat. Father cursed at P. and struck him on the head. Thereafter, P. suffered from nightmares about the incident. That incident led to Mother obtaining a protective order against Father and, ultimately, to their final separation.

[9] Father denied Mother's characterization of the "self-development courses" that are meant "to push you and push your buttons and make you uncomfortable" as a cult.

The circuit court asked to view the video because the strike to P.'s head had been described alternately as a "punch" and a "slap," and the court wanted to see what occurred. The court suggested that Mother offer the video into evidence through Father's testimony because she was not home when the incident occurred. The video was later introduced as Mother's exhibit 10.

When the court asked Father if he had seen the video, Father explained that P. had dropped a cough drop, and Father saw the cat playing with it. Father, angered, yelled at the child, and "swatted him on top of the head and said, that's not fucking cool." When the court asked if Father thought his actions were appropriate, Father said that, although he probably would not do it again, he just reacted in the moment. He added that "slight corporal punishment isn't out of the realm" in his choice of disciplinary tactics. In his view, spanking, time outs, and taking away cherished possessions are all acceptable forms of punishment.[10]

Father's witnesses included Dwayne Blount, Mother's stepfather, who testified that Mother employs a "kinder, gentler" parenting style, while Father is "direct." Father, Blount said, has an "on and off" relationship with the children because he is not always around and Mother provides more structure, but Father has a good relationship with the children when he is present. Rachel Mohr, the mother of Father's oldest child, described Father as

[10] The circuit court, in its memorandum opinion, considered Father's treatment of P. "assaultive, rather than any reasonable discipline."

a "[v]ery stern" disciplinarian, who is not very playful with P. but is very loving with R. Mohr said Father told her that he does not believe P.'s ADHD diagnosis.

Father testified that he had completed two parenting classes and an anger management course since the entry of the *pendente lite* order. He acknowledged that he had foregone weekend visitation with the children and that, on Wednesdays, he usually saw only R. because his approved supervisors for P. were not available. He further acknowledged not having beds in his home for either child but said he would purchase them if the court awarded him overnight visitation.

Father agreed with Mother's and Mohr's testimony that he did not necessarily believe that P. suffered from ADHD. He therefore did not want P. to take Adderall or any amphetamine prescribed to treat ADHD. He also expressed concern that P. had been granted an IEP at his school; although he had not spoken with Mother about it, he did not know if the accommodations were teaching P. "to be effective in the real world." Despite his concerns, Father had not attended any school meetings since 2023 because he "ha[dn't] felt the need to" in the absence of any expression of concern by Mother. He also downplayed his child support arrearage, stating, "I think I might have some arrearages, but it's not that much."[11]

Father said he did not believe he and Mother were able to make decisions about the children together. He therefore contended that he should be awarded sole legal custody

[11] At the time of the hearing, Father's arrearage was over $2,000.

because he would not make choices based off emotions, as Mother does, but in the best interests of the children.

The circuit court entered its written memorandum opinion on July 29, 2025.[12] Therein, the court discussed the best interest factors in considering a custody award, which we summarize as follows:

> (1) **Fitness**—Mother has always been the primary caregiver for the children, ensuring that their needs are met, even when she does not have sufficient financial assistance from Father. Father's position on ADHD, medication, and school accommodations appears to the court to be "non-informed." Father is a disciplinarian, "though his discipline has gone too far[,]" as evidenced by the video of him cursing at and striking P. P. views Mother as the parent whose love is unconditional, while he finds Father "cruel, mean, arrogant, and selfish."
>
> (2) **Character**—The evidence supports a finding that Father mistreated Mother and lacks respect for her as a parent. As both parents are employed and contribute to their communities, the court finds they are each generally of good character, but the court "was struck" by the difference in the witnesses' descriptions of the parties—Mother as kind and dedicated to the children, and Father as a disciplinarian who is more dedicated to the younger children than to P. The court expressed some concerns about each party's credibility, noting that there was no evidence, as Mother suggested, that Father is in a cult or forced her to stay at home; nor was Father's claim that he would make legal custody decisions based on reality and not emotion credible, when he refused to pay for baby formula in the absence of a formal financial agreement with Mother and assaulted his young son for dropping a cough drop.
>
> (3) **Ability of parents to communicate and co-parent**—Communication between the parents is not respectful. Mother makes responsible decisions for the children, while Father questions those decisions, without investigating the reasons or offering alternatives.

