

# **Written Testimony SB 0347 Maryland Legal Aid - Fav**

Uploaded by: Abby Moskowitz

Position: FAV



## Senate Bill 0347

### Child Support – Suspension of Driver’s Licenses

In the Judicial Proceedings Committee

Hearing on February 10, 2026

**Position: FAVORABLE**

*Maryland Legal Aid (MLA) submits its written testimony on SB 0347 at the request of Senator Anthony C. Muse.*

MLA asks that the Committee report **favorably** on SB 0347, which makes clear that driver’s license suspension should only be used as a child support enforcement mechanism when the parent *has the ability to pay but is willfully choosing not to pay*.

Maryland Legal Aid is a private, nonprofit law firm that provides free legal services to thousands of low-income Maryland residents in civil matters. Maryland Legal Aid represents both custodial and non-custodial parents in family law cases. Through this work, we have found that, as compared to many other states, Maryland overuses driver’s license suspensions as a child support enforcement tool. The overuse and misuse of driver’s license suspensions has led to devastating negative consequences for Maryland families, including the children whom the child support system is intended to help.

We applaud and thank the Maryland General Assembly for passing much needed reforms in the 2025 legislative session to address this problem.<sup>1</sup> However, systemic issues persist, and parents continue to experience difficulty when they go to their local child support offices to request reinstatement of their driver’s license because they are exempt from suspension under Maryland law. SB 0347 offers solutions to those continuing problems by clearly defining when driver’s license suspension is or is not appropriate, using factors that are child-centered and consider the best interest of the child. This bill complements the 2025 legislation passed by the Maryland General Assembly and will help to ensure that it is properly implemented.

### ***Driver’s License Suspension is a Barrier to Employment***

Courts have consistently held that due process is paramount before taking away a driver’s license, as a driver’s license is a substantial right that is *essential to the pursuit of a livelihood*.<sup>2</sup> Further, studies and statistics continuously show that driver’s license suspension is a proven

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<sup>1</sup> SB 0139 (cross-filed with HB 0681) passed out of the Judicial Proceedings Committee in 2025.

<sup>2</sup> *Bell v. Burson*, 402 U.S. 535 (1971); *Plumer v. State of Md.*, 915 F.2d 927, 932 (4th Cir. 1990).

barrier to employment and counterproductive to increasing debt collections.<sup>3</sup> Due to these consistent findings, reforms are underway in at least half of all states to curtail the use of driver’s license suspensions for debt collection.<sup>4</sup>

This logic, as applied to child support debt, is simple: when parents lose the ability to drive, they cannot find or maintain steady work; if parents cannot work, then they cannot pay child support. In fact, license suspension directly interferes with the child support enforcement program’s most effective collection tools: wage withholding<sup>5</sup> and tax refund garnishments. Both of these enforcement mechanisms require parents to have earned income from lawful, steady employment—to which driver’s license suspension is an impediment. Beyond creating a barrier to employment, license suspensions also prevent parents from being involved in or contributing to their children’s lives. License suspensions often mean children lose their rides to school, doctor’s appointments, activities, or visits with their parents.

### ***SB 0347 Tempers the Harms of Automatic Suspension***

Because of the wide-ranging potential harms of driver’s license suspension, some states use driver’s license suspensions only if other child support enforcement methods have not worked or if the noncustodial parent is in contempt of court.<sup>6</sup> And, some states opt to use *manual procedures* for reviewing cases where license suspension might be appropriate, as opposed to relying on *automated processes*. This allows program officials to exercise the cautious discretion

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<sup>3</sup> See e.g. Colleen Chien et. al., “Estimating the Earnings Loss Associated with a Criminal Record and Suspended Driver’s License.” *Ariz. L. Rev.*, 64, 675 (2022), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4065920](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4065920) ; Maureen R. Waller, et. al., “Predation and the Disproportionate Risk of Driver’s License Suspensions in Economically and Racially Marginalized Communities.” *Socius: Sociological Research for a Dynamic World*, 10 (2024), available at <https://doi.org/10.1177/23780231241234632>.

