Circuit Court for Anne Arundel County
Case No. C-02-FM-22-003120

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1766

September Term, 2025

W.T.

v.

M.A.

Zic,
Ripken,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Zic, J.

Filed: April 15, 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 Maryland Rule 1-104(a)(2)(B).

Appellant, W.T. ("Father"), and appellee, M.A. ("Mother"), are the divorced parents of one minor child, "Z.T."[1] This appeal arises out of an August 2025 modification of custody and child support proceeding. Father, who had served as Z.T.'s primary physical custodian since 2017, appeals an order from the Circuit Court for Anne Arundel County granting primary physical custody to Mother and imposing retroactive child support in favor of Mother.

QUESTIONS PRESENTED

Father presents three questions for our review, which we have rephrased as follows:[2]

1. Did the circuit court abuse its discretion in finding a material change of circumstances sufficient to modify custody?

2. Did the circuit court abuse its discretion in its consideration of the custody best-interest factors, and in granting primary physical custody to Mother?

3. Did the circuit court abuse its discretion in awarding retroactive child support to Mother?

---

[1] To protect the minor child's privacy, we refer to the minor child by her initials, and to the parties by their initials in the caption and as "Father" and "Mother" throughout the opinion.

[2] Father phrases the questions as follows:

1. Did the trial court err in finding a material change in circumstances sufficient to modify custody?
2. If the material change threshold was met, did the trial court improperly weigh the custody factors and make a decision against the best interest of the minor child?
3. Did the trial court abuse its discretion in retroactively applying [Father]'s child support obligation to a period in which he had primary custody of the minor child?

For the following reasons, we answer these questions in the negative, and affirm the circuit court's grant of primary physical to custody and award of retroactive child support to Mother.

BACKGROUND

Father and Mother are the divorced parents of Z.T., born in March 2011. The parties divorced pursuant to a judgment for absolute divorce in the State of Hawaii in April 2015. Both parties are commissioned military officers. Father is a commissioned officer in the Navy, and Mother is a commissioned officer in the Army.

The 2017 Order

In May 2017, the Family Court of the First Circuit, State of Hawaii, entered a decision and order granting the parties joint legal custody of Z.T., then six years old, and granting Father sole physical custody, effective July 1, 2017, with Mother receiving access over summer and school breaks. The Hawaii court awarded Father sole physical custody in large part because, as of trial, Father "ha[d] a specific relocation plan," while Mother "still d[id] not have a concrete plan for herself" or for Z.T. The court's order included a provision indicating that "[t]he issue of the parties' timesharing schedule if the parties live in closer geographic proximity is reserved for future agreement of the parties or an order of the [c]ourt." The court also ordered Mother to pay Father $753 per month in child support.

The 2019 Order

In January 2019, the Hawaii court entered a decision and order denying Mother's October 2018 request for sole physical custody, determining that Mother had not

demonstrated a "material change in circumstances" or that relocation to the Washington, D.C. area was in Z.T.'s best interest. The court reduced Mother's child support obligation to $610 per month and ordered that "[a]ll prior consistent [o]rders shall remain in full force and effect." Accordingly, the 2019 order did not modify visitation or access. At the time of the 2025 modification proceeding, the 2019 order was the operative custody order.

The Parties' Subsequent Moves and Life Changes

Following the 2017 order, Father moved with Z.T. multiple times in accordance with his Navy assignments: from Hawaii to Guam in 2017, to San Diego in 2020, and to Maryland in 2022. Mother moved to Maryland in 2018, was deployed to Afghanistan in 2019, attended military school in Hawaii and Georgia, and ultimately settled in Maryland, where she purchased a home in 2019.

Father remarried, and his wife gave birth to a son—Z.T.'s half-brother—in 2020. The half-brother was five years old at the time of the 2025 modification trial. During the period in which both parties resided in Maryland (2022 through 2025), Mother's overnights with Z.T. increased significantly by the parties' mutual agreement: from 97 overnights in 2023, to 130 overnights in 2024, to 158 overnights in the first seven months of 2025 (through the 2025 modification trial).

Between February 19 and March 29, 2025, Father traveled to Rhode Island for mandatory Navy training; by the parties' agreement, Z.T. resided with Mother during this time. Father returned from training, and Z.T. resumed living with him until April 30, 2025, when Father received Permanent Change of Station ("PCS") orders to Camp

Lejeune, North Carolina, and relocated. The parties agreed that Z.T. would remain in Maryland with Mother to finish her eighth-grade school year in Annapolis. Father enrolled Z.T. at a high school in North Carolina for ninth grade.

