

TESTIMONY IN SUPPORT OF HB 1490:**Family Investment Program – Temporary Cash Assistance –
Good Cause and Adequate Reason Exceptions**

TO: Hon. Ben Barnes., Chair, and members of the House Appropriations Committee
FROM: Daniel L. Hatcher, Professor of Law, University of Baltimore School of Law
DATE: March 11, 2026
RE: HB 1490 – Support

Dear Chairman Barnes and members of the Committee:

Thank you for the opportunity to present testimony in support of HB 1490. I have been a law professor at the University of Baltimore since 2004, including teaching the Civil Advocacy Clinic where students represent low-income clients. My research has received national attention, focusing on improving programs and policies for vulnerable children and impoverished adults—including extensive research regarding child support and public assistance programs. Prior to UB, I was an assistant director of advocacy and staff attorney at the Legal Aid Bureau, representing adults in all areas of poverty law (including welfare and child support matters), and representing children in foster care. I was also a senior staff attorney for the Children’s Defense Fund.

HB 1490 is needed to stop harm to vulnerable parents and children. My scholarship has addressed issues related to this bill for [twenty years](#).¹ For struggling families temporarily needing welfare assistance (“Temporary Cash assistance” or “TCA” in Maryland), federal law requires custodial parents to establish paternity and “cooperate” in pursuing child support against the absent parents—unless “good cause” exists to not do so. As punishment, the agencies may deny or terminate TCA if they find that parents have failed to cooperate in establishing child support.

¹ E.g, Daniel L. Hatcher, *Child Support Factory: Racist Harm History, and Unconstitutionality of the Child Support System's Contractual Operations*, WM. & MARY J. OF GENDER RACE, AND SOC. JUST. (2026); Daniel L. Hatcher, *Child Support Harming Children: Subordinating the Best Interests of Children to the Fiscal Interests of the State*, 42 WAKE FOREST L. REV. 1029 (2007); Daniel L. Hatcher, *Forgotten Fathers*, 93 B.U. L. REV. 897, 910-911 (2013); Daniel L. Hatcher, *Remembering Anti-Essentialism: Relationship Dynamics Study and Resulting Policy Considerations Impacting Low-Income Mothers, Fathers, and Children*, 35 L. & Inequality 239 (2017); Daniel L. Hatcher, *Don't Forget Dad: Addressing Women's Poverty by Rethinking Forced and Outdated Child Support Policies*, 20 AM. U. J. OF GENDER SOC. POL. AND LAW 775 (2012); Daniel L. Hatcher, *THE POVERTY INDUSTRY: THE EXPLOITATION OF AMERICA'S MOST VULNERABLE CITIZENS* (NYU Press, 2016); Daniel L. Hatcher, *INJUSTICE, INC: HOW AMERICA'S JUSTICE SYSTEM COMMODIFIES CHILDREN AND THE POOR* (UC Press, 2023).

The federal government and policy experts have long encouraged states to implement expansive definitions of good cause and to readily grant good cause exemptions in the best interests of children—and have simultaneously discouraged states from denying welfare assistance due to noncooperation.

Custodial parents often have good reasons for not wanting to pursue child support, including cases with domestic violence and rape—or often the parent may be building a good relationship with the noncustodial parent, including in-kind informal support, and may fear the harm of forced child support proceedings. When a parent needs welfare assistance, not only will she face disdain while navigating an endless bureaucratic maze, but Maryland also coerces her into child support proceedings that can tear her fragile family apart. Through “cooperation requirements,” choice and dignity available to other parents is stripped from impoverished mothers: they are forced to cooperate with paternity and child support establishment, forced to “assign” their child support rights to the government, forced to make themselves and their children available for invasive DNA testing, forced to disclose intimate information about their sexual history, forced to sue the fathers and to appear over and over again to “cooperate” in penal adversarial enforcement proceedings that will often destroy any relationship that remains.

*Unfortunately, Maryland agencies almost never grant good cause exceptions. Maryland granted only 7 good cause exemptions in 2024, and only 27 exemptions over the entirety of the last 5 years. This equates to Maryland granting good cause exemptions in only about one half of one thousandth of a percent (0.0005 percent) of TCA cases.*² And rather than serving the children’s best interests, Maryland agencies have terminated or reduced TCA by making “noncooperation” determinations in about 11 percent of cases.³ The punitive practices harm mothers, fathers, children, and all of us—with a disproportionate racialized impact.

HB 1490 requires agencies to better serve the best interests of families and children.

The bill will ensure a more expansive definition of good cause and improve the process for granting good cause exemptions, including:

- Clarifying that the Department of Social Services (DSS) is the agency to grant good cause (not the child support agency), because DSS better knows the family circumstances.
- Reducing the ability of caseworkers to arbitrarily deny good cause without a valid reason.
- Giving parents more choice and autonomy to determine whether pursuing child support is in their family’s best interest.
- Requiring DSS to notify families about good cause and how to obtain it.

By improving the process of good cause exemptions, parents will be empowered to make decisions that are in the best interest of their children, families will receive the desperately needed aid for which they are eligible, improved economically stability will result in crime reduction, and reduced poverty will strengthen Maryland’s communities.

I therefore support of HB 1490 and respectfully request a favorable report.

² See, Office of Child Support Enforcement, Preliminary Report FY 2024, Table P-55, P-91, *available at* https://acf.gov/sites/default/files/documents/ocse/fy_2024_preliminary_report.pdf (number of good cause exemptions divided by the number of current assistance cases involving TCA)

³ *Id.* (number of noncooperation determinations divided by the number of current assistance cases involving TCA).