

SB0106_HB0110_FAV_AprilleHamilton (1).pdf

Uploaded by: Aprille Hamilton

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the House Judiciary Committee and Senate Judicial Proceedings Committee

FROM: Aprille Hamilton

My name is Aprille Hamilton, a resident of District 8, and I support(s) Senate Bill 106/ House Bill 110 to ensure that driver's license suspensions for inability to pay child support are used in appropriate cases.

I have an 11-year-old daughter from a previous relationship and a one-year-old that I am raising alone. I left my last relationship after surviving multiple domestic violence situations with my ex, the 11-year-old's father, and then moved out. It was not easy. I struggled to secure housing and ended up in a shelter.

At this point, I lost custody of my daughter, and my ex then placed me on child support, where I had my wages garnished and my license suspended. My quality of life plummeted significantly, and I had to reach back out to him, my abuser, and plead with him to drop the order, which he eventually did. I am blessed that the situation worked the way that it did, but no one should have to plead with their abuser to repeal a child support case.

Years later, I moved to Alaska to work as a waitress on a cruise ship. During this time, he placed me on child support again for my daughter, and because I was not in the state, I did not receive the court order to push back. I owe him over \$20,000 in arrears, and there is **no way** that I can pay this debt. My license has been in a constant cycle of suspension with a looming threat of incarceration for inability to pay.

I am also watching the DHS' Child Support Bill closely and disagree strongly with taking personal injury awards for inability to pay. I have a settlement coming my way from my former workplace for damages done to me, and I don't think that it is just to have that money forwarded immediately to my abuser.

I have been frantically searching for employment opportunities but am constantly denied due to not having a license. If this bill were to pass, I could make a case in court, retrieve my license, and support my son. Please pass these bills!

MAJR_SUP_SB106_25RS.pdf

Uploaded by: Bill Carlson

Position: FAV

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



To: Chair Will Smith and Senate Judicial Proceedings Committee Members
From: Jennifer Zito and Bill Carlson, MAJR executive committee

January 20, 2025

The Maryland Alliance for Justice Reform (MAJR) asks you to support of SB 0106 - Child Support - Suspension of Driver's License.

We believe SB 0106 is a sensible bill that will help correct a flaw in the current policies relating to driver's license suspension due to child support arrears. Under the current system an impoverished parent who is behind in their child support payments can have their driver's license automatically suspended. Driver's license suspensions do not work as an enforcement mechanism for those who are living in poverty and simply do not have the ability to pay. They create a barrier to employment and make it difficult to be an involved and active parent. The current system often has consequences that are not in the best interest of the child. Further, the punishment can paradoxically make the parent in arrears less able to make further child-support payments. Being handicapped by not being allowed to drive reduces the ability of parent to function. Or, choosing to drive with a suspended driver's license can create a ripple of further negative outcomes such as fines, arrest, and sometimes even imprisonment. The current system disproportionately affects low-income parents and families.

The basic approach taken by SB 0106 is a fundamental change from the current system. SB 0106 requires that the Maryland Department of Human Services (DHS) petition the court to suspend a license and provide clear and convincing evidence to the court that the proposed suspension is appropriate. Under the current system, DHS automatically enters obligators who are 60 days behind on child support into the suspension program with limited opportunity to contest or show that they are eligible for one of the many exemptions provided in the law. The new approach offered by SB 0106 is much more aligned with standard practices in a just society in which the government must show that a punishment is appropriate, not that the suspected wrong doer must show their innocence. It also is in compliance with the requirements of federal law (42 USC 666(a)) which requires that states have the authority to suspend licenses "in appropriate cases". The current automatic suspension system is neither required or "appropriate" -- It is harmful and counterproductive.

The Maryland Alliance for Justice Reform (MAJR) is a nonpartisan, all-volunteer organization of nearly 2000 Marylanders who advocate for sensible evidence-based legislative and policy changes in Maryland's correctional practices. MAJR thanks you for the opportunity to provide input on this important legislation and urges the committee to give SB 0106 a favorable report.

SB 106 - Sponsor Testimony.pdf

Uploaded by: C. Anthony Muse

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Sponsor Testimony

SB 106: Child Support – Suspension of Driver's Licenses

Good afternoon, Chairman Smith, Vice Chairman, and distinguished members of the Senate Judicial Proceedings Committee

Senate Bill 106 addresses the suspension of driver's licenses due to child support arrearages. This bill seeks to amend current law relating to the authority of the Child Support Enforcement Administration (CSEA) to notify the Motor Vehicle Administration (MVA) to suspend an individual's driver's license or privilege to drive for failing to meet child support obligations.

Under existing law in Maryland, the CSEA has the authority to notify the MVA to suspend an individual's driver's license if they are 60 days or more out of compliance with child support payments. While this provision is intended to encourage payment and enforce child support obligations, it has often had a detrimental impact on low-income individuals, many of whom rely on their ability to drive to secure and maintain employment.

The unintended consequence of this policy is that, for many individuals, the suspension of their driver's license can lead to a vicious cycle. Without the ability to drive, they may lose their jobs or be unable to find employment, making it even more difficult to meet their child support obligations. This exacerbates the financial instability of individuals who are already struggling, particularly those with a criminal record, who may face additional barriers to employment.

Existing Law in Maryland: Under the current law, if an individual fails to pay child support and their arrearages exceed 60 days, the CSEA has the authority to notify the MVA to suspend their driver's license. This law was put in place with the goal of compelling compliance with child support payments by leveraging the loss of a driver's license, which is essential for many to maintain steady employment and daily life.

Senate Bill 106 proposes to alter these provisions to create a more balanced and effective approach to enforcement. The bill allows for more targeted use of the suspension of driving privileges by considering factors such as the individual's ability to

pay and their employment situation. This will help prevent the loss of employment and further financial hardship for those who are already struggling to meet their child support obligations.

By limiting the automatic suspension of driver's licenses in certain circumstances, SB 106 ensures that individuals are not unfairly penalized in a way that further impedes their ability to meet their obligations. This will lead to better compliance with child support orders, while also reducing the potential for individuals to fall into a cycle of unemployment and financial instability.

In closing, SB 106 is a common-sense approach to addressing child support arrearages while recognizing the real-life challenges faced by low-income individuals. By altering the provisions surrounding the suspension of driver's licenses, this bill strikes a better balance between ensuring that child support obligations are met and providing individuals with the tools they need to succeed financially.

Therefore, I respectfully urge a FAVORABLE report for SB 106, as it will ultimately benefit both families and individuals who are trying to meet their responsibilities while working toward greater financial stability.

SB0106 - Child Support - Suspension of Driver's Li

Uploaded by: Christina Nemphos

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are working in collaboration with Out for Justice. I am a resident of Maryland District 40, living in the Medfield neighborhood of Baltimore. **I support Senate Bill 106 to ensure that driver's license suspensions for inability to pay child support are used in appropriate cases.**



Showing Up for Racial Justice

Mobility is key in Maryland's regional economy. The Census Bureau reported that almost [40% of Marylanders travel outside their county for employment](#). This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit. [Only 8.5% of jobs in the Baltimore region can be reached within one hour, one way by public transit](#). Thus, a valid driver's license and a vehicle are necessary for economic sustainability. [Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support, an obligor shall have their license or privilege to drive suspended, regardless of their circumstances or ability to pay. The suspension mechanism is automated through the Child Support Enforcement Agency, and no determination is made as to whether or not a suspension would be appropriate. Many people are disabled, not in arrears, or with primary custody of their children, having their licenses suspended.

Senate Bill 106 will resolve this by ensuring that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. **It is not wise to use an automated system to remove transportation access for people who may or may not owe money as it prevents them from paying.** This is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child.

It is for these reasons that we urge a favorable report on SENATE BILL 106.

Christina Bell
1301 W 42nd St., Baltimore, Md 21211
Showing Up for Racial Justice Baltimore

SB0106_HB0110_FAV_SignOn.pdf

Uploaded by: Christopher Dews

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the House Judiciary Committee and Senate Judicial Proceedings Committee.

FROM: Christopher Dews, Policy Consultant

Out for Justice, Inc. (OFJ) is an organization comprised of individuals directly and indirectly impacted by the criminal legal system. It advocates for reforming policies and practices that adversely affect successful reintegration into society. OFJ supports Senate Bill 106 and House Bill 110 to ensure that driver's license suspensions for inability to pay child support are used only in appropriate cases.

Mobility is key in Maryland's regional economy. The Census Bureau reported that almost [40% of Marylanders travel outside their county for employment](#). This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit. [Only 8.5% of jobs in the Baltimore region can be reached within one hour, one way by public transit](#). Thus, a valid driver's license and a vehicle are necessary for economic sustainability.

