



**BILL NO:** Senate Bill 660  
**TITLE:** Family Law - Child Support Guidelines - Agreement Between Parents  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** February 13, 2025  
**POSITION:** **OPPOSE**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judiciary Committee to issue an unfavorable report on SB 660.**

Although the language of the bill is terribly convoluted, Senate Bill 660 would create a presumption that if two parents or parties agreed to deviate from the child support guidelines, it would be *presumed* to be in the best interests of the child or children. This is a dangerous proposition and could be very damaging for custodial parents and children. The bill arises from a case that is currently in Maryland's Supreme Court, *Houser v. Houser*, where the parties agreed that mother, primary custodian, would waive virtually everything financially. The trial court refused the parents' agreement and ordered father, who earned more than mother, to pay child support according to the guidelines. The court found that the parties did not articulate a reason it was in the best interests of the child to deviate to no child support being paid at all. In August, 2024, the Appellate Court of Maryland upheld the trial court's decision.<sup>1</sup>

We have several concerns:

**Coercion and Unequal Bargaining Power:** In situations involving domestic violence, one parent may exert undue influence or pressure on the other to agree to a child support arrangement that is not fair or adequate. The bill's presumption in favor of mutual agreements could inadvertently legitimize agreements reached through coercion, leaving the victimized parent with insufficient support.

**Inability to Rebut the Presumption:** Although typically presumptions can be rebutted if a court determines that the agreement is not in the child's best interest, under SB 660 *there would not be a party to present evidence to rebut the presumption*. This would create a de facto exception in these cases to judicial review of the child support agreed upon. The Court itself cannot present

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<sup>1</sup> See *Houser v. Houser*, [www.mdcourts.gov/data/opinions/cosa/2024/2220s22.pdf](http://www.mdcourts.gov/data/opinions/cosa/2024/2220s22.pdf)



evidence. Therefore, this bill would give this type of agreement (mutual consent to deviate from the Guidelines) more power than any other type of arrangement.

**Overlooking the Dynamics of Abuse:** The bill does not account for the complexities of domestic violence situations, where the abusive partner may manipulate or control the victim's decisions. Without safeguards to protect victims, the legislation could perpetuate financial abuse and instability. Most often the victim is the economically inferior parent. She may be coerced into agreeing to terms that are not favorable to her or the child or children.

**It will Increase Instances of Power and Control:** Most importantly, the Network believes in and supports victim autonomy. However, our very strong fear is that if SB 660 passes, it will increase instances of power and control, threats, or other behaviors engaged in by abusers, or the economically superior parent even if there is no domestic violence, to force the other parent to give up what they are entitled to under our child support laws. In turn, this will harm the children.

SB 660 puts the wishes of the parent, or one parent, over the well-being of the child, and we suspect this may be part of a larger effort geared towards parents' rights. Maryland law should protect citizens from laws such as SB 660 and should make sure parents support their children economically when they are able.

For the above stated reasons, the **Maryland Network Against Domestic Violence strongly urges an unfavorable report on SB 660.**