Maryland Custody and Child Support Modification Proceedings

On December 12, 2022, the Circuit Court for Anne Arundel County registered the 2017 Hawaii custody order. In October 2023, Father filed a petition to modify child support. In January 2024, Mother filed a counter-motion for modification of custody and child support. Father filed his answer in March 2024, in which he admitted that he and Z.T. had relocated to Maryland and requested that the court grant him "sole legal and physical custody of [Z.T.]" On January 24, 2025, Mother filed an amended counter-motion for modification of custody and child support, seeking, among other things, sole physical custody of Z.T. and modification of child support retroactive to the date of her initial counter-motion. Mother argued that since the entry of the May 2017 order, there had been material changes in circumstances, including the following:

- Father and Z.T. had since relocated to Maryland;
- Z.T. "ha[d] attended school in the State of Maryland since 2021";
- Father would be reassigned to North Carolina;
- Mother had purchased a home in Maryland in 2019 and, in March 2022, "ha[d] been assigned to Maryland to reside full time"; and
- Mother "has had custody of the minor child approximately 100 overnights per year."

Trial was held on August 5, 2025. At the time of trial, Z.T. had completed the eighth-grade school year and was fourteen years old. Both parties and Z.T. resided in Maryland during the parties' three-year period of concurrent Maryland residency.

Mother testified that "Z.T. [would] continue to foster her relationship with her current friends and enjoy more stability [with Mother] as she [would] no longer be moving around throughout her high school years because of military relocation and PCS." Mother also testified that she is in a non-deployable unit whose "mission is over the computer network[,]" and that her home-duty station in Maryland will remain stable through at least 2029. Mother testified that Z.T.'s self-confidence and self-esteem improved while Z.T. resided with her during Father's Rhode Island training, and that when Z.T. came to stay with her, Z.T. had been "failing four subjects[,]" but Mother had worked with Z.T. to raise her grades.

Father testified that he was enrolled in a PhD program and that his work schedule consists of 12-hour nursing shifts—"a 7 to 7 either day or night." Father further explained that he works every other weekend (Friday, Saturday, and Sunday), with night shifts beginning in September 2025. He testified that when he is on shift, his wife and mother, both of whom reside in the home, would care for Z.T. Father further testified that if he were to receive deployment or relocation orders, he could retire from the Navy and work as a civilian nurse. Mother and Father both testified that Father had represented to Mother that he would retire from the military in December 2021, and, later, in December 2023, but that he did not retire in either instance. Father testified that he

would not receive sea duty[3] while in North Carolina because he is a nurse assigned to a hospital.

Both Father and Mother testified about Z.T.'s close relationship with her half-brother. Mother testified that she believed they are close and that Z.T. "plays the role as a sister, a guardian, and his playmate." Father also testified that Z.T. and her half-brother are "really close[,]" that they share "a really good relationship[,]" and that Z.T. is "always looking out for him." Father also testified that Z.T. "has a great relationship" with his wife and refers to her warmly.

With respect to child support, Mother also testified that she was seeking modification of child support "according to how the [c]ourt deci[des] [custody] and the nights that [she] ha[s] [Z.T.]," specifically seeking reimbursement for the child support she had paid to Father while Z.T. was in her care, per the parties' agreement.

The Circuit Court's Opinion and Order

On September 8, 2025, the circuit court placed its oral opinion on the record, which was memorialized in a written order entered on September 12, 2025. The court found "that a material change of circumstances ha[d] occurred since the last [2017] order." The court grounded its material change finding on several circumstances, including: the parties' multiple relocations since the 2019 order; both parties' attainment of commissioned officer status and advanced degrees; the parties' concurrent Maryland residency for approximately three years; Father's recent completion of a nursing program

[3] Mother explained that sea duty involves assignment to a Navy ship and involves deployment.

and receipt of PCS orders to North Carolina; and the parties' agreement that Z.T. would reside with Mother while Father was on training assignment and then while Father relocated to North Carolina. The court noted at trial that "it appears that . . . the roles have now reversed where [Father] was the stable one and now [Mother] is in a position where she's not [going to] be moving for the next four years."[4]

The court then considered the best-interest factors set forth in *Taylor v. Taylor*, 306 Md. 290 (1986), and *Montgomery County Department of Social Services v. Sanders*, 38 Md. App. 406 (1978). The court determined that both parties were "fit and proper" parents and found that most factors were neutral or did not favor either party, including fitness of parents, character and reputation of each parent, parental desire and agreements, the potential for maintaining natural family relations, preference of the minor child, material opportunities affecting the future of the child, ability to maintain a stable and appropriate home for Z.T., length of separation from the natural parents, prior abandonment, capacity to communicate and reach shared decisions, geographic proximity of parental homes, the child-parent relationship, sincerity of requests, and financial status.

