

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

Senate Bill 43

(Senator Stone)

Judicial Proceedings

Judiciary

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**Family Law - Earnings Withholding - Notice of Change of Address or  
Employment**

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This bill alters procedures and specifies time frames for support obligors and recipients to provide notification of changes in address and employment.

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**Fiscal Summary**

**State Effect:** None. The bill's provisions could be met with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill sets forth notification of change of address and employment procedures that apply to earnings withholding orders. Any support order or modification of support order must include a statement that so long as the support order is in effect, a support obligor must notify the court of any change of address within 10 days after moving to a new address or any change of employment within 10 days after receiving the first earnings from the new employer.

A support recipient who moves to a new address must notify the court within 10 days after the move by certified mail, return receipt requested, or by filing in person at the court and getting proof of filing. The support recipient must also notify the obligor, at the obligor's last known address, by first class mail and each employer subject to an earnings withholding order by first class mail. If a support enforcement agency receives the

support payments, the recipient must notify the agency by certified mail, return receipt requested, or by entering the new address online if the support enforcement agency's web site allows parents to update address information.

An obligor who moves to a new address or changes employment must provide notice to the court and the support recipient within 10 days of moving or 10 days of receiving the first earnings. Notification to the court must be by certified mail, return receipt requested, or by filing in person at the court and getting proof of filing. Notification to the recipient must be by first class mail. If a support enforcement agency receives the support payments, the agency must be notified by certified mail, return receipt requested, or by entering the new address or place of employment online at the support enforcement agency's web site, if the web site allows parents to update address and employment information.

**Current Law:** Any support order or modification of support order, passed on or after July 1, 1985 and any notice or statement relating to an earnings withholding order issued before July 1, 1985, must include a statement that if the obligor falls into arrears amounting to more than 30 days of support, the obligor will be subject to earnings withholding. So long as the support order is in effect, the obligor is required to notify the court within 10 days of any change in address or place of employment. Failure to notify the court in a timely manner will subject the obligor to a maximum penalty of \$250 and may also mean that the obligor will not receive notice of earnings withholding proceedings.

If the address of a support recipient changes, the recipient must, within a reasonable time, notify the court, the support obligor at the obligor's last known address, each employer of the obligor who is subject to an earnings withholding order, or the support enforcement agency, if the agency receives the support payments. Notification must be by certified mail, return receipt requested. If an employer or support enforcement agency is unable to deliver deductions under the earnings withholding order because the recipient failed to give reasonable notice, the employer or agency may not make further deductions, must return each undeliverable payment to the obligor, and must notify the court.

If an obligor's address or place of employment changes, the obligor must send the address or employment change within 10 days to the court, the recipient, or, if a support enforcement agency receives support payments, the agency. Notification must be by certified mail, return receipt requested.

**State Expenditures:** The Department of Human Resources advises that the bill's provisions could be met with existing resources, as it would codify existing practice. For example, for three years, the Child Support Enforcement Administration has had in place a web site for parents to report address and employment changes. Also, the Child

Support Enforcement Administration receives employment information about obligors through the New Hires Reporting service, a database maintained by the federal Office of Child Support Enforcement.

This bill could also be met with the existing resources of the Judiciary, which is responsible for enforcing spousal and other court-ordered support. Obligor and recipients, who already are required to provide current address and employment information to the court, would now have to provide that same information within the specific time frames specified in the bill. Accordingly, it is unlikely that the bill would have a fiscal impact on judicial operations.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Judiciary (Administrative Office of the Courts) Department of Legislative Services

**Fiscal Note History:** First Reader - January 24, 2006  
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