[Federal Code 42 U.S.C.A. § 666 \(a\)](#) demands that all States have laws that "increase the effectiveness of the [child support enforcement] program which the state administers" and allows the State to withhold, suspend, or restrict licenses of individuals owing child support in "[appropriate cases](#)" (16). To this end, [Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support, an obligor shall have their license or privilege to drive suspended, regardless of their circumstances or ability to pay. The suspension mechanism is automated through the Child Support Enforcement Agency, and **no** determination is made as to whether or not a suspension would be appropriate. Maryland Legal Aid and the University of Baltimore have reported individuals who are disabled, *not* in arrears, or with primary custody of their children, having their licenses suspended.

Additionally, [a report cited](#) by the Abell Foundation found that **42% of individuals who had their licenses suspended lost jobs as a result of the suspension, 45% of those who lost jobs could not find another job, and 88% of those who were able to find another job reported a decrease in income.**

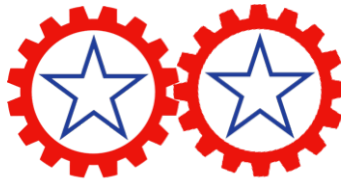
Senate Bill 106/ House Bill 110 seeks to resolve this by ensuring that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. It proceeds to determine that a suspension is not appropriate for the obligor if:

1. The minor lives mainly with the obligor;
2. The obligor is disabled and unable to work;
3. The suspension would risk the loss of employment or job opportunities;
4. The obligor could not pay or is making arrangements to pay;
5. The Administration has agreed with the obligor through the payment incentive program.
6. The transportation needs of the child would not be met;
7. If the suspension would place an undue hardship on the family; or
8. The reported arrearage amount is not accurate.

Out for Justice believes this is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child. For these reasons, we urge a favorable report.

The Undersigned Organizations Support Senate Bill 106/ House Bill 110

- | | |
|--|--|
| 1. Out for Justice | 15. Helping Oppressed People Excel |
| 2. Job Opportunities Task Force (JOTF) | 16. Helping Ourselves Transform |
| 3. BetterU Construction Training | 17. Public Justice Center |
| 4. Maryland Legal Aid | 18. Civic Works Center for Sustainable Careers |
| 5. University of Baltimore School of Law | 19. 1199 SEIU |
| 6. Maryland Volunteer Lawyers Service | 20. Baltimore Harm Reduction Coalition |
| 7. Showing Up for Racial Justice | 21. PIVOT Program |
| 8. Office of the Public Defender | 22. Economic Action Maryland |
| 9. Life After Release | 23. Northeast Catholic Community |
| 10. CASH Campaign of Maryland | 24. Baltimore Mutual Aid for Mental Health |
| 11. America Works | 25. Marylanders Against Poverty |
| 12. Court Watch PG | 26. Cornerstone Full Gospel Church |
| 13. Consumer Auto | 27. Fines and Fees Justice Center |
| 14. HTP Homes | |



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COURTWATCH PG



MARYLAND
LEGAL AID



OPD Testimony Senate Bill 0106 (1).pdf

Uploaded by: Cindy Najhram

Position: FAV



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB 0106 Child Support- Suspension of Driver's License

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: January 20, 2025

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on Senate Bill 0106.

My name is Cindy Najhram, and I am a supervising attorney with the Maryland Office of the Public Defender, Prince George's County. I am responsible for the supervision of the Child Support attorney that represents our clients on the Child Support Contempt docket. I have also personally represented our clients appearing on the Child Support Contempt docket.

I support this bill for numerous reasons. The first reason being that I have witnessed first-hand the negative impact that results in suspending a client's driver's license due to child support arrearages. The negative impact is that the client is economically disadvantaged by the suspension of their driver's license. This of course impacts their employment and any future employment endeavors as it limits their mobility and ability to move timely to and from employment ultimately resulting in a cycle of not being able to pay child support because the client cannot maintain steady employment without a valid license. Furthermore, many jobs require a valid license and reliable transportation and with a suspended license that eliminates potential employment. It further impacts the client's other responsibilities and obligations as it pertains to the care of their child.

Secondly, the proposed bill addresses the frequent issues that arise in court such as where the minor child is residing; whether the individual has a disability preventing them from being employed; the direct impact on their current and future employment; the lack of funds to pay despite making reasonable efforts to comply with their child support obligations, a resolution including a payment

schedule for the arrearages and the undue hardship on the minor child, individual and the child support recipient.

All the above issues are specifically addressed in Section (3) of the proposed bill and states the following (direct quote from the proposed Bill below):

...

(3) The Court may not make a finding that suspension of the obligor's license or privilege to drive is appropriate if:

(1) The obligor proves by a preponderance of the evidence any of the following factors:

- 1. The minor child is residing primarily with the obligor;*
- 2. The obligor has a documented disability resulting in a verified inability to work;*
- 3. Suspension of the obligor's license or privilege to drive would be an impediment to current or potential employment;*
- 4. The obligor does not have the ability to pay and is making reasonable efforts to become or remain employed;*
- 5. The Administration reached an agreement with the obligor, including through a payment incentive program for a scheduled payment of the arrearages, or the court issued order for a scheduled payment of the arrearages, and the court determines that the obligor is complying with the agreement or the order;*
- 6. Suspension of the obligor's license or privilege to drive would be an impediment to the obligor's ability to assist with the transportation needs of the minor child; or*
- 7. Any other circumstance that the court determines would place an undue hardship on the minor child, the child support payment recipient, or the obligor; or*

...

(Proposed SB0106)

The Bill also considers that the arrearages reported may be inaccurate. The Bill further provides safeguards and promotes equity and fairness by considering the many factors that are often overlooked at a hearing until a defense attorney brings it to the Courts' attention. This Bill gives the Court a clear roadmap of the many issues that may arise and allows the Court to examine the individual's situation and to determine whether the suspension of one's license is truly the appropriate decision as it pertains to the individual that is appearing before them.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on Senate Bill 0106.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.
Authored by: Cindy Najhram, Supervising Attorney, Specialty Court and Jury Trial Unit,
Maryland Office of the Public Defender, Prince George's County.
Cindy.Najhram@Maryland.gov 301 952 2134

SB0106_HB0110_FAV_CorrineBerry.docx.pdf

Uploaded by: Corrine Berry

Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the Senate Judicial Proceedings Committee and House Judiciary Committee

FROM: **Corrine Berry**

I am a resident of District 25, and I support Senate Bill 106/ House Bill 110 to ensure that driver's license suspensions for inability to pay child support are used only in appropriate cases. The system is currently unfair and has been used by scorned lovers for vengeance, as in my case.

I have a seven-year-old son who I am currently paying child support for. I am currently \$2200 in arrears and being charged \$300 monthly in child support.

My child's father placed me on child support out of revenge because he was toxic, and I did not want to be with him. We were happily together for about six years when my son was born. Thanks to his abusive character, drinking habits, and general disrespectfulness, I chose to separate from him. While I was struggling with breast cancer, he filed paperwork to take full custody of my son.

Thankfully, the judge granted us joint custody during the summer of 2022. During 2023, my ex claimed I was doing little to help my son as I didn't have the resources to provide since my job at the post office cut my hours. And he decided to file for child support. I was already taking care of my son, and after, I was put on child support. My payments were directly for child support - none of those payments counted towards my arrears.

I support Senate Bill 106/ House Bill 110 as it would prevent vengeful people like my ex from taking advantage of the child support system to harm their significant others.

SB0106_HB0110_FAV_DB_OFJ.docx.pdf

Uploaded by: D'wan Burton

Position: FAV



OUT FOR JUSTICE

TESTIMONY IN SUPPORT OF [SENATE BILL 106](#) / [HOUSE BILL 110](#):

Child Support - Suspension of Driver's Licenses

TO: Members of the House Judiciary Committee and Senate Judicial Proceedings Committee

FROM: **Dwan Burton**, Deputy Director of Out for Justice

As Deputy Director of Out for Justice, an organization dedicated to advocating for individuals impacted by the legal system. I am writing to express our strong support for **Senate Bill 106 (SB106) and House Bill 110 (HB 110)**, which seeks to reform the process by which the Child Support Enforcement Administration (CSEA) can request the suspension of an individual's driver's license due to child support arrearages.

Under existing Maryland law, the CSEA is authorized to notify the Motor Vehicle Administration (MVA) to suspend an obligor's driver's license if they are 60 days or more out of compliance with their child support payments.

This policy, while intended to enforce child support obligations, often has the unintended consequence of further destabilizing the financial situation of low-income individuals. For many, especially those with a criminal record, a valid driver's license is essential for securing and maintaining employment. The suspension of this license can thus create a vicious cycle: without the ability to drive, individuals may lose their jobs or be unable to find work, making it even more challenging to meet child support obligations.

