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MARYLAND CHILD SUPPORT GUIDELINES: 2015-2018 CASE-LEVEL REVIEW

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TABLE OF CONTENTS

Acknowledgments.....	v
Foreword.....	i
Executive Summary	ii
Support Order Characteristics.....	ii
Incomes of Obligors and Custodians.....	iii
Support Order Amounts	iii
Deviations from the Guidelines	iii
Complex Families	iv
Payment Compliance	iv
Subsequent Modifications	v
Introduction	1
Background.....	3
Guidelines Models	3
Income Shares model	4
Percentage of Income model	4
Melson Formula	4
Deviation Criteria.....	5
Maryland’s Child Support Guidelines.....	5
Flexibility, Efficiency, and Modernization of Child Support Enforcement Programs Final Rule	6
Recent Maryland Legislation	7
Methods.....	9
Sample	9
Data Collection	10
Estimated imputed income.....	11
Payment compliance.....	11
Data Analysis	11
Support Order Characteristics.....	13
Incomes of Obligors and Custodians.....	16
Imputed Income.....	17
Deductions	19
Combined Adjusted Income.....	20
Self-Support Reserve	21
Order-to-Income Ratio.....	24
Determining the Basic Child Support Obligation.....	26
Calculating the Monthly Support Order	28

Deviations from the Guidelines	33
Characteristics Impacting the Deviation Rate	39
Adjustments for Complex Families	42
Payment Compliance	46
All Orders	46
Deviation Status	47
Imputed Incomes	52
Low-Income Adjustment	55
Subsequent Modifications	58
Conclusions	64
References	67
Appendix: State and Jurisdictional Profiles.....	71

LIST OF FIGURES

Figure 1. Parental Relationship	15
Figure 2. Gross Monthly Income	17
Figure 3. Parents with Imputed Income	19
Figure 4. Parents with Child Support Deductions	20
Figure 5. Categories of Combined Adjusted Income	21
Figure 6. Obligor's with SSR-Range Incomes	24
Figure 7. Order-to-Income Ratio	24
Figure 8. Number of Children per Order	26
Figure 9. Additions to the Child Support Obligation	29
Figure 10. Obligor's Average Percent of Income	30
Figure 11. Average Monthly Support Amounts	32
Figure 12. Overall Deviation Rate	34
Figure 13. Deviation Reasons	37
Figure 14. Characteristics Impacting the Deviation Rate	41
Figure 15. Complex Families.....	43
Figure 16. Payment Compliance	47
Figure 17. Percent with Payment by Deviation Status	49
Figure 18. Average Percent Paid by Deviation Status	49
Figure 19. Percent Employed and Median Earnings by Deviation Status	51
Figure 20. Order-to-Income (OTI) Ratio by Deviation Status	51

Figure 21. Payment-to-Income (PTI) Ratio by Deviation Status	51
Figure 22. Percent with Payment by Imputation Status	53
Figure 23. Average Percent Paid by Imputation Status	53
Figure 24. Percent Employed and Median Earnings by Imputation Status	54
Figure 25. Order-to-Income (OTI) Ratio by Imputation Status	54
Figure 26. Payment-to-Income (PTI) Ratio by Imputation Status.....	54
Figure 27. Percent with a Payment by Low-Income Adjustment.....	55
Figure 28. Average Percent Paid by Low-Income Adjustment.....	55
Figure 29. Percent Employed and Median Earnings by Low-Income Adjustment.....	57
Figure 30. Order-to-Income (OTI) Ratio by Low-Income Adjustment.....	57
Figure 31. Payment-to-Income (PTI) Ratio by Low-Income Adjustment	57
Figure 32. Percent of Orders Modified during Three Follow-up Years	59
Figure 33. Modification Direction among Orders with Modifications.....	60
Figure 34. Median Modification Amount among Orders with Modifications.....	61
Figure 35. Percent with Payments in the Three Months Before and After Modification.....	62
Figure 36. Percent with Payments in the Three Months Before and After Modification.....	63

LIST OF TABLES

Table 1. Support Order Population and Sample Size by Jurisdiction: 2015-2018.....	12
Table 2. Support Order Characteristics	14
Table 3. Average Basic Support Obligation.....	27
Table 4. Deviation Amounts	34
Table 5. Deviation Rate and Reason by Jurisdiction	38

FOREWORD

The University of Maryland School of Social Work (SSW) has completed Maryland's case-level portion of the quadrennial child support guidelines review since 1996. A review was scheduled for 2020, and the SSW completed a case-level review based on orders established or modified between 2015 and 2018. However, the Maryland Child Support Administration (CSA) received a waiver from the federal Office of Child Support Enforcement to postpone the submission of the guidelines review until 2022. At the time of the waiver approval, Maryland was slated to have an updated guidelines schedule effective October 2021. CSA leadership sought a guidelines review that reflected this new schedule.

Unfortunately, the implementation of the new schedule was tied to the completion of a new administrative data system—the Child Support Management System (CSMS). With CSMS implementation delays, the updated guidelines schedule was not effective until July 2022, just three months before the quadrennial review was due. Hence, the SSW was unable to complete a case-level review of orders using Maryland's updated guidelines.

Nonetheless, this provided Maryland with the opportunity to further examine payment compliance in accordance with the Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs (FEM) Final Rule (2016). The initial report completed in 2020 met the FEM requirement by examining payment compliance during the first year after order

determination. However, this current report updates those findings by examining payment compliance during the three years after order determination. We examine payment compliance among all sampled orders and also by important subgroups within the caseload, including: (a) orders that deviated from the guidelines; (b) orders that included the imputation of parental incomes; and (c) orders that included a low-income adjustment, known in Maryland as the Self-Support Reserve (SSR).

Additionally, to provide valuable context for the payment compliance outcomes, this report also examines child support obligations and payments as a percentage of obligor earnings. Those measures approximate obligors' ability to pay their obligations. Lastly, the report examines modifications that occurred after sampled orders were determined. This new chapter allows us to explore the percentage of orders that were modified during this three-year follow-up period as well as during the COVID-19 pandemic.

Ultimately, this final, submitted quadrennial review of Maryland orders established or modified between 2015 and 2018 meets all FEM requirements. Although it is an updated report from the 2020 child support guidelines report, it includes additional follow-up data on payment compliance and a new chapter on modifications. Readers also can examine how findings vary across the state with the one-page infographic documents for each of Maryland's 24 local jurisdictions.

EXECUTIVE SUMMARY

Every four years, federal regulations require states to review child support guidelines that are used to determine financial support obligations. The review process is twofold, and each part serves a different purpose. The first part of the review is an economic analysis that assesses if the guidelines adequately reflect the costs of raising children. The second part is a case-level review that assesses if courts are equitably applying the guidelines, and if deviations from those guidelines are limited and within the purview of the law. Both components help states identify opportunities to improve policy and practice.

The University of Maryland School of Social Work, through an ongoing partnership with the Maryland Child Support Administration (CSA), is tasked with completing the case-level portion of the review to satisfy federal and state requirements. To assess how the guidelines are used in Maryland, we select a sample of child support orders that were established or modified within the four-year period. Information from the orders and accompanying guidelines worksheets are used to determine if courts issued support order amounts in accordance with Maryland's guidelines schedule, which provides recommended support obligations based on both parents' incomes.

For this current review, we assessed how the guidelines were applied to a random, stratified sample of 4,928 support orders newly established or modified between 2015 and 2018 and whether those applications resulted in deviations. We also examined the reasons for those deviations as Maryland law requires the inclusion of specific information when the guidelines are not used to establish orders. Mainly, the

courts should include information on how a given deviation is in the best interest of the child(ren).

While the focus of this review is on deviations from the child support guidelines, the information used for this report provides a rich data source that allows us to explore other relevant topics. These topics include income imputation, the Self-Support Reserve (SSR), and complex families, or families involving parents who have children with multiple co-parents. We also provide information regarding payments on child support orders during the three years after establishment or modification as well as on additional modifications occurring to these orders during the three years after order determination. Key findings from this quadrennial review are as follows:

Support Order Characteristics

The majority of orders were new (71%) as opposed to modifications of previously established orders (29%), and almost all (94%) orders involved parents with sole custody agreements.

- Half of obligors, or parents owing support, with new orders owed child support debt known as arrears at order establishment, owing a median of \$1,933. This occurs because child support obligations are retroactive to the date of filing for support.

Roughly three in 10 (28%) obligors and more than half (56%) of custodians received SNAP benefits in the year before the order was issued.

- As SNAP receipt indicates food insecurity, obligors and custodians

receiving the benefit might have struggled to meet their basic needs and those of their children.

Incomes of Obligors and Custodians

Two in three obligors and custodians had gross incomes below a living wage.

- Based on the worksheets used to calculate child support orders, the majority of both obligors (65%) and custodians (68%) had documented incomes of less than \$2,614 per month, which represents the living wage in Maryland for one adult.
- The monthly median income was \$2,012 for obligors and \$2,153 for custodians.

Roughly one quarter (23%) of obligors and less than one in five (17%) custodians had their incomes imputed.

- The practice of imputing potential income to voluntarily impoverished parents for the purposes of determining child support obligations was less common during the 2015 to 2018 period than it was during the last review period.
- Of obligors with imputed incomes, half (50%) had incomes imputed to a full-time rate, while one quarter (24%) had incomes imputed to a part-time rate, and another quarter (26%) had incomes imputed to a different amount. Of custodians with imputed incomes, about three in five (58%) had their incomes imputed to a full-time rate, and one in five had incomes imputed to a part-time rate (21%) or a different amount (19%).

One in 10 (10%) orders utilized the Self-Support Reserve (SSR) even though a larger percentage (35%) of obligors had adjusted incomes in the SSR range.

- The SSR is the minimum amount of income obligors may retain after paying child support; that amount in Maryland was \$867. The SSR is automatically applied to orders using combined incomes below a certain threshold, referred to as the SSR range.
- Seven in 10 (71%) obligors with incomes in the SSR range received no benefit from the SSR because the addition of custodian incomes raised combined adjusted incomes above the SSR range.

Support Order Amounts

The average child support order was for \$477 per month, and the average order per child was \$386 per month.

- Orders that imputed full-time incomes to obligors were for an average of \$308. Obligors with incomes imputed to part-time rates were ordered to pay less in support (\$211), but those with incomes imputed to other rates had an average order amount closer to those with full-time rates (\$287).
- Obligations among orders utilizing the SSR averaged \$183.
- The guidelines recommends that orders with combined incomes of \$1,200 or less be set between \$20 and \$150. The percentage of these orders that had support amounts greater than \$150 was reduced by half since the last review period, to 19%.

Deviations from the Guidelines

The majority (71%) of orders followed Maryland's child support guidelines. The deviation rate of one in four (23%) has remained consistent over time. Orders

with combined incomes above or below the guidelines were rare (7%).

- Most (20%) deviations were for amounts that were lower than the guidelines-recommended amount, and only 3% deviated above the guidelines-recommended amount.

Just under half (48%) of orders that deviated from the guidelines provided a specific reason for the deviation.

- Over one quarter (27%) of deviations did not list any reason, which is a reduction since the last review period. Another quarter (25%) of deviated orders only listed *all parties agree* to a different amount as a reason, with no additional context.
- Common reasons include in-kind support (10%), the financial instability of the obligor (10%), and an obligor's intact second family (10%).

Deviations were more common among orders involving families with non-parent custodians or complex circumstances. Conversely, orders including obligors with imputed incomes or incomes in the SSR range had lower deviation rates.

