Circuit Court for Harford County
Case No.: C-12-FM-22-000126

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2223

September Term, 2023

JERMAINE LEVONT HANCOCK

v.

LAUREN ELAINE GREENWOOD (f/k/a HANCOCK)

Graeff,
Zic,
Eyler, Deborah S.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Zic, J.

Filed: August 16, 2024

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

The Circuit Court for Harford County granted Lauren Elaine Hancock (now known as Greenwood) ("Mother"), appellee, an absolute divorce from Jermaine Hancock ("Father"), appellant.[1] As for the custody of their four children, the circuit court awarded the parties joint legal custody with tie breaking authority to Mother; granted Mother primary physical custody of their oldest child and gave Father access to him "as the parties may from time to time agree[;]" and granted the parties shared physical custody of the three younger children based on a schedule giving Father "parenting time" with them every other weekend and overnights every Wednesday.

Father, who was represented by counsel during the litigation in the circuit court, noted an appeal and is representing himself in this Court. He makes three contentions related to the custody award: (1) the court violated his due process rights by "rush[ing]" his lawyer through his testimony and hampering his attorney's ability to "present all of the evidence needed to receive a fair trial[;]" (2) the court erred in admitting into evidence a partial video recording which prejudiced him and not asking that the full video be submitted; and (3) the judge had an "anchoring bias" in favor of Mother and improperly based the custody decision on his failure to pay child support during the litigation.

Because we find no merit to Father's arguments, we shall affirm the judgment.

[1] At the time of the divorce and the custody award, appellee was known as Lauren Elaine Hancock. On appeal, both parties refer to her as Lauren Elaine Greenwood and, accordingly, we shall modify the case caption in this Court to reflect the name change.

BACKGROUND[2]

The parties married in 2006 and had four children together: a son born in 2007, a daughter born in 2012, a daughter born in 2015, and a son born in 2018. They separated in June 2021. Their relationship just prior to and during the separation was acrimonious, with each accusing the other of extra-marital affairs and verbal and physical abuse. In addition to their testimony, other evidence elicited at the merits hearing (including numerous text messages between the parties), undisputedly demonstrated what the court later described as "the high-conflict nature of this case[.]"

During her testimony, Mother admitted to her role in some of the unsavory interactions between her and Father and expressed regret that some of them occurred in the presence of their children. She described the marriage as a "toxic relationship[,]" but claimed that since the relationship has ended, she has "changed" and "grown" with the help of therapy. Father also admitted that he and Mother "weren't kind at all" in various text messages they had exchanged.

In February 2022, in an apparent "settlement" following Mother's filing of a protective order against Father, the parties agreed to a temporary child custody arrangement, which the court entered as a *pendente lite* consent order. This order provided, among other things, that the parties would "stay away" from each other's

[2] We present only the facts necessary to provide context to the issues before us on appeal. We assure the parties, however, that we have read the transcripts from the merits hearing held on August 30 and 31, 2023 and November 21, 2023, as well as the transcript from the December 8, 2023 hearing where the court announced its findings and decision. We have also reviewed the many exhibits entered into evidence during the hearings.

residences; they would share joint legal custody of the children; they would share physical custody of the two youngest children pursuant to a set schedule reflecting equally shared access time with the children; the parties would share physical custody of the oldest two children pursuant to a particular schedule with the majority of their time in Mother's care and alternating weekends with Father; and Mother would dismiss her request for a protective order.

Ultimately, the oldest son refused to visit with or engage with Father. The oldest daughter expressed ambivalence about the visits, sometimes refusing to go to Father's house and other times content with being in Father's care. At the time of the merits hearing, these two children were both in therapy.

Mother requested sole legal custody of all four children. She also sought primary physical custody of the three youngest children, with Father given alternating weekend visitation rights from 6:00 p.m. Friday to 6:00 p.m. Sunday. She requested primary physical custody of the oldest son, with "no required contact" between him and Father. Father asked for joint legal custody of the children and shared physical custody of the three youngest on a "50/50" schedule.

