

Chapter 849

**(Senate Bill 96)**

AN ACT concerning

**Family Law – Divorce on Grounds of Mutual Consent – Court Appearance**

FOR the purpose of repealing the requirement that both parties appear before the court at an absolute divorce hearing in order for the court to decree an absolute divorce on the grounds of mutual consent; and generally relating to divorce on the grounds of mutual consent.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–103(a)(8)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 7–103(f)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2017 Supplement)

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

**Article – Family Law**

7–103.

(a) The court may decree an absolute divorce on the following grounds:

(8) mutual consent, if:

(i) the parties do not have any minor children in common;

(ii) the parties execute and submit to the court a written settlement agreement signed by both parties that resolves all issues relating to:

1. alimony; and

2. the distribution of property, including the relief provided in §§ 8–205 and 8–208 of this article; **AND**

(iii) neither party files a pleading to set aside the settlement

agreement prior to the divorce hearing required under the Maryland Rules[; and

(iv) both parties appear before the court at the absolute divorce hearing].

(f) If a court decrees an absolute divorce on the grounds of mutual consent under subsection (a)(8) of this section, the court may:

(1) merge or incorporate the settlement agreement into the divorce decree; and

(2) modify or enforce the settlement agreement consistent with Title 8, Subtitle 1 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 26, 2018.**