[12] The court scheduled a hearing for an oral ruling on June 30, 2025. There is no evidence on the docket or in the record that a hearing occurred on that date.

> (4) **Ability to stabilize children's school and social life**—Mother has been the parent providing stability for the children, while the court "cannot say the same for [Father]." Father, who has made no accommodations for the children, requests sole custody because he believes he has a superior claim to them. To the court, that request is "troubling and reflects a willingness to destabilize the children, rather than insure they have more stability." Father also fails to appreciate the damage his multiple absences from the children's lives has done to the parental relationship.
>
> (5) **Employment considerations**—This is not a significant factor, as both parents are able to care for the children while they are in that parent's custody and to provide childcare, as necessary.

The circuit court went on to find it was in the children's best interests for Mother to retain primary residential custody. In discussing Father's access time, the court noted that he has not availed himself of all his visitation, partly because P. was reticent to spend much time with him. Because of that, and in light of Father's lack of accommodations for the children in his home, Father was "not yet ready for overnight access." Therefore, the court determined that shorter periods of access were appropriate until Father developed patience and understanding of the children's behaviors and their physical and emotional wellbeing. The court, acknowledging that corporal punishment is a legal method of discipline, found that, in this case, Father's corporal punishment was used to inflict violence and would not be permitted.

The court also granted Mother sole legal custody. Mother, however, would not be permitted to use her legal custody to bind Father financially without his agreement or a court order.

The circuit court entered its written order on August 5, 2025, granting Mother primary physical custody of the children, with Father having unsupervised access time

every Saturday from 9:00 a.m. to 1:00 p.m., within Montgomery County. After at least eight consecutive visits, Father's access would step up to overnights on alternate weekends, from Friday evening after school, camp, or daycare until Saturday at 1:00 p.m. After at least eight alternate overnight weekend visits, Father's access would again step up, to full alternate weekend access, from Friday afternoon until the start of school, camp, or daycare on Monday morning. The court further granted Mother sole legal custody of the children, with both parents to have equal access to education, extracurricular activities, and provider records relating to the children. Finally, the court ordered Father to pay Mother $1,845 per month in child support, which amount was intended to replace the obligation created by the *pendente lite* order.[13]

Father noted an appeal on August 29, 2025.

On August 6, 2025, the circuit court denied Father's remaining pre-hearing motions as moot and/or as inaccurate interpretations of general law. On August 15, 2025, Father filed a motion to alter or amend the custody and child support order and to vacate the court's August 6, 2025, denials of his motions. In his motion to alter or amend, Father objected to the court's alleged lack of finding of a likelihood of further abuse or neglect, and its failure to address the safety factors of Md. Code, § 9-101.1 of the Family Law Article ("FL"), before awarding custody. He further asserted that the court did not articulate why he would be permitted unsupervised day visits with the children but that nighttime

[13] Following a separate divorce hearing, the circuit court granted an absolute divorce to Mother and denied Father's counter-complaint for annulment by written order entered on September 17, 2025. The court also denied all other pending motions as moot.

visits pose a distinct risk. He claimed that such a restriction must be grounded in findings of actual or potential harm tied to the particular restriction and explained sufficiently for review.

In a separate motion, Father asked the circuit court to enforce the requirement that the record contain a child support guidelines worksheet reflecting the court's computation of its award, along with specific findings if any deviation from the guidelines was warranted. Father's motion prompted the court to realize it had not filed the child support worksheet upon which its obligation was based—which had been prepared on July 29, 2025—with its memorandum and opinion. The court therefore filed the worksheet on October 8, 2025, and denied Father's motion.