With respect to "the potential for maintaining natural family relations," the court noted that Mother and Father both "have their mothers living with them, which allows [Z.T.] the opportunity to spend time with them." The court further noted that Father "also has another child with his current wife, and [Z.T.] has developed a strong bond with

[4] Father's trial counsel agreed that the circumstances at the time of the 2017 order (incorporated by the 2019 order) were that "[Father] was the stable person when the [2017] order was in place. [Mother] went abroad. You know, didn't really have any construct of where she was going to be[.]"

her brother." Despite acknowledging the strength of Z.T.'s bond with her half-brother, the court found this factor was neutral.

The court found two factors weighed in Mother's favor. First, the court determined that "the potential disruption of the child's social and school life" favored Mother, reasoning that Z.T. had lived in Maryland for three years, had completed middle school there, and—if she remained in Maryland—would attend high school in Odenton, still not far from her existing social circle. The court noted that if Z.T. moved to North Carolina, "she would have to make new friends in a different school district, creating a huge disruption in her social and school life." The court also noted that Z.T. "has a close relationship with her younger brother with [Father] and his . . . wife."

Second, the court found that "the [d]emands of parental employment" weighed in Mother's favor. The court found that Father's 12-hour nursing shifts, on a schedule determined only one month in advance, would require his wife or mother to assist with childcare. By contrast, the court found that Mother works a consistent 9:00 a.m. to 4:00 p.m. weekly schedule that "would enable her to be able to care for [Z.T.] without the assistance on a daily basis from either her mother or her husband."[5] The court further noted that Father had "a very low chance at deploying" and Mother "is in a nondeployable defense position."

[5] We note, for accuracy, that the circuit court stated in its oral ruling that Mother "works a 9-to-5 shift." We take this to be a misstatement by the court, as Mother provided uncontroverted testimony that she works from 9:00 a.m. to 4:00 p.m.

The court ultimately determined that it was "in the best interest of [Z.T.] for [Mother] to have primary physical custody." The court cited Mother's non-deployable status and stability in Maryland through at least 2029, Father's inability to guarantee that he would not be deployed or relocated, and Z.T.'s three years of established friendships in Maryland. When Father's counsel asked for clarification, the court confirmed that the "crux" and "main concern" underlying its decision was Father's possibility of relocation, Mother's stability in Maryland, and that Z.T. "has three years of being [in Maryland] and developing close friend ties."

The court granted the parties joint legal custody with Mother having primary physical custody and Father having summer access, spring break, and alternating holiday access. With respect to child support, the court ordered Father to pay Mother $1,079 per month in child support, effective July 1, 2025, terminating Mother's prior $610 per month obligation to Father.

On October 13, 2025, Father timely filed a notice of appeal.

STANDARD OF REVIEW

This Court's assessment of a child custody determination involves three interrelated standards of review. *Reichert v. Hornbeck*, 210 Md. App. 282, 303 (2013) (citation omitted). The Supreme Court explained in *In re Yve S.*, 373 Md. 551, 586 (2003):

> When the appellate court scrutinizes factual findings, the clearly erroneous standard of [Maryland Rule 8-131(c)] applies. [Secondly,] [i]f it appears that the chancellor 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 chancellor founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the chancellor's decision should be disturbed only if there has been a clear abuse of discretion.

(second and third alterations in original) (emphasis and citations omitted).

A trial 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.'" *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 312 (1997) (internal citations omitted). The abuse of discretion standard "accounts for the trial court's unique opportunity to observe the demeanor and the credibility of the parties and the witnesses." *Santo v. Santo*, 448 Md. 620, 625 (2016) (internal quotation marks and citation omitted). Consistent with this standard, "an appellate court does not make its own determination as to a child's best interest[.]" *See Gordon v. Gordon*, 174 Md. App. 583, 637 (2007). Rather, "the trial court's decision governs, unless the factual findings made by the [trial] court are clearly erroneous or there is a clear showing of an abuse of discretion." *Id.* at 637-38. "Under th[e abuse of discretion] standard, '[w]e will not reverse a ruling . . . simply because we would have made a different ruling had we been sitting as trial judges.'" *Edenbaum v. Schwarcz-Osztreicherne*, 165 Md. App. 233, 254 (2005) (quotation omitted) (first alteration added).

In child custody cases, the best interest of the child "guides the trial court in its determination" and, in our review, "is always determinative[.]" *Santo*, 448 Md. at 626 (quotation marks and citation omitted). On review, we look to the circuit court's decision "in its entirety." *Petrini v. Petrini*, 336 Md. 453, 471-72 (1994). Accordingly, "a trial

court should carefully set out the facts and conclusions that support the solution it ultimately reaches." *J.A.B. v. J.E.D.B.*, 250 Md. App. 234, 249 (2021) (quoting *Santo*, 448 Md. at 630). "A trial court's findings are not clearly erroneous if there is competent or material evidence in the record to support the court's conclusion." *J.A.B.*, 250 Md. App. at 247 (quotation omitted).