- Nearly half (48%) of orders involving children in foster care deviated from the guidelines. Orders involving custodians who were neither parent (29%) and orders involving complex families (30%) also had higher deviation rates than the overall rate of 23%.
- Orders with imputed incomes for obligors had a much lower deviation rate of 14%. The deviation rate was also lower, at 15%, among orders for obligors with incomes in the SSR range.

Complex Families

Nearly half (45%) of orders involved complex families, or families in which parents have children with multiple co-parents.

- Complex families were based on the following indicators:
 - Orders that listed an intact second family as a deviation reason (2%);
 - Multiple child support cases among obligors (26%) and custodians (24%); and
 - Income deductions for existing support among either the obligor (20%) or the custodian (1%).
- Three fifths (61%) of deviations from the guidelines due to miscalculations occurred among these complex families.

Payment Compliance

About nine in 10 obligors made a payment in each of the three years after order establishment or modification, and the average obligor paid about 70% of the obligation in each of those years.

- Payment compliance—the percent with a payment and the percent of the obligation paid—was above the statewide average for obligors who had deviations, who had incomes above the guidelines, and among obligors who did not have their incomes imputed in each of the three follow-up years.
- Conversely, payment compliance was below average for obligors who had incomes below the guidelines schedule, who had low incomes in the SSR range, and among those who had their incomes imputed. Among these obligors who did make payments, only about

50% of their obligations were paid in each of the three years after exit.

Payment compliance outcomes appear related to the earnings—or the ability to pay—of an obligor. Statewide, nearly two thirds (63%) of obligors were employed in each of the three follow-up years, earning a median of \$27,000 each year.

- Obligors with above-average payment compliance, as listed above, were also generally employed at the same rate as the statewide average, but they had higher median earnings, ranging from \$30,000 to nearly \$120,000.
- Conversely, obligors with below-average payment compliance were slightly less likely to be employed, and they had substantially lower earnings. In fact, median earnings did not exceed \$15,000 for these obligors.

Subsequent Modifications

Just over one in 10 (12%) orders were modified during the three years after obligations were either newly established or previously modified.

- Modifications were on par with the statewide average for orders with (14%) or without a deviation (11%), for orders that did not impute income to either parent (13%), and for orders with imputed custodian income (12%).
- The percent of modifications were noticeably higher than the statewide average among orders with incomes above the guidelines schedule; nearly one in five (18%) were modified.
- Modifications were well below the state average for orders with incomes below the guidelines (4%), orders that imputed

incomes to the obligor (7%) or both parents (6%), and among orders that included low-income obligors who benefitted from the SSR (7%) and those who did not benefit (8%).

Modifications more often resulted in lower obligations (57%) than higher obligations (43%).

- This pattern was consistent for all subgroups except for orders that included obligor imputed income and for obligors who had SSR-range incomes. For these obligors, the majority of modifications resulted in a higher obligation.
- Obligors who had modifications that decreased the obligation were more likely to make payments immediately after the modification (85%) than before the modification (76%). In contrast, modifications that increased the obligation did not affect payments as 87% of these obligors made payments both before and after the change.

This report's analyses precede reforms to child support policy in Maryland that became effective in July 2022 and address the SSR and income imputation. The goal of these changes is to facilitate child support orders that meet obligors' ability to pay. However, additional guidance may be needed regarding support calculations for children in complex families. Although this report provides information on an outdated guidelines schedule, it still provides valuable evidence for policymakers in their efforts to develop practices that promote obligations that are appropriate, equitable, and consistent, and to encourage reliable formal child support contributions to families.

INTRODUCTION

The public child support program is an income transfer program, administered through federal and state partnerships, that serves a broad range of families. The U.S. has the world's highest rate of children living in single-parent households—at 23% (Kramer, 2019)—so child support has the potential to play an important role in the lives of many parents and children. While many families participating in the child support program throughout the U.S. have low incomes (Grall, 2020), it is open to any family with a nonresident parent, regardless of income. Families enter the IV-D program¹ in one of two ways, and characteristics may differ depending on how the family entered: participants may be current or former Temporary Assistance for Needy Families (TANF) recipients who are required to cooperate with the child support establishment process or non-TANF recipients who join voluntarily.

In addition to diversity among participating families, federal guidance gives states flexibility to administer the program in a variety of ways. In Maryland, child support orders are established and enforced among the state's 24 jurisdictions, and each jurisdiction has a degree of discretion in its processes. Regardless of this diversity, families with similar characteristics and incomes should have the same obligation amount to ensure equity and fairness. Child support guidelines that are based on the costs of raising children are essential to achieve equity in order amounts throughout the state.

During the 1980s, federal regulations were established requiring each state to develop a set of guidelines for determining child support obligations in an equitable way (Child Support Enforcement Amendments of 1984; Family Support Act of 1988). Maryland's guidelines are based on economic estimates of the costs of raising children and have only been updated twice since first established in 1990. These guidelines vary by parents' combined incomes and by the number of children they share. Maryland, like most other states, utilizes an Income Shares model of support calculation. This model is based on the assumption that because the combined income of both parents is used to support children when the parents are residing together, child support should likewise be based on both parents' incomes.

Federal regulations also require states to review their numeric guidelines every four years. The purpose of quadrennial reviews is to confirm that support obligations determined using states' guidelines are adequate for raising children. Specifically, states must ensure guidelines reflect the costs of raising children and that support order amounts that deviate from the guidelines are limited (Family Support Act of 1988; Guidelines for setting child support orders, 2018). Deviations from the guidelines should be minimal, as they are presumptive and may only be rebutted if their application would be unjust or inappropriate (Md. Fam. L. Code §12-202(a)(2)(ii)).

¹ The Child Support Enforcement program was established in 1975 under Title IV-D of the Social Security Act of 1935.

This report investigates how the guidelines were applied in Maryland from 2015 to 2018, and whether those applications resulted in deviations from the recommended guidelines. To achieve this, we utilize a random, stratified sample of 4,928 support orders that were newly established or modified through Maryland's public program² between January 1, 2015 and December 31, 2018. The main research question for this report is to determine whether orders followed the guidelines, and if they did deviate, how often and for what reason were there deviations. However, the information used for this report provides a rich data source that allows us to explore other relevant topics. For one, in order to determine adherence to the guidelines, we must collect information on parents' incomes. In doing so, we are able to explore two important issues related to income: the practice of income imputation and the effectiveness of Maryland's Self-Support Reserve (SSR). While income imputation consists of assigning a potential income to parents that can lead to support amounts

obligors are unable to pay, the SSR is meant to ensure obligors retain a level of subsistence after paying support. We also explore the concept of complex families—or families in which parents share children with multiple co-parents—and how they may not fit neatly into the guidelines model, as this has implications for equity among children in such families. Because the ultimate goal of determining support orders is to ensure children are financially supported by both parents, we also examine payments made by obligors among all orders and among different groups.

The findings in this report provide practical and meaningful information to courts, state and local child support personnel, and policymakers about how the child support guidelines serve families in Maryland. While meeting statutory requirements, this report also provides information about improvements to child support policy that have been, and could be, made to benefit parents and children.

² Support orders in Maryland's public program are those that were established or modified under Title IV,

Part D of the Social Security Act of 1935, rather than through a private court agreement.

BACKGROUND

The core mission of the Office of Child Support Enforcement (OCSE) is to locate parents, establish paternity, establish support orders, and collect support (OCSE, 2013). The child support program is effective in its transmission of payments to families. OCSE (2022) reported that Maryland collected and distributed \$515 million on behalf of 168,000 families during federal fiscal year 2021. In addition to this core mission, the program has expanded to provide services to families in the areas of co-parenting support, family violence prevention, healthcare, child involvement, economic stability, and father engagement.

In order to ensure adequacy, equity, and efficiency among child support orders, federal legislation passed during the 1980s required each state to develop a set of numeric guidelines for setting support order amounts (Child Support Enforcement Amendments of 1984; Family Support Act of 1988). States must adhere to these guidelines, except in cases in which their application would be unjust or inappropriate. In practice, the design of child support guidelines is a complex undertaking. In addition to choosing an overall model, states must also consider how best to tailor the guidelines to meet the needs of families. This flexibility awarded to states makes it difficult to compare them to one another, especially without prior understanding of the broader context of child support guidelines. Thus, this chapter provides a brief overview of the three main guidelines models used across the country and of deviation criteria. Following that is a discussion of the guidelines Maryland uses to establish support orders. Last, we review recent changes at the federal and state level that

have implications for the child support guidelines and order establishment.

Guidelines Models

As previously noted, federal regulations allow states flexibility in choosing a guidelines model to use, and in determining the factors that may be used to justify a deviation from the guidelines-calculated amount. Regulations also specify, however, that any guidelines model chosen by a state must at a minimum:

1. “Take into consideration all earnings and income of the noncustodial parent;
2. Be based on specific descriptive and numeric criteria and result in a computation of the support obligation; and
3. Address how the parents will provide for the child(ren)’s healthcare needs through health insurance coverage and/or through cash medical support” (Guidelines for setting child support orders, 2018).

Across states, there are many idiosyncrasies regarding whether states use gross or net income, how states allocate certain child expenditures between the parents, and how states implement adjustments for other children or shared parenting. Still, there are essentially three basic guidelines models in use across the country: Income Shares; Percentage of Income; and the Melson Formula (National Conference of State Legislatures (NCSL), 2020; Williams, 1987). We briefly describe the three primary models below.

Income Shares model

First introduced in 1987, the Income Shares model was developed by Dr. Robert Williams and staff as part of the federal Child Support Guidelines Project funded by the United States Health and Human Services agency (Williams, 1987). This model is “based on the concept that the child should receive the same proportion of parental income he or she would have received if the parents lived together” (Williams, 1987, p. ii-vi). If the household were still intact, the collective income of both parents would be spent on the child(ren) to provide housing, food, clothing, and other necessities, in addition to recreational activities. In the Income Shares model, the incomes of both parents, the number of children, and additional expenses such as childcare and health insurance are considered in determining a total support obligation. The resulting total support obligation is then prorated between the parents based on their proportion of the total combined income (Williams, 1987).

There is an underlying economic assumption built into this model that the proportion of income spent on children decreases as income increases. The model also allows for adjustments related to shared custody and, in some states, the age of the child(ren) (Morgan, 2005). It is likely that these strengths are what make the Income Shares model the predominant model used in the United States to date. The majority of the country (41 states), including Maryland, utilize this model (NCSL, 2020).

Percentage of Income model

In the Percentage of Income model, the recommended child support obligation is

derived solely from the obligor’s income, rather than the combined income of both parents. The underlying assumption of this approach is that each parent will spend the same proportion of his or her income on the child. States that utilize this model may choose to use either a flat or a varying percentage model. In a flat Percentage of Income model, all noncustodial parents, regardless of income, pay the same percentage of their income toward child support. In a varying Percentage of Income model, the percentage is determined at a variable rate, which decreases as income increases. Regardless of which type is used—flat or varying—the percentage is determined by the number of children, and in some states, the ages of the children shared by the parents. The model also assumes that childcare and medical costs will be covered by the support amount.

The main strength of the Percentage of Income model is its simplicity. Of the three models, it is the easiest to learn, explain, and understand, and it is less prone to error (Morgan, 2005). However, this model does not take into consideration the adjustments made to child support amounts for childcare, medical expenses, or custody arrangements, among many other factors. Four states (Alaska, Mississippi, Nevada, and Wisconsin) currently utilize a flat Percentage of Income model and two states (North Dakota and Texas) utilize a varying Percentage of Income model (NCSL, 2020).