The circuit court denied Father's motion to alter or amend by order entered on October 24, 2025. Father filed another notice of appeal on October 30, 2025.[14]

DISCUSSION

Standard of Review

This Court conducts only a "limited review" of a circuit court's custody decision. *Wagner v. Wagner*, 109 Md. App. 1, 39 (1996). "[A]n appellate court does not make its own determination as to a child's best interest; the trial court's decision governs, unless the factual findings made by the lower court are clearly erroneous or there is a clear showing of an abuse of discretion." *Gordon v. Gordon*, 174 Md. App. 583, 637-38 (2007).

[14] Because the circuit court record had already been transmitted to this Court, the second notice of appeal triggered a separate case number, Number 1883, September Term, 2025. The circuit court later struck the October 2025 notice of appeal in that matter, and this Court closed the case administratively.

We review the evidence in the light most favorable to the prevailing party, and if there is any competent, material evidence to support the circuit court's factual findings, we cannot hold that those findings are clearly erroneous. *Hosain v. Malik*, 108 Md. App. 284, 303-04 (1996). Regarding the court's ultimate decision on the custody matter, an abuse of discretion exists if "'no reasonable person would take the view adopted by the trial court'" or the ruling is "'clearly against the logic and effect of facts and inferences before the court[.]'" *Santo v. Santo*, 448 Md. 620, 625-26 (2016) (cleaned up) (quoting *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 312 (1997)).

Analysis

Issues 1 & 2

Father contends that, when the circuit court entered its custody and child support order on August 5, 2025, several of his dispositive motions challenging the court's personal and subject matter jurisdiction, service of court documents, and the sufficiency and service of Mother's pre-trial statement remained unresolved. By denying his pre-hearing jurisdictional challenges as moot after the custody hearing, Father continues, the court "inverted the constitutional order of decision-making." Moreover, in his view, the court's ruling that he had waived jurisdictional objections by filing an answer and a counter-complaint to Mother's complaint for absolute divorce was "not legally sustainable" because the "document treated as an Answer" lacked the required signed certificate of service and was therefore a nullity.

Father's claims are factually inaccurate and legally incorrect. We explain.

By his own accounting, prior to the custody hearing on May 12-13, 2025, Father filed no fewer than thirteen motions, notices, and affidavits objecting to the circuit court's assumption of personal and subject matter jurisdiction over the custody proceedings. By written order entered May 8, 2025, the circuit court, finding that Father's requests relating to his jurisdictional challenges were "unintelligible and contain repetitive inaccurate interpretations of general law[,]" expressly ruled that it

> has personal jurisdiction over [Father] in this matter as he was personally served on August 30, 2024 with the Summons and [Mother's] Complaint for Absolute Divorce requesting custody, visitation, alimony, child support, division of marital property, and other relief; [Father] filed his Answer to same on September 20, 2024; and, [Father] subsequently filed a Counterclaim for Absolute Divorce requesting custody, visitation, child support, division of marital property and other relief on September 20, 2024[.]

The court therefore concluded that it did have jurisdiction over the parties' requests for custody determination, child support determination, and disposition of marital property.

Just prior to the custody merits hearing, Father filed a written objection to the circuit court's "presumed judicial adjudication and reservation of rights." Therein, he claimed he was preserving "all jurisdictional defenses" and "rebut[ting] any presumption that the upcoming merits hearing scheduled for May 12-13, 2025, constitutes a lawful judicial adjudication under Article III of the United States Constitution." (Emphasis omitted.) He added that his previously filed affidavit from immunity from legal process required the court to provide strict proof of its jurisdiction and authority over him.