Proposed Reforms in SB 106:

SB 106 introduces several critical reforms to address these issues:

1. **Extended Compliance Period:** The bill proposes extending the compliance period from 60 days to 120 days, providing obligors with additional time to fulfill their child support responsibilities before facing license suspension.
2. **Enhanced Notification and Due Process:** Before notifying the MVA, the CSEA must make reasonable attempts to notify the obligor of their noncompliance status, including both written and electronic notices. If the obligor fails to respond or resolve the arrearage, **the CSEA is required to petition the court for a**



determination on whether license suspension is appropriate. This process ensures that **obligors have the opportunity to present their circumstances before any punitive action is taken.**

3. **Consideration of Individual Circumstances:** The court is tasked with evaluating whether the obligor demonstrates that suspension would impede current or potential employment, or that they lack the ability to pay despite reasonable efforts. *(Enacting this would counter the narrative that CSEA frequently touts that an obligor has the means to pay the arrearage but is willfully withholding payment or is voluntarily impoverished, and as such allows the courts to decide the most appropriate action.)*

At Out for Justice, we advocate closely with justice-impacted individuals. Many of our members face significant barriers to employment due to their criminal records. A valid driver's license is often a critical tool for overcoming these barriers, enabling individuals to access job opportunities, attend interviews, and commute to work.

By implementing the reforms proposed in SB 106, Maryland can adopt a more equitable approach to child support enforcement. These changes recognize the complex realities faced by low-income obligors and aim to prevent punitive measures that may inadvertently exacerbate their financial hardships. By ensuring that license suspensions are considered carefully and applied judiciously, the state can better support both the financial stability of obligors and the well-being of their children.

Out for Justice strongly urges the Judiciary Committee to issue a favorable report on SB 106. This bill represents a balanced and compassionate approach to child support enforcement, one that upholds the importance of parental responsibility while acknowledging and addressing the systemic barriers that many individuals face.

Thank you for considering our perspective on this critical issue.

SB 106.pdf

Uploaded by: Daryl Yoder

Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the Senate Judicial Proceedings Committee and House Judiciary Committee

FROM: **Daryl Yoder**

Showing Up for Racial Justice, Baltimore

I support Senate Bill 106/ House Bill 110 to ensure that driver's license suspensions for inability to pay child support are used in appropriate cases.

Mobility is key in Maryland's regional economy. The Census Bureau reported that almost [40% of Marylanders travel outside their county for employment](#). This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit. [Only 8.5% of jobs in the Baltimore region can be reached within one hour, one way by public transit](#). Thus, a valid driver's license and a vehicle are necessary for economic sustainability.

[Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support, an obligor shall have their license or privilege to drive suspended, regardless of their circumstances or ability to pay. The suspension mechanism is automated through the Child Support Enforcement Agency, and **no** determination is made as to whether or not a suspension would be appropriate. Many people who are disabled, *not* in arrears, or with primary custody of their children, are having their licenses suspended.

Senate Bill 106/ House Bill 110 will resolve this by ensuring that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. It is not wise to remove transportation access for people who may or may not owe money as it prevents them from paying. This is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child. For these reasons, I urge a favorable report.

Thank you,
Daryl Yoder
309 Glenmore Ave.
Catonsville, MD 21228

SB0106_HB0110_FAV_David Reed_OFJ.docx (1).pdf

Uploaded by: David Reed

Position: FAV



OUT FOR JUSTICE

TESTIMONY IN SUPPORT OF [SENATE BILL 106](#) / [HOUSE BILL 110](#):

Child Support - Suspension of Driver's Licenses

TO: Members of the House Judiciary Committee and Senate Judicial Proceedings Committee

FROM: David Reed, Out for Justice Member

My name is David Reed, and I am here to provide testimony in strong support of Senate Bill 106, which addresses the suspension of driver's licenses for individuals in arrears on child support payments.

My personal experience demonstrates the severe and unnecessary hardship caused by the current system. In 2019, my driver's license was suspended due to child support arrears. This decision was made without proper notice—no letter, phone call, or communication. I discovered the suspension only when I was pulled over by law enforcement while on my way to work.

At the time, I had been living at the same address for two years, yet I never received any notice in the mail about the impending suspension. Ultimately, my license was restored, but not without significant time, loss of wages, and unnecessary inconvenience. I had to navigate a complex process, visiting both the Motor Vehicle Administration and the child support office, just to prove that my license should not have been suspended due to my disability status and reliance on government benefits.

This ordeal exposed significant flaws in the current system:

1. **Lack of Communication:** There was no prior notification before my license was suspended, even though my address was up to date, and I had resided at the residence for two years up to that point.
2. **Financial and Emotional Strain:** The suspension forced me to depend on others for transportation and caused unnecessary stress.
3. **Ineffectiveness as a Collection Tool:** Rather than investigating, suspending my license created barriers to earning income.

Under Senate Bill 106, these harmful consequences can be mitigated. By eliminating driver's license suspensions as a punitive measure for child support arrears, this legislation ensures that individuals can continue working and meeting their obligations.



It is important to note that the current system disproportionately impacts low-income individuals and those who rely on their vehicles for work and family responsibilities. SB 106 promotes a more equitable approach, allowing individuals to address their financial obligations without punitive measures that jeopardize their ability to do so.

I urge this committee to pass SB 106 to create a fairer and more just system that prioritizes communication, accountability, and the economic stability of Maryland residents. Thank you for your time and consideration.

Sincerely,
David Reed

DAD-VOCATE 01 20 25.pdf

Uploaded by: Eric Smith

Position: FAV

The Real Dadvocate



Winning Strategies: Fatherhood, The Courts & Custody, Incorporated

Contact Number – 443- 768-8158

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Email: winningstrategies.fcc@gmail.com

[Http://www.winningstrategiesfcc.org](http://www.winningstrategiesfcc.org)

January 20, 2025

Senators Anthony Muse & Ron Watson
Judicial Proceeding Committee
422 Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Issue: Support for Senate Bills 0015 & 0106 - Child Support Suspension of Driver's License

The Real Dadvocate non-profit organization supports Senator Watson and Senator Muse's bills addressing inconsistencies in the formula used for deciding child support. These bills highlight the biased opinions that influence child support orders, which often position fathers as financial providers rather than co-parents. Judicial appointees, such as judges and magistrates, often show bias in their courtrooms, issuing orders drafted by law clerks that reinforce these prejudices.

The passing of Senate Bill 0015 and Senate Bill 0106 would be crucial in addressing inconsistencies within Maryland's family court system.

Department of Human Services Secretary Lopez has acknowledged that child support policies have evolved since their inception in 1975. However, social service workers of child protective agency workers and social workers have played a role in alienating fathers through their report findings, further exacerbating the issue.

The Orders from a judicial appointee make a father a child support payer rather than a co-parent, a sentiment that is echoed from the fathers we educate and empower on a regular basis.

Secretary Lopez also said in his letter dated January 14th that Senate Bill 0195 focuses on collecting child support payments from parents who can but are unwilling to pay. This assertion, however, is only partially true. Many fathers are willing to pay but face payment challenges due to inaccurate reporting about their presence and involvement. These inaccuracies often result in higher child support orders than necessary, as the formula used is based on flawed data. To rectify this, an extended investigation period is essential to address the misapplication of Title IV-D regulations which can be conducted during the extended investigation period, as well as adding an amendment that the investigation will not start until the father has made contact within 30 days of the decision

The Real Dadvocate

to place him on a child support order.

The Real Dadvocate's Step-Up Dad Program is dedicated to helping fathers navigate the court system and petition the Office of Administrative Hearings because the Child Support

Administration is faulty in communicating with fathers. Through this initiative, fathers are encouraged to request an investigation into their cases, specifically questioning how they were believed to be absent parents despite their involvement. Participants also address the mistaken decisions made by judges, contributing to their misrepresentation as absentee parents. Fathers who participated in the Step-Up Dad Program have responded overwhelmingly positively. The program empowers them to advocate for themselves and seek investigations into their cases. Although they face time constraints, the program educates them on the importance of putting their concerns in writing, which helps them articulate their positions effectively. The Real Dad Advocate non-profit organization is still committed to supporting fathers and advocating for systemic changes to ensure fairness in the child support system. Here are emails about the support for Senate Bills 0015 & 0106.

Sincerely

The Real Dadvocate

Cc: File

Support Of Legislation Bills



Maurice Stevenson
to me ▾

Fri, Jan 17, 7:35 PM (3 days ago) ☆ 😊 ↶ ⋮

Good evening, this is Maurice Stevenson Jr, I watched the video posted by Winning Strategies and The Real Dadvocate Eric. I am for supporting Senate Bills SB 0015 & SB 0106. I am against House Bill HB 0152 based on information provided in the videos. I hope this helps with the voting next week and positive changes!



