

Department of Legislative Services  
2016 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 962  
Judiciary

(Delegate McConkey, *et al.*)

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**Family Law - Child Support Guidelines - Publication of Periodic Review**

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This bill requires the Child Support Enforcement Administration (CSEA) to publish on its website the findings and recommendations made pursuant to its requirement to review child support guidelines every four years.

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**Fiscal Summary**

**State Effect:** CSEA can meet the bill's requirements with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law/Background:** At least every four years, CSEA must review the State's child support guidelines to ensure that the application of the guidelines results in the determination of appropriate child support award amounts and report its findings and recommendations to the General Assembly. These provisions stem from federal regulations, which require states to review guidelines at least once every four years. Maryland's child support guidelines were last revised pursuant to Chapters 262 and 263 of 2010.

In a proceeding to establish or modify child support, whether *pendente lite* or permanent, the court is required to use the child support guidelines. The basic child support obligation is established in accordance with a schedule provided in statute. There is a rebuttable presumption that the amount of child support that would result from the application of the guidelines is the correct amount of support to be awarded. The presumption may be rebutted by evidence that the application of the guidelines would be unjust or inappropriate

in a particular case. The current schedule uses the combined monthly adjusted actual income of both parents and the number of children for whom support is required to determine the basic child support obligation.

In determining whether the application of the guidelines would be unjust or inappropriate in a particular case, the court may consider the presence in the household of either parent of other children to whom that parent owes a duty of support and the expenses for whom that parent is directly contributing. The adoption or revision of the guidelines may be grounds for requesting a modification of a child support award based on a material change in circumstances only if the use of the guidelines would result in a change in the award of 25% or more.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2016  
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