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**To:** Members of The House Judiciary Committee

**From:** Family & Juvenile Law Section Council (FJLSC)  
by Ilene Glickman, Esquire and Daniel Renart, Esquire

**Date:** January 30, 2020

**Subject:** **House Bill 191:**  
Family Law – Child Support, Custody and Visitation – Award of Expenses – Suit  
Money

**Position:** **SUPPORT**

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**The Maryland State Bar Association (MSBA) FJLSC supports House Bill 191 – Family Law – Child Support, Custody and Visitation – Award of Expenses – Suit Money.**

This testimony is submitted on behalf of the Family and Juvenile Law Section Council (“FJLSC”) of the Maryland State Bar Association (“MSBA”). The FJLSC is the formal representative of the Family and Juvenile Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family and juvenile law and, at the same time, tries to bring together the members of the MSBA who are concerned with family and juvenile laws and in reforms and improvements in such laws through legislation or otherwise. The FJLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,200 attorney members.

Under current law, the Court may award “reasonable and necessary expenses,” consisting of suit money (advance fees), counsel fees (reimbursement of fees incurred) and costs (out of pocket expenses) to a litigant in a divorce proceeding. *Ann. Code Md., Fam. Law Art. §7-107*. However, in a child support, custody or visitation matter, where divorce is not at issue, the Court can only award counsel fees to a litigant. HB191 will amend Family Law Article Section 12-103 to mirror Section 7-107 so that a parent seeking support or visitation can ask for suit money, counsel fees or costs at any point during the proceeding. The considerations for an award of “reasonable and necessary expenses” will be the same in both statutes. This amendment serves the best interest of Maryland’s children as it will not make funds a barrier to litigants seeking the establishment or modification of support or custody. Further, the amendment provides

consistency in custody matters, whether or not divorce as an issue. Parents who are not married should not have different relief available regarding claims for contributions to the costs of the litigation than parents who are married.

For the reason(s) stated above, the MSBA **supports House Bill 191 and urges a favorable committee report.**

Should you have any questions, please contact Ilene Glickman by e-mail at [ilene@lawhj.com](mailto:ilene@lawhj.com) or by telephone at (410) 821-8718.