<sup>4</sup> “Road to Reform: State Approaches to Addressing Debt-Based Driver’s License Suspensions.” National Conference of State Legislators, available at <https://www.ncsl.org/civil-and-criminal-justice/road-to-reform-state-approaches-to-addressing-debt-based-drivers-license-suspensions>

<sup>5</sup> Nationally, 74% of child support collected in FY2024 was by income withholding from an employee’s paycheck. See <https://acf.gov/sites/default/files/documents/ocse/2024-infographic-national.pdf>

<sup>6</sup> Congressional Research Report on Child Support Enforcement and Driver’s License Suspension Policies, available at [https://www.congress.gov/crs\\_external\\_products/R/PDF/R41762/R41762.5.pdf](https://www.congress.gov/crs_external_products/R/PDF/R41762/R41762.5.pdf) (“The use of these driver’s license suspension procedures is not mandated in every case, but they must be available at a state’s discretion. Because driver’s license suspension procedures follow state law, practices vary across the country. States have a great deal of flexibility in implementing driver’s license suspension programs.”).

necessary to ensure that licenses are suspended only in limited and *appropriate* circumstances,<sup>7</sup> namely when the parent has the ability to pay but is willfully noncompliant.

However, Maryland still uses an *automated system* to suspend parents whom the computer identifies as owing 120 days or more of arrears. The automated system does not account for the enumerated exemptions in Md. Code Family Law § 10-119. As a result, many parents who should be exempt from suspension under state law, for example, because they need their driver's license for employment or because they are unable to work due to a disability, are still selected by the automated system to be referred to the MVA for suspension. This bill seeks to *correct that loophole* and ensure that those parents for whom the Maryland legislature has decided suspension is *not appropriate* are no longer wrongfully suspended.

Federal law, which Maryland is required to follow, cautions states only to use driver's license suspensions *in appropriate cases*, to increase the effectiveness of the child support program, which is meant to increase financial stability for children and families.<sup>8</sup> In accordance with federal law, SB 0347 defines when driver's license suspension is or is not appropriate. Notably, SB 0347 makes clear that if the child now resides primarily with the former non-custodial parent (due to a change in custody), then driver's license suspension is not appropriate to use against that former non-custodial parent who now has custody of their child.

The following Maryland Legal Aid clients are just a few examples of such former non-custodial parents who now have custody of their children and have suffered the harmful consequences of improper and inappropriate driver's license suspension:

- Mr. M was granted sole custody of his son by the Circuit Court. Mr. M provided a copy of the new custody order to the Child Support Agency. Yet, the Agency **still suspended his license**. Mr. M only discovered his license was suspended when he was pulled over for a minor traffic infraction in Virginia. Due to the suspended license, Mr. M's car was impounded and he was stranded outside in the pouring rain with his family. Ultimately, Mr. M had to pay to get his car out of impound, and he was charged with driving on a suspended license.
- Mr. R 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 the Child Support Agency, 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

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<sup>7</sup> Rebekah Selekman & Amy Johnson, "An Examination of the Use and Effectiveness of Child Support Enforcement Tools in Six States," Mathematica Policy Research Reports, available at [https://aspe.hhs.gov/sites/default/files/private/pdf/262936/Child\\_Support\\_Enforcement\\_Tool\\_Issue\\_Brief.pdf](https://aspe.hhs.gov/sites/default/files/private/pdf/262936/Child_Support_Enforcement_Tool_Issue_Brief.pdf)

<sup>8</sup> 42 U.S.C. § 666(a)(16).

after being pulled over for a minor driving infraction. As a result, Mr. R received a criminal citation for driving on a suspended license.