The children's Best Interest Attorney ("BIA") advised the court that the oldest son, then 16 and a half years old, "is in trauma therapy[]" and recommended that "the no contact" with Father continue. As for the oldest daughter, the BIA informed the court that he had spoken with the child's therapist and visited Father's home when the children were with him and its "a tale of two cities." On the one hand, the BIA related that the oldest daughter expressed she did not want to visit with Father, but during the BIA's site

visit at Father's home, he observed a very loving family with no indication that she did not want to be there. As for the youngest two children, the BIA recommended maintaining "the 50/50" schedule and including the oldest daughter in that custody arrangement. The BIA also recommended that the parents be awarded joint legal custody, with Mother given tie-breaking authority.

On December 8, 2023 (about two weeks after the close of the merits hearing), the court convened a hearing to announce its findings and decision on the record. The court first noted that it had spent "a significant amount of time thinking about this case," reviewed its notes from the testimony presented, reviewed all the exhibits entered into evidence, considered the arguments of the parties, and researched the issue. The court then granted Mother an absolute divorce. After addressing some marital property and retirement issues not in dispute here, the court turned to custody.

The court noted that it had "heard a lot of bad behavior on the part of both parties in this case, very bad behavior." In addition, the court found that "[t]here's a lot of troubling communications between the parties[,]" and "a lot of troubling behavior that [it] heard about and observed." The court stated that, as a result, "[a]t some point, it just sort of becomes noise," leaving the court "trying to sort out . . . what the factors are that really do matter" when making custody determinations. The court then reviewed some of the "particularly problematic" incidents one or the other party had initiated or escalated. The court found that many of the incidents involved "a lot of he said, she said in this case" and, again, observed that "[a]t some point, it just becomes noise and [the court has] to

look for objective examples . . . to evaluate the party's credibility and how to apply the custody factors[.]"

One concern the court had was an incident occurring in the midst of trial—and memorialized in text messages between the parties—regarding Father reneging on his agreement to allow Mother to have the children for Halloween 2023 because she did not immediately respond to a text message regarding the same. The court was troubled that Father could not "get away from this, kind of tit-for-tat bargaining[.]"

The court noted that Father had been assessed $170 and $360 in sanctions (representing attorney fees Mother had incurred) for failing to comply with discovery orders and that he had made no attempt to pay them, which concerned the court. The court also expressed concern about Father's failure to make the previously ordered $500 per month child support payments and noted an arrearage of $11,587 as of February 28, 2023. Other than a one-time payment of $250 in March 2023, the court found that there had been "[n]o effort" to make those payments.[3]

[3] In his testimony, Father stated that he had not paid the $500 in child support pursuant to an interim order the court had issued on March 10, 2023 because the case was "still being in litigation" and it was "very challenging to . . . still take care of our kids as well as pay two lawyers." He testified that "it's pretty much impossible to do when you're still paying thousands and thousands of dollars in lawyer fees."

Mother testified that, after the parties had separated in June 2021, Father had given her approximately $500 monthly, but since December 2021, he had only given her $250 once, which was on March 30, 2023. She did acknowledge, however, that when the air-conditioning in the marital home stopped working, Father had it fixed; but, when it stopped working again, she had it fixed. She also testified that, during the separation, she alone made the mortgage payment, which totaled over $2,000 per month.

The court also noted its concern about a protective order that had been issued against Father and a Department of Social Services ("DSS") investigation regarding an alleged incident involving Father choking the oldest son—an incident Mother testified about, not having witnessed it firsthand, but observing its immediate aftermath—and DSS's report regarding the same.[4] The court stated that it had "review[ed] the DSS records . . . start to finish."

The court stated that it had "balance[d]" its concerns "against what [it] hear[d] from the best interest attorney, that Father has a great house with wonderful time with the kids." The court found that the "children go back and forth from house to house and they end up probably enjoying time with both of the parties for the most part."

The court then turned to the factors set forth in *Taylor v. Taylor*, 306 Md. 290 (1986) and *Montgomery County Dept. of Social Services v. Sanders*, 38 Md. App. 406 (1978), which a court considers when determining the best interests of the child in custody disputes. Among other things, the court found that the parties have "an enormous problem with communication" and difficulty making "shared decisions on behalf of these children." The court found that, as for the "willingness of the parties to share custody," Father was willing, but Mother was not. The court further found that the three youngest children have a good relationship with both parents and they "have a preference to see both the parents on a regular basis." The court was concerned that the four children were on three different parenting time schedules and found that there was

[4] In his testimony, Father denied that he had ever choked his son.

"[t]oo much back and forth." The court concluded that it was in the children's best interests to be on the same regular schedule.

