

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Mary Ellen Barbera  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 394  
Family Law – Nonpayment of Child Support - Sentencing  
**DATE:** January 15, 2021  
(2/9)  
**POSITION:** Oppose

---

The Maryland Judiciary opposes Senate Bill 394. This bill requires a sentence for a conviction under a provision of law prohibiting a parent from willfully failing to provide for the support of his or her minor child to run concurrently with a sentence for any other conviction under the same provision of law imposed against the parent.

Although the Judiciary understands this is an effort to consolidate sentences for convictions for failure to pay child support, there are situations in which courts may want sentences to run consecutively. If enacted, this bill would limit judges' discretion to do so. The Judiciary believes that it is important for judges to weigh the facts and circumstances for each case, including possible mitigating factors, when imposing a sentence.

cc. Hon. Jill Carter  
Judicial Council  
Legislative Committee  
Kelley O'Connor