- Mr. P was also granted custody of his son in the Circuit Court. The court terminated his obligation to pay child support, in light of the change in custody. Mr. P provided copies of both court orders to the Child Support Agency, but **his driver's license was still suspended**. Mr. P drives trucks for a living, and he had no idea that his license had been suspended until he was out of the state, making a work delivery to a military base. The military base ran a routine background check, which revealed that his license had been suspended. As a result of the license suspension, **Mr. P was terminated from his job** with that trucking company.
- Mr. G's children began residing with him full time when their mother moved out of state. Mr. G filed motions to modify both custody and child support, and he informed the Child Support Agency of the change in custody and the pending court proceedings. Nevertheless, Mr. G received a letter informing him that **his license would be suspended**. Mr. G makes his living by driving for Uber, and he provided proof to the Agency that the suspension would cause him to lose his job, but the Agency refused to lift the suspension unless he made a large lump sum payment.

### *Maryland Rates of Driver License Suspensions as Compared to Other States*

In 2023, Maryland suspended **20,512** driver's licenses for child support arrears. Maryland far exceeds many states in driver's license suspensions, for example:<sup>9</sup>

Oklahoma: 0 suspensions in 2025  
New Jersey: 3 suspensions in 2023  
Vermont: 46 suspensions in 2025  
Maine: 1,146 suspensions in 2024  
California: 1,830 suspensions in 2025  
Rhode Island: 1,913 suspensions in 2025  
Mississippi: 4,054 suspensions in 2025  
Wisconsin: 3,733 suspensions in 2024  
Arkansas: 5,830 suspensions in 2023  
Minnesota: 7,255 suspensions in 2024<sup>10</sup>

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<sup>9</sup> MLA reviewed statistics available on state websites and contacted state child support agencies, motor vehicle administrations, and PIA contacts. Not all states responded or had the information publicly available online, so this list is not exhaustive but includes the most recent, readily available statistics.

<sup>10</sup> To correct what it identified as an over-suspension problem, Minnesota's child support agency recently implemented a pilot program requiring individual case worker review prior to license suspension. The Minnesota

Many states also have much stricter procedural protections than Maryland and require notice to be served by personal service and a court hearing before suspending a parent's driver's license for child support arrears.<sup>11</sup>

MLA urges a favorable report on SB 0347, to protect the families that we serve, like that of Mr. M, Mr. R, Mr. P, and Mr. G, from systemic harm resulting from an automated system implemented by a state agency charged with helping those very families.

If you have any questions about this testimony, please contact Stacy Bensky, Senior Attorney, at [sbensky@mdlab.org](mailto:sbensky@mdlab.org) or Ameer Vora, Advocacy Director for Family Law, at [avora@mdlab.org](mailto:avora@mdlab.org).

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program is highlighted on the Federal Office of Child Support Enforcement's website. *See* <https://acf.gov/css/newsletter/ocsenewsletter/october-2024-child-support-report#PJAC>

<sup>11</sup> *See, e.g., Connecticut § 46b-220* (requiring personal service, a hearing, and a judicial finding that the non-compliance is willful and that the parent has sufficient financial resources to comply with the order prior to suspension); *Maine § 19-2361* (requiring personal service and a hearing to determine ability to pay prior to suspension); *West Virginia § 48-15-203* (requiring that other statutory enforcement methods to collect the support arrearage have been exhausted prior to suspension).

# **Sponsor Testimony SB 347.pdf**

Uploaded by: C. Anthony Muse

Position: FAV



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SPONSOR TESTIMONY**

**SENATE BILL 347: Child Support - Suspension of Driver's Licenses**

Good afternoon, Chair Smith, Vice-Chair Waldstreicher, and Members of the Senate Judicial Proceedings Committee

For the record, I am Senator Anthony Muse of the 26th District in Prince George's County, presenting Senate Bill 347 for your consideration. This bill updates Family Law 10-119, which governs the license suspension laws for nonpayment of child support, to define when it is and when it is not appropriate to suspend the driver's license.

Federal law requires that all States have laws to withhold, suspend, or restrict the licenses of individuals who owe child support in "appropriate cases."