The court granted joint legal custody to the parents, with tie-breaking authority given to Mother. The tie-breaking authority was subject to various conditions and guidelines.

The court awarded Mother primary physical custody of the oldest son, with Father given access to him "as the parties may agree[.]" The court awarded the parties shared physical custody of the three youngest children on the following schedule: Father has parenting time with the children every other weekend from Friday after school (or 4:00 p.m. if school is not in session) until Monday morning at school drop-off (or 9:00 a.m. if school is not in session), plus every Wednesday overnight from after school (or 4:00 p.m. if school is not in session) until Thursday morning at school drop-off (or 9:00 a.m. if school is not in session). For the summer months, the court expanded Father's time on alternating weekends so that it begins at 9:00 a.m. on Fridays and ends at 4:00 p.m. on Mondays. The court also addressed vacation time and a holiday schedule.

As noted, Father filed an appeal.

STANDARD OF REVIEW

In an action tried to the court, we "review the case on both the law and the evidence" and "will not set aside the judgment of the trial court on the evidence unless clearly erroneous, [as we give] due regard to the opportunity of the trial court to judge the credibility of the witnesses." Md. Rule 8-131(c). "When a trial court decides legal questions or makes legal conclusions based on its factual findings, we review these

determinations without deference to the trial court." *E.N. v. T.R.*, 474 Md. 346, 370 (2021) (citation and quotation marks omitted). We review a trial court's custody decision for abuse of discretion. *Basciano v. Foster*, 256 Md. App. 107, 128 (2022).

DISCUSSION

I. FATHER RECEIVED A FAIR TRIAL, AND THE CIRCUIT COURT DID NOT VIOLATE FATHER'S DUE PROCESS RIGHTS.

Father's first contention is that the court violated his due process rights by rushing his attorney through his testimony and not allowing his attorney to "present all of the evidence needed to receive a fair trial." He asserts that the court sought to expedite the case after Mother had rested, and "time should have been taken out to hear [his] side." He claims that there were "several false allegations that [he] was not able to defend" against and Mother "was allowed to testify for two days" but "when it came time for [him] to testify, all [the judge] heard was noise."

First, Father does not indicate what evidence he wished to submit but claims he could not. Second, having read through all the transcripts, we disagree with his characterization of what transpired. The record reflects that the case was scheduled for a merits hearing for August 30 and 31, 2023 and that the parties had expected that two days would be sufficient.

The hearing on August 30 began with some housekeeping issues, including a discussion on sequestering witnesses and the submission of records from DSS, and some stipulations regarding the parties' finances, child support, alimony, the marital home, a holiday schedule with the children, and Father's access to the oldest child. The court also

heard from counsel what each party was seeking in terms of custody, and counsel (including the BIA) presented their opening statements.

Thereafter, the court advised the parties that, "for the benefit" of the parties, the court hoped to finish the case in two days because it would otherwise be hard to start and then finish at a later day. Mother, as the plaintiff in the case, then began her case presentation by calling herself as the first of two witnesses. Father's attorney began her cross-examination of Mother about 3:00 p.m. that day. The proceedings for the day ended before the cross-examination was completed.

The court advised the parties that cross-examination of Mother would resume the next day and expressed some concern "about finishing[]" the case. The court did state, however, that it believed that "everyone's being efficient with their use of time . . . [a]nd the case is moving along[.]" The court informed the parties that, "if we don't finish by tomorrow, that would be problematic, but it happens. But we'll do the best we can, okay?"

Cross-examination of Mother by Father's attorney resumed the next day. The BIA also cross-examined Mother, which was followed by a re-direct and a re-cross by Father's counsel.

Mother then called her only other witness, her stepfather, who was examined and cross-examined. Mother's counsel then moved into evidence some exhibits and rested her case.

Prior to breaking for lunch, the court then engaged in a discussion regarding the time Father needed to present his case. His counsel indicated that Father would likely be

on the stand "a full day" and that the defense would be calling two additional witnesses. The court concluded the discussion by stating that they would "see where we are" at the end of the day and asked the parties what their schedules were like for the next day (September 1, 2023) in the event more time was needed to complete the case. Mother's counsel indicated that she could adjust her schedule to be in court the next day, and the BIA said he was available, but Father's attorney said she could not be as she was catching a flight out of town.

