



Working to end sexual violence in Maryland

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Testimony Opposing Senate Bill 660 **Lisae C. Jordan, Executive Director & Counsel** February 13, 2025

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes a statewide direct legal services program for survivors of sexual assault: the Sexual Assault Legal Institute (SALI). MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence in the State of Maryland. We urge the Judicial Proceedings Committee to report unfavorably on Senate Bill 660.

Child Support – Agreement by Parents – Unintended Consequences and Harm to Children

This bill would permit parents to waive child support. It will have the unintended consequence of harming children, including those who have been abused.

Child support is mandated by law to provide children with financial stability and ensure that parents are sharing in financial responsibilities. Under current law, application of child support guidelines is presumptively correct. These guidelines are similar to tax tables and take into account income and certain expenses. The court may only deviate from application of the guidelines in certain circumstances related to one or both parent's financial circumstances. SB 660 would introduce a new, presumptive basis for deviating from the child support guidelines when the parents agree that deviating is in the child's best interest. In essence, this would enable parents to agree to waive child support altogether.

MCASA's colleagues have submitted testimony addressing the very real threat this poses in intimate partner violence cases. These include, of course, intimate partner violence involving sexual assault and MCASA concurs with the testimony of the Network Against Domestic Violence and the House of Ruth. We also draw the Committee's attention to the danger this bill poses in child sexual abuse cases. The reality is that there are a significant number of cases where one parent has abused a child and there simply is not enough proof to establish the abuse in court. Protective parents in these cases often feel desperate and willing to do almost anything to protect the child from further risk. Even in cases where there is proof of abuse or boundary violations that cause concern, courts often entertain requests for visitation between the abuser

and child. It is difficult to overstate the concern and fear this causes. Even under current law, protective parents in this situation often give up legal rights in return for agreements to limit contact between a child and abuser. MCASA's member agencies and its Sexual Assault Legal Institute have encountered agreements to give up rights to spousal support/alimony, use & possession of a home, personal property, pension rights, and more – all to protect children. Adding child support to the list of things that can be bargained away will not help families. It will simply put children at higher risk of poverty and financial instability. The policy reasons for mandating child support are strong and child-centered. SB660 would erode the protections for children and should be firmly rejected.

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