- To this end, Maryland's Family Law §10-119 states that upon 120 days of nonpayment of child support, the Child Support Administration shall send notice to the Motor Vehicle Administration to have the obligor's license or privilege to drive suspended.
- However, Maryland law offers no clear guidance on whether suspending the obligor's license would be appropriate or whether it would increase compliance or sever it, in accordance with federal law.

Senate Bill 347 defines in statute when it is appropriate to take someone's driver's license for inability to pay and a list of several factors for when it is not.

With this update to the license suspension statute, I believe that the error rate in suspended licenses will be reduced and that the Child Support Administration will save time and money in pursuing obligors who are actively withholding money from their children. I urge a favorable report on Senate Bill 347.

# Written Sponsor Testimony SB 347.pdf

Uploaded by: C. Anthony Muse

Position: FAV



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SPONSOR TESTIMONY SENATE**

**BILL 347: Child Support - Suspension of Driver's Licenses**

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

For the record, I am Senator Anthony Muse of the 26th District in Prince George's County, presenting Senate Bill 347 for your consideration. This bill updates Family Law 10-119, which governs the license suspension laws for nonpayment of child support, to define when it is and when it is not appropriate to suspend the driver's license.

[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 120 days of nonpayment of child support, the Child Support Administration shall send notice to the Motor Vehicle Administration to have the obligor's license or privilege to drive suspended. The suspension mechanism is automated through the Child Support Enforcement Agency, and **no** determination is made about whether a suspension would be appropriate. This is out of step with federal compliance, not due to negligence on the part of the Administration or the obligor, but because Maryland's law governing suspensions lacks a clear definition of when it is appropriate to suspend an obligor's driver's license. Maryland Legal Aid and the University of Baltimore have reported that individuals who are making payments, disabled, *not* in arrears, or [with primary custody of their children](#) are consistently having their licenses suspended.

Senate Bill 347 seeks to resolve this by:

1. Defining that the suspension of the driver's license is "appropriate" because the obligor has the funds to pay but is making a free and conscious choice to withhold payment.
2. Allowing that suspensions should occur *after* acknowledging that other enforcement mechanisms have been unsuccessful.
3. Ensuring that obligors are alerted to the Administration's actions in writing and electronically.
4. Clarifying in statute the circumstances under which a suspension would be inappropriate, specifically when:
  - a. The reported arrearage is inaccurate.
  - b. The child resides primarily with the obligor.
  - c. The Administration has reached an agreement with the obligor, and the obligor *is complying with the agreement*.

- d. Suspension would be an impediment to the obligor's current or potential employment; or
- e. The suspension would place an undue hardship on the child, recipient, or obligor because the obligor has a documented disability or would be unable to comply with the court's orders.

With these updates to the license suspension statute, I strongly believe that the error rate in suspended licenses will be sharply reduced and that the Child Support Administration will save time and money in pursuing obligors who are able to care for their children but actively refuse to do so. I urge a favorable report.

**SB0347\_HB0412\_FAV\_OFJ\_Dwan.pdf**

Uploaded by: D'wan Burton

Position: FAV



**TESTIMONY IN SUPPORT OF SENATE BILL 347/HOUSE BILL 142:**

**Child Support - Suspension of Driver's Licenses**

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

FROM: Dwan Burton, Deputy Director of Out For Justice

DATE: February 10, 2026

My name is Dwan Burton, and I am the Deputy Director of Out for Justice, Inc. (OFJ), a Baltimore-based grassroots organization led by people directly impacted by the criminal legal system. We first thank the committee for passing House Bill 681 last year, which created an exception to the license suspension statute for lower-income parents, many of whom are in our member base. We strongly support Senate Bill 347, which clarifies when it is appropriate to suspend a driver's license for child support arrearages, ensuring this enforcement tool is used appropriately.

As stated, Out for Justice has a large membership base of individuals who have returned home from incarceration and have struggled with child support arrears, leading to garnishments and license suspensions. When we've worked with the Child Support Administration on behalf of our members, we were met with stiff opposition, long wait times, and agents who were apathetic to the struggles of non-custodial parents. What was worse was the indiscriminate license suspensions of some of our members who were disabled or actually had custody of the child.