Melson Formula

The Melson Formula, developed by Judge Elwood Melson of Delaware, was the first presumptive child support standard to be used on a statewide basis (Williams, 1994). It is premised on three assumptions: (a) that parents should first meet their own basic

needs; (b) that children should then also have their basic needs secured; and (c) that parents should share increases in their income with their children. Thus, the calculation of basic support includes a standard of living allowance for both parents and a calculation of minimum support per child before the support obligation is prorated according to each parent's percentage of combined income. Many perceive this model as the fairest and most equitable of the three models given that it considers the needs of both the parents and the child. It is, however, the most complicated model, and to date is used by only three states: Delaware, Hawaii, and Montana (NCSL, 2020).

Deviation Criteria

Regardless of the guidelines model used by a court, the presumptive support order amounts are generally grounded in economic data that reflect average family expenditures. Average expenditure data provide a sufficient basis for guidelines models; however, they are merely averages and may not universally result in a just or appropriate support amount for all families. When family circumstances are atypical, a degree of flexibility or discretion ensures the support obligation is accurate and just. Federal regulations do provide this flexibility to states, albeit with important caveats. Specifically, in cases where the recommended child support amount would be inappropriate, states may deviate from the guidelines if doing so is in the best interest of the child(ren). The case findings that rebut the guidelines must state the amount of support that would have been required under the guidelines and include a justification for why the order amount deviates from the guidelines (Guidelines for setting child support orders, 2018).

Just as states may choose their own guidelines models, they may also specify their own criteria for deviation. Some states are very specific about what constitutes an acceptable reason for a deviation, while others provide little specificity. Moreover, even among states that describe their deviation criteria, there is no uniformity. To illustrate, Morgan (2005) identified more than 40 different deviation factors in use across the country. Most states' deviation criteria do, in some way, reference health insurance and extraordinary medical expenses, childcare expenses, shared custody or extraordinary visitation, joint custody, and other children of either parent to whom a duty of support is owed. In recognition of how frequently such special circumstances arise in caseloads, many states have incorporated some of these issues into the basic calculation of support amounts or as standard additions. Furthermore, some states include a discretionary factor in their child support guidelines that allows officials to deviate for reasons other than those specifically named as long as the deviation is in the best interest of the child(ren). The federal mandate for states to review case data every four years "to ensure that deviations from the guidelines are limited" (Family Support Act of 1988) is especially important for those states, like Maryland, that include a discretionary provision.

Maryland's Child Support Guidelines

Maryland, like the majority of other states, uses the Income Shares model as the basis for its child support guidelines. However, there are two specifications to Maryland's model. First, the model uses gross income rather than net income, with income deductions for existing child support obligations and alimony payments paid or

received. Second, the model allows for a shared custody adjustment when each parent resides with the child(ren) for at least 25% of the overnights in a year.³

Consistent with federal rules, Maryland allows a deviation from the guidelines if there is “evidence that the application of the guidelines would be unjust or inappropriate in a particular case” (Md. Fam. L. Code §12-202(a)(2)(ii)). If the court finds that a deviation is justified, there must be a written or specific finding on the record stating the reasons for the deviation, and how those reasons serve the best interest of the child(ren). In addition, the court must specify what the obligation would have been under the guidelines, how the order varies, and the estimated value of in-kind support, if applicable (Md. Fam. L. Code §12-202(a)(2)(v)). This same process applies to consent orders,⁴ which may be negotiated outside of court.

Flexibility, Efficiency, and Modernization of Child Support Enforcement Programs Final Rule

The IV-D program⁵ is effective in collecting and disbursing child support; in fact, one in five (13.2 million) children in the U.S. were served by the program in 2021, with \$5.27 collected for every \$1 spent (OCSE, n.d). Even with the program’s success, changes proved necessary to further the mission of the program and enhance its relationship with families. The Flexibility, Efficiency, and

Modernization of Child Support Enforcement Programs Final Rule (Final Rule) went into effect in 2017 with regulatory improvements to the program. The Final Rule places particular emphasis on reforms to assist obligors who may struggle to pay support. Among its many changes, it seeks to reduce the use of civil contempt petitions against obligors who are not compliant with payments; encourages modifications among obligors who are incarcerated; and promotes the closure of cases with uncollectable debts. The updates most salient to this report, however, relate to income imputation and low-income adjustments.

The Final Rule discourages the imputation of income to unrealistic amounts in a few ways. For one, it provides that child support orders be based on an obligor’s actual earnings and ability to pay as a minimum requirement for the child support guidelines (Guidelines for setting child support orders, 2018). To add, the Final Rule provides additional factors for courts to consider when a parent is found to be voluntarily impoverished, such as employment barriers and local job market information, when setting a potential income amount (Guidelines for setting child support orders, 2018).⁶

In addition, states are required to incorporate a low-income adjustment in order to take obligors’ basic subsistence needs into consideration when setting

³ Effective October 1, 2020, shared physical custody is shared between parents when the obligor has at least 25% of overnights with the child(ren) (S.B. 579, 2020). During the 2015 to 2018 review period, shared physical custody was defined as an instance in which an obligor had 35% or more of overnights with the child(ren).

⁴ Consent orders are voluntary agreements between parents that are negotiated outside of, but approved by, the court.

⁵ The Child Support Enforcement program was established in 1975 under Title IV-D of the Social Security Act of 1935.

⁶ The Final Rule also prohibits states from finding incarcerated parents to be voluntarily impoverished and subsequently imputing incomes when setting support (Guidelines for setting child support orders, 2018). Refraining from imputing incomes to obligors who are unable to work may reduce the accumulation of large debts over time.

support obligations (Guidelines for setting child support orders, 2018). Maryland already uses the Self-Support Reserve (SSR), and all but five states' guidelines have some adjustment for obligors when their incomes are low (Hodges & Vogel, 2019); the SSR is one of a number of adjustments possible. Along with these procedural updates, the Final Rule also requires quadrennial child support reviews to analyze orders utilizing imputed incomes and a low-income adjustment, and to include information on payments among these groups (Guidelines for setting child support orders, 2018). Just as this report meets the requirements of the Final Rule, Maryland's 2020 Legislative Session codified changes required at the federal level and further enhanced child support policies regarding low-income families in the state.

Recent Maryland Legislation

Maryland's General Assembly considered three separate bills related to the child support guidelines during its 2020 session, ultimately passing the first two: (1) Child Support – Guidelines (S.B. 847), (2) Child Support – Shared Physical Custody (S.B. 579), and (3) Child Support – Multifamily Adjustment (H.B. 367). In this way, Maryland's efforts to improve the efficacy of the child support program have gone beyond the standards set for states at the federal level. Below, we briefly describe aspects of each bill relevant to the child support guidelines and order establishment.

Maryland's guidelines update bill—S.B. 847 (S.B. 847, 2020)—expanded the guidelines to include combined incomes from \$0 to \$30,000 per month, and it updated basic

guidelines support amounts using economic data on the costs of raising children. The bill added a definition of voluntary impoverishment to Maryland law, along with a requirement for a court to make a finding of voluntary impoverishment if a parent subject to income imputation disputes voluntary impoverishment. The updated guidelines also utilize a minimum support order when combined income is zero, as an alternative to imputation. For orders in which a finding of voluntary impoverishment is not disputed and courts find imputation appropriate, the bill added new factors, outlined by the Final Rule, for courts to consider when setting potential incomes. These changes could lead to more consistent payments among obligors affected by the legislation, because it is intended to increase their ability to pay support by discouraging the over-estimation of incomes.

To add, this legislation (S.B. 847) increased the SSR amount from 100% of the 2008 Federal Poverty Level (FPL) for one person—\$867 per month—to 110% of the 2019 FPL for one person—\$1,145 per month (S.B. 847, 2020). It also added language allowing courts to deviate from the guidelines in cases in which the SSR is not applicable, but an obligor's income would be reduced below \$1,145 after paying child support.⁷ These changes ensure obligors may retain more income after paying support, which could improve payment compliance to support obligations. Last, the update made the range of combined incomes to which the SSR applies visible in the guidelines schedule for parents, so those with SSR-range combined incomes may see that their orders were adjusted.

⁷ To view the SSR range used during the 2015 to 2018 guidelines review period, refer to page 22.

Maryland's guidelines update and the above provisions went into effect on July 1, 2022.

The second bill passed during the 2020 legislative session, S.B. 579 (S.B. 579, 2020), redefined shared physical custody as an instance in which the obligor has at least 25% of overnights, or 92 overnights, with the child(ren). Previously, shared physical custody was determined at 35% of overnights with an obligor (Md. Fam. L. Code §12-201(k), 2019). This update allows more obligors involved in their children's lives to receive support obligations that adjust for such involvement. These changes went into effect on October 1, 2020.

The third bill that was submitted during Maryland's most recent legislative session

sought to resolve an inequity that arises during order establishment, but it was not passed. The *multifamily adjustment* outlined in H.B. 367 is an allowance courts may deduct from parental income when parents have other children in the household who are not subject to child support orders (H.B. 367, 2020). This multifamily adjustment would provide consistent guidance for courts regarding one aspect of complex families, by recognizing that some parents under a court order to pay child support have children in their homes whom they are also financially supporting. Some courts currently recognize this inequity and make adjustments to orders, but without guidance, the ways in which courts address family complexity vary by jurisdiction.

METHODS

This chapter describes the methodology used for the 2015 to 2018 case-level review of the Maryland child support guidelines. We describe how the sample of orders was selected, data collection methods, how we define variables, and analysis techniques used.

Sample

The population from which the sample for this study was drawn includes all child support orders that were newly established or modified through Maryland's public child support program between January 1, 2015 and December 31, 2018. We selected child support orders from the population of all child support cases in the Child Support Enforcement System (CSES). CSES is the automated information management system maintained by Maryland's Child Support Administration (CSA). Support orders were included in the population when at least one of the following criteria was met: (a) a current support order amount greater than \$0 first appeared in the administrative data during the study time period (new orders); or (b) a change in the current support order amount from one month to the next within the study period, other than a change to \$0 (modifications). We exclude orders changed to \$0 as this usually reflects case closure or suspension.

Courts issue support orders for a variety of cases. In order to assess the use of the guidelines, we further limited the population to orders that used Maryland's guidelines. Specifically, we excluded orders for paternity-only cases, provisional or temporary orders, and all interstate orders. Additional exclusions included orders for destitute adults, indigent parents, or spousal

support. Temporary, or *pendente lite*, orders were also excluded as these orders may not be based on the guidelines and will be updated with a permanent order amount. Lastly, we excluded private orders that were established outside of the public child support program but were included in the administrative data for wage-withholding and collection purposes. With these caveats and exclusions, the final population for calendar years 2015 through 2018 consisted of 43,924 new or modified child support orders. We then selected a stratified, random sample of 4,928 orders for inclusion in the final study sample. Any exclusions from analyses are indicated in figure notes.

Although a simple random sample is a common sampling method, it is not appropriate for this study. This is because a simple random sample would only be an accurate reflection of the state as a whole as well as the reality that prevails in the state's largest jurisdictions. Valid statewide results are unquestionably important; however, statewide findings often mask important intra-state variations. Employing a stratified random sampling approach means that we over-sampled smaller counties and under-sampled larger jurisdictions so that each of the 24 jurisdictional samples would yield valid results.

To ensure that statewide analyses accurately reflected the true distribution of support orders across Maryland's 24 jurisdictions, we used normative weighting. The use of weights corrects for the under- and over-sampling previously described so that each of Maryland's 24 jurisdictions accounts for the same percentage of orders in the sample as it does of orders in the

statewide population. For more information about the population, sample, and weights used for this study, please refer to Table 1 on page 12.