Likewise, "[t]he question of whether to modify an award of child support 'is left to the sound discretion of the trial court, so long as the discretion is not arbitrarily used or based on incorrect legal principles.'" *Walker v. Grow*, 170 Md. App. 255, 266 (2006) (quotations omitted).

DISCUSSION

I. THE CIRCUIT COURT DID NOT ABUSE ITS DISCRETION IN FINDING A MATERIAL CHANGE OF CIRCUMSTANCES.

A. Parties' Arguments

Father argues that the court erred in finding a material change in circumstances sufficient to modify custody, contending that "the parties, as military officers, have moved around the United States and its territories for their entire careers." Father's argument goes, therefore, that PCS relocation to North Carolina was not a "material change" and was specifically anticipated in the 2017 order.[6] Father further contends that the circuit court violated 50 U.S.C. § 3938(b) of the Servicemembers Civil Relief Act

[6] At trial, Father's counsel argued that there was no change in material circumstances because "[t]he [2017 Hawaii] order was put in place when the parties were in the military, and the [c]ourt was aware that the parties would relocate to subsequent locations over the course of their careers."

("SCRA") by "relying on [Father's] military duties as its sole basis for finding a material change."[7]

Mother argues that the circuit court correctly identified multiple material changes of circumstances, including the parties' simultaneous Maryland residency for approximately three years, updates to both parties' educational attainment, and the significant increase in Mother's overnights with Z.T. pursuant to the parties' mutual agreement—all in addition to Father's PCS relocation to North Carolina. Mother further contends that the SCRA's prohibition applies only to "deployment" as defined by the statute, and that the court's consideration of Father's daily work schedule and geographic location reflects a standard best-interest analysis rather than an SCRA violation.

B. Legal Framework

"Countless reported cases in Maryland stand for the following proposition: When presented with a request to modify custody, [a] court[] must engage in a two-step process." *Velasquez v. Fuentes*, 262 Md. App. 215, 246 (2024) (citation omitted). Under "[t]he two-step process[,]" the circuit court must first "assess whether there has been a material change in circumstance. Then, if a finding is made that there has been such a material change, the court proceeds to consider the best interests of the child as if the proceeding were one for original custody." *Id.* (internal quotation marks and citations omitted).

[7] At argument before this Court, Father's counsel conceded that Father's PCS relocation did not constitute a deployment.

A change is "material" if it "affects the welfare of the child." *Id.* (quotation omitted). To determine whether a material change has occurred, the trial court looks at the circumstances that were "known to the [] court when it rendered the prior order." *Wagner v. Wagner*, 109 Md. App. 1, 28 (1996). "[T]he court must make a threshold determination whether a material change in circumstances has occurred" before proceeding to analyze the child's best interest. *Velasquez*, 262 Md. App. at 249 (citations omitted).

Changes resulting from the relocation of a parent may, depending on the specific facts of the case, justify a change in custody. The nature of the relationship between the parents and the child prior to relocation is critically important, as a substantial move may disrupt a desirable environment, especially when both parents are actively involved in the child's life. *Domingues v. Johnson*, 323 Md. 486, 501-02 (1991). Furthermore, a court "need not find . . . that the changes have already caused identifiable harm to the child[.] It is sufficient if the [court] finds that changes have occurred which, when considered with all other relevant circumstances, require that a change in custody be made to accommodate the future best interest of the child[.]" *Id.* at 499.

With respect to the SCRA, 50 U.S.C. § 3938(b) provides:

> If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, as *the sole factor* in determining the best interest of the child.

(Emphasis added.) The SCRA defines "deployment" as

> the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 540 days pursuant to temporary or permanent official orders—(1) that are designated as unaccompanied; (2) for which dependent travel is not authorized; or (3) that otherwise do not permit the movement of family members to that location.

50 U.S.C. §3938(e).

C. Analysis

We affirm the circuit court's finding of a material change of circumstances. The court identified multiple independent bases for its conclusion: the parties' substantial relocations since the 2019 order; both parties' attainment of commissioned officer status and advanced academic degrees; the parties' concurrent Maryland residency for approximately three years, during which Mother's overnights with Z.T. increased dramatically; Father's receipt of PCS orders relocating him to North Carolina; and the parties' own agreement that Z.T. would reside with Mother for months at a time—first during Father's Rhode Island training and then to finish the school year. Taken together, these changes reflect a substantially different landscape from the one that existed at the time of the 2017 order, when Father had a concrete relocation plan and Mother did not.