Winning Strategies <winningstrategies.fcc@gmail.com>
to Maurice ▾

Sat, Jan 18, 1:41 AM (2 days ago) ☆ 😊 ↶ ⋮

Thank you Maurice



Senate and house bills



cshaunabear@aol.com
to me ▾

Sun, Jan 19, 11:00 AM (15 hours ago) ☆ 😊 ↶ ⋮

Supporting Senate bill 0015 and 0106 voting against house bill 0152 cshaunabear@aol.com

The Real Advocate

Supporting and Opposing Bills ➤ Inbox x

stpeter25@gmail.com

12:29 PM (3 hours ago)



to me ▾

Support SB 0015 & SB 0106 because I feel there needs to be an investigation on how and why child support is so much.

I Oppose HB 0152 because you are taking a parent's right away to voice how they believe custody should be for children.

I agree with you.

I signed the petition.

Good points.

Supporting and Opposing Bills ➤ Inbox x



Lambert P. Butler III

12:39 PM (3 hours ago)



to me ▾

Support SB 0015 & SB 0106 because I feel there needs to be an investigation on how and why child support is so much.

I oppose HB 0152 because you are taking a parents right away to voice how they believe custody should be for children

I agree with you.

I understand.

Good points.

Supporting the opposing Bill's ➤ Inbox x



Berni Peterson

12:41 PM (2 hours ago)



to me ▾

Support SB0015 and SB0106 because I feel there needs to be an investigation on how and why child support is so much !

I oppose HB0152 because you are taking a Parent's right away to voice on how they believe custody should be for children

I agree with you.

Good points.

I understand.

Supporting and opposing bills ➤ Inbox x



Stevie monie <newamericantattoo@gmail.com>

1:08 PM (2 hours ago)



to me ▾

I Support SB 0015 & SB 0106 because I feel there needs to be an investigation on how and why child support is so much.

I Oppose HB 0152 because you are taking a parent's right away to voice how they believe custody should be for children.

Thank you
Steven Vaughn

The Real Dadvocate

Supporting and Opposing Bills > Inbox x



cshaunabear@aol.com
to me ▾

3:11 PM (31 minutes ago) ☆ 😊 ↶ ⋮

Support SB 0015 and 0106 because I feel there needs to be an investigation on how and why child support is so much.

I Oppose HB 0152 because you are taking a parent's right away to voice how they believe custody should be handled.



SB0106 - Child Support - Suspension of Driver's Li

Uploaded by: Erica Palmisano

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are working in collaboration with Out for Justice. I am a resident of District 12. I support Senate Bill 106 to ensure that driver's license suspensions for inability to pay child support are used in appropriate cases.



Showing Up for Racial Justice

Mobility is key in Maryland's regional economy. The Census Bureau reported that almost [40% of Marylanders travel outside their county for employment](#). This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit. [Only 8.5% of jobs in the Baltimore region can be reached within one hour, one way by public transit](#). Thus, a valid driver's license and a vehicle are necessary for economic sustainability. [Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support, an obligor shall have their license or privilege to drive suspended, regardless of their circumstances or ability to pay. The suspension mechanism is automated through the Child Support Enforcement Agency, and no determination is made as to whether or not a suspension would be appropriate. Many people are disabled, not in arrears, or with primary custody of their children, having their licenses suspended.

Senate Bill 106 will resolve this by ensuring that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. It is not wise to remove transportation access for people who may or may not owe money as it prevents them from paying. This is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child.

It is for these reasons that we urge a favorable report on SENATE BILL 106.

Erica Palmisano
5580 Vantage Point Rd, Columbia, MD 21044
Showing Up for Racial Justice Baltimore

testimony2025sb106.pdf

Uploaded by: Franz Schneiderman

Position: FAV



**Testimony to the Senate Judicial Proceedings Committee
SB 106 — Child Support – Suspension of Driver’s Licenses
Position: Favorable**

The Honorable Will Smith
Judicial Proceedings Committee
2 East, Miller Senate Building
Annapolis, MD 21401
cc: Members, Judicial Proceedings Committee

Jan. 22, 2025

Dear Chairman Smith and Committee Members,

I’m a consumer advocate and Executive Director of Consumer Auto, a non-profit group that works to foster safety, transparency, and fair treatment for Maryland drivers and car buyers.

We support **SB 106** because it takes strong and pro-active steps to protect drivers who are obligated to pay child support against the often burdensome and counter-productive punishment of losing their license to drive – a sanction that not only can put drivers at risk of serious further punishment but undermines their ability to earn a living – and to meet their child support and other family obligations.

Unlike some bills that seek to reform this practice that this committee has considered in recent years, which have sought to set conditions or limits on driver’s license suspensions, **SB 106** addresses the problem in a more fundamental way: By authorizing the MVA to be notified of a child support arrearage only if a court affirmatively finds that a license suspension is appropriate.

Paying child support is of course an important obligation. But for many MD parents, it’s a difficult one to meet. As a 2019 Abell Foundation report found, many noncustodial parents “struggle to find and maintain full-time work at sufficient wages to support themselves and pay their child support obligations.”¹ Since Abell found in 2019 that the median income of non-custodial parents statewide was less than \$23,000 and that 25% of them were receiving supplemental food benefits², it’s not surprising that many parents fall behind in their child support payments.

And when they do, Maryland law makes it very easy for them to lose their licenses, allowing licenses to be suspended when parents are 60 days behind in their payments. And when a parent loses the right to drive, it’s often much harder for him or her to get to work and access the job opportunities that help them meet their needs and child support obligations or to visit their children and uphold other family obligations.

¹ https://abell.org/wp-content/uploads/2022/02/Child20Support20Report202_20_202020edits2020-20web20version.pdf

² Ibid,



Once a person's license is suspended, he or she is also subject to a up to one year in jail and a \$1,000 fine for driving on a suspended or revoked license. When people violate the law by driving – as many do, in part because they need to drive to get to work and meet their obligations – that often extends a cycle of financial shortfalls and punishment that leaves people with even greater legal difficulties and more deeply in debt.

This cycle, predictably, often leaves debtor's less able to pay their child support and meet other needs.

And in those cases where a parent actually is earning significant income, but is not using that money to pay child support, that income can often be withheld or garnished to help meet those debts. So, in most cases it's hard to see how making it more difficult for that person to earn a living by suspending a debtor's driver's license does anything but hurt his or her ability to pay child support – and thus also hurt the child and the custodial parent who need support.

SB 106 would interrupt this destructive cycle by authorizing the MVA to be empowered to suspend licenses only after a court hearing (with appropriate notice to the debtor) has determined that a license suspension is appropriate. The bill mandates that the court may only make such a finding only if it finds that the debtor has the funds to pay his or her obligation or has voluntarily impoverished himself to avoid payment. It prohibits such an order if the debtor can establish (among other conditions), that a license suspension would interfere with his/her employment or ability to visit or help transport the child, that the child being supported is living with the debtor, or that the debtor has a documented disability that interferes with his/her ability to work.

Under our current practices, thousands of Marylanders each year lose their driving privileges because they're struggling to pay their child support – and some have their licenses suspended without even knowing that this has happened. This causes greater financial and legal jeopardy for many Marylanders – and doesn't help children get the support they need.

SB 106 would add protections that promise to limit those suspensions to a much smaller (and more appropriate) set of cases in which a court has found that a non-custodial parent is genuinely making a conscious and irresponsible choice not to pay their child support.

We support **SB 106** and ask that you give it a **FAVORABLE** report.

Sincerely,

Franz Schneiderman
Consumer Auto

Child Support Bill Testimony.pdf

Uploaded by: Jerrod Compton

Position: FAV

Good morning Chair Smith and the Judicial Proceedings Committee,

My name is Jerrod Compton and I am a resident of District Seven. I am writing in support of SB 106, Child Support – Suspension of Driver's Licenses. This bill would require the Courts, as opposed to the Child Support Administration, to determine where a non-custodial parent's driver's license should be suspended for child support arrearages.

My personal experience with the Child Support system is one of contention as I believe it to be a system of relatively sound foundation that can easily be weaponized when left to the automatic levers that sometimes govern it. My journey with the Child Support System was impacted by an automatic lever when the misplacement of a court order for my custody hearing two years ago that required a response before my custody hearing resulted in my loss of custody and immeasurable damage that will not be able to be r measured until years later when the system is no longer affecting my child's day to day life.

