



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 12, 2025

SB 660 – Family Law – Child Support Guidelines – Agreement Between Parents

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

SB 660 establishes 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.

This issue was brought to my attention by an attorney who cited a 2022 case¹ where the parents wanted no payment of child support. Support under the guideline should have been \$2000 a month, however the mother kept some house equity which the parents claimed should have justified no child support payments.

Under current law, the Circuit Court for Anne Arundel County ruled against the parents, as they did not have authority to deviate from the child support guidelines.

A separate advocate reached out to our office over concerns raised by some domestic violence advocates who worry that, in certain cases, one parent may feel pressured into accepting a support order that does not truly reflect their child's best interest. I considered these amendment proposals reasonable and ordered the following amendments:

1. **Affirmation Requirement:** Any agreed-upon child support order below the Guideline amount must be accompanied by an affirmation that both parents:
 - Understand their rights under the Child Support Guidelines,
 - Do not feel coerced, and
 - Believe the order adequately meets their child's needs.
2. **Modification Option:** Either parent would retain the right to modify the order back up to the Guideline amount at any time, without needing to meet a burden of proof or provide justification.

I respectfully request a favorable report on Senate Bill 604.

¹ <https://law.justia.com/cases/maryland/court-of-special-appeals/2024/2220-22.html#:~:text=In%20this%20case%2C%20both%20parents,a%20deviation%20from%20the%20guidelines>