Father's argument that movement is not a "material change" because relocation was a regular feature of the parties' military careers is not well taken. It is true, as Father argues, that the 2017 Hawaii court was aware of the parties' military obligations and likelihood of relocation. What has changed since 2017, however—and more acutely since 2019—is not merely the fact of relocation, but the parties' relative stability. The

2017 and 2019 orders were premised on Father having a concrete relocation plan, while Mother did not. Today, the roles are substantially reversed. Mother is established in Maryland, works a predictable schedule in a non-deployable unit, and projects continued Maryland residency through Z.T.'s high school graduation. Father has now relocated to North Carolina and cannot guarantee that further reassignment or deployment will not occur. These changed circumstances constitute a material change that reasonably affects Z.T.'s welfare and access to each parent. *See Domingues*, 323 Md. at 499, 501-02.

Father contends that, "[h]ere, the same issue of movement and military duties that were known of, and considered, in the 2017 order and attempted 2019 modification were relitigated." Father's argument misapprehends that the 2017 and 2019 courts did not consider the same circumstances at trial, which included the fact that Z.T. had become accustomed to a custody arrangement which, as Father's trial counsel conceded, mirrors that of a joint physical custody schedule under Maryland law. *See id.* The court made several considerations in making this material change of circumstances determination. By Father's trial counsel's own admission, the parties were "coparenting" in Maryland, and "there was a situation that changed[, as] [t]he parties were close enough to one another [] where they were supporting each other and doing what was right for Z.T., which [was] additional time."

We likewise are not persuaded by Father's SCRA argument. The SCRA prohibits a court from treating "the absence of the servicemember by reason of deployment, or the possibility of deployment" as *the sole factor* in a best-interest determination. 50 U.S.C. § 3938(b). The circuit court did not do so here. The record reflects that the court

considered numerous factors beyond potential deployment, including the parties' relative geographic stability, educational achievements, and the agreed-upon modifications to Z.T.'s custody arrangement. Moreover, we are not persuaded that Father's PCS orders to North Carolina constitute "deployment" within the SCRA's definition, as Father has not demonstrated that those orders "are designated as unaccompanied"; do not authorize "dependent travel"; or "otherwise do not permit the movement of family members." 50 U.S.C. § 3938(e). The record indicates, instead, that Father was prepared for Z.T. to accompany him to his new PCS assignment, with Father enrolling Z.T. in a North Carolina high school. We decline Father's invitation to construe the SCRA more broadly to encompass mandatory training and PCS reassignment.[8] Accordingly, we hold that the circuit court did not abuse its discretion in finding a material change of circumstances.

[8] Father contends, citing *Boone v. Lightner*, 319 U.S. 561, 575 (1943), that this Court should "liberally construe[]" the SCRA "to include training and mandatory restationing[.]" We decline to do so, because *Boone*'s holding as to liberal construction was narrowly tailored: courts must liberally apply their discretion under the Soldiers' and Sailors' Civil Relief Act (the SCRA's predecessor) in determining whether "the ability of plaintiff to prosecute the action or the defendant to conduct his defense is not materially affected by reason of his military service" in favor of servicemembers seeking stays of litigation. *Id.* at 564-65, 575. Critically, "[t]he limited discretion trial courts had under the Soldiers' and Sailors' Civil Relief Act to deny a stay was eliminated by the SCRA, which omitted the language granting such discretion." *See Wood v. Woeste*, 461 S.W.3d 778, 782 (2015) (citing *Hernandez v. Hernandez*, 169 Md. App. 679, 690 n.3 (2006) (noting that the SCRA "leaves no room for judicial discretion")). Accordingly, we decline to "add [or] delete language so as to reflect an intent not evidenced in the plain and unambiguous language of the statute." *Alston v. State*, 433 Md. 275, 283-84 (2013) (citation omitted).

II. THE CIRCUIT COURT DID NOT ABUSE ITS DISCRETION IN GRANTING PRIMARY PHYSICAL CUSTODY TO MOTHER.

A. Parties' Arguments

Father argues that the court abused its discretion in weighing three child custody factors. Specifically, Father contends: (1) that the court abused its discretion in finding that "the potential for maintaining natural family relations" did not weigh in favor of either party, given Z.T.'s long-established and close relationship with her half-brother; (2) that the court improperly weighed "the potential disruption of school and social life" in Mother's favor without sufficiently considering that Z.T. would attend a new school regardless of which parent received custody, and without considering Z.T.'s family relationship; and (3) that the court improperly weighed "the demands of parental employment" in Mother's favor without considering the continuity of Father's established caregiving arrangement.

Mother argues that the court properly weighed each of these factors and that there was no abuse of discretion in the court's ultimate decision to award her primary physical custody.