Suspending a driver's license is a serious enforcement tool and is one that should require a human, not a machine, to decide to do so.

I urge a favorable report.

Sincerely,
Jerrod M. Compton

SB0106_HB0110_FAV_OFJ_JonathanWilliams.pdf

Uploaded by: Jonathan Williams

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 106/HOUSE BILL 110
Child Support - Suspension of Driver's Licenses

TO: Members of the Senate Judicial Proceedings and House Judiciary Committee

FROM: Jonathan Williams

My name is Jonathan Williams, and I live in Baltimore City. I support Senate Bill 106 and House Bill 110 to ensure that driver's license suspensions for inability to pay child support are used in appropriate cases.

I am a father of a 5-year-old whose mother placed me on child support. After we signed the child support order, we had to wait 6 months for the judge to sign before the order went into effect. I was initially given misleading and/or incomplete information. I was told that I would be unable to make child support payments until the judge signed the order and that payments would not start until the order was signed. The judge eventually signed the order in August of 2017. It wasn't until I got a notice that my license for child support arrears of over \$9000 was suspended. When I signed the order, I knew my monthly payments would be \$840, and court fees would be included. Once the court fees were paid, the costs would drop down to \$640 per month.

At the time, I was bringing home around \$2600 monthly as an IT Site Coordinator. I started driving for Uber part-time to supplement my income and help pay my child support when the time came. Both jobs required that I have a valid driver's license. My expenses at the time included a \$1200 mortgage, \$500 car payment, \$160 car insurance, \$250 utilities, \$200 for gas, groceries, and miscellaneous purchases. At the end of the month, I had about \$300 left over. While driving for Uber, I averaged about \$20 per hour, which would have given me a max of \$800 per month in extra income.

The immediate arrival of a \$9000+ bill was a huge setback. It was unexpected and instantly put me in a financial bind.

When I contacted The Department of Human Resources, no one I talked to cared even to listen and understand my situation. I would get similar statements - "You can get your license reinstated when you pay all of your back pay," or "You should have saved the money during those months." It appeared that I wouldn't get any assistance until I paid what was owed. At this point, I gave up because doing the right thing seemed more like a punishment than getting monetary help for my son.



The website even states: *“You have the right to request a review for a modification if there has been a change in circumstances since the order was entered, or if three years have passed since the order was entered or last reviewed for modification. Examples of changes in circumstances that may be grounds for a modification are significant changes in income, changes in work-related daycare costs, changes in health care costs, a change in custody, or a change in the child's financial needs. Contact the Customer Care Center at 1-800-332-6347 for additional information.”*

Nothing in this paragraph was even considered for discussion when I called DHS.

The result was that I had to short-sell my house before it went into foreclosure, and my car was voluntarily repossessed. I can't drive my car because my license is suspended, so I can't drive for Uber to earn the extra money to afford my house and car and pay my child support. Not having a license has prevented me from finding a high-paying job because those jobs are not readily available in Baltimore City.

The repossession resulted in an extra \$9000 of debt over the \$8000 I already owed. At this point, I'm now \$17000 in debt and have lost two jobs. I've lost my home, car, and job and am in debt. This domino effect had me a couple of steps away from going to jail for not paying child support. How can someone pay child support when they have lost every means of paying it?

My testimony sheds some light on and understanding of what many parents have gone through and are going through. The rules and regulations, as they currently are, in some situations, hurt more than help. Please consider that some parents want the best for their child(ren) and that situations like mine are sensitive and need the flexibility to be negotiated. Situations like this can be avoided in the future if more than just income is factored into the child support process so a better judgment can be made before punishment is handed down that is a detriment to all parties involved. Your consideration of these matters and solutions is very much appreciated.

Senate Bill 106/ House Bill 110 fixes the issue by ensuring due process before a driver's license is taken. The court has a hearing and determines the appropriateness. This is a good move to prevent catastrophes like the one I experienced. I urge a favorable report on Senate Bill 106/ House Bill 110.

SB 106 - Child Support - Suspension of Driver's Li

Uploaded by: Kam Bridges

Position: FAV

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

Testimony for Senate Bill 106

Child Support – Suspension of Driver’s Licenses

TO: Hon. William C. Smith, Jr, Chair, and Members of the Senate Judicial Proceedings Committee

FROM: Job Opportunities Task Force

DATE: January 22, 2024

POSITION: Support

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF supports Senate Bill 106.**

Many jobs for those living in Baltimore city are in surrounding counties and consequently to get to these jobs, a car and a driver's license is required. If a person does not have a car or a driver’s license they cannot get to their job, and without their job they have no income, and without their income they cannot pay their child support. Thus taking a low income person's driver license away is harmful to the obligor, the custodial parent and the child. More than 20,000 obligors had their driver’s license suspended in FY 23, harming them and their families pursuant to existing law. It also harmed their employers, the state’s economy, and the state’s tax base. It is counterproductive.

A Report from the Abell Foundation ([see here](#)) discusses in detail how suspending the driver's license of a low income individual hurts the obligor, the child and the family.

Senate Bill 106 changes the procedure for the Child Support Administration to suspend an individual’s license for child support arrears. Currently, the Administration can suspend the license for an individual with arrearages, and the burden falls on the individual to contact the administration to request an investigation to appeal the decision. SB 106 would allow the Administration to suspend an individual’s license only after the administration provides clear and convincing evidence in court that the obligor has the funds to pay and is consciously withholding payment or is voluntarily impoverished.

JOTF contends that the current system does not adequately differentiate between non-custodial parents who are purposefully withholding child support and ones who are simply poor. Placing the burden of proof on the administration in identifying who is purposefully withholding payment by a fair standard will ensure that poverty is not being unfairly criminalized.

For these reasons, JOTF supports Senate Bill 106 and urges a favorable report.

For more information, contact:

Kam Bridges /Public Policy Advocate / Kam@jotf.org

SB0106_HB0110_FAV_KhimauniSelden.docx.pdf

Uploaded by: Khimauni Selden

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the Senate Judicial Proceedings and House Judiciary Committees
FROM: Khimauni Selden

My name is Khimauni Selden. I am a resident of District 42 in Baltimore County, and I support Senate Bill 106.

I am a father of two beautiful little girls I love and care for. My eldest daughter's mother placed me on child support when our baby was only a few months old. At the time, I was shocked at the situation – given that I had repeatedly offered to provide for our daughter and assured her mother that all she had to do was ask for what she needed. It became clear that she was unwilling to compromise unless I put cash directly in her hands or that I was on child support.

At my first court hearing, I arbitrarily agreed to pay roughly \$350 a month in child support on the assumption that I would be able to further negotiate in front of the judge. It quickly became apparent that no further discussion was allowed on the matter – no one was willing to hear anything I had to say. Since that initial court decision, my monthly child support allocations have increased to \$511 a month without allowing me to speak on the matter. Specifically, the court has not considered that I am a custodial parent for my youngest daughter and the breadwinner of my household.

Since I was first placed on child support, I have looked far and wide for a well-paying job to support my children and my current household. However, because my license has been suspended, I have been unable to make meaningful changes to my living situation. The only well-paying job I could find—working for Amazon—was outside my neighborhood. However, with a suspended license, I could not work this job and took a lower-paying local job with insufficient hours.

Further, I desire to have a relationship with my eldest daughter, whom, despite all the child support I pay, I am not allowed to see. I was told to go to court and obtain visitation rights—but how? I have no car, a job, or a family to support without the added Uber fees that it would require. Heading to court is a hefty undertaking that, without a license, I frankly cannot do at this time.



While I can acknowledge that some fathers may be unwilling to provide for and support their children, there should be compassionate and appropriate avenues for the fathers who care to be able to speak for themselves and find a middle ground on child support. This situation, and the stagnation caused by my lack of a driving license, has taken a hefty toll on my family's mental health.

Under Senate Bill 106, these harmful consequences can be mitigated. I urge this committee to pass SB 106 to create a fairer and more just system for fathers like myself.

Thank you for your time and consideration.

Sincerely,
Khimauni Selden

SB0106_HB0110_FAV_MarkusRobinson.docx (1).pdf

Uploaded by: Marcus Robinson

Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the Senate Judicial Proceedings Committee and House Judiciary Committee

FROM: **Markus V. Robinson**

I support Senate Bill 106 and House Bill 110, which would ensure that driver's license suspensions for inability to pay child support are used only in appropriate cases.

I have lived in Maryland, specifically Prince George's County, since 2000. I have been a non-custodial parent in the child support enforcement process since approximately 2015. Since then, I have had several experiences with child support determination and subsequent enforcement that do not provide equity or fairness to the non-custodial parent.