The proceedings resumed at 1:55 p.m. with Father calling his mother, followed by his brother, as witnesses. Father then took the stand at approximately 3:30 p.m. and testified for about an hour before the court concluded for the day.

The parties returned to court in the morning on November 21, 2023 and Father's direct examination resumed. Prior to him taking the stand, the judge informed counsel that he was available until noon, for a "solid two hours," but expected to be available again by 1:15 p.m.

At 11:45 a.m., the judge reminded counsel that they needed to break at noon and asked how much more time counsel needed to complete Father's direct examination. The court noted that Mother had "almost a full day" and Father had "about an hour or so" on August 31. The court indicated that it was "just trying to see if we can expedite the testimony here to wrap the case today" as that "would be ideal for the parties[.]" After inquiring whether Mother would have any rebuttal and whether the BIA intended to call any witnesses, the court and Father's counsel engaged in the following colloquy:

> THE COURT: Okay. All right, well let's proceed. I would say I understand your desire to have him address some of the allegations that were made against him and some of the testimony that she gave, but I don't need to hear everything about these incidents over and over. But go ahead.
>
> [COUNSEL FOR FATHER]: And I understand, but I also think it's important for you to hear his version of these events.
>
> THE COURT: Of course it is. And it is, and that's why I'm sort of guarding my language here. I don't want to lead with the impression that I'm saying I don't need to hear his response to the allegations. Because [Mother] did take a good bit of time going through all of this and I'm aware of what you're accomplishing here is getting his response on some of these things.
>
> [COUNSEL FOR FATHER]: I will do everything we can to expedite my questions. I've put off some other things, exhibits that I'm not going to admit. But certainly, during the break, I will look to see if I can condense, eliminate any testimony to move it long.
>
> THE COURT: Well, we'll continue until noon. It doesn't sound like you'll finish with him by noon, so.
>
> [COUNSEL FOR FATHER]: No.

After the lunch recess,[5] Father's direct examination continued, followed by his cross-examination by Mother's counsel and by the BIA, a redirect by his counsel and a brief recross-examination by Mother's counsel. During this period, there were no further on-the-record discussions with the court regarding the time, and Father's attorney rested without any request for more time to present his case. Mother's counsel did not have any

[5] It is not clear from the transcript what time the hearing resumed after the lunch break.

rebuttal witnesses, and the BIA did not present a case. The court allotted about 30 minutes for closing. Counsel for both parties, and the BIA, then gave closing statements. Court adjourned at 4:49 p.m.

Based on our review of the transcripts, we are not persuaded that the court rushed Father's testimony nor deemed his testimony and his side of the story to be simply "noise." Moreover, we are not persuaded that Mother's testimony significantly exceeded the time allotted for Father's testimony. We also note that both parties submitted over 30 exhibits, as well as about eight joint exhibits. In rendering its decision, the court mentioned that it had reviewed its notes from the merits hearing as well as all the exhibits submitted by the parties.

II. THE CIRCUIT COURT DID NOT ERR IN ADMITTING A VIDEO INTO EVIDENCE.

Father contends that the court erred in admitting into evidence, during Mother's testimony, a particular video (Mother's Exhibit No. 18) Mother had recorded during an exchange of the children, which he asserts "played a key role in the trial." He claims that the video provided "false" and misleading information because it had been "edited[,] and there was more to the video." Although Father states that, during his testimony, he "mentioned [that] the full video" should have been submitted, he maintains that "[a]t no point did the Judge ask for it to be provided."

We are not persuaded that the court erred in accepting the video into evidence. Father's counsel did not object prior to the playing of the video in open court. After the video was played, however, Father's counsel did note an objection on the grounds that

"it's an abbreviation of the full video[]" and "doesn't show everything." The court and counsel then engaged in the following colloquy:

> THE COURT: Okay. So I would be fine if you . . . wanted to provide the complete version of the video. I mean, the video itself was authenticated. It didn't indicate to me it [would] be inadmissible. It's been provided, right, in discovery? You've seen it before. I don't think there's anything wrong with presenting a shortened version of a longer video, as long as I give you the opportunity to present a longer version of it, if that's what you would like.
>
> [COUNSEL FOR FATHER]: Okay. Well, we're not in possession of the video because it was - -
>
> [COUNSEL FOR MOTHER]: (Unintelligible) inquire.
>
> [COUNSEL FOR FATHER]: - - taken by [Mother].
>
> [COUNSEL FOR MOTHER]: - - of my client about whether or not she did shorten the video.

