

HOUSE BILL 959

D4

1lr2553

By: **Delegate Conaway**

Introduced and read first time: February 2, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Absolute Divorce – Mutual Consent – Deadline for Ruling**

3 FOR the purpose of requiring a court to rule on an application for absolute divorce within
4 a certain number of days after the date on which the application is filed; and
5 generally relating to absolute divorce.

6 BY repealing and reenacting, without amendments,
7 Article – Family Law
8 Section 7–103(a)(8)
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2020 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Family Law
13 Section 7–103(f)
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2020 Supplement)

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

18 **Article – Family Law**

19 7–103.

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

21 (8) mutual consent, if:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 1. alimony;
- 2 2. the distribution of property, including the relief provided
3 in §§ 8–205 and 8–208 of this article; and
- 4 3. the care, custody, access, and support of minor or
5 dependent children;
- 6 (ii) the parties attach to the settlement agreement a completed child
7 support guidelines worksheet if the settlement agreement provides for the payment of child
8 support;
- 9 (iii) neither party files a pleading to set aside the settlement
10 agreement prior to the divorce hearing required under the Maryland Rules; and
- 11 (iv) after reviewing the settlement agreement, the court is satisfied
12 that any terms of the agreement relating to minor or dependent children are in the best
13 interests of those children.

14 (f) **(1) A COURT SHALL RULE ON AN APPLICATION FOR ABSOLUTE**
15 **DIVORCE ON THE GROUNDS OF MUTUAL CONSENT UNDER SUBSECTION (A)(8) OF**
16 **THIS SECTION NOT MORE THAN 7 DAYS AFTER THE DATE ON WHICH THE**
17 **APPLICATION IS FILED.**

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

20 **[(1)] (I)** merge or incorporate the settlement agreement into the divorce
21 decree; and

22 **[(2)] (II)** modify or enforce the settlement agreement consistent with Title
23 8, Subtitle 1 of this article.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2021.