Making all the changes needed to achieve parental equity in child support in Maryland is indeed a large and complex task, but one that is not impossible. It reminds me of the old joke, "How do you eat an elephant?" The answer is "one bite at a time." Senate Bill 106/House Bill 110 is one of those bites.

With the strongest urging possible, I say this effort must pass and be enacted by the state legislature. Vehicle transportation is a pillar in the lives of so many parents; to strip it away by suspending the ability to drive back and forth to employment that allows them to comply with court-ordered support without a judicial review of the circumstances is counterproductive to the desired outcome.

Senate Bill 106/ House Bill 110 will ensure that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. It is not wise to remove transportation access for people who may or may not owe money as it prevents them from paying. This is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child. For these reasons, I urge a favorable report.

SB 106 - Child Support - Suspension of Driver's Li

Uploaded by: Mark Woodard

Position: FAV

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

Testimony for Senate Bill 106

Child Support – Suspension of Driver’s Licenses

TO: Hon. William C. Smith, Jr, Chair, and Members of the Senate Judicial Proceedings Committee

FROM: Job Opportunities Task Force

DATE: January 22, 2024

POSITION: Support

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF supports Senate Bill 106.**

Many jobs for those living in Baltimore city are in surrounding counties and consequently to get to these jobs, a car and a driver's license is required. If a person does not have a car or a driver’s license they cannot get to their job, and without their job they have no income, and without their income they cannot pay their child support. Thus taking a low income person's driver license away is harmful to the obligor, the custodial parent and the child. More than 20,000 obligors had their driver’s license suspended in FY 23, harming them and their families pursuant to existing law. It also harmed their employers, the state’s economy, and the state’s tax base. It is counterproductive.

A Report from the Abell Foundation ([see here](#)) discusses in detail how suspending the driver's license of a low income individual hurts the obligor, the child and the family.

Senate Bill 106 is another approach to address the punitive and counterproductive current law and practice. It provides due process and a hearing before a court prior to suspending an obligor's driver's license. It places the burden of proof by clear and convincing evidence on the Department. If the obligor establishes any one of several grounds by preponderance of the evidence, the court may not suspend the obligor's driver's license. One of those grounds is that it would harm the obligor's current or potential employment. As SB 106 does not have an income limitation, it may affect even more obligors. Consequently, JOTF thinks that SB 106 and SB 15 are complementary approaches to a successful child support policy that keeps obligors driving so they can continue working and paying their child support.

For these reasons, JOTF supports Senate Bill 106 and urges a favorable report.

For more information, contact:

Mark Woodard /Public Policy Advocate / Mark@jotf.org

SB 0106- Maryland Legal Aid- FAV.pdf

Uploaded by: Meaghan McDermott

Position: FAV



Senate Bill 0106

Child Support – Suspension of Driver’s Licenses In the Judicial Proceedings Committee Hearing on January 22, 2025 Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on SB 0106.

MLA appreciates the opportunity to testify in support of this vital legislation. MLA is a private, nonprofit law firm that provides free legal services to thousands of low-income Maryland residents in civil matters. MLA represents both custodial and non-custodial parents in family law cases. In doing this work, we have found that wrongful driver’s license suspensions for alleged child support arrears are a recurrent and widespread problem. Driver’s license suspensions disproportionately harm low-income families, and the Maryland Child Support Enforcement Agency (“CSA”)’s automated driver’s license suspension system fails to reliably provide notice and the opportunity for a hearing prior to license suspension.

Driver’s license suspensions are not effective as a child support enforcement mechanism for those who are living in poverty and do not have the ability to pay. License suspensions create a barrier to employment and make it difficult to be an involved and active parent. Once a parent’s driver’s license is suspended, they are unable to contribute in other ways—for example, transporting their child to school, doctor’s appointments, visits with family, etc. Further, most child support is collected through wage garnishment and tax refund intercepts. These collection mechanisms both require the parent to have lawful, steady employment—to which driver’s license suspension is an impediment.

Three bills have been introduced to Maryland’s legislative body this session presenting potential solutions to this problem. This bill, **SB 0106**, directly addresses MLA’s concerns about the lack of due process within the current suspension system. It presents a systemic fix, where a parent’s driver’s license could only be suspended after a judicial determination of appropriateness has been made, based on a number of factors that take into account the parent’s ability to pay and the individual circumstances of the family as a whole. **SB 0015** does not directly address the due process concerns, but it creates a much-needed exemption to license suspension for low-income parents that, if implemented correctly, would help MLA clients and low-income communities tremendously. **SB 0195** also addresses the harms of license suspensions for low-income families, but, rather than creating an affirmative exemption to screen out low-income parents as SB 0015 does, it allows parents to request an investigation of the suspension based on their low-income status.

SB 0106 ensures parents are provided due process (**notice and the opportunity for a hearing**) before their driver’s license is suspended. It establishes criteria for when suspending a license for alleged child support arrears is **appropriate**, pursuant to the controlling federal law (discussed further below). And, it specifies that license suspension is only appropriate for those who have the **ability to pay** but are making the free and conscious choice to withhold payments, or are voluntarily impoverishing themselves.

This bill will help children and families by making license suspensions **more effective** as a child support enforcement mechanism—by targeting those who have the ability to pay, rather than ensnaring every parent who has 60 days or more of arrears into a system that (currently) automatically refers them to the MVA for license suspension, without regard for whether they fit into an already enumerated exception in the law.

The numbers and the absence of due process.

In 2023, the MVA, at the express direction of CSA, suspended 20,512 licenses for alleged child support arrears. **Of those 20,512 suspensions, only 34 hearing requests** were made to the Office of Administrative Hearings (“OAH”). This astonishing disparity is a predictable consequence of CSA’s consistent failure to inform parents of their rights¹ to request an investigation, to receive a decision with the results of said investigation in writing, and to appeal that decision to OAH. Failure to inform parents of those rights violates constitutional due process, Md. Code, Family Law § 10-119, and COMAR 07.07.15.05. Certainly, if parents were informed of their right to request a hearing with OAH prior to suspension, more than 34 hearing requests would have been made out of the 20,512 suspensions in 2023.

“Adequate notice is integral to the due process right to a fair hearing because the ‘right to be heard has little reality or worth unless one is informed.’” *Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 314 (1950).

SB 0106 will significantly reduce the number of license suspensions in Maryland by implementing a judicial process where driver’s license suspensions are only used *when appropriate*, rather than as a blanket punishment for all parents who fall behind on their child support. This bill creates a safeguard that is desperately needed against erroneous and egregious license suspensions.

Many parents have no idea their license is suspended until they are pulled over for a traffic stop.

What would have been a minor traffic violation then turns into a criminal citation. A criminal citation serves as another barrier to employment and carries with it collateral consequences ranging from their car being impounded, job loss, missed shifts and lost wages, court dates, points on their license, increased insurance costs, fines, and even incarceration.

¹ Md. Code, Family Law § 10-119 and COMAR 07.07.15.05

The current automated system keeps many low-income parents in a perpetual cycle of threatened or actual license suspension.

On its face, the current law already has enumerated exceptions that limit when CSA can suspend driver's licenses. The text of Md. Code, Family Law § 10-119 has exceptions for parents with a disability, parents who are making consistent payments on their arrearage balance per a payment agreement, and parents who need their license for employment. But MLA regularly sees clients who fit squarely into an exception and still have their driver's license suspended.

MLA assists clients who fall under exceptions in the law with license reinstatement. However, reinstatement is merely a temporary solution. If the parent still has an arrearage balance of 60 days or more, it is only a matter of time before they are re-selected and again referred to the MVA for suspension. Replacing the current automated system with the judicial process set forth in SB 0106 will enable CSA to reduce their time and resources spent on handling reinstatements of inappropriate and erroneous license suspensions. Rather, they could focus their resources on pursuing those specific cases where the parent has the ability to pay but is purposefully hiding or withholding money, or voluntarily impoverishing themselves.

The current system does not protect parents from license suspension when custody has changed and the former non-custodial parent is now the primary caretaker of the child.

Child custody can change rapidly in low-income families. For example, custody may vary depending on which parent has more reliable housing or income at any given point in time. While a change in custody might happen overnight, a legal modification of a custody or child support order in the Circuit Court takes at minimum a year, and often longer. It is sometimes while waiting on this lengthy court process that MLA clients (who now have custody of their child) have their license suspended.

MLA clients have their licenses suspended and are often denied reinstatement requests by CSA, even when:

- Custody has changed, and the child now lives with them;
- They are making payments towards their arrearage balance;
- They need their driver's license for their current job or a potential job opportunity or interview;
- The suspension causes them to lose their job;
- They have a verified disability and inability to work and make payments; and
- They need their license to be an involved and active parent.