Counsel then continued with her direct examination of Mother:

> [COUNSEL FOR MOTHER]: [Mother], so we just watched a video. Was there more to the video? Did you only provide me a portion of the video?
>
> [MOTHER]: In the very beginning he's asking about [oldest son].
>
> [COUNSEL FOR MOTHER]: Right . . . . This video starts at a particular point in time. Were there things that happened prior that you caught on video?
>
> [MOTHER]: Mm-hmm.
>
> [COUNSEL FOR MOTHER]: But when you provided it to me, you only gave me the last minute 11 - - and 11 seconds, but there was something else you captured by video before it?

> [MOTHER]: Prior to[, Father] is asking me about [oldest son] and why [oldest son] [w]as not coming.
>
> [COUNSEL FOR MOTHER]: Okay. So you have you have that video - -
>
> [MOTHER]: Yes, I can send that to you.
>
> [COUNSEL FOR MOTHER]: The entire video, right?
>
> [MOTHER]: Yeah. Mm-hmm, that's no problem.
>
> [COUNSEL FOR MOTHER]: Okay.
>
> THE COURT: Okay. We can supplement it. I mean that's, I'll allow this, but I'll make a note that there may be some additional - - how about this? You can allow your Counsel to see it. And you can show [Father's counsel]. If she wants to make it a part of the record, then I would certainly - -
>
> [COUNSEL FOR MOTHER]: Okay.
>
> THE COURT: - - will make some accommodations for that. All right, so may be supplemented. So I'll admit it with that stipulation, that characterization.

In short, Father's counsel objected to the admission of the video on the ground that it was "an abbreviation of the full video" and did not "show everything." The court overruled the objection with the understanding that counsel could later supplement it with the full video.

When the hearing resumed about three months later, Father, during his direct examination, testified about the incident portrayed on the video:

> [COUNSEL FOR FATHER]: [W]e saw a video involving you and [Mother] and her mother. Can you tell me what was going on that day, at that exchange [of the children]?

[FATHER]: So that was the first time of - - you know, a few days before, I had just caught wind that [oldest son] was going through something. So I wasn't being told what. So when I went to drop off [oldest daughter], I asked [oldest daughter], you know, could she just sit in the car for a second, I just needed to talk with her mom. [Oldest daughter] sat in the car, and I leaned against my car and just asked her what was going on with [oldest son]. And she's just yelling and screaming she don't have to tell me anything. And I was just like, "I don't understand what's going on or what I've done." And I'm not aggressive with them, and I'm just trying to ask her what's going on.

[COUNSEL FOR FATHER]: You're not aggressive with whom?

[FATHER]: With [Mother] and her mom.

[COUNSEL FOR FATHER]: Okay.

[FATHER]: And I'm just asking, ["[S]o what is actually going on?["] And she's like, "What haven't you done? You've done a lot." But I'm just like, "Okay, so what?" And she can't explain. She just keeps yelling that I'm this and that and I've done a lot and she don't have to tell me anything. And her mom is yelling. I don't really know what her mom is yelling, but they're both recording. They're both coming towards the car, as they're still yelling and screaming.

[COUNSEL FOR FATHER]: So was that video, that was played, was that the entire interaction between you and [Mother] and her mother that day?

[FATHER]: Not even close. It's missing a whole portion. Purposely, they didn't want to show them yelling and screaming and coming towards me. [Oldest daughter] would've have no idea what was going on. It's the yelling and screaming and coming towards me aggressively that our child would even think something is wrong.

[COUNSEL FOR FATHER]: And at what point did that happen? Was that in the beginning, the middle, the end, that they were aggressive towards you?

> [FATHER]: From the very beginning.

Later in cross-examination, the video was again discussed.

> [COUNSEL FOR MOTHER]: Now, you testified about the exchange that was videotaped and it was your testimony, prior to the video that we sa[w], that [Mother] was yelling at you?
>
> [FATHER]: Yes.
>
> [COUNSEL FOR MOTHER]: And that you were calm?
>
> [FATHER]: Yes.
>
> [COUNSEL FOR MOTHER]: And she was the one that was out of control?
>
> [FATHER]: Yes.
>
> [COUNSEL FOR MOTHER]: The behavior that we saw on that videotape, do you think your behavior was appropriate?
>
> [FATHER]: I think my behavior was appropriate. I think maybe I could've picked a different time to try to communicate with her about it, but at that point, I hadn't received any answers on what was going on with [oldest son] whatsoever.