The final sample for this study yields valid results with a 95% confidence level and a 6% margin of error; these parameters are generally accepted in quantitative research. Their practical meaning, in the context of this study, is that 95% of the time the sample proportions at the state-level, such as the deviation rate, would lie within +/-6% of the true deviation rate (i.e., the rate that would be found if every case in the population were reviewed) if repeated random samples of support orders were drawn from the same population.

Data Collection

A sampling database was constructed so that randomly selected orders could be obtained for analysis. The data collection process resulting in this sample was twofold. This is because, unlike previous guidelines reviews, we used the Electronic Case Management System (ECMS)—the statewide administrative database that stores documents related to child support cases—to obtain child support orders and worksheets. The use of ECMS to store documents varied by jurisdiction and year. For jurisdictions and years in which most or all documents were stored in ECMS, we (University of Maryland School of Social Work (UMSSW) staff) used the sampling database and ECMS to obtain child support orders and worksheets for data entry.

For jurisdictions and years in which we were unable to locate a sufficient number of orders via ECMS, we shared the sampling database with the local child support personnel. The personnel then located the

physical court records containing the specified child support orders and their corresponding guidelines worksheets. Personnel made photocopies of these documents and forwarded them to us.

Once all child support orders and worksheets were collected, we completed a final review of the documents to ensure they met the parameters for this report. Specific information was then entered into a customized SQL Server database that was created specifically for use in this multi-year project. After all data were entered, they were extracted from the database and converted to an SPSS file, which was utilized by staff for analysis.

Additional data were obtained to provide information on receipt of public benefits. CSES identifies recipients of Temporary Assistance for Needy Families (TANF) as Current Assistance, Former Assistance, or Never Assistance. Cases that were coded as Current or Former Assistance included custodial parents and children who were currently participating in—or had previously participated in—either TANF or Aid to Families with Dependent Children, TANF's predecessor. Data on participation in the Supplemental Nutrition Assistance Program (SNAP) were extracted from the Client Automated Resources and Eligibility System (CARES), the statewide automated data system for safety net programs.

Many of the variables analyzed in this report came directly from the aforementioned SQL Server database. In addition to these variables, some variables were retrieved using other data sources or were created based on additional data. Below are descriptions of two such variables.

Estimated imputed income

Although income imputation is permitted under Maryland law, it does not require courts to document or track instances when income is imputed to an amount other than what a parent actually earns. Some courts do indicate on court orders or worksheets that income was imputed for parents, and we document these instances in the report as *explicit imputation of income*. However, to gauge how frequently orders were based on imputed incomes when courts were not explicit, we created a proxy variable. A proxy variable is one that can be observed and is presumed to be highly correlated with the unobserved variable. For the purposes of determining child support obligations, incomes are usually imputed to the equivalent of full-time employment earning the minimum wage, but sometimes to part-time wages or other amounts. Hence, our proxy variable includes gross monthly incomes equivalent to working part- or full-time hours (ranging from 20 to 40 hours) at the minimum wage. Maryland's minimum wage increased multiple times throughout our study period, from \$7.25 in 2015 to \$10.10 in 2018.⁸ Consequently, we applied the appropriate minimum wage to incomes according to the year of the order, with some flexibility for courts to transition to the new wage.

A limitation to this proxy variable is that some incomes identified as imputed may have, in fact, been actual earnings. For example, there might have been parents who were employed and provided full- or part-time minimum wage rates as income

⁸ Two jurisdictions—Montgomery County and Prince George's County—increased the minimum wage rate to different amounts than the statewide rate. However, we did not account for this jurisdictional variation in our determination of imputed incomes.

information and were thus included in our estimation of imputed income. However, the findings of this report are congruent with previous findings on income imputation in Maryland.

Payment compliance

This report displays findings regarding the percentage of obligors who made a payment during the three years after their orders were established or modified, as well as the percentage of support paid that was due in that timeframe. These variables were based on data extracted from CSES. These data include the total amount of current support due in each of the three years after the order was set, but only for the obligation amount included in our sample. If the order was modified during the subsequent years, then we did not include that support in the total amount due, because our goal was to determine compliance with a specific order amount. We also extracted from CSES the amount of support that was paid of the total amount due during those subsequent years; again, we only included payments on the obligation amount that was included in our sample.

Data Analysis

Throughout this report, we use univariate statistics to describe support orders, how the support amount is calculated, and deviations from the guidelines. Common statistics reported include the average and median. The average represents the statistical mean, or the number at which one would arrive if the total (e.g., all custodial parents' earnings) was divided by the

This is because obligors with orders in one of those two jurisdictions may not have worked in that jurisdiction, and thus may have had earnings based on the statewide minimum wage.

number of support orders included in the analysis. We also present the median because it is sometimes a better representation of the data. One can find the median by arranging all values from lowest to highest and selecting the midpoint value. Extreme values do not affect the median, which is why it is sometimes preferred over

the mean. When appropriate, we use ANOVA to compare averages between cohorts. We also utilize *Pearson's chi-square* to compare characteristics associated with deviations. As previously discussed, all state-level analyses in this report are weighted to account for the stratified sample.

Table 1. Support Order Population and Sample Size by Jurisdiction: 2015-2018

	Population 2015 - 2018		Sample 2015 - 2018		Weighted Sample 2015 - 2018	
	Proportion of Population	<i>n</i>	Proportion of Sample	<i>n</i>	Applied Weight	Weighted Sample Size
Allegany County	2.01%	882	4.16%	205	0.483	99
Anne Arundel County	7.79%	3,421	4.99%	246	1.560	384
Baltimore County	9.24%	4,057	5.07%	250	1.821	455
Calvert County	1.73%	761	4.02%	198	0.431	85
Caroline County	1.08%	475	3.47%	171	0.312	53
Carroll County	2.38%	1,045	4.32%	213	0.550	117
Cecil County	1.93%	848	4.12%	203	0.469	95
Charles County	3.87%	1,698	4.69%	231	0.825	191
Dorchester County	1.09%	480	3.49%	172	0.313	54
Frederick County	3.57%	1,567	4.63%	228	0.771	176
Garrett County	0.68%	300	2.80%	138	0.244	34
Harford County	5.48%	2,406	4.85%	239	1.129	270
Howard County	2.79%	1,224	4.44%	219	0.627	137
Kent County	0.51%	222	2.46%	121	0.206	25
Montgomery County	10.51%	4,615	5.11%	252	2.055	518
Prince George's County	18.02%	7,917	5.19%	256	3.470	888
Queen Anne's County	0.82%	362	3.13%	154	0.264	41
St Mary's County	3.32%	1,457	4.59%	226	0.723	163
Somerset County	1.27%	556	3.67%	181	0.345	62
Talbot County	0.84%	367	3.13%	154	0.267	41
Washington County	5.56%	2,443	4.89%	241	1.137	274
Wicomico County	2.95%	1,294	4.48%	221	0.657	145
Worcester County	0.84%	368	3.15%	155	0.266	41
Baltimore City	11.75%	5,159	5.15%	254	2.279	579
Maryland	Total Population 43,924		Total Sample 4,928		Weighted Sample 4,928	

SUPPORT ORDER CHARACTERISTICS

Table 2 describes some characteristics of child support orders, such as order type and the type of worksheet that was used to calculate child support. Additionally, Table 2 shows Temporary Assistance for Needy Families (TANF) participation among custodial families and Supplemental Nutrition Assistance Program (SNAP) participation among obligors and custodians. In this report, obligors are defined as parents who owe support, and custodians are defined as parents or caretakers of children *owed* support.

Most child support orders during the 2015 to 2018 period—seven in 10 (71%)—were newly established. Of those newly established orders, nearly half (48%) had an arrears order at the time of establishment, and the median amount owed among these arrears orders was \$1,933. Obligor with new orders have arrears because child support may be charged retroactively to the date of filing for support, and the establishment process can take months. After establishment, orders can be modified if a material change in circumstance, such as a change in a parent’s earnings, has occurred (Md. Fam. L. Code §12-104(a)). Three in 10 (29%) orders in this sample were modifications, which is consistent with the previous quadrennial period (29%).

Child support is calculated differently depending on the custody status of the parents. The joint custody worksheet incorporates the number of overnights each parent has with the child(ren) in the calculation of support, but the sole custody worksheet does not consider overnights.

From 2015 to 2018, courts used the sole custody worksheet if the child had overnights with the obligor for 35% or less of a year, while they used a joint custody worksheet if the obligor had more than 35% of overnights with the child (Md. Fam. L. Code §12-201(k), 2019).⁹ The overwhelming majority (94%) of child support orders in the public IV-D caseload were calculated using the sole custody worksheet during the most recent quadrennial period, and only 6% of orders used the joint custody worksheet. All orders established or modified in the 2015 to 2018 sample used a standard worksheet to calculate the guidelines, whereas a small percentage (4% sole custody; 0.2% joint custody) used handwritten master’s worksheets during the previous quadrennial period. Otherwise, the findings of the current and previous reviews are consistent, as almost all (92%) orders during the 2011 to 2014 period utilized standard sole custody worksheets.

TANF participation among custodial families in the IV-D caseload is a relevant characteristic, as the TANF program and the public child support program overlap in important ways. First, TANF recipients must cooperate with the child support order establishment process in order to receive cash assistance benefits (What procedures exist to ensure cooperation with the child support enforcement requirements?, 2010). Second, child support can provide economic support to families with limited financial resources. Families who leave TANF and receive child support are less likely to return

⁹ Recent legislation (S.B. 579, 2020) has redefined shared physical custody as an instance in which the obligor has more than 25% of overnights, or at least

92 overnights, with the child(ren). This change went into effect on October 1, 2020.

to the TANF program (Hall & Passarella, 2015). To add, child support payments received reduced the percentage of poor and deeply poor families in Maryland by about half in 2018 (Demyan & Passarella, 2019). As Table 2 shows, one in eight (13%) custodians were TANF recipients during the month the order was established or modified.¹⁰ Half (49%) of custodians were former TANF recipients, and over one third (38%) had never received TANF in Maryland. TANF participation during the 2015 to 2018 period is consistent with the findings of the previous review.

SNAP participation is another important characteristic among parents, given that many SNAP recipients are eligible for child support services (Antelo & Meade, 2018). Unlike TANF, adults without dependent children may qualify for SNAP benefits, so Table 2 presents the percent of obligors and custodians who received SNAP in the year prior to order establishment or modification. Almost three in 10 (28%) obligors received benefits, while more than half (56%) of custodians were SNAP recipients.

As shown by their receipt of public assistance, there are many obligors and custodians with low incomes in Maryland's IV-D program. It is important to consider the financial hardships of obligors as well as custodians. This is because the child support program is an income transfer program, and custodial families' receipt of support depends on obligors' ability to pay while maintaining a level of subsistence. Indeed, 300,000 obligors fell into poverty

after paying child support in 2018 (Fox, 2019).

Table 2. Support Order Characteristics

	Percent	Number
Order Type		
New Order	71%	(3,519)
Percent with an arrears balance	48%	(1,692)
Median arrears balance		\$1,933
Modified Order	29%	(1,409)
Worksheet Type		
Sole Custody	94%	(4,642)
Joint Custody	6%	(286)
TANF Participation		
<i>Month of order</i>		
Current TANF	13%	(661)
Former TANF	49%	(2,400)
Never TANF	38%	(1,868)
SNAP Participation		
<i>Year prior to order</i>		
Obligors	28%	(1,375)
Custodians	56%	(2,736)

In the child support program, parents who owe support are defined in a number of ways, but as previously noted, this report uses the term *obligor*. Similarly, those who are owed support are described in multiple ways, but they are called *custodians* in this report. Obligors may be a biological or adoptive mother or father of the child included in an order, but custodians may be the mother, father, or another individual caring for the child. As shown by Figure 1, nine in 10 (92%) obligors were fathers, and roughly one in 10 (8%) were mothers. The parental relationship of obligors has not

¹⁰ During the 2015 to 2018 review period, child support payments to current TANF recipients were recouped by the state in reimbursement for TANF expenditures. Effective July 2019, however, the first

\$100 for one child or \$200 for two or more children paid as child support may be passed through to custodial families while they receive TANF (Md. Hum. Servs. Code § 5-310, 2019).

