

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 322
Annapolis, Maryland 21401
410-841-3648 · 301-858-3648
800-492-7122 Ext. 3648
Chris.West@senate.state.md.us

District Office
1134 York Road, Suite 200
Lutherville - Timonium, MD 21093
410-823-7087

April 5th, 2023
The House Judiciary Committee
The Honorable Luke Clippinger
Room 101, House Office Building
Annapolis, Maryland 21401

Re: Senate Bill 36 – Family Law – Grounds for Divorce

Dear Chairman Clippinger and members of the Committee,

Under current law, most spouses applying for divorce must live separate and apart for at least one year. Although there are exceptions for parties to apply for divorce sooner, like cruelty of treatment, excessively vicious conduct, or adultery, many self-represented litigants do not understand how to plead these grounds or how to prove them. For those 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, problems exacerbated by Covid-19.

Senate Bill 36 and the cross-file, House Bill 14 would simplify the grounds for divorce, allowing parties to obtain a divorce based on having “irreconcilable differences.” In the event the parties cannot prove irreconcilable differences, both bills would reduce the waiting time for a divorce to six months. The bills also enable parties to obtain a divorce even if they continue to reside in the same house, facilitating the process for low-income parties.

It is important that individuals can 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 arduous divorce process can place domestic violence victims in ongoing danger and delay their ability to live safe, independent lives.

Senate Bill 36 passed the floor a thumping 33-10 and House Bill 14 passed unanimously.

I appreciate the Committee’s consideration of Senate Bill 36 and will be happy to answer any questions the Committee may have.