It is not this Court's role to search the record, but we see no indication that the full video, if it existed, was moved into evidence by either party. And despite his assertion to the contrary, it certainly was not incumbent upon the judge to request it. Nonetheless, Father testified as to what occurred immediately prior to the recording, thus giving context to the incident from his perspective. Finally, although Father asserts that the video "played a key role in the trial[,]" he does not support that assertion with any evidence from the record, and we note that, in announcing its findings and decision on

the record, the circuit court did not specifically mention this video or the incident captured thereon.

III. THE CIRCUIT COURT WAS NOT BIASED AGAINST FATHER AND DID NOT ABUSE ITS DISCRETION IN ITS CUSTODY AWARD.

Father maintains that the judge in this case "had an anchoring bias[]" and "believed what he was able to hear first."[6] He also asserts that the judge's decision was "based on [Father's] inability to pay the full child support between hearings" because he was paying his lawyer, as well as the BIA, but contends that "child support does not have any bearing on visitation." Father also points out that the BIA, who he claims had met with the children several times, had recommended "50/50 physical custody[]" and the court "completely went against [the BIA's] recommendations."

First, Father does not support his allegation that the judge was biased with any examples or citation to the record. Moreover, given that Mother was the plaintiff, her case naturally was presented first. But, in any event, it is clear to us that the circuit court carefully considered all the evidence in this case. Prior to announcing its findings and decision, the court stated that it had "considered the testimony and the evidence presented by the parties[;]" reflected on its "observations of the parties in this case" and on its "notes from their testimony[;]" reviewed "all of the exhibits[;]" and "considered the

[6] "Anchoring bias" has been described as "people's tendency to rely too heavily on the first piece of information they receive on a topic. Regardless of the accuracy of that information, people use it as a reference point, or anchor, to make subsequent judgments." Kassiani Nikolopoulou, *What is Anchoring Bias?*, SCRIBBR, Scribbr.com/research-bias/anchoring-bias (last visited Aug. 15, 2024).

arguments of the parties[.]" The court reiterated, "for the record," that it "did review all of it, every bit of it, more than once, frankly."

It is true that the circuit court was "very troubled" by Father's failure to pay the interim child support payment of $500 monthly during the litigation (and the arrearages totaling over $11,000) and by his failure to satisfy two orders ($170 and $360 respectively) assessed against Father for discovery violations. The court found that, "[i]t's one thing if he's paying portions of it, attempting to comply with the orders, but he just totally disregards the concept of child support."[7]

Nonetheless, we are not persuaded that the court's custody award was based solely (or even in large part) on Father's failure to make these payments. The court was also troubled by "some of the childish behavior both parties engaged in," but found that Mother seemed to have "turned the corner away from that behavior" while Father "is still engaging in it to some extent." One example the court pointed out involved the incident in the midst of trial where Father reneged on his agreement to allow Mother to have the children for Halloween that year because she failed to immediately respond to his text message about it. The court found that "[Father] was unable to . . . get away from this, kind of tit-for-tat bargaining that he had engaged in[.]"

Of particular concern to the court were allegations that Father had engaged in some physical altercations, and in particular, a "choking incident" with the oldest son.

[7] At the August 31, 2023 merits hearing, Father testified that he is employed as a "talent acquisition manager" in the human resources department of an independent living facility and earns about $88,000 annually.

The court was aware of the DSS investigation and its report that included an admission by Father, in the court's words, of "some kind of maybe stepping over the line physical discipline[]" of the children. The court was also mindful of the final protective order that had been issued against Father.

As for the BIA's recommendation, the recommendation was just that—a recommendation. The court was not bound to accept it nor required to explain why it did not. Moreover, although Father had requested shared physical custody on a "50/50" bases, Mother had requested primary physical custody with Father having visitation every other weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday. The court awarded the parties shared physical custody, giving Father parenting time every other weekend from Friday after school until Monday morning at school drop-off (with expanded hours in the summer), as well as overnights every Wednesday. In other words, in terms of physical custody, the court awarded both parties less than what they requested and awarded Father more time with the children than what Mother desired.

In sum, we are not persuaded that the court was biased against Father or abused its discretion in its custody award.

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