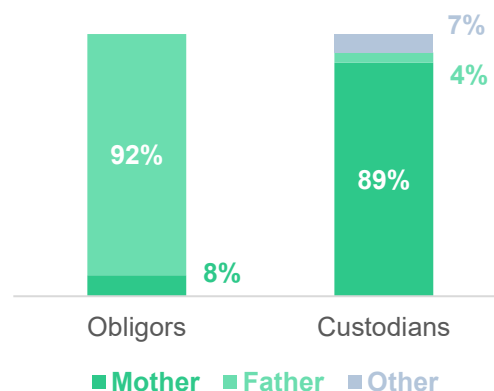
changed substantially since the last quadrennial review period (93% fathers, 7% mothers).

Unsurprisingly, nine in 10 (89%) custodians were mothers, and a much smaller percentage—4%—were fathers. Custodians who were neither parent participated in 7% of orders. Such cases may be either foster care cases or *kinship care* cases (i.e., those in which the custodian is a relative of the child). Kinship care is oftentimes used as a diversion of foster care removals. In some jurisdictions, as many as one quarter of all orders involved other custodians, and those same jurisdictions had high proportions of mother obligors.¹¹

The percentage of other custodians statewide has risen slightly since the previous review period (4%), but some jurisdictions have experienced substantial increases over time. While not specific to Maryland, quantitative and qualitative evidence has suggested a link between the recent opioid crisis and rising removals of children from their parents' care (U. S. Children's Bureau, 2017; Egan, 2018, May 9; Generations United, 2018). This link was reiterated through interviews with stakeholders at the national and local levels

in a recent report from the U.S. Government Accountability Office (U.S. Government Accountability Office, 2020). Moreover, it is estimated that 32 in every 1,000 children in Maryland are affected by the opioid crisis (United Hospital Fund, 2019). Adults with substance use disorders often experience difficulty maintaining employment (McCoy et al., 2007), so if parents who owe support to other custodians struggle with substance use, payment compliance to child support orders could be particularly challenging for them. However, this potential explanation for the rise in other custodians in Maryland still needs to be confirmed and explored further.

Figure 1. Parental Relationship



¹¹ For example, 25% of custodians in Caroline County were neither the mother nor the father of the child(ren), and 26% of orders in the jurisdiction obligated mothers to pay support. Worcester County

also experienced relatively high proportions of other custodians (25%) and obligors who were mothers (18%).

INCOMES OF OBLIGORS AND CUSTODIANS

The first step to determine a child support order amount is to find both parents' gross monthly incomes. In Maryland, income is defined as parents' actual incomes before taxes (i.e., incomes actually received each month) or their potential incomes (incomes they could potentially earn if employed to full capacity) (Md. Fam. L. Code §12-201(h)). The combined gross monthly income of both parents is the basis for all child support calculations in Maryland and includes the amount they receive each month from: (a) employment, including salaries, wages, commissions, bonuses, and expense reimbursements from employers; (b) government programs, including Social Security benefits, workers' compensation, unemployment insurance, and disability insurance; and (c) other sources, including dividends, interest, trusts, annuities, and alimony. Gross monthly income does not include benefits received from public assistance programs that are means-tested, such as Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), or food, emergency, medical, and housing assistance (Md. Fam. L. Code §12-201(b)).

Figure 2 separates parents' incomes by categories. The first category includes parents with no incomes, while the second includes parents with low incomes, or incomes consisting of less than 200% of the Federal Poverty Level (FPL) for one person in 2018 (\$2,022; 100% of the 2018 FPL for one person is \$1,011). Although some people in this category had incomes above 100% of the FPL, they may still face

difficulty with finding housing, obtaining health insurance, and meeting other subsistence needs (United Ways of Maryland, 2020). This also applies to adults in the next income category, which includes parents with incomes at or above 200% FPL for one person, but less than the Maryland Living Wage (MLW) of \$2,614 for one adult. The fourth category includes those with incomes at or above the MLW for one adult.¹²

As shown, it was very rare for obligors to have no income (0.1%) listed on the worksheet, but it was more common among custodians (15%). More custodians had zero income because courts may set income to zero if the custodian is caring for a child under the age of two years (Md. Fam. L. Code §12-204(b)(2)(ii), 2019). Many obligors and custodians were poor or low-income, as half (50%) of all obligors and two in five (40%) custodians had incomes below 200% FPL. However, our estimation of poverty is only based on a single adult and does not include the children in custodians' care. Moreover, obligors may also have children residing with them, so this is a conservative estimate of low-income families. Roughly one in seven obligors (15%) and one in eight custodians (13%) had incomes at or above 200% FPL, but below the MLW. Another one in three obligors (35%) and custodians (32%) had incomes at or above wages considered livable for a single adult.

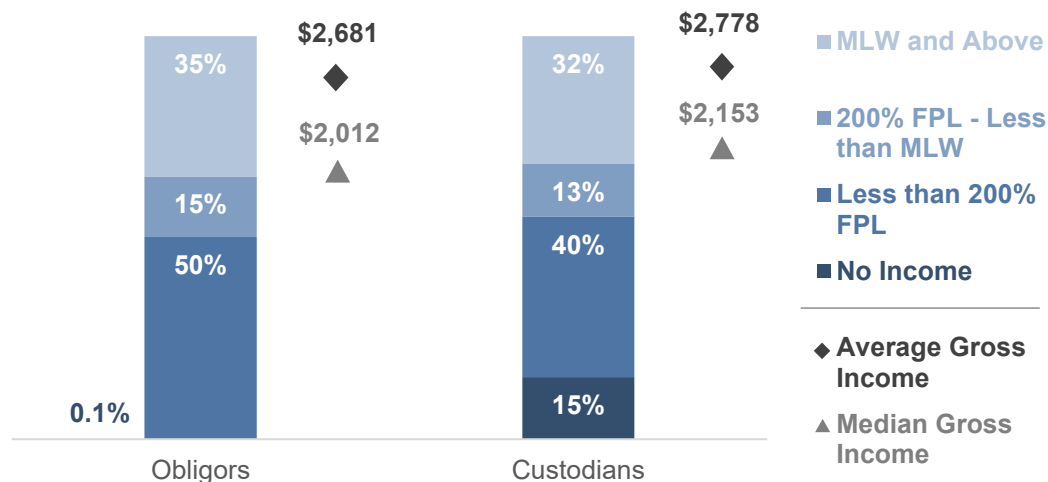
Figure 2 also displays the average and median incomes of both parents. Obligor had a median gross income of \$2,012 per

¹² While there are many living wage calculations, the MLW estimates a livable wage by region based on the cost of living (Glasmeier, 2020).

month, which is a notable increase from the previous review's median of \$1,838 in 2018 dollars. Custodians experienced a similar increase in median gross income, from \$1,949 in 2018 dollars to \$2,153 during this review period. This increase is not

surprising considering the fact that Maryland's minimum wage increased multiple times between 2015 and 2018, from \$7.25 in 2015 to \$10.10 in 2018 (Maryland Department of Labor, Licensing, and Regulation, 2014).

Figure 2. Gross Monthly Income



Note: Average Gross Income and Median Gross Income include parents with gross income listed on the child support worksheet at the time of the order (n=4,924 among obligors; n=4,173 among custodians. The sum of categories does not equal 100% due to rounding.

Defining Income Categories			
No Income	Less than 200% FPL	200% FPL – Less than MLW	MLW and Above
Monthly income of \$0.	Monthly income of \$2,022 or less based on the 2018 Federal Poverty Level of \$1,011 for one adult.	Monthly income between \$2,023 and \$2,613.	Monthly income of \$2,614 or more based on the 2018 Maryland Living Wage of \$2,614 for one adult.

Imputed Income

Because child support obligations are based on parental income, the guidelines require obligors to have incomes so that support can be calculated. Obligor must sometimes be assigned incomes when there is a lack of income information. This practice is called

income imputation, and it is intended to address instances in which parents are voluntarily impoverished, or intentionally earning lower amounts than their potential incomes (Md. Fam. L. Code §12-204(b), 2019). Custodians may also have their incomes imputed, but it is not necessary for establishing a child support order. Although

Maryland law permits courts to impute income, and there are legal precedents to justify the practice (Middleton v. Middleton, 1993; Goldberger v. Goldberger, 1993), income imputation to a full-time minimum wage among unemployed and underemployed parents is associated with lower rates of child support payment compliance (Demyan & Passarella, 2018a). Designating a higher income than an obligor earns or has the potential to earn leads to support obligations that may be unrealistic. Research shows that child support is likelier to be paid if it consists of roughly one fifth of an obligor's income (Eldred & Takayesu, 2011), and collection rates decline when support orders comprise more than 30% of obligors' incomes (Saunders et al., 2014; Hodges, 2020). To add, an unrealistic child support obligation increases the likelihood of an obligor accruing child support debt known as arrears. High arrears debts leave obligors subject to enforcement actions such as driver's and professional license suspension as well as the garnishment of up to 65% of their earnings (Becerra et al., 2008; Turner & Waller, 2017; Heinrich et al., 2011; Haney, 2018).

Recent federal regulations sought to discourage imputation to unrealistic incomes by advising usage on a case-by-case basis and by adding factors to consider when assigning potential income (Guidelines for setting child support orders, 2018). In Maryland, S.B. 847—which became effective July 1, 2022—requires courts to make a finding whether a parent is voluntarily impoverished if there is a dispute to voluntary impoverishment; introduces additional factors that may be used to determine potential income; and allows courts to set minimum orders when combined adjusted incomes are at zero

(S.B. 847, 2020). These changes are intended to encourage courts to impute realistic incomes to parents, if necessary, when establishing child support orders.

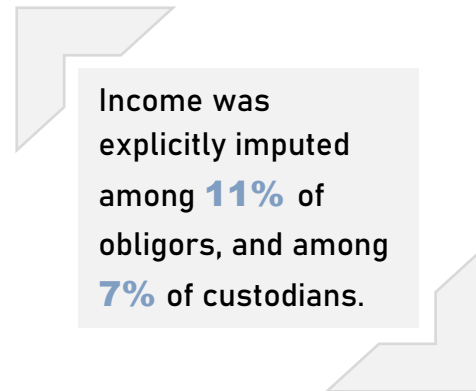
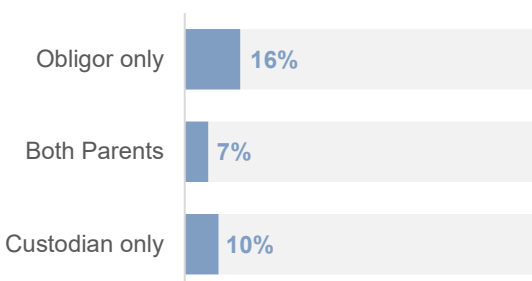


Figure 3 displays rates of income imputation among obligors and custodians during the 2015 to 2018 review period. This figure includes instances of income imputation that were found by estimating minimum wage rates along with explicit instances of imputation. One in six (16%) orders included incomes imputed to only obligors, but when combined with the 7% of orders that imputed incomes to both parents, then one quarter (23%) of obligors had their incomes imputed. Similarly, combining the imputation to custodians only (10%) and to both parents (7%) reveals that just under one in five (17%) had their incomes imputed for the purposes of determining child support obligations. During the last review period, 25% of obligors and 18% of custodians experienced income imputation. These rates did not include explicit instances of imputation (10% among obligors and 7% among custodians from 2011 to 2014), so it is likely the total rates of imputation among parents were higher during the previous review period. The decrease in the use of imputation during this review period suggests that courts were using more realistic parental incomes to determine support obligations.

