

TESTIMONY IN SUPPORT OF SB 319:**Family Law – Child Support – Assignment of Rights**

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

FROM: Daniel L. Hatcher, Professor of Law, University of Baltimore School of Law

DATE: February 3, 2026

RE: SB 319 – Support

Dear Chairman Smith and members of the Committee:

Thank you for the opportunity to present testimony in support of SB 319. 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 the impact of child welfare and child support policies. Prior to UB, I was an assistant director of advocacy and also staff attorney at the Legal Aid Bureau, representing adults in all areas of poverty law and representing children in foster care. I was also a senior staff attorney for the Children’s Defense Fund.

Current child support enforcement practices against families in the child welfare system are harming the children, harming the parents, harming state finances, and harming all of us.

I have conducted [extensive research regarding the exact issues addressed in this bill](#).¹ When children are temporarily taken into foster care, the parents are desperately trying to overcome the many struggles of poverty to try to reunify with their children. Maryland agencies are supposed to assist with reunification efforts, but current child support practices are instead causing harm. The agencies are initiating orders for “child support” against the parents of foster children, but those payments are pursued to repay state costs rather than to help the children. When the unmanageable government-owed support payments are issued against already struggling parents, along with punitive enforcement actions, the parents’ reunification efforts can be derailed. As children are then held in foster care longer, there is more harm to the children and parents, more harm to communities, and greater state costs.

¹ Daniel L. Hatcher, *Collateral Children: Consequence and Illegality at the Intersection of Foster Care and Child Support*, 74 BROOKLYN LAW REV. 1333 (2009); See also, 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, *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).

Child support collection practices against families in the foster care system are also causing financial harm to the state. In an example self-report, a California child support agency reviewed its own operations and concluded that [families and children are harmed by enforcing child support in foster care cases.](#)² The agency’s investigation also found that in addition to harm to children and families, the collection efforts are causing more financial harm to the state because the administrative costs of collections are greater than any resulting collections. The investigation found “[f]or every dollar expended, only 27 cents is collected,” and that cost-effectiveness analysis only considers the costs to the child support agencies, not the additional costs imposed by operations of courts and child welfare agencies. *In Maryland, the child support enforcement efforts against families in the foster care system are similarly causing harm—and the administrative costs are higher than resulting collections. Therefore, this bill should result in savings to state finances.*

SB 319 is consistent with federal law:

This bill is both consistent with federal law and is explicitly encouraged by the federal agencies that oversee state child support and child welfare programs. The U.S. Department of Health and Human Services issued a guidance in 2022 strongly encouraging states to stop the initiation of child support against families pulled into the foster care system—with the guidance explaining bluntly that “[i]t is almost never the case” that enforcing child support “is in the best interests of a child during the time the child is in title IV-E foster care.”³

The Maryland Department of Human Services—which oversees the Maryland child support agency—has supported this needed reform, planning to include it as part of agency sponsored reforms last year in SB 195/HB 218.

I therefore submit this testimony in support of SB 319 and respectfully request a favorable report.

² Orange County Department of Child Support Services, “Child Support and Foster Care,” <https://www.css.ocgov.com/sites/css/files/import/data/files/100280.pdf>.

³ See, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF THE ADMINISTRATION FOR CHILDREN & FAMILIES, CHILDREN’S BUREAU, Child Welfare Policy Manual, 8.4C, Question 5, June 8, 2022, <https://cwpm.acf.gov/citations/title-iv-e/title-iv-e-general-title-iv-e-requirements/title-iv-e-general-title-iv-e-1>.