Despite having custody of his other kids, my son's father routinely faced license suspension and subsequently failed to comply with his court order as he had no method of transportation to get to work, pick up his children, and check in with the administration. Thus, I was left transporting the kids back and forth to school, daycare, and soccer practice, while driving him and myself to work (and back), which was a massive disruption to our daily routines. The suspension tool is designed to prevent those with the money to pay but who actively choose voluntary impoverishment from the privilege of driving. Thanks to the automated system, however, suspensions are routine and random, without factoring in the driver's circumstances, ability to pay, or even whether they are complying with a court or administrative order.

Senate Bill 347 defines when it is appropriate to suspend a license and outlines numerous factors that make it inappropriate. This should provide the administration with guidance on using their tool effectively to benefit the family. For these reasons, I urge a favorable report.

# **Carrington 2026 Testimony Carrington SB347 Driver**

Uploaded by: Darrell Carrington

Position: FAV



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**TESTIMONY OF CARRINGTON & ASSOCIATES, LLC  
SENATE BILL 347  
CHILD SUPPORT – SUSPENSION OF DRIVER’S LICENSES  
POSITION: FAVORABLE  
SENATE JUDICIAL PROCEEDINGS COMMITTEE**

Carrington & Associates, LLC supports Senate Bill 347. Our firm works with local governments, non-profit organizations, and community partners across Maryland who see firsthand the importance of policies that promote economic stability for families while supporting compliance with child support obligations. Stable employment and the ability to travel to and from work are critical factors in ensuring that parents can consistently meet their financial responsibilities.

Senate Bill 347 takes a practical and balanced approach by altering provisions related to the suspension of driver’s licenses for child support arrearages. For many individuals, a driver’s license is essential for maintaining employment, accessing job opportunities, and fulfilling family responsibilities. When a license is suspended, it can create a cycle that makes it more difficult, not easier, for individuals to become current on their child support obligations.

Policies that maintain accountability while removing barriers to employment help families receive the support they need and improve long term compliance. By refining the process surrounding license suspension, this legislation supports the goal of increasing consistent child support payments while reducing unintended economic hardship.

From our work with community and government partners, we know that solutions that strengthen economic mobility ultimately benefit children, families, and communities across the State.

For these reasons, Carrington & Associates, LLC respectfully urges a favorable report on Senate Bill 347.

## **2.06 SB 347- Child Support - Suspension of Driver**

Uploaded by: Rachael Keyes

Position: FAV



**SB 347 - Child Support - Suspension of Driver's Licenses**  
**Senate Judicial Proceedings Committee**  
**February 10, 2026**  
**SUPPORT**

Chairman Smith, Vice-Chair, and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 347. This bill ensures that Child Support Enforcement Administration must first verify that a license suspension is appropriate and consider factors such as whether suspending the license would prevent a parent from working, whether the parent is complying with a payment plan, or whether the child primarily resides with the parent. The bill also strengthens notice and appeal rights before a license is suspended and allows work-restricted licenses under certain circumstances.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

Child support debt can trigger severe enforcement actions such as driver's license suspension, arrest, or incarceration. These penalties that often make it harder, not easier, for low-wage workers to meet their child support obligations. These punitive measures directly undermine a parent's ability to secure and maintain employment, particularly in a state like Maryland where reliable transportation is essential to economic participation. This challenge is more pronounced for low-income communities of color, where fewer jobs are accessible by public transit. **Thus, for economic sustainability for low-income workers, both a valid driver's license and a vehicle are necessary.**

SB 347 aligns Maryland's child support system with evidence showing that punitive enforcement practices, including suspension of driver's licenses, do not improve outcomes and often make financial stability harder for low-income parents and their families. Unrealistic support orders combined with harsh enforcement practices can push parents deeper into debt, limit employment opportunities, and reduce their ability to support their children. <sup>1</sup>