Despite having ruled on the issue of its jurisdiction in its May 8, 2025, order, the circuit court entertained Father's challenge again at the start of the custody merits hearing on May 12, 2025:

> THE COURT: Well, what's your jurisdictional challenge? Don't forget, you have limited time. So go ahead and tell me.
>
> [FATHER]: So Your Honor, for the record, you know, I am Iyapo Clinton Jones, Sr., a living man appearing in propria persona, not as an agent, surety or legal fiction. I reserve all rights without waiver under UCC 1-308, article 24, of the Maryland Declaration of Rights and the Ninth and 10th Amendments. I appear conditionally under protest, solely to challenge jurisdiction, venue in rem, and in person—person—personam, as detailed in my previously filed affidavit of immunity and pre-hearing objection, which I filed today, and I have copies of with me. I do not consent to general appearance or statutory presumption, and I expressly deny any fiduciary or contractual liability.[15]
>
> THE COURT: Sir, you filed a counter-complaint for absolute divorce here. You filed a counter-complaint. And I'm sure, since you've written that, that you were aware that when you file a counter[-]complaint, you've waived personal jurisdiction. You filed a counter-complaint. You filed an answer. You filed a number of pleadings in this case that would waive personal jurisdiction. So I don't know what your basis for—and if it's a lack of subject matter jurisdiction that you're filing, there are children who live in Silver Spring, Maryland, which is Montgomery County. So Maryland has jurisdiction over the matter, sir.
>
> [FATHER]: So—
>
> THE COURT: I don't know what your basis is.
>
> [FATHER]: So I—I object under—I didn't knowingly waive my rights.
>
> THE COURT: But you did. It doesn't matter whether you are a lawyer and understand what you've done, but that's what you did. So—

[15] Part of Father's argument is an attempt to raise claims based on legal theories advanced by the sovereign citizen movement, which we have noted "have not, will not, and cannot be accepted as valid." *Anderson v. O'Sullivan*, 224 Md. App. 501, 512 (2015).

> [FATHER]: I understand that I submitted an answer and a counter-complaint, but I didn't do so knowingly.
>
> THE COURT: You didn't submit your counter-complaint knowingly?
>
> [FATHER]: I didn't submit my counter-complaint knowingly, knowing that that was waiving—waiving any rights to, you know, special appearance and—
>
> THE COURT: All right. Well, why doesn't the Court have jurisdiction to determine custody in this case when the children live in Silver Spring, Maryland?
>
> [FATHER]: Because barring any evidence or—yes, any evidence of unfitness, the Court doesn't have standing in order to—in order to intervene in my private family affairs.
>
> THE COURT: Well, that's not true. So it looks like your motion was denied in any event. It looks like your motion was denied May 8th. You challenged standing [and] jurisdiction. But the Court has jurisdiction to personal and subject matter jurisdiction to hear this case. So we're going to move forward, and I don't—
>
> MR. JONES: For the record, I object.
>
> THE COURT: Well, I note your objection. I understand. It's noted. It's overruled.

Undaunted by the circuit court's clear ruling that it maintained personal and subject matter jurisdiction over the custody matter, Father filed several post-hearing motions continuing to challenge the court's jurisdiction. In those filings, he objected to the court's "assumption" that it had acquired personal and subject matter jurisdiction over the proceedings because the court was not permitted to adjudicate his custodial rights or impose obligations upon him in the absence of a valid judicial finding of parental unfitness or extraordinary circumstances. Father also claimed, among other things, that his filing of

an answer to Mother's complaint for absolute divorce could not serve to confer jurisdiction upon the court because he had left the certificate of service unsigned "to avoid any constructive admission[,]" and he therefore appeared before the court "only 'In Effect', preserving every jurisdictional objection under Md. Rule 2-131(d) and U.C.C. § 1-308." (Emphasis omitted.)

By order entered July 21, 2025, the circuit court denied Father's motion to challenge jurisdiction and conditional notice of appearance, "as the requests in [Father's] motions contain repetitive inaccurate interpretations of general law." And, by order entered August 6, 2025, the court once again denied Father's continued challenges to jurisdiction and other demands as moot "because the custody and divorce proceedings have been adjudicated and completed. Further, the requests in [Father's] motion contain repetitive inaccurate interpretations of general law."

