

# HOUSE BILL 563

D4

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By: **Delegates Kullen, Carter, Dumais, Feldman, Hecht, Jameson, Lawton, Lee, Manno, McComas, Mizeur, Pena-Melnyk, Valderrama, and Waldstreicher**

Introduced and read first time: February 7, 2007

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Divorce – Change of Surname of Child**

3 FOR the purpose of authorizing a court, in granting a decree of absolute divorce, to  
4 change the surname of a child under certain circumstances; specifying certain  
5 factors that the court may consider in making a certain determination; and  
6 generally relating to the change of the surname of a child in a divorce  
7 proceeding.

8 BY adding to

9 Article – Family Law

10 Section 7–108

11 Annotated Code of Maryland

12 (2006 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Family Law**

16 **7–108.**

17 **(A) IN GRANTING A DECREE OF ABSOLUTE DIVORCE, ON REQUEST OF**  
18 **EITHER PARTY, THE COURT MAY CHANGE THE SURNAME OF ANY CHILD OF THE**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PARTIES IF, AFTER A HEARING, THE COURT FINDS THAT THE CHANGE IS IN THE  
2 BEST INTEREST OF THE CHILD.

3 (B) IN DETERMINING WHETHER THE CHANGE OF THE CHILD'S SURNAME  
4 IS IN THE BEST INTEREST OF THE CHILD, THE COURT MAY CONSIDER:

5 (1) THE CHILD'S REASONABLE PREFERENCE, IF THE CHILD IS OF  
6 THE AGE AND MATURITY TO EXPRESS A MEANINGFUL PREFERENCE;

7 (2) THE LENGTH OF TIME THE CHILD HAS USED ANY OF THE  
8 SURNAMES BEING CONSIDERED;

9 (3) THE EFFECT THAT HAVING ONE NAME OR THE OTHER MAY  
10 HAVE ON THE PRESERVATION OR THE DEVELOPMENT OF THE CHILD'S  
11 MOTHER-CHILD AND FATHER-CHILD RELATIONSHIPS;

12 (4) THE IDENTIFICATION OF THE CHILD AS A PART OF A FAMILY  
13 UNIT;

14 (5) THE EMBARRASSMENT, DIFFICULTIES, OR HARASSMENT THAT  
15 MAY RESULT FROM THE CHILD'S USE OF A PARTICULAR SURNAME;

16 (6) MISCONDUCT BY ONE OF THE CHILD'S PARENTS DISPARAGING  
17 OF THAT PARENT'S SURNAME;

18 (7) FAILURE OF ONE OF THE CHILD'S PARENTS TO CONTRIBUTE  
19 TO THE CHILD'S SUPPORT OR TO MAINTAIN CONTACT WITH THE CHILD; AND

20 (8) THE DEGREE OF COMMUNITY GOOD WILL OR RESPECT  
21 ASSOCIATED WITH A PARTICULAR SURNAME.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2007.