

House Bill 1045 - Family Law – Child Support – Multifamily Adjustment
House Judiciary Committee
February 22, 2024

SUPPORT

A premise of the child support program is that all children deserve to be financially supported by both of their parents. This notion becomes complicated when parents have children with multiple partners, which national data shows has become increasingly common. Among parents with two or more children, 24% had those children with multiple partners.¹ Maryland Family Law addresses this complexity when a parent has multiple child support orders, but there is no consistent standard when a parent has a child with a support order *and* another child in their residence. HB 1045 aims to create this standardization.

Currently, Maryland Family Law allows courts to adjust child support obligations for intact second families. When determining a child support obligation for a child, Maryland Family Law allows courts to consider whether an obligor (i.e., the parent paying support) resides with and is financially responsible for their other children (§ 12-202(a)(2)(iii)). In these instances, courts *may* establish a lower obligation than the amount recommended by the guidelines; this is called a deviation. This deviation recognizes that the child on the obligor's formal child support order and the resident child both deserve financial support from the obligor. However, courts are not required to deviate for intact second families, and if they do, there is no consistency in the amount of the deviation across the state.

Some courts have tried to standardize the amount of financial support considered for children residing with the obligor. A [recent federally-mandated review of child support orders](#) between 2015 and 2018 in Maryland showed that some courts subtracted the value of a parent's contributions to a resident child from the obligor's income. Currently, Maryland Family Law does not permit courts to use income adjustments in this way, but HB 1045 would establish this mechanism.

Adjustments for intact families vary across the state. Based on the [2015 to 2018 Maryland Child Support Guidelines Case-level Review](#) of orders established through the public child support program, seven jurisdictions did not account for intact families when determining support obligations. Among orders with any deviations, 20% or less of those orders were adjusted for intact families in 15 jurisdictions, while 40% of orders with a deviation were adjusted for intact families in two jurisdictions.

HB 1045 provides courts with clear guidance on how to account for intact families when determining child support obligations. A favorable report for HB 1045 will help ensure parents with multiple partners receive more consistent and equitable child support orders that account for the needs of all their children. **I respectfully urge a favorable report for HB 1045.**

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The Family Welfare Research & Training Group of the University of Maryland School of Social Work (UMSSW) has been a research partner of the Maryland Department of Human Services (DHS) for more than 30 years. UMSSW completed the federally-mandated report referenced above: [2015 to 2018 Maryland Child Support Guidelines Case-level Review](#).

¹ King & Valerio. (2023). [Multiple Partner Fertility Research Brief: 2021](#). U.S. Census Bureau.