There is no question that the circuit court maintained personal and subject matter jurisdiction over Father and the custody matter. Regarding personal jurisdiction, we note that Father filed an answer to Mother's complaint for absolute divorce, in which she also sought a ruling on custody of the children, without first raising an affirmative defense of lack of personal jurisdiction, as required by Md. Rule 2-322(a).[16] By doing so, he waived

[16] Md. Rule 2-322(a) reads:

> **Mandatory.** — The following defenses shall be made by motion to dismiss filed before the answer, if an answer is required: (1) lack of jurisdiction over the person, (2) improper venue, (3) insufficiency of process, and (4) insufficiency of service of process. If not so made and the answer is filed, these defenses are waived.

that defense. In addition, Father filed a counter-claim to Mother's complaint, affirmatively and voluntarily subjecting himself to the jurisdiction of the court as a counter-plaintiff.

Father's claim that he did not sign the certificate of service appended to his answer, thereby avoiding constructive admission of the court's personal jurisdiction, is factually inaccurate and therefore unavailing. Father did indeed sign the certificate of service to his answer to Mother's complaint, as evidenced by review of the pleading in the circuit court's official record.[17]

Father's claim of the court's lack of subject matter jurisdiction also must fail. Pursuant to FL § 9.5-201(a), a Maryland court has jurisdiction to make an initial child custody determination if Maryland is the home state of the children and no other state would have jurisdiction. Father did not at any time dispute that Maryland was the home state of the children and, in fact, stated in his counter-complaint that he had lived in Maryland since 2021, Mother had lived in Maryland since 2007, and that the grounds for divorce occurred in Maryland. He also did not dispute that the children had lived, at all times pertinent to the custody matter, in Montgomery County. There is no legal basis upon which Father may challenge the circuit court's subject matter jurisdiction over the divorce

[17] Had Father not signed the certificate of service, the court's clerk's office would have been required to reject the answer as deficient and decline to accept it for filing. *See* Md. Rule 1-323 ("The clerk shall not accept for filing any pleading or other paper requiring service, other than an original pleading, unless it is accompanied by an admission or waiver of service or a signed certificate showing the date and manner of making service.").We find it curious, however, that the copy of his answer to which Father directs our attention in his record extract does not contain a signature in the certificate of service, while the answer as filed in the court's official record does.

and custody matter, and the circuit court correctly denied his many pre- and post-hearing claims of lack of jurisdiction. And, despite Father's claim in his brief, the matter of jurisdiction was resolved prior to the custody hearing.

Father also asserts that his court filings placed the admissibility of Mother's allegedly unserved and untimely pre-trial statement before the court, but the court did not decide the matter before the entry of its final custody order. Although the court did not deny Father's motion in writing until May 14, 2025—after the custody hearing—we find no reversible error in the late denial because Father's motion was without merit, as Mother's pre-trial statement was neither unserved nor untimely.

At a March 27, 2025, status hearing, the circuit court directed Mother to file a pre-trial statement by April 3, 2025. Mother filed her pre-trial statement on April 2, 2025, within the court's deadline. The pre-trial statement contained a signed certificate of service to Father. On April 23, 2025, Father moved to strike Mother's pre-trial statement; although acknowledging that the pre-trial statement contained a certificate of service and had been filed and docketed, he claimed he had not received it.

Pursuant to Md. Rule 1-323, however, "[a] certificate of service is prima facie proof of service[,]" so we accept as true Mother's assertion therein that she served the statement upon Father in the absence of any evidence to the contrary. Moreover, "[i]t is the responsibility of attorneys, and by extension *pro se* litigants, to monitor dockets for when pleadings and other documents are filed." *Estime v. King*, 196 Md. App. 296, 304 (2010). Father admittedly had actual notice of the filing of the statement through MDEC, so we fail to discern any prejudice to him even if, as he claims, he did not receive a hard copy of

Mother's pre-trial statement. *See Att'y Grievance Comm'n of Maryland v. Weinberg*, 485 Md. 504, 540 n.22 (2023) ("In essence, MDEC allows for paper records to be available online and on-demand.").

Issue 3

Father next asserts that the circuit court's order of child support was legally defective because the court did not place a copy of the child support guidelines worksheet supporting its calculation in the record before entering its award of child support. Without a contemporaneous worksheet in the record, Father continues, neither the parties nor the court were able to verify that the mandatory child support framework was followed. Acknowledging that a worksheet had been generated and was filed after judgment had been entered, Father avers that the late-filed worksheet "cannot retroactively establish that the court complied with mandatory requirements at the time it imposed the obligation."

