



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 13, 2025

The Hon. Will Smith, Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0660 - FAMILY LAW - CHILD SUPPORT GUIDELINES -
AGREEMENT BETWEEN PARENTS - POSITION: UNFAVORABLE**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide unfavorable testimony for Senate Bill 660 (SB 660).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. The Child Support Administration (CSA) within DHS implements the child support program which will be affected by SB 660, if passed.

SB 660 establishes a presumption that the application of the child support guidelines would be unjust or inappropriate if the parents mutually assert that the separation or property settlement agreement is in the best interest of the child. CSA currently serves almost 106,000 children through active child support cases, and our breadth of experience raises concerns about SB 660. Specifically, we doubt that SB 660 appropriately protects the interests of children and foundational principles of fairness. We are concerned about unbalanced bargaining power between parents, and whether domestic violence survivors could be coerced into agreements that are not in the financial best interests of children.

SB 660 prioritizes an agreement between parents over the “best interests of the child” for whom child support is intended. Today, the court uses the income of both parents to set the child support amount by calculating the standard of living a child could expect in an intact household. The current process exists because a parent or guardian does not have the right to waive child support that is not theirs to waive. Child support is not supplemental income for the custodial parent, but rather means to provide for a child’s needs and well-being. Even when all of a child’s needs are ostensibly addressed by an agreement between the parents, additional support could be directed toward the child’s environment, enrichment, or future financial stability; just as extra funds would be used if the household remained intact.

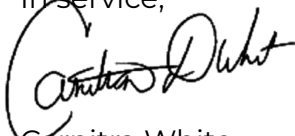
Under current law, the authority to make decisions about child support amounts is vested in a judge - an impartial finder of fact with no interest in the outcome of a settlement agreement between parents. A judge is best suited to ensure the child’s interests are protected because parents often don’t have equal bargaining power when negotiating with each other. If SB 660 passes, a parent with a stronger negotiating position could use their leverage because the negotiation is shielded in the private sphere. If SB 660 passes, differences in education, economic power, and social capital between parents could be leveraged to unfairly skew negotiations in favor of one parent and to the detriment of the child.

Finally, the Committee should consider how this legislation may affect survivors of domestic violence who enter into settlement agreements. A survivor of domestic violence could be coerced or exhausted into a child support agreement outside the protection of a court’s review. Removing current protections would limit a survivor’s ability to confirm whether the agreement deviates from the amount to which the child is entitled under current law. An unjust agreement negotiated in private and under pressure, or even duress, could lead to financial strain on the custodial parent or pose short and long term risks to the child.

We appreciate the opportunity to provide unfavorable testimony to the Committee for consideration during your deliberations. We look forward to the decision of the Committee and welcome continued collaboration on SB 660.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read "Carnitra White", written over a circular stamp or seal.

Carnitra White
Principal Deputy Secretary