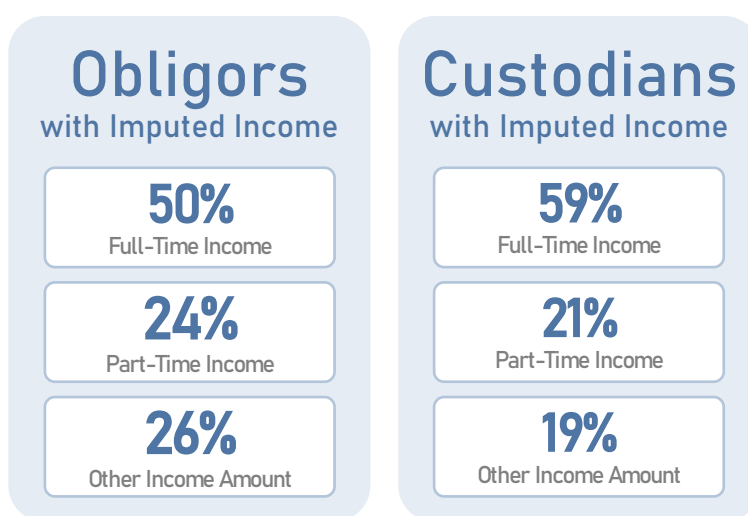
Figure 3. Parents with Imputed Income



The specific amounts to which incomes are imputed vary widely.¹³ The previous guidelines review only estimated incomes imputed to the full-time minimum wage equivalent for that period—approximately \$1,257 monthly. However, courts may impute income to any amount they find appropriate, including a part-time minimum wage rate or an amount based on a parent’s specific circumstances.

During the 2015 to 2018 review period, half (50%) of obligors with imputed incomes had potential gross incomes set at a full-time rate along with three in five (59%) custodians whose incomes were imputed. While any wage can be used, courts often use the minimum wage when estimating potential income among unemployed or underemployed parents. Given that 1.2% of workers in the U.S. earning the minimum wage or less worked full-time hours in 2018 (U.S. Bureau of Labor Statistics, 2019), the use of a part-time rate may more accurately reflect the earnings of minimum wage workers. In fact, guidance from the Child Support Administration encourages courts to set potential incomes at 29 hours worked per week rather than 40 (Maryland Department

of Human Services, 2015). One quarter (24%) of obligors had their incomes imputed to a part-time rate, and another quarter (26%) had incomes imputed to a different amount—which could have been earnings from previous employment or estimated earnings based on occupation, for example. Among custodians with imputed incomes, one in five (21%) had their incomes imputed to a part-time rate, while another fifth (19%) had their incomes imputed to a different amount.



Deductions

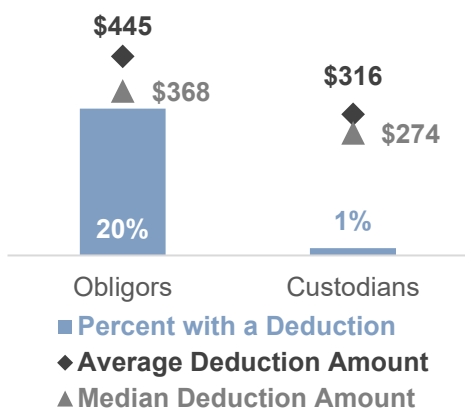
After courts determine parents’ gross incomes, they may make adjustments to account for alimony payments made or received¹⁴ or existing child support orders. Although alimony payments are rarely considered among orders in the public IV-D program, income deductions for existing child support are relatively common. As shown by Figure 4, one in five (20%) obligors had a deduction from gross income for an existing support order, but only 1% of custodians did. Of obligors with a child

¹³ Jurisdictional variation regarding the imputation of parental incomes is explored in the jurisdictional snapshots located in this report’s appendix.

¹⁴ Alimony paid by a parent is subtracted from that parent’s income, while alimony paid to a parent is added to that parent’s income.

support deduction, the average deduction amount was \$445. Custodians with deductions had a lower average deduction amount, at \$316. According to Maryland law, these deductions should only be made when pre-existing child support obligations are actually paid (Md. Fam. L. Code §12-201(c)(1)), but this study did not verify whether they were in fact paid. It is also worth noting that because existing support may be subtracted from parents' incomes, an obligor with existing support will have a lower adjusted income with which to pay subsequent support orders. This could cause obligors to pay lower amounts in support for children with orders secured at later dates. However, income deductions ensure that obligors have a sufficient level of income to maintain a standard of living.

Figure 4. Parents with Child Support Deductions



Note: Average Deduction Amount and Median Deduction Amount include parents with income deductions (n=970 among obligors; n=48 among custodians).

Combined Adjusted Income

Once adjustments are made, parents' adjusted incomes are combined so that the child support guidelines can be applied to determine the basic support amount. This method coincides with the Income Shares model Maryland uses, which dictates that support be based on the combined resources of parents as if they were not living separately. Figure 5 displays categories of combined adjusted income. It shows that the percentage of parents with no combined adjusted income was extremely low (0.1%), which is reasonable given the fact that parental income is required to calculate support.¹⁵ The child support guidelines schedule only ranges from \$1,201 to \$15,000 in combined adjusted income,¹⁶ but Figure 5 includes the one in 20 (5%) orders using combined incomes below the guidelines. Maryland law advises courts to set support at an amount ranging from \$20 to \$150 when parents have combined adjusted incomes below the guidelines, but ultimately judges have discretion in setting these support amounts, and there is no requirement to give a reason for the support amount ordered (Md. Fam. L. Code §12-204(d)). On the other end of the income spectrum, only 2% of orders involved parents with combined adjusted incomes above the guidelines.

Regarding combined adjusted incomes within the guidelines, one in 10 (10%) orders used incomes of \$1,201 to \$2,000. The most common income range used was \$2,001 to \$4,000, as one in three (33%) parents had combined adjusted incomes in

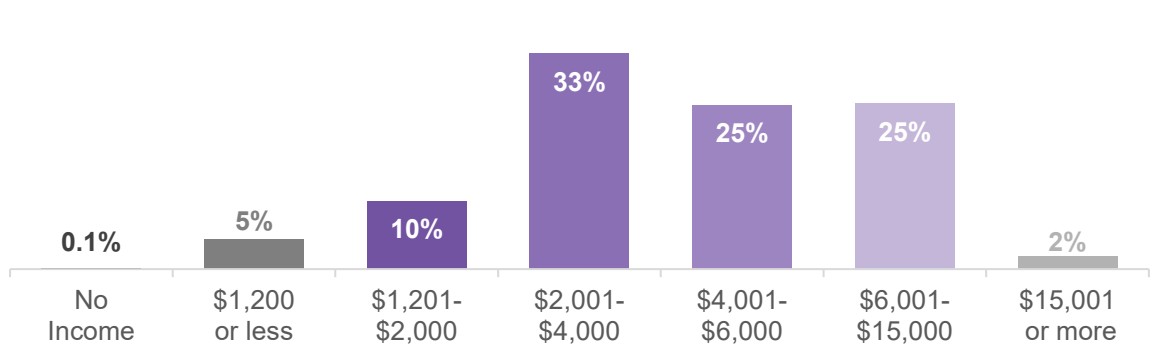
¹⁵ Among the few parents with zero combined adjusted income, orders were set between \$20 and \$150 in accordance with guidance on discretionary orders using combined adjusted incomes below the guidelines.

¹⁶ The guidelines update (S.B. 847, 2020), which went into effect in July 2022, extends the child support guidelines to include combined adjusted incomes of \$0 to \$30,000 per month.

this range. One quarter (25%) of parents had combined adjusted incomes between \$4,001 and \$6,000, and another quarter (25%) used combined adjusted incomes ranging from \$6,001 to \$15,000. Parents' combined adjusted incomes were higher from 2015 to 2018 than they were during the previous review period, which is not

surprising given the rise of the minimum wage in Maryland. This increase could have been somewhat dampened by inflation over time, though. Even when adjusting for inflation, however, there was an 11% increase in the median combined adjusted income of parents, from \$3,762 to \$4,189.

Figure 5. Categories of Combined Adjusted Income



Self-Support Reserve

For parents with low incomes, the guidelines have a mechanism in place that ensure obligors retain a level of subsistence after paying support. This is called the Self-Support Reserve (SSR), which refers to the minimum amount of income an obligor should retain after paying child support. During the 2015 to 2018 period, this amount was 100% of the 2008 FPL for one person—\$867 per month.¹⁷ The chart on page 22 is an excerpt from the guidelines schedule used during this review period. It shows the SSR range as the shaded area, phasing out at incomes of \$1,450 for one child and \$3,000 for six or more children.

Although the SSR range is visible in this excerpt, the SSR was built into the guidelines schedule unshaded and thus invisible in Maryland law. However, the recent update to Maryland's child support guidelines does identify the SSR range in Maryland law (S.B. 847, 2020). While incomes below the guidelines schedule (\$100 to \$1,200) do not specifically have the SSR adjustment included in the basic support obligation, the discretionary nature of the obligation amounts (\$20 to \$150) are intended to address obligors' low incomes after paying support.

¹⁷ Recent Maryland legislation increases the SSR amount from \$867 per month to 110% of the 2019

FPL for one person—\$1,145 per month (S.B. 847, 2020).

Excerpt from
Maryland Schedule of Basic Child Support Obligations
Effective October 1, 2010 to June 30, 2022

<i>Combined Adjusted Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six + Children</i>
100-1200	\$20 - \$150 per Month, Based on Resources and Living Expenses of Obligor and Number of Children Due Support					
1250	162	163	165	167	169	170
1300	195	197	199	201	204	206
1350	229	231	234	236	239	241
1400	262	265	268	271	274	277
1450	295	299	302	305	308	312
1500	310	330	334	337	341	345
1550	319	362	366	370	374	378
1600	327	393	398	402	406	411
1650	336	425	430	434	439	444
1700	344	457	462	467	472	477
1750	353	488	494	499	504	510
1800	361	520	526	531	537	543
1850	370	537	558	564	570	576
1900	378	550	590	596	603	609
1950	387	562	622	628	635	642
2000	395	574	654	661	668	675
2050	403	586	686	693	701	708
2100	412	598	706	725	733	741
2150	420	610	720	758	766	774
2200	428	622	734	790	799	807
2250	437	634	748	823	831	840
2300	445	646	761	851	864	873
2350	453	657	775	866	897	906
2400	462	669	789	882	929	939
2450	470	681	803	897	962	972
2500	478	693	817	913	995	1005
2550	486	705	831	928	1021	1038
2600	495	717	845	944	1038	1071
2650	503	729	859	959	1055	1105
2700	511	741	873	975	1072	1138
2750	520	753	886	990	1089	1171
2800	528	764	900	1006	1106	1202
2850	536	776	914	1021	1123	1221
2900	544	788	928	1037	1140	1240
2950	553	800	942	1052	1157	1258
3000	561	812	956	1068	1175	1277

Parents with combined adjusted incomes in the shaded area should be assigned obligations that allow them to retain at least \$867 per month after paying support. However, the limitation of the SSR is that it assumes only the obligor has income. If both parents have incomes, the benefit of the SSR is shared based on each parent's percentage of combined income. The below example for two low-income parents with two children shows that although the remaining combined income minus support was greater than \$867, the obligor had less than \$867 remaining after paying the obligation.