Father does not, in his brief, make any assertion that the $1,845 per month child support obligation calculated by the circuit court is incorrect based on his or Mother's income and expenses; in fact, he acknowledges that, through its use of the child support guidelines, the court's "calculated amount is presumptively correct." Instead, he raises a procedural issue about the late filing of the child support guidelines worksheet. Again, even acknowledging that Father is correct in stating that the circuit court filed the worksheet well after the custody hearing in which it determined his child support obligation, the error, if any, does not prejudice Father and is not the basis for a vacation of the child support award.

The circuit court received evidence, during the custody merits hearing, that Mother had only begun working part-time in March 2025 and had received only two paychecks since then. Based on Mother's stated hourly wages of $19.75, and the number of hours she generally works, the court, in its July 29, 2025, memorandum opinion, calculated Mother's income as $1,712 per month, or $20,540 per year.

Father testified that his 2024 salary was approximately $108,000. Father also stated that he receives a bonus if he meets stated goals. The court determined that Father's salary was $114,976 ($107,453 + $7,521 bonus in 2024), or $9,581 per month.

Based on those figures, and reference to the child support guidelines, the court determined that the parents' total child support obligation would be $2,176, $331 attributable to Mother and $1,845 attributable to Father. It is those exact figures that the court plugged into the child support guidelines worksheet it created on July 29, 2025, and filed on October 8, 2025. Therefore, although the worksheet was indeed filed after the custody hearing, any error in the late filing would be harmless, as it comports to the court's written memorandum opinion, and Father makes no claim that any of the underlying data or calculations are incorrect. *See Barksdale v. Wilkowsky*, 419 Md. 649, 660 (2011) ("the burden to show error in civil cases is on the appealing party to show that an error caused prejudice").

Issues 4 & 5

Next, Father avers that the circuit court erred in restricting his access to the children because it relied on "allegations or evidence of abuse-like conduct to justify [the] restrictions" without making explicit predicate findings of whether abuse or neglect was

likely to occur if custody or visitation were granted, pursuant to FL § 9-101. In the absence of findings of his unfitness or potential of future harm to the children, Father claims that no restrictions on his access to the children were warranted.

Father's reliance on FL § 9-101 is misplaced. That section reads:

> (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.

The statute embodies a presumption that a child's best interests is not served by placing that child in the care and custody of someone with a history of child abuse or neglect. *Gizzo v. Gerstman*, 245 Md. App. 168, 193 (2020). The statute dictates that a court must determine whether abuse or neglect is likely to occur if custody or visitation rights are granted to the party responsible for the abuse or neglect if it has reasonable grounds to believe that the child has been abused or neglected by a party to the proceeding. *Id*.

Here, the circuit court made no finding that Father had abused or neglected the children. Mother pointed the court to one instance of Father striking P. in anger, and, after viewing video evidence of the incident, the court found that Father's method of disciplining

the child was "assaultive, rather than any reasonable discipline."[18] The court received Father's testimony that he had completed an anger management class, which he said helped him to see the incident as others saw it and to understand that he overreacted. Therefore, although the court considered Father's actions in its ruling on custody, it was not required to make an FL § 9-101 determination before granting access to Father.[19]

Any "restriction" on Father's access was based solely on the court's explicit analysis of what is in the best interests of the children. In granting Mother primary physical custody, the court found that she has always been the primary caregiver of the children and the provider of stability and unconditional love, while Father is a stern disciplinarian who has made no accommodations for the children and who requested sole custody because he believed he has a superior claim to them. Moreover, Father had not availed himself of all his *pendente lite* visitation with the children. As a result of its findings, the court determined that Father was not yet ready for overnight access and granted him shorter periods of access

[18] Father complains, in his brief, that the video was "poorly authenticated" and that the court did not pause to solicit from him an objection to the video before viewing it in open court. The burden of making an objection, however, remains on the party who finds the evidence objectionable, not on the court to solicit an objection. Father was free to object to the video on the basis of authentication, or any other ground relating to its introduction at trial, but he did not do so. In the absence of an objection at the custody hearing, he has waived the right to raise this complaint on appeal. *See Nalls v. State*, 437 Md. 674, 691 (2014) ("[I]f a party fails to raise a particular issue in the trial court, or fails to make a contemporaneous objection, the general rule is that he or she waives that issue on appeal.").