Research shows that long-term compliance with child support payments is greatly determined by enforcement practices. <sup>1</sup> SB 347 introduces procedures that require review of enforcement actions, verification of necessity, and provide clearer notice and appeal rights before punitive measures are implemented. These changes are consistent with evidence showing that enforcement tools should be

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<sup>1</sup> Abell Foundation. Reforming Child Support to Improve Outcomes for Children and Families. <https://abell.org/publication/reforming-child-support/>



applied in ways that do not undercut a parent's ability to work and pay support. By promoting fair and effective enforcement, the bill strengthens family stability and supports better outcomes for children.

**Thus, we encourage you to return a favorable report for SB 347.**

*Creating Assets, Savings and Hope*

**2026 02 06 SB 347\_FLSC\_UNFAV.pdf**

Uploaded by: Brendan Madden

Position: UNF

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**To:** Members of The Senate Judicial Proceedings Committee

**From:** Family Law Section Council (FLSC)

**Date:** February 6, 2026

**Subject:** Senate Bill 347  
Child Support – Suspension of Driver’s Licenses

**Position:** **UNFAVORABLE**

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The Maryland State Bar Association (MSBA) FLSC **opposes Senate Bill 347**.

This testimony is submitted on behalf of the Family Law Section Council (“FJLSC”) of the Maryland State Bar Association (“MSBA”). The FLSC is the formal representative of the Family Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family law and, at the same time, tries to bring together the members of the MSBA who are concerned with family 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.

While the FLSC appreciates the intent of SB 347 to promote fairness in the suspension of driver’s licenses for child support arrearages, the bill, as drafted, creates procedural hurdles so high that license suspension would be effectively unenforceable, even in cases of willful nonpayment.

SB 347 conditions driver’s license suspension for child support arrearages on two new requirements: (1) that the Child Support Administration verify the obligor is making a “free and conscious choice” to withhold payment despite having the funds to pay, and (2) that the Administration provide mandatory electronic notice to the obligor. While well-intentioned, these provisions create enforcement barriers that risk rendering license suspension largely unworkable.

The requirement that the Administration determine an obligor is making a “free and conscious choice” to withhold payment imposes a subjective, intent-based standard that is exceptionally difficult to establish at any level, let alone by an administrative agency. Proving willfulness typically requires financial discovery, sworn testimony, or court findings, tools not available during routine child support enforcement. As a result, even obligors with clear payment histories demonstrating



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noncompliance may avoid license suspension simply because the Administration cannot conclusively verify that the obligor made a “free and conscious choice.”

The practical effect would be that license suspension will rarely, if ever, be triggered.

Maryland law already recognizes the concept of voluntary impoverishment, but SB 347 effectively requires the Administration to make a similar determination without judicial process. This shifts the burden away from the obligor to explain nonpayment and places it squarely on the Administration to prove intent, an inversion that undermines effective enforcement.

SB 347 further requires “written and electronic” notice at multiple stages of the suspension process. While notice is critical, making electronic notice mandatory could raise significant practical concerns. Many obligors do not maintain reliable electronic contact information, change email addresses frequently, or intentionally avoid electronic communication. Also, emails are not officially collected for all obligors. Conditioning enforcement on electronic notice invites delay, disputes over receipt, and procedural challenges that can stall enforcement indefinitely.

While the goal of fairness is important, the bill, as drafted, risks making license suspension effectively unavailable, even in cases of willful nonpayment, thereby weakening one of the State’s most effective child support enforcement tools.

For the reason(s) stated above, the MSBA FLSC **opposes Senate Bill 347 and urges an UNFAVORABLE committee report.**

Should you have any questions, please contact Michelle Smith at 410-280-1700 or [msmith@lawannapolis.com](mailto:msmith@lawannapolis.com), or Brendan Madden at 410-383-1525 or [bmadden@rghlawyers.com](mailto:bmadden@rghlawyers.com).