



*Advocating better skills, jobs, and incomes*

**TESTIMONY IN SUPPORT OF HOUSE BILL 367:**

**Child Support – Multifamily Adjustment**

TO: Hon. Luke Clippinger., Chair, and Members of the Judiciary Committee

FROM: Christopher Dews, Policy Advocate

DATE: February 6, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that advocates for better jobs, skills training, and wages for low-income workers and job seekers in Maryland. JOTF supports House Bill 367 as a means to eliminate the criminalization of poverty by equitably balancing out child support payments for obligors of multiple families.

JOTF’s recently released report entitled, “The Criminalization of Poverty,” studies how crippling child support debt burdens the poor leading to criminalization for indigency. Low-or-no-wage workers are paying 35% or more of their income to comply with child support orders, compared to only 12% for higher-income obligors. In 2015, NPR reported that 62% of Marylanders who owe child support make less than minimum wage, but owe at least \$10,000 in unpaid arrearages. They will never be able to pay off this debt. Child support debt triggers a suspended drivers’ license, arrest, or incarceration, which further complicates the ability for low-wage workers to secure and maintain employment.

Elevating the issue is the fact that Maryland state law does not factor in an obligor’s financial responsibility to his or her current custodial children when determining the monthly obligation. This means that a massive amount of the obligor’s funds are routed to the non-custodial parent while impoverishing the current family he or she has settled down with. When obligors from lower-income communities are forced to neglect their fiscal responsibility to their own families in favor of supporting court orders, conflict and chaos ensue. Deep friction between the court-involved parents flare-up which negatively impacts the relationship both have with the children involved in the order. Since state law also allows wage garnishments of up to 63% of income to pay off arrears, obligors are forced into a deeper cycle of poverty disincentivizing traditional employment and familial connectivity.

Solutions to disparately impacted obligors involve restructuring how child support sentences are distributed. An obligor’s financial responsibility to other children in his or her home should be a key determinant when deciding how the state sets the rates. Despite the emotional volatility and deep biases that occur on all sides when discussing these topics, economic equity and sustainability should be front and center in the decision making. No one is served when an obligor is thrown into poverty for the inability to conform with unrealistic court-ordered arrearages.

House Bill 367 seeks to address this by altering the adjusted actual income statute in the child support guidelines to reflect an obligor’s financial responsibility to his or her current family’s children. This

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would significantly reduce the burden placed on responsible obligors by allowing a realistic financial standard for their non-custodial children. JOTF urges a favorable report on House Bill 367.