[19] Of course, were we to agree with Father that an FL § 9-101 analysis was required, we would have to conclude that the court erred in granting visitation to Father at all in the absence of a specific finding of no likelihood of further abuse or neglect. We presume that is not an outcome he seeks.

that would become longer as Father developed patience and understanding of the children's physical and emotional wellbeing. We perceive no abuse of discretion in the court's imposition of access time to Father on those bases.

Issue 6

Finally, Father claims that the circuit court erred in denying his motion to join the Maryland Office of Child Support Enforcement ("OCSE") as a necessary party to the custody proceeding. In his view, because Mother received public assistance and Title IV-D child support enforcement therefore applied, the court should have joined OCSE as a necessary party to the proceedings.

Prior to the custody hearing, Father moved to join OCSE as a necessary party to the proceedings. Without its joinder, Father said, he could not cross-examine or obtain discovery from the "entity orchestrating enforcement" of his child support obligation, compel disclosure of records or federal incentives tied to the support obligation, seek declaratory or injunctive relief against the agency executing financial penalties, or challenge the integrity and motives behind the child support enforcement.

By written order entered May 8, 2025, the circuit court denied Father's motion, ruling that OCSE is not a proper party to the divorce/custody litigation because its only role was to provide an administrative function designed to prepare and later enforce a child support order. Under Md. Rule 2-211, the court continued, an entity must be joined as a party only when its absence would prevent the court from granting complete relief or would cause inconsistent obligations among the parties. Because OCSE's involvement was a separate administrative process, and its participation would not affect the court's ability to

grant a complete divorce, custody, or child support relief, there was no requirement under the Maryland Rules that it be joined.

Pursuant to Md. Rule 2-211(a),

> [e]xcept as otherwise provided by law, a person who is subject to service of process shall be joined as a party in the action if in the person's absence (1) complete relief cannot be accorded among those already parties, or (2) disposition of the action may impair or impede the person's ability to protect a claimed interest relating to the subject of the action or may leave persons already parties subject to a substantial risk of incurring multiple or inconsistent obligations by reason of the person's claimed interest.

The primary purposes of this compulsory joinder rule are to "assure that a person's rights are not adjudicated unless that person has had his 'day in court', and to prevent multiplicity of litigation by assuring a determination of the entire controversy in a single proceeding." *Serv. Transp., Inc. v. Hurricane Express, Inc.*, 185 Md. App. 25, 39 (2009) (citing *Mahan v. Mahan*, 320 Md. 262, 272 (1990)).

The OCSE in each Maryland county is tasked with carrying out the state's coordination of collection and disbursement of payments under family support enforcement in order to receive federal funding under Title IV-D of the Social Security Act. *Nusbaum v. Nusbaum*, 243 Md. App. 653, 685 (2019). OCSE's role in a child support matter is limited to ensuring prompt distribution of the custodial parent's share of any support payment. *Id*. at 679-80. It is not a necessary party to a custody action. Therefore, for the reasons cited by the circuit court in its May 8, 2025, order, we conclude that the court properly denied Father's motion to join.

CONCLUSION

For the most part, Father's appellate issues center on alleged procedural errors by the circuit court, rather than a complaint that the court erred in its factual findings or abused its discretion in its ultimate award of child support and custody. We deny all of Father's challenges to the circuit court's rulings and find that the court's custody order was founded upon sound legal principles and the best interests of the children. Accordingly, we affirm the circuit court's August 5, 2025, custody order.

ORDER OF THE CIRCUIT COURT FOR MONTGOMERY COUNTY AFFIRMED; COSTS TO BE PAID BY APPELLANT.