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HB0120

Family Law – Child Support – Capacity of Minors to File Action Judiciary Committee Hearing, January 30, 2025

Position: FAVORABLE

To the Honorable Members of the Judiciary Committee:

Community Legal Services supports passage of HB0120, legislation which addresses a critical gap in Maryland law that creates unnecessary barriers to financial resources for minors who are legal and custodial parents. This bill will promote the independence of young parents caring for children, which will inure to the benefit of both the young parent and their child.

Community Legal Services (CLS) is a nonprofit organization that provides free legal services in a broad range of substantive areas, including family law, to individuals and families who meet certain income-eligibility restrictions. Our organization is committed to the promotion of family success and community stability by providing high quality legal representation for people who otherwise would not have access to justice and due process.

HB 0120 empowers young custodial parents to act in their child's best interests by allowing them to independently seek the financial support their child is legally entitled to receive. Under current law, a minor parent faces significant legal barriers to securing financial support for their child, as they are required to involve a parent, legal guardian or "next friend," to initiate a child support action on their behalf, all of which is complicated and burdensome under the best of circumstances. The many steps involved cause delay and stress and can actually be harmful and dangerous in cases where there is family dysfunction and/or the minor's parent or guardian is unavailable, unwilling, or unfit to assist.

This legislation is beneficial for Maryland families in several ways:

1. **Promoting the Best Interests of the Child:** The primary purpose of child support is to ensure that children have access to the financial resources necessary for their health, well-being, and development. HB 0120 prioritizes the needs of children by removing legal obstacles that could delay or deny access to these critical funds.
2. **Empowering Young Parents:** Young parents face significant challenges, including balancing caregiving responsibilities, education, and financial stability. Allowing minors to directly file for child support grants them agency to secure the resources they need to provide for their child. This empowerment can also promote independence and responsibility among young parents.

3. **Addressing Equity:** Current legal barriers disproportionately affect vulnerable populations, including minors who may be estranged from their families or who face difficult and even dangerous family dynamics. HB 0120 ensures young parents will have access to the legal system regardless of their age or family circumstances.
4. **Affirming the Rights of Minor Parents:** This bill creates consistency in Maryland's legal framework by affirming the rights of minor parents to act on behalf of their children without unnecessary hurdles. It aligns with the principle that the custodial parent, regardless of age, is best positioned to advocate for their child's needs.

In conclusion, House Bill 0120 supports young families and ensures children have access to the financial resources they need. By empowering minor custodial parents to file for child support independently, this legislation removes unnecessary barriers and promotes the health, stability, and well-being of Maryland's children.

We respectfully urge a favorable report on HB 0120. Please feel free to reach out to Jessica Quincosa, Executive Director, Ivy Finkensadt, Managing Attorney, or Lisa Sarro, Director of Litigation & Advocacy, with any questions at quincosa@clspgc.org, finkensadt@clspgc.org, and sarro@clspgc.org, respectively.