B. Legal Framework

"The [Supreme Court of Maryland] and this Court have identified several factors[9] for a trial court to consider when making a custody determination[.]"[10] *J.A.B. v. J.E.D.B.*, 250 Md. App. 234, 249 (2021) (citing *Taylor v. Taylor*, 306 Md. 290, 311 (1986); *Montgomery Cnty. Dep't of Soc. Servs. v. Sanders*, 38 Md. App. 406, 420-21 (1978)).

"Critically, the Court noted in *Taylor* that the factors described in these cases were not an exhaustive list and made it permissible for a court to consider 'other factors' when making a custody determination." *J.A.B.*, 250 Md. App. at 249 (citing *Taylor*, 306 Md. at 311). No single factor is dispositive; rather, the court must consider the totality of the circumstances in fashioning an order that serves the child's best interest. *Sanders*, 38

[9] These factors include, among others: the fitness of the parents; character and reputation of the parties; the desire of the natural parents and agreements between the parties; the potential for maintaining natural family relations; preference of the child; material opportunities affecting the child's future; age, health, and sex of the child; residence of the parents and opportunity for visitation; length of separation from the natural parents; prior voluntary abandonment or surrender; capacity of the parents to communicate and reach shared decisions; willingness of the parents to share custody; the relationship established between the child and each parent; potential disruption of the child's social and school life; geographical proximity of parental homes; demands of parental employment; age and number of children; sincerity of the parents' requests; and financial status of the parents. *Taylor v. Taylor*, 306 Md. 290, 304-11 (1986); *Montgomery Cnty. Dep't of Soc. Servs. v. Sanders*, 38 Md. App. 406, 420-21 (1978).

[10] On May 13, 2025, the Maryland General Assembly enacted House Bill 1191, which codified statutory factors for the court's consideration in determining child custody. Md. Code Ann. Fam. Law ("FL") § 9-201; Chapter 483, *House Bill 1191*, Maryland General Assembly, available at [https://perma.cc/B6SP-VCPU]. This amendment did not take effect until October 1, 2025, after the subject trial occurred. FL § 9-201. Accordingly, we rely on the common law factors.

Md. App. at 420-21 (citations omitted). "[A] trial court should carefully set out the facts and conclusions that support the solution it ultimately reaches." *J.A.B.*, 250 Md. App. at 249 (quotation omitted).

Maryland law has long recognized a strong preference against separating siblings. "Ordinarily, the best interests and welfare of the children of the same parents are best served by keeping them together to grow up as brothers and sisters under the same roof." *Hild v. Hild*, 221 Md. 349, 359 (1960) (citations omitted); *see also Hadick v. Hadick*, 90 Md. App. 740, 748, *cert. denied*, 327 Md. 626 (1992) (noting that "Maryland law frowns upon the division of siblings") (citations omitted); *Karen P. v. Christopher J.B.*, 163 Md. App. 250, 267 (2005) (noting that "it is ordinarily in the best interest of a child to be raised with . . . her siblings") (quoting *Sider v. Sider*, 334 Md. 512, 533 (1994)) (citations omitted). Although the sibling-unity preference derives from a tradition focused on children sharing *both* parents, its underlying rationale—preserving the bonds of family life that are integral to a child's development and sense of security—applies with comparable force to the relationship between a child and a half-sibling. *See Hild*, 221 Md. at 359; *Hadick*, 90 Md. App. at 748; *Karen P.*, 163 Md. App. at 267. That said, "when separation becomes necessary or inevitable, . . . there is no reason why it should not be done." *Hild*, 221 Md. at 359. The sibling-unity principle is not an absolute veto on a custody award that separates siblings, but it is a substantive consideration that courts should address directly, and with care. *See Hadick*, 90 Md. App. at 748.

C. Analysis

We address each contested factor in turn.

1. The circuit court did not abuse its discretion in its analysis of "the potential for maintaining natural family relations" factor.

We address Father's sibling-separation argument first because it presents the most significant concern about the quality of the circuit court's analysis. Candidly, the circuit court's treatment of the "potential for maintaining natural family relations" factor was scant. The court acknowledged that Father "also has another child with his current wife, and [Z.T.] has developed a strong bond with her brother[,]" and then summarily concluded that "[t]his factor does not weigh in favor of either party." No further explanation followed. The court offered no analysis of what separating Z.T. from her half-brother would mean for Z.T.'s emotional well-being, development, or sense of family identity.

The record before the court was unambiguous on the strength of the sibling bond. Father testified that Z.T. and her half-brother are "really close," that they share "a really good relationship[,]" and that Z.T. is "always looking out for him." Mother herself acknowledged that Z.T. "plays the role as a sister, a guardian, and his playmate." This was not a nascent or superficial acquaintance; this was a five-year relationship that formed the familial core of Z.T.'s life. This is the kind of relationship that Maryland courts have consistently instructed trial courts to weigh with care. *Hild*, 221 Md. at 359; *Hadick*, 90 Md. App. at 748; *Karen P.*, 163 Md. App. at 267.

