

KATHLEEN M. DUMAIS

Legislative District 15
Montgomery County

—
Vice Chair

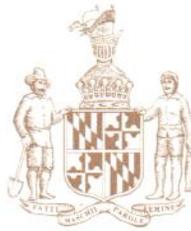
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Joint Committee on Legislative Ethics



The Maryland House of Delegates
6 Bladen Street, Room 231
Annapolis, Maryland 21401
410-841-3052 · 301-858-3052
800-492-7122 Ext. 3052
Fax 410-841-3219 · 301-858-3219
Kathleen.Dumais@house.state.md.us

The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401

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Testimony in Support of House Bill 269 – Child Support – Shared Physical Custody

Good afternoon Mr. Chairman and members of the committee. Thank you for the opportunity to speak to you on behalf of **House Bill 269 – Child Support – Shared Physical Custody**.

Current law stipulates that “shared physical custody” applies when each parent keeps the child or children overnight for more than 35% of the year. Upon meeting the 35% threshold, an assumption follows that both parents contribute to the child associated expenses in addition to child support payments. Indeed, the assumption is part of the statute. Unfortunately, parental conflict arises because adding a couple of overnight stays that result in reaching 35% can lead to a precipitous drop in child support obligation, a drop known as the cliff effect. The perception that custody arrangements are negotiated and overnight visitations added in order for support obligations to be diminished rather than in the child’s best interest makes the arrangements appear unjust and driven by material gain. It is easy to imagine the familial acrimony that follows such a perception.

The purpose of this bill is to even out the cliff effect. The decline in obligation would become more gradual. House Bill 269 accomplishes this by adjusting the basic child support obligation when a parent keeps the child or children overnight for more than 25% but less than 30% of the year. When this occurs, the bill offers a gradual calculation for support based on number of overnight stays. The gradual decline in obligation is designed to render a more financially accurate and fair child support assessment.

This bill is based on the work of the Child Support Guidelines Advisory Committee. Upon enactment, this measure would apply prospectively, impacting only those cases filed on or after the effective date of October 1, 2020. Respectfully, I request a favorable report for House Bill 269.