Example highlighting the limitations of the SSR

\$900	+	\$900	=	\$1,800
Obligor Income		Custodian Income		Combined Income
\$1,800	-	\$520	=	\$1,280 > \$867
Combined Income		Basic Support Amount		Remaining Combined Income
\$900	-	\$260	=	\$640 < \$867
Obligor Income		Obligor's Portion of Support		Remaining Obligor Income

Among all orders, one in 10 (10%) utilized the SSR when determining support. This means these orders involved parents with combined adjusted incomes in the SSR range. Again, the SSR is intended to ensure obligors have a certain amount of income remaining after paying support. However, when both parents have incomes, the obligor does not receive the full benefit of the SSR because it is shared with the other parent. To investigate the SSR from the perspective of parents paying support, the following two figures focus solely on obligors.

Although relatively few orders utilized the SSR, one in three (35%) obligors had adjusted incomes in the SSR range, as shown by the pie chart in Figure 6. The application of the SSR depends on

combined adjusted income rather than obligor income only, so the bar graph in Figure 6 examines how the addition of custodians' adjusted incomes impacted SSR status among obligors with SSR-range adjusted incomes. Because application of the SSR is based on combined adjusted income, any reduction in an order amount to accommodate low incomes—the *benefit* of the SSR—is shared between both parents, even though the SSR is designed to ensure obligors have a minimum income after they have paid support for their children.

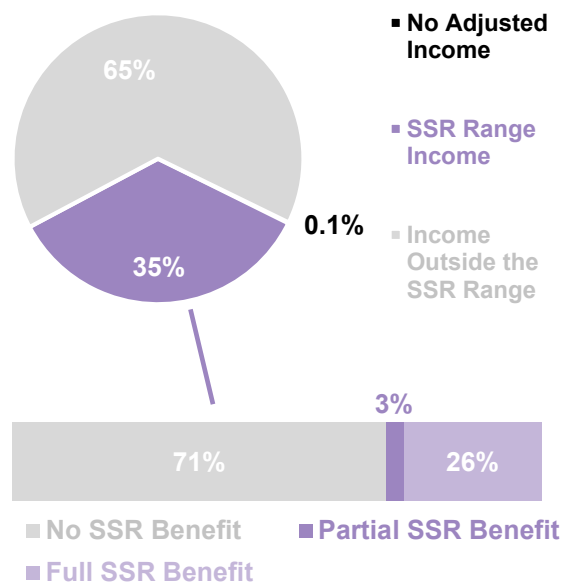
One in 10 (10%) orders utilized the Self-Support Reserve.

For seven in 10 (71%) obligors with SSR-range incomes, the addition of custodian incomes raised combined adjusted incomes out of the SSR range, so these obligors did not receive any benefit of the SSR. A small portion of obligors with SSR-range incomes (3%) received a partial benefit of the SSR, meaning the reduction in support was shared between both parents. One quarter (26%) of obligors received the full benefit of the SSR, due to custodians having no income.

State-level legislation effective on July 1, 2022 addresses cases in which the addition of custodian incomes causes obligors to lose some or all of the benefit of the SSR. New guidance from S.B. 847 encourages courts to set support at amounts that ensure obligors can retain a minimum income, by

allowing courts to deviate from the guidelines when obligors have incomes in the SSR range but custodians also have incomes (S.B. 847, 2020). This change ensures obligors receive the benefit of the SSR regardless of the interaction of obligor and custodian incomes.

Figure 6. Obligor with SSR-Range Incomes



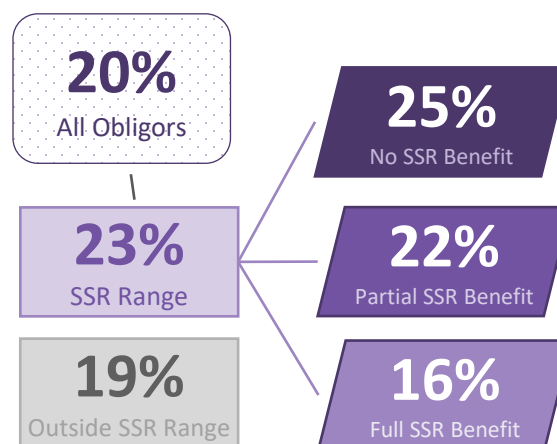
Note: The bar graph's analysis only includes obligors with income in the SSR range (n=1,722). Obligor with zero income (n=5) and income outside the SSR range (n=3,206) are excluded from analysis. The sum of categories does not equal 100% due to rounding.

Order-to-Income Ratio

One important factor to consider when setting a support amount is the percentage of an obligor's income he or she will be ordered to pay. Previous research suggests that payment compliance is highest when an obligation comprises no more than 25% of an obligor's income (Eldred & Takayesu, 2011), and Saunders et al. (2014) illustrate that collection rates decline when support orders comprise more than 30% of obligors' incomes. Accordingly, the average order-to-income (OTI) ratio among all orders was 20%. This means orders consisted of 20%

of obligors' incomes, on average, and that the Maryland guidelines recommends a reasonable support order. However, this percentage is based on the income listed on the worksheet and may not be accurate for all obligors. In fact, one quarter of obligors had their incomes imputed for purposes of determining a support obligation (Figure 3). Prior research found that imputation grossly overestimated incomes by 72%, on average, while it was fairly accurate for obligors who did not have imputed incomes (Demyan & Passarella, 2018a). The *Payment Compliance* chapter, beginning on page 46, will explore how reasonable support orders are relative to obligors' actual earnings.

Figure 7. Order-to-Income Ratio***
Among obligors



Note: Excludes obligors with zero income (n=5). *p<.05, **p<.01, ***p<.001.

Because parents with low incomes have limited financial resources, Figure 7 also examines the percentage of their worksheet incomes that obligors in the SSR range were expected to pay. The OTI ratio uses obligors' order amounts as the numerator and obligors' adjusted incomes on the worksheet as the denominator to determine this percentage. Obligor with incomes

outside the SSR range were ordered to pay an average of 19% of their adjusted incomes in support, which coincides with what the guidelines usually recommend. Obligor with incomes in the SSR range had an average OTI ratio of 23%, which is slightly higher than the OTI ratio among obligors with, ostensibly, greater economic resources.

When examining average OTI ratios among the same subgroups of obligors represented in Figure 6's bar graph, it is clear there was a statistically significant association between the level of benefit obligors received from the SSR and average OTI ratios. This means that the relationship

between these two factors is likely not due to a coincidence. Obligor who received no SSR benefit were expected to pay an average of 25% of their adjusted incomes in support, while obligors receiving a partial SSR benefit had an average OTI ratio of 22%. Those receiving the full benefit of the SSR had a much lower average OTI ratio of 16%. As obligors received a greater benefit from the SSR, the average OTI ratio decreased, meaning obligors were expected to pay smaller portions of their adjusted incomes in support to help them maintain a level of subsistence.

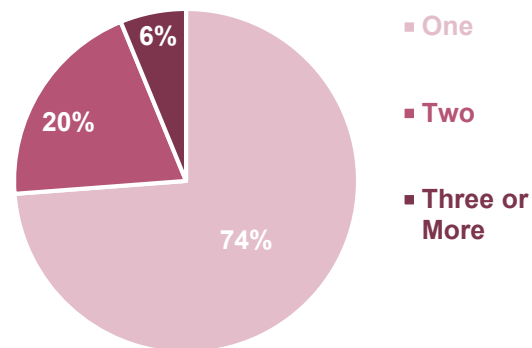
DETERMINING THE BASIC CHILD SUPPORT OBLIGATION

The guidelines schedule outlined by Maryland law determines the basic support obligation (Md. Fam. L. Code §12-204(e), 2019). Basic support is the amount parents are expected to spend to meet the needs of the child(ren) if they were not living separately before the addition of other expenses. This amount is based on economic data on the costs of raising children from the Consumer Expenditure Survey and is reviewed every four years (Venohr, 2016). The guidelines schedule only includes combined adjusted incomes ranging from \$1,201 to \$15,000; order amounts calculated with combined adjusted incomes outside this range are subject to the court's discretion. The guidelines schedule determines basic support amounts at each \$50 increment of combined adjusted income, and basic support obligations increase at each increment. An income must be rounded up to the next highest amount if it falls in between increments (Md. Fam. L. Code §12-204(c)).

The basic support obligation also depends on the number of children included in a given order. Figure 8 displays the percentage of orders with one child, two children, and three or more children. Three in four (74%) orders were for one child, while one in five (20%) were for two children. Having more than two children on an order was rare, as only one in 20 (6%) orders had three or more children. These proportions have remained consistent since the last guidelines review period. However, custodians and obligors may have other children not included on an order (Tach et al., 2014). This will be discussed further in a later section, but it is important to consider

the needs of all children, even when they are not included in a child support order.

Figure 8. Number of Children per Order



After determining parents' combined adjusted income and the number of children included in an order, the court calculates the basic support amount. Average basic support obligations among categories of combined adjusted income included in the guidelines are shown in Table 3. Obligations are also separated by the number of children on the order, replicating the guidelines schedule (Md. Fam. L. Code §12-204(e), 2019). Among parents with combined adjusted incomes between \$1,201 and \$2,000 and one child, the average basic support amount was \$299. Unsurprisingly, average basic support amounts increased as the number of children included in the order increased. Average basic support obligations also increased as categories of combined adjusted income increased—coinciding with the notion that parents with more financial resources will spend more of those resources on the care of their children. To illustrate, among the highest income category (\$6,001 - \$15,000), the average basic support amount of \$1,195 for one

child was almost \$1,000 greater than it was among the lowest income category.

Compared to the previous review period, basic support amounts were higher during this review period for most income categories. The largest increases between the two review periods were among the lowest combined adjusted income category. When adjusting for inflation, the average basic support amount for one child among parents with combined adjusted income in the lowest category was 8% higher during this review period. Moreover, the average amount in that income category when there were two children included in the order was 26% higher than it was during the last review period. As the income categories increased, the increase in the basic support

amounts, compared to the previous review, became smaller. In fact, the average basic support amounts for parents with combined incomes in the highest category were lower than they were during the last review period, after adjusting for inflation: 5% less for one child, 10% less for two children, and 11% less for three or more children. Parents with low incomes have fewer resources to provide for themselves as well as their children, so increases in basic obligations could negatively impact low-income obligors' ability to pay. However, Maryland underwent multiple increases in the minimum wage during this review period, so increases in basic support could also indicate that low-income parents had more income with which to pay support.

Table 3. Average Basic Support Obligation
By combined adjusted income

	One Child*** (n=3,635)	Two Children*** (n=987)	Three + Children*** (n=306)
\$1,201 - \$2,000	\$299	\$386	\$370
\$2,001 - \$4,000	\$569	\$824	\$1,051
\$4,001 - \$6,000	\$837	\$1,210	\$1,488
\$6,001 - \$15,000	\$1,195	\$1,718	\$2,007

Note: This analysis excludes orders with no combined adjusted income (n=5), orders with combined adjusted incomes below the guidelines (\$1,200 or less; n=230), and orders with combined adjusted incomes above the guidelines (\$15,001 or more; n=94). *p<.05, **p<.01, ***p<.001.

