

Department of Legislative Services  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

Senate Bill 223  
Judicial Proceedings

(Senator Kittleman)

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**Family Law - Motions for Modification of a Child Support Award - Hearings  
and Decisions**

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This bill establishes time limits for court hearings on the modification of child support orders and the issuance of decisions. The bill requires the court to hold a hearing on a motion for modification of a child support order within 150 days after the filing of the motion. The court must issue a decision on the motion for modification within 30 days after the hearing.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund expenditures to provide additional resources to expedite hearings when necessary.

**Local Effect:** Potential minimal increase in expenditures to provide additional resources to expedite hearings when necessary.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The court is authorized to modify a child support award after the filing of a motion for modification and the showing of a material change in circumstances. Specific time frames for the hearing of the motion or the rendering of a decision by the court are not imposed by State law.

The court is prohibited from retroactively modifying a child support award prior to the date of the filing of the motion for modification.

**Background:** The Administrative Office of the Courts does not maintain statistics on the average disposition time for modification of child support orders by the circuit courts. The Judiciary advises that there are many reasons a case is not heard promptly after filing, most of which are outside the control of the court.

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### **Additional Information**

**Prior Introductions:** This bill is a reintroduction of SB 504 of 2006, which received an unfavorable report from the Senate Judicial Proceedings Committee.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 20, 2007  
nas/jr

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