The following are examples of MLA clients who have suffered the harmful consequences of improper and inappropriate driver's license suspension:

- Mr. R is an MLA client who was granted sole custody of his daughter in the Juvenile Court, after the mother was found to be unfit due to abuse and neglect. He provided a copy of the custody order to CSA, showing that custody had changed and he is now the custodial parent. **Mr. R's driver's license was still suspended**, which he learned only after being pulled over for a minor driving infraction. Mr. R received a criminal citation for driving on a suspended license.
- Mr. P is an MLA client who was granted sole custody of his son in the Circuit Court. The Circuit Court also granted Mr. P's request to officially terminate his obligation to pay child support, in light of the change in custody. Mr. P provided copies of the court orders to CSA, but **his driver's license was still suspended**. Mr. P drives trucks for a living, and **he was terminated from his job** due to his suspended license.
- Mr. G is an MLA client who drives rideshare. Mr. G provided proof to CSA of his weekly Uber rides and the fact that his license suspension would cause him to lose his employment and therefore his income, but **CSA refused to lift his license suspension unless he made a large lump sum payment**.
- Mr. M is an MLA client whose children are all now adults. He still owes child support arrears, but he has a disability and his only source of income is Supplemental Security Income ("SSI") disability benefits. Mr. M has been threatened with license suspensions **five times in a one-year period**. Each time, he goes to his local child support office and provides proof of his disability and continued receipt of SSI. CSA requires him to make a lump sum payment to have his license reinstated, despite the fact that he is supposed to be excepted from license suspension under Maryland law, and SSI is exempt from collections for child support under both Maryland and federal law.

SB 0106 will ensure Maryland's compliance with federal law.

Concerns have been raised about Maryland's federal funding, but this bill will in no way negatively impact Maryland's federal funding. The controlling federal laws, 42 U.S.C. §§ 666(a)(16) and 654(20), require only that states have the authority to suspend or restrict driver's licenses "*in appropriate cases*," to "increase the effectiveness of the program." This bill establishes criteria for when suspending a license for child support is *appropriate*—keeping Maryland very much in line with the controlling federal laws. This bill will help to stop the inappropriate and erroneous suspensions that have harmed MLA clients, such as the ones described above. The Maryland judiciary and federal experts on child support have also advised that nothing in this bill would violate any federal laws or rules.

SB 0106 calls for the implementation of a system of due process that will in fact ensure the constitutionality of Maryland's procedures for suspending driver's licenses for alleged child

support arrears. **The U.S. Supreme Court has found that driver’s licenses are essential in the pursuit of a livelihood** and cannot be taken away without the procedural due process required by the Fourteenth Amendment.² This bill is also in line with the 2020 legislation introduced by then-Attorney General Frosh and passed by the Maryland legislature that stopped the MVA from suspending driver’s licenses for fines and fees. The logic behind the passage of that legislation was simple: people need driver’s licenses to secure and maintain employment so that they are able to pay their fines and fees. That simple logic applies here: **parents need driver’s licenses to secure and maintain employment so that they are able to pay their child support.**

The current driver’s license suspension system perpetuates the cycle of poverty, but, if this legislation passes, it will have long-term positive impacts on low-income communities and on Maryland’s economy as a whole. MLA thanks you for the opportunity to provide input and urges the committee to **pass SB 0106.**

If you have any questions, please contact:

Meaghan McDermott
Advocacy Director for Community Lawyering and Development
mmcdermott@mdlab.org
443-986-1810

² *Sniadach v. Family Finance Corp.*, 395 U.S. 337, 89 S.Ct. 1820, 23 L.Ed.2d 349 (1969); *Goldberg v. Kelly*, 397 U.S. 254, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970); *Bell v. Burson*, 402 U.S. 535, 539, 91 S. Ct. 1586, 1589, 29 L. Ed. 2d 90 (1971).

2025 01 20, SB 106_FLSC_Fav.pdf

Uploaded by: Michelle Smith

Position: FAV

To: Members of The Senate Judicial Proceedings Committee

From: Family Law Section Council (FLSC)

Date: January 20, 2025

Subject: Senate Bill 106:
Child Support – Suspension of Driver’s Licenses

Position: FAVORABLE

The Maryland State Bar Association (MSBA) FLSC **supports Senate Bill 106.**

This testimony is submitted on behalf of the Family and Juvenile Law Section Council (“FJLSC”) of the Maryland State Bar Association (“MSBA”). The FJLSC is the formal representative of the Family and Juvenile Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family and juvenile law and, at the same time, tries to bring together the members of the MSBA who are concerned with family and juvenile laws and in reforms and improvements in such laws through legislation or otherwise. The FLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,100 attorney members.

Maryland Code, Family Law Article § 10-119 allows for the Maryland Child Support Enforcement Agency (“the Agency”) to suspend driver’s licenses if an obligor has been out of compliance with their child support order for more than 60 days. Driver’s license suspension is an enforcement tool that carries enormous collateral consequences, such as the inability to go to work or participate in a child’s life. While Federal law requires states to have procedures for suspending driver’s licenses when there has been noncompliance with a child support order, it also cautions that this tool should be used only in “appropriate cases.” 42 U.S.C. § 666(a)(16). Indeed, Maryland law itself states that license suspension may not be appropriate in cases where it would be an impediment to current or future employment, or where the obligor is disabled. See Md. Code Fam. Law § 10-119(c).

However, under the Agency’s current procedures for referring noncompliant child support obligors to the Motor Vehicle Administration (“MVA”) for driver’s license suspension, there is no way to identify and separate the cases where driver’s license suspension would be appropriate

from those in which suspension would be inappropriate. Currently, the Agency uses an automated system to transmit a random selection of noncompliant obligors to the MVA for license suspension each month. Under this automated system, the Agency lacks the ability to sift through all of the cases in which payment has not been made in 60 days to determine which cases involve circumstances where it would be appropriate to suspend the obligor's license.¹

As a result, driver's license suspension has been used imprecisely and ineffectively as an enforcement mechanism. In a number of cases, the Agency has erroneously suspended the licenses of individuals who are disabled, those who require driver's licenses for work, and those who are actively making payments to catch up with delinquent orders. Furthermore, because the Agency uses an automated system that does not allow for the selective referral of cases for license suspension, custodial parents are unable to seek help from the Agency in deploying this enforcement tool in specific cases where suspension *would* be appropriate.

Senate Bill 106 revamps the Agency's procedures for referring delinquent child support cases for license suspension. It prohibits the Agency's use of an automated lottery system to decide which cases to refer to the MVA each month, instead creating a judicial process whereby the Agency would have to petition the court for approval to suspend an obligor's driver's license in appropriate cases. This bill also explicitly lists specific circumstances in which it would be inappropriate to seek license suspension, such as when the obligor now has custody of the minor child, is disabled, or requires the use of a car for employment. This new system would allow far more control, caution, and deliberation when using driver's license suspension as an enforcement tool, ensuring that this remedy is only sought in cases where it would be appropriate and effective.

For the reason(s) stated above, the MSBA FLSC **supports Senate Bill 106 and urges a favorable committee report.**

Should you have any questions, please contact Michelle Smith at 410-280-1700 or msmith@lawannapolis.com.

¹ The Agency has acknowledged that it uses an "automated system" that is unable to "identify [cases in] which parents may be at or below the federal poverty level." [Letter of Concern: SB 844, Maryland Department of Human Services, March 10, 2022](#). The Agency currently does not conduct a "manual review of every child support case in the CSA caseload" before deciding which cases should be referred to the MVA for license suspension. *Id.*

SB106 Dept of Human Services

Uploaded by: Rachel Sledge

Position: FAV



DEPARTMENT OF HUMAN SERVICES

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

January 22, 2025

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

**RE: TESTIMONY ON SB 106 - CHILD SUPPORT - SUSPENSION OF DRIVER'S
LICENSES - POSITION: INFORMATIONAL ONLY**

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 a letter of information regarding Senate Bill 106 (SB 106). The proposed bill would transfer to the Circuit Courts the authority for referring a noncustodial parent who is out of compliance with their child support order to the Driver's License Suspension (DLS) program. We met with Senator Muse to discuss the Child Support Driver's License Suspension program after the January 14, 2025 bill hearing on our Department's Senate Bill 195 (SB 195).

With offices in every one of Maryland's jurisdictions, DHS empowers Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. Our Child Support Administration (CSA) implements the child support program affected by SB 106. This legislation impacts the Drivers License Suspension program, a tool leveraged to increase engagement with non-custodial parents who have arrears and are unable to pay. We believe the concerns regarding due process and the referral of parents to the driver's license suspension program are best addressed by SB 195. We are working with both Senator Muse and Senator Watson to develop additional amendments to SB 195 to strengthen and clarify the bill's efforts to modernize child support in Maryland and support parents and their children.