We nonetheless affirm. Our review of a custody determination does not ask whether this Court would have decided the matter differently, *Edenbaum v. Schwarcz-Osztreicherne*, 165 Md. App. 233, 254 (2005), or whether the circuit court's written analysis was as thorough as we might wish. The question is whether the circuit court's ultimate conclusion was within the range of reasonable discretionary judgments available to it on the record presented. *Santo*, 448 Md. at 625; *Gordon v. Gordon*, 174 Md. App. 583, 637-38 (2007). Viewing the court's decision "in its entirety," as we must, *Petrini v. Petrini*, 336 Md. 453, 471-72 (1994), we are satisfied that it was.

As previously stated, the sibling-unity principle is not an absolute prohibition on a custody arrangement that separates a child from a sibling, nor does it create a presumption that custody must remain with the parent with whom the sibling resides. *Hild*, 221 Md. at 359 ("[W]hen separation becomes necessary or inevitable, . . . there is no reason why it should not be done."). The unity between siblings is one factor—a weighty one—among many that the court must consider and weigh in the exercise of its broad discretion. *Taylor*, 306 Md. at 304-11; *Sanders*, 38 Md. App. at 420-21.

Where, as here, the record discloses a strong constellation of other factors supporting the court's ultimate determination—Mother's stable, non-deployable Maryland duty station through Z.T.'s high school graduation; the significant disruption to Z.T.'s established Maryland social and academic life that relocation to North Carolina would entail; and the direct, predictable caregiving that Mother's work schedule allows compared with Father's overnight shift arrangement—the court's overall conclusion that primary physical custody with Mother serves Z.T.'s best interests cannot be characterized

as an abuse of discretion. *Santo*, 448 Md. at 625; *Gordon*, 174 Md. App. at 637-38. The sibling bond, while important, does not dictate a particular custody outcome, and the court's determination that the weight of the remaining circumstances favored Mother is a judgment we will not disturb. *See Petrini*, 336 Md. at 471-72; *J.A.B.*, 250 Md. App. at 247; *Edenbaum*, 165 Md. App. at 254.

We reiterate that our affirmance should not be read as approval of the court's minimal written analysis of the sibling-separation issue. Courts have an obligation to analyze this factor with genuine depth when custody of a child who has lived with a sibling is at stake. *Santo*, 448 Md. at 630. "Thus, although the better course would have been for the court to further explicate the factors that it considered, we are able to conclude from the record that the court considered the necessary [] factors[.]" *Sayed A. v. Susan A.*, 265 Md. App. 40, 90 n.18 (2025).

2. The circuit court did not abuse its discretion in weighing "the potential disruption of school and social life" in Mother's favor.

Father argues that the circuit court improperly weighed the "potential disruption of school and social life" in Mother's favor because (1) any impact on Z.T. from her prior moves with Father was theoretical, and (2) Z.T. would attend a new school regardless of with which parent she lived. Mother argues that the circuit court properly weighed this factor in her favor because the record established that, by living with Mother, Z.T. would remain geographically close to her existing friend group, and that Z.T.'s well-being would be affected by an additional move with Father. We perceive no abuse of discretion in the court's weighing of this factor.

The record contains substantial evidence supporting the court's conclusion. Mother testified that Z.T. was "failing four subjects" before coming to reside with Mother, that Mother had helped Z.T. raise her grades, and that Z.T.'s self-confidence improved during her time in Mother's care. Mother further testified about Z.T.'s opportunity to continue building friendships in the Washington metropolitan area. The court also reasonably found that, while Z.T. would change school districts in either scenario, a move to North Carolina represented a qualitatively greater disruption—Z.T. would have to "start over again, building new friends and social groups" in an entirely different state—whereas a move to Odenton, Maryland, would keep her in proximity to her existing friend group. This was a permissible judgment for the trial court to make on the evidence before it. That Father presented competing evidence—including his testimony that Z.T. had adapted well to prior moves and that North Carolina offered activities she enjoyed—does not render the court's weighing of this factor an abuse of discretion. *See Santo*, 448 Md. at 625; *Gordon*, 174 Md. App. at 637.

3. The circuit court did not abuse its discretion in weighing "the demands of parental employment" in Mother's favor.

Father argues that the circuit court erred in weighing the demands of parental employment in Mother's favor because the evidence did not demonstrate that his 12-hour nursing shifts caused any actual harm to Z.T., and because his wife and mother were available to assist with childcare in his absence. Mother contends that the circuit court properly weighed this factor because Mother's work schedule, as compared to Father's,

provides greater availability to personally care for Z.T. We are not persuaded that the court abused its discretion in evaluating this factor.

The circuit court heard evidence that, as of September 2025, Father was transitioning to overnight nursing shifts (7:00 p.m. to 7:00 a.m.) and working every other weekend including Fridays, Saturdays, and Sundays, with a schedule determined only one month in advance. Father himself acknowledged that his wife and mother would need to care for Z.T. during his overnight shifts. By contrast, Mother works a predictable 9:00 a.m. to 4:00 p.m. weekday schedule that would allow her to perform the daily tasks of caring for Z.T. "without the assistance on a daily basis from either her mother or her husband." The court's conclusion that this distinction favored Mother reflects a reasonable exercise of its discretion in weighing the parties' respective abilities to provide day-to-day care for a fourteen-year-old child.

III. THE CIRCUIT COURT DID NOT ABUSE ITS DISCRETION IN GRANTING RETROACTIVE CHILD SUPPORT TO MOTHER.

A. Parties' Arguments

Father argues that the circuit court erred in awarding Mother retroactive child support, effective July 1, 2025, a period during which he contends he retained primary physical custody of Z.T. pursuant to the operative 2019 order. Mother argues that the court properly exercised its discretion under Maryland law by awarding retroactive child support reflecting the custody arrangement as it actually existed between the parties, rather than as set forth on paper in the 2017 order. Specifically, Mother contends that her January 31, 2024 counter-motion constitutes the filing date triggering Md. Code, Family

Law ("FL") (1984, 2019 Repl. Vol.) § 12-201. Thus, according to Mother, the court properly declined to make the award retroactive to that date and instead began the obligation on July 1, 2025, reflecting the point at which Z.T. was primarily in Mother's care.

B. Legal Framework

FL § 12-101(a)(3) provides that "the court *may* award child support for a period from the filing of the pleading that requests child support." (Emphasis added.) "By its plain language, section 12-101(a)(3) leaves [the granting of retroactive child support] to the discretion of the court[.]" *Chimes v. Michael*, 131 Md. App. 271, 295 (2000). Retroactive child support is permissible but not mandatory. *See Caccamise v. Caccamise*, 130 Md. App. 505, 518 (2000). "Section 12-204(b) makes clear . . . that it is within the discretion of the trial court to determine whether and how far retroactively to apply a modification of a party's child support obligation up to the date of the filing of the petition for said modification." *Ley v. Forman*, 144 Md. App. 658, 677 (2002). Pursuant to FL § 12-104(b), "[t]he court may not retroactively modify a child support award prior to the date of the filing of the motion for modification."

A party may seek relief not specifically pled under a prayer for general relief, so long as the opposing party had adequate notice "that the particular form of relief fashioned by the court is within the range of reasonable possibility[.]" *Terry v. Terry*, 50 Md. App. 53, 61 (1981); *see also Falise v. Falise*, 63 Md. App. 574, 582 (1985) (holding that the plaintiff's prayer "'that [he] be awarded such other and further relief as the nature

of his case may require' . . . was sufficient to permit the [] judge to render any necessary equitable adjustments *vis-a-vis* a monetary award").

C. Analysis

We perceive no abuse of discretion in the circuit court's decision to award retroactive child support, considering the circumstances presented at the time of the court's ruling. The record establishes that Mother filed her counter-motion requesting a modification of child support and physical custody on January 31, 2024, and her amended counter-motion on January 24, 2025. Both pleadings included prayers for general relief. Father therefore had adequate notice that Mother sought retroactive child support as of the date of her initial filing. *Terry*, 50 Md. App. at 61.

The court's decision to make the award effective July 1, 2025, rather than January 2024, reflects a measured and conservative exercise of its discretion. The court heard undisputed testimony that the parties did not "specifically follow the access schedule from the [2019 order,]" and that, per the parties' agreement, Z.T. spent approximately two months in Mother's care while Father was at the Rhode Island training. Moreover, Father's counsel conceded at trial that the parties' actual custody arrangement, with Mother having had approximately 158 of 216 overnights in 2025, was functionally consistent with a joint physical custody schedule under Maryland law. In these

circumstances, we hold that the court did not abuse its discretion in granting retroactive child support to Mother.[11]

CONCLUSION

For the foregoing reasons, we affirm the judgment of the circuit court granting primary physical custody and awarding retroactive child support to Mother.

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

[11] The period for retroactive child support was slightly over two months, as the court's order was docketed on September 12, 2025, and the effective date for the retroactive child support award was July 1, 2025.

The correction notice(s) for this opinion(s) can be found here:

https://www.mdcourts.gov/sites/default/files/import/appellate/correctionnotices/cosa/1766s25cn.pdf