

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

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



KELLEY O'CONNOR  
ASSISTANT STATE COURT  
ADMINISTRATOR  
GOVERNMENT RELATIONS  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 319  
Family Law – Child Support – Assignment of Rights  
**DATE:** January 21, 2026  
(2/3)  
**POSITION:** Oppose, as drafted

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The Maryland Judiciary opposes Senate Bill 319, as drafted.

The Judiciary supports efforts to limit the automatic collection of child support for the parents of children in foster care and notes that this support is consistent with advice from the federal Administration for Children and Youth which emphasize that only those cases that “have been thoroughly reviewed, and will not disrupt the reunification process, are referred to the state [child support] agency for the establishment of paternity or a support order.”

[https://acf.gov/sites/default/files/documents/cb/letter\\_regarding\\_assignment\\_rights\\_child\\_support\\_for\\_children\\_foster\\_care.pdf](https://acf.gov/sites/default/files/documents/cb/letter_regarding_assignment_rights_child_support_for_children_foster_care.pdf) (1.19.26).

However, as written, this bill raises several questions. First, the bill does not provide any direction or guidance on the “limited circumstances” that might be appropriate for assignment of child support for a child in foster care or when it is “appropriate” to terminate a support order. Proposed Family Law Article (FL) § 5–525.4(a) & (b). A framework for what constitutes such circumstances would assist with consistent

implementation, support the child's permanency, and facilitate the required development of regulations.

Further, the bill would require the court to terminate child support for a previously established or assigned child support order for a child receiving a foster care maintenance payment on the filing of a request for termination by certain State agencies. The court thus cannot exercise any discretion as to whether the agency action is consistent with its regulations or in the best interest of the child or the child's permanency. Additionally, only an agency can file such a request – the obligor (the person who is required to pay child support under a court order) is not permitted to seek termination of support or to compel the agency to do so. Allowing an obligor to raise termination would likely encourage compliance with agency regulations. Proposed FL § 12–104.2.

Removing the limitation on the court's discretion and permitting the obligor to seek termination would assist with consistent application and support the child's permanency.

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