We do not believe the courts are the best government agency to determine whether referral to the Driver's License Suspension program is appropriate for child support cases in arrears. Courts are currently backlogged and burdened with heavy child support dockets as evidenced by the frequency with which child support orders are issued with child support payment amounts backdated months from the date of the order (in accordance with Family Law §12-101).

Because of docket backlogs, many noncustodial parents are in arrears the day the child support order is issued. Long back-dated orders cause even more debt burden for parents who are unable to pay. Delays would only increase with legal motions to compel or subpoenas to produce financial information necessary to determine if they are able to pay. Moreover, if a parent fails to appear for a court hearing, a warrant could be issued further burdening Sheriff's offices with more service requests and risking parent incarceration.

While SB 106 might appear to provide additional due process, it would do so at the expense of delaying the process and would certainly apply the court's more punitive tools for compelling compliance with judicial processes. In addition, the court's predictable delays risk driving non-custodial parents further into arrears at the very moment when a parent's proactive engagement with the Child Support Administration can make an enormous difference. Finally, removing authority from CSA impedes parental access to employment and supportive services that can help parents struggling to make ends meet connect to employment opportunities so that they can, in fact, provide support for their children.

Critically, Senate Bill 106 relies on the parent's ability to pay the arrears balance. The ability to pay down arrearages would be a new requirement on parents. Currently, CSA considers a parent's ability to make the court ordered payments. Consistent payment of the court ordered amount is all that is required to avoid collection actions.

We agree it is critical to distinguish between parents who cannot pay child support and parents who will not pay. We agree that parents experiencing poverty should not be penalized with driver's license suspension. However, we are deeply concerned that full judicial proceedings would delay resolution, increase arrearages, and imperil parents already struggling. Critically, a judicial end-run around administrative process also impedes parental engagement with employment development, supportive services, and arrearage forgiveness programs provided through our department.

We appreciate the opportunity to offer informational testimony to the Committee as you consider how best to modernize child support in Maryland. Our bill, SB 195, requires more equitable implementation of the Driver's License Suspension program, encourages parental engagement so CSA information is up to date, and

maintains parental opportunities for receiving help. When child support orders are equitable and parents have help when they need it, parents can avoid arrearages and collection actions while improving payment consistency and reliability.

We believe our Departmental bill, SB 195, would effectuate our shared policy objectives, ensure we remain compliant with federal statutory and regulatory requirements, and better serve Maryland's children, parents, and families. 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 'Rafael López', written in a cursive style.

Rafael López
Secretary

Testimony in support of SB0106 - Child Support - S

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0106_RichardKaplowitz_FAV

01/22/2025

Richard Keith Kaplowitz
Frederick, MD 21703-7134

TESTIMONY ON SB#0106 - POSITION: FAVORABLE
Child Support - Suspension of Driver's Licenses

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

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of/ SB#/0106, **Child Support - Suspension of Driver's Licenses**

This bill will fix a logical fallacy in how we treat individuals in Maryland who have been adjudicated as owing the payment of child support. It is illogical that Maryland then removes that individual's ability to transport themselves to a job to earn the monies needed to satisfy that judgement.

This bill works to correct this paradox by altering provisions of law relating to the authority of the Child Support Enforcement Administration to notify the Motor Vehicle Administration of an individual's child support arrearages for the purpose of suspending the individual's driver's license or privilege to drive under certain circumstances. It will say that Maryland knows you need a car in many cases to travel to a job at which you earn the money to make those payments. Maryland will facilitate an individual's ability to satisfy Child Support obligations instead of the current policy of placing roadblocks in the path of making the payments.

This bill is a proactive approach to solving a logical problem in how persons owing money are negatively impacted in their efforts to earn the money to pay what is owed.

I respectfully urge this committee to return a favorable report on SB0106.

SB0106_HB0110_FAV_OFJ (1).pdf

Uploaded by: Trina Selden

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 106/ HOUSE BILL 110:

Child Support - Suspension of Driver's Licenses

TO: Members of the House Judiciary Committee and Senate Judicial Proceedings Committee.

FROM: Trina Selden, Executive Director

Out for Justice, Inc. (OFJ) is an organization comprised of individuals directly and indirectly impacted by the criminal legal system. It advocates for reforming policies and practices that adversely affect successful reintegration into society. OFJ supports Senate Bill 106 and House Bill 110 to ensure that driver's license suspensions for inability to pay child support are used only in appropriate cases.

Mobility is key in Maryland's regional economy. The Census Bureau reported that almost [40% of Marylanders travel outside their county for employment](#). This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit. [Only 8.5% of jobs in the Baltimore region can be reached within one hour, one way by public transit](#). Thus, a valid driver's license and a vehicle are necessary for economic sustainability.

[Federal Code 42 U.S.C.A. § 666 \(a\)](#) demands that all States have laws that "increase the effectiveness of the [child support enforcement] program which the state administers" and allows the State to withhold, suspend, or restrict licenses of individuals owing child support in "[appropriate cases](#)" (16). To this end, [Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support, an obligor shall have their license or privilege to drive suspended, regardless of their circumstances or ability to pay. The suspension mechanism is automated through the Child Support Enforcement Agency, and **no** determination is made as to whether or not a suspension would be appropriate. Maryland Legal Aid and the University of Baltimore have reported individuals who are disabled, *not* in arrears, or with primary custody of their children, having their licenses suspended.

Additionally, [a report cited](#) by the Abell Foundation found that **42% of individuals who had their licenses suspended lost jobs as a result of the suspension, 45% of those who lost jobs could not find another job, and 88% of those who were able to find another job reported a decrease in income.**

Senate Bill 106/ House Bill 110 seeks to resolve this by ensuring that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. It proceeds to determine that a suspension is not appropriate for the obligor if:

1. The minor lives mainly with the obligor;
2. The obligor is disabled and unable to work;
3. The suspension would risk the loss of employment or job opportunities;
4. The obligor could not pay or is making arrangements to pay;
5. The Administration has agreed with the obligor through the payment incentive program.
6. The transportation needs of the child would not be met;
7. If the suspension would place an undue hardship on the family; or
8. The reported arrearage amount is not accurate.

Out for Justice believes this is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child. For these reasons, we urge a favorable report.

SB0106 - LOI - Child Support - Suspension of Driv

Uploaded by: Patricia Westervelt

Position: INFO

January 22, 2025

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Information – Senate Bill 106 – Child Support - Suspension of Driver's Licenses

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 106 but offers the following information for the Committee's consideration.

SB 106 would alter the requirements for notifying and the conditions by which the Child Support Administration (CSA) is permitted to require that the Motor Vehicle Administration (MVA) suspend an Obligor's driving privilege with the MVA. The CSA suspends the driving privileges of an Obligor who is 60 or 120 days or more out of compliance, depending on the type of license held. The proposed legislation would require the standard to be 120 days or more for all types of licenses held.

Currently, when the CSA refers an Obligor to the MVA for driving privilege suspension, the MVA mails a Notice of Suspension to the customer that provides information related to their child support case, contact information for their local child support agency, the date that the suspension will take effect, and notifies the customer that a hearing can be requested within 15 days of the notice only if the identified obligor believes it to be a case of mistaken identity. MVA also sends a courtesy email (if an email is on file with MVA) notifying the Obligor that the notice can be accessed via their secure myMVA online account.

SB 106 would not materially alter the current MVA process for providing notification of child support suspensions.

For these reasons, the Maryland Department of Transportation respectfully requests that the Committee consider this information when deliberating Senate Bill 106.

Respectfully submitted,

Christine E. Nizer
Administrator
Maryland Motor Vehicle Administration
410-787-7830

Matthew Mickler
Director of Government Affairs
Maryland Department of Transportation
410-865-1090

sb106.pdf

Uploaded by: Will Vormelker

Position: INFO

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
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SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410)260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 106
Child Support – Suspension of Driver's Licenses
DATE: January 15, 2025
(1/22)

INFORMATIONAL COMMENT PAPER

The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Judiciary writes only to provide information, if useful for the Committee's consideration. A significant number of individuals at risk of losing their license for nonpayment of child support are people who need that license in order to work the job that will permit payment of that child support order.

Removing the Office of Administrative Hearings as the entity that determines whether a license may be suspended and instead requiring the court to make that determination is consistent with the role of the court in determining other aspects of a child support matter

– support amount, modification, contempt, etc. The Judiciary anticipates that these cases will come to court as part of a contempt action that is otherwise already filed against the obligor.

cc. Hon. C. Anthony Muse
Judicial Council
Legislative Committee
Kelley O'Connor