CALCULATING THE MONTHLY SUPPORT ORDER

After the basic support obligation is reached, the court may add to the amount additional expenses being paid for the child(ren). Additional expenses may include childcare costs, health insurance contributions, payments of medical expenses, and other miscellaneous expenses such as tuition or travel expenses related to parental visits. Child support additions are calculated on a monthly basis and added to the monthly support obligation. Whatever contribution each parent is already making toward the addition—i.e., the parent’s portion of childcare costs or health insurance being paid—may be deducted from that parent’s proportional support obligation in the case of sole custody orders.¹⁸

Figure 9 displays the percentage of orders with additional expenses and the median amount of those additions. The most common addition was for childcare expenses, as just under three in 10 (28%) orders had such an addition to basic support. The median childcare amount was \$433. There was a slight increase in the percentage of orders with a childcare expense since the last review period (25%).

The second most common additional expense to the child support obligation during the 2015 to 2018 review period was for health insurance: 27% of orders had this type of addition, but the median health insurance expense of \$135 was far lower than childcare additions. Maryland law states that support orders established and maintained by the public child support program must include a provision requiring

at least one parent to provide health insurance to the child(ren) on an order if the parent can add the child(ren) at a reasonable cost, unless they are covered by the Maryland Children’s Health Program (MCHP) (Award by court – Inclusion of child on health insurance policy, 2013). If parents cannot obtain reasonable employer-covered health insurance for the child(ren), a provision for at least one parent to provide cash medical support is to be included in the support order. This cash medical support—in lieu of health insurance—is to be added to the basic support obligation.

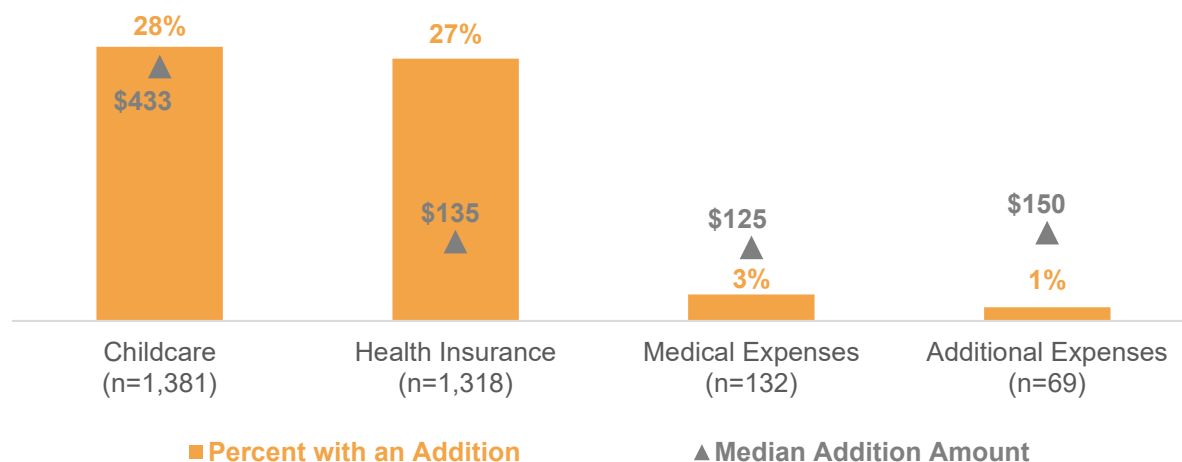
Given this requirement, we may expect to see more additions for health insurance than what is shown in Figure 9. In Maryland, children who live in households with an income at or below 322% of the federal poverty level may be eligible for MCHP (Maryland Department of Health, n.d.). Given the incomes for custodians in this sample, MCHP participation could be high.

Additions for medical expenses (3%) and additional expenses (1%) were far less common among orders. Although the median amounts for these expenses were relatively low—\$125 among orders with medical expenses and \$150 among orders with additional expenses—the amounts varied widely among orders. For instance, medical expenses ranged from \$3 to \$867, and additional expenses ranged from \$7 to \$2,643. This variation is due to the small number of orders with such additional expenses; moreover, these kinds of additions could include a wide variety of expenses.

¹⁸ When the joint custody worksheet is used, parents’ contributions to additional expenses are not deducted

from the total obligation, but rather adjust the total obligation.

Figure 9. Additions to the Child Support Obligation



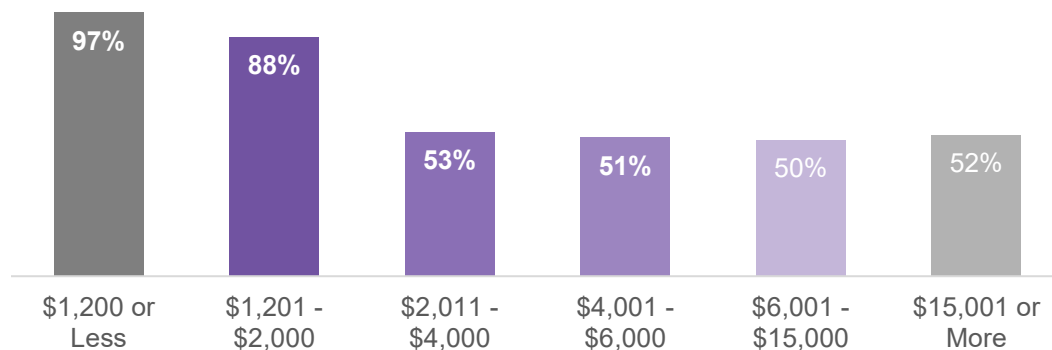
Note: The average and median amounts of each addition include cases with the addition.

Once additions to the basic support obligation are made, the court divides the total support obligation according to each parent’s proportion of combined adjusted income. For example, if an obligor contributes 50% of combined adjusted income, he or she would be assigned 50% of the total support obligation. During the 2015 to 2018 review period, obligors contributed an average of 57% to combined adjusted income, and therefore would have been obligated to pay 57% of the total support obligation, on average.

This is consistent with the percentage of combined adjusted income obligors contributed during the last review period (59%). When examining obligors’ average contribution by categories of combined adjusted income, there is some variation, as shown in Figure 10. Obligor’s contributed an average of 97% of combined income when the combined parental adjusted incomes were \$1,200 or less, and an average of 88% when the combined adjusted incomes were \$1,201 to \$2,000. Obligor’s portions of income decreased substantially, to roughly half, for every subsequent category of combined adjusted income. This is likely because at the lower end of the income spectrum, custodians often had zero income.

Obligor’s adjusted incomes comprised **57%** of the combined adjusted family income, on average.

Figure 10. Obligor's Average Percent of Income***
By categories of combined adjusted income



Note: This analysis includes custodians with zero income. *p<.05, **p<.01, ***p<.001.

The obligor's portion of total support, based on the proportion of combined adjusted income, is the child support amount recommended by the guidelines. Courts may order the guidelines-recommended support amount or deviate from the guidelines. Deviations will be discussed in greater detail in the following chapter. Figure 11 examines the average court-ordered support amount among all orders in this sample, in addition to average support amounts ordered among various groups.

The average court-ordered amount among all orders was \$477 per month. This amount is virtually the same as the average order amount during the last review period, in 2018 dollars (\$473). The average order amount per child was \$386 per month, which is, again, nearly the same as it was during the previous review period in 2018 dollars (\$382).

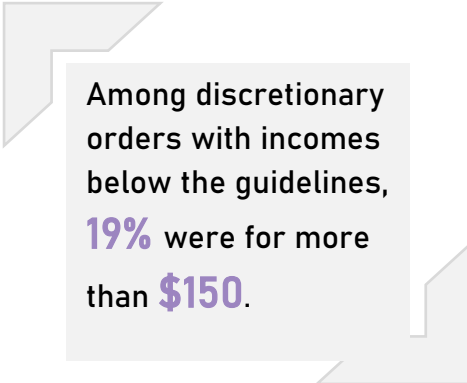
The average support order amount among sole custody orders was \$479 per month, which is nearly identical to the average amount among all orders. This is because the vast majority (94%) of child support orders used sole custody worksheets. This amount, again, is consistent with the

average support order amount among sole custody orders in the previous review period, after adjusting for inflation (\$471). Obligor's with joint custody cases were ordered to pay an average of \$443 every month, which was roughly the same as the inflation-adjusted average obligation during the last review period (\$452). The average joint custody order amount was slightly lower than that among sole custody orders, likely because joint custody orders adjusted for the number of overnights obligors had with their children. Oftentimes, such adjustments reduce the amounts obligors with joint custody of children are ordered to pay.

As previously mentioned, the child support guidelines schedule does not include combined adjusted incomes less than \$1,200 or higher than \$15,000. Order amounts for obligors with combined incomes outside the guidelines are dependent on courts' discretion, but average amounts were generally consistent over time. Among discretionary orders with incomes above the guidelines, the average order amount was \$1,493 each month (not shown in Figure 11). This is not very different from the average amount of \$1,555

(2018 dollars) during the last review period. The average order amount among discretionary orders with incomes below the guidelines was \$106 per month, which is slightly less than the previous review period's average amount of \$128 (2018 dollars). Nonetheless, this may be a substantial difference given the limited financial resources of these obligors. Notably, one in five (19%) orders for obligors with discretionary combined incomes below the guidelines were greater than \$150, which is the upper limit of order amounts recommended by Maryland law (Md. Fam. L. Code § 12-204(e), 2019). While ordering a higher amount than what is recommended for obligors with very low incomes is concerning, the percentage with order amounts above \$150 has reduced by half since the last review period, from 40%. This illustrates that courts have increasingly followed the guidance provided by Maryland law regarding parents without clear support guidelines.¹⁹

Regarding other obligors with low incomes, child support orders that utilized the SSR were, on average, for \$183 every month. Obligor who had their incomes imputed to full-time minimum wage amounts were ordered to pay an average of \$308 per month, while those with their incomes imputed to part-time amounts had an average monthly order amount of \$211. Obligor with incomes imputed to other amounts, such as prior earnings, were ordered to pay a slightly lower average amount than those with incomes imputed to full-time wages—\$287. One implication of imputing incomes to differing hours of work may be considerably different order amounts for obligors, although custodian incomes still play a role in the calculation. Nonetheless, the general trend was that when obligors had incomes imputed at part-time wages, they received lower support obligation amounts.



Among discretionary orders with incomes below the guidelines, **19%** were for more than **\$150**.

¹⁹ Maryland's guidelines update added guidance for courts by assigning a minimum order amount when combined adjusted income is \$0 to \$1,200 per month;

this amount increases as the number of children on the order increases (S.B. 847, 2020).

Figure 11. Average Monthly Support Amounts



Note: While not shown in the figure, the average order amount among orders using Discretionary Incomes above the Guidelines was \$1,493. *p<.05, **p<.01, ***p<.001.

DEVIATIONS FROM THE GUIDELINES

Maryland's public child support caseload serves a diverse range of families with a variety of needs, and deviations are sometimes necessary when they serve the best interest of children. To account for circumstances in which the application of the guidelines would be unjust or inappropriate, Maryland law permits courts to deviate from the recommended guidelines and establish an order for a more appropriate amount (Md. Fam. L. Code §12-202(a)(2)(ii)). The purpose of this chapter is to examine how often courts deviated from the guidelines, the amount by which they deviated, and why they deviated. For this review, we defined a deviation as a difference of more than \$10 between the ordered support obligation and the guidelines-recommended amount.

Figure 12 displays the deviation rate in Maryland, or the percentage of all orders in the sample that deviated from the child support guidelines. As shown, roughly