
To: Members of the Senate Judicial Proceedings Committee

From: Family Law Section Council (FLSC)

Date: February 28, 2024

Subject: Senate Bill 1011
Family Law – Child Support – Multifamily Adjustment

Position: FAVORABLE

The Maryland State Bar Association (MSBA) FLSC **supports Senate Bill 1011**

This testimony is submitted on behalf of the Family Law Section Council (“FLSC”) of the Maryland State Bar Association (“MSBA”). The FLSC is the formal representative of the Family Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family law and, at the same time, tries to bring together the members of the MSBA who are concerned with family laws and in reforms and improvements in such laws through legislation or otherwise. The FLSC 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.

Maryland, like most other states across the country, calculates child support orders based on an “income-shares” model, which considers parental income, the number of shared minor children, and several other factors such as alimony payments, health insurance costs, and extraordinary medical expenses when setting the rate of child support. See Maryland Family Law Code § 12-204. This model aims to ensure that children receive the same proportion of parental income as they would if the parents resided in the same household.

Unlike most other states,¹ however, Maryland’s child support laws do not adjust a parent’s income for the purpose of calculating child support based on whether they are supporting additional dependent children in their home. In other words, Maryland’s child support guidelines currently calculate child support as if the children at issue in the child support case are their parents’ *only* children; there is no consideration of the fact that either or both parents might also

¹ See Jane C. Venohr, *Child Support Guidelines and Guidelines Reviews: State Differences and Common Issues*, 47 FAM. L.Q. 327, 343 (2013) (“Most state guidelines provide an income deduction to recognize a parent’s financial support of his or her additional children.”).

be legally responsible for additional children in their households and how that factor impacts their disposable income.

SB 1011 seeks to update Maryland's child support laws to reflect the reality that a growing number of American families are comprised of parents who have had children with multiple partners. This bill amends the child support guidelines to create an income deduction for parents who have additional children in their homes besides the children at issue in a given child support case. By reducing a parent's available income based on the number of additional children for whom the parent is responsible, SB 1011 recognizes the fact that modern American families often consist of parents who are juggling financial responsibilities to multiple children, and it ensures that no single child gets shortchanged.

This income deduction for additional dependent children would apply *equally* to custodial as well as non-custodial parents, thus fostering a sense of fairness and equity in cases that are, by nature, emotionally charged and highly contested. Child support offers children an important source of financial stability and consistency, and SB 1011 will ensure that it is calculated fairly and accurately, with full consideration of each parent's financial realities.

For the reason(s) stated above, the MSBA FLSC **supports Senate Bill 1011 and urges a favorable committee report.**

Should you have any questions, please contact

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