



Marjorie Cook Foundation  
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**TESTIMONY IN SUPPORT OF SENATE BILL 36 AS AMENDED**

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House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout Maryland. The House of Ruth Domestic Violence Legal Clinic has offices in Baltimore City, Prince George’s County, Montgomery County, and Baltimore County. Senate Bill 36 would eliminate the current time that most spouses have to wait before being eligible for a divorce and it enables parties to obtain a divorce even if they continue to reside in the same house. **We urge the House Judiciary Committee to issue a favorable report on SB 36 as amended.**

Under current law, most spouses who wish to apply for a divorce must live separate and apart for at least one year. Although there are grounds which enable parties to apply for divorce sooner, such as cruelty of treatment, excessively vicious conduct, and adultery, many self-represented litigants do not understand when and how to plead these grounds or how to prove them. For those parties who have no option other than to proceed on grounds of one-year separation, they must live in separate residences to qualify. This can be onerous for parties who do not have the financial means to afford separate residences or the ability to stay with family members.

SB 36 would simplify the grounds for divorce, enabling parties to obtain a divorce based on having “irreconcilable differences.” In the event the parties could not prove irreconcilable differences, SB 36 would reduce the waiting time for a divorce to six (6) months. House of Ruth believes it is important that individuals be able to obtain an expeditious divorce regardless of the circumstances that led to the demise of the marriage. Particularly in cases involving intimate partner violence, a complex and drawn out divorce process can place domestic violence victims in ongoing danger and delay their ability to live safe, independent lives.

SB 36 also enables parties to obtain a divorce even if they continue to reside in the same house. As previously mentioned, it can be burdensome, if not impossible, for low income parties to separate their households, leaving them stuck in the marriage under current law. SB 36 will make it possible for parties whose marriage has come to end, but who cannot afford separate living arrangements, to obtain a divorce.

SB 36 as amended, strikes the language on page 3, lines 22 through 24. This amendment means that a party who wants to file for divorce based on the permanent legal incapacity of the other party

would have to wait six (6) months to file for divorce, rather than being able to file immediately.  
House of Ruth supports this amendment.

**The House of Ruth urges the House Judiciary Committee a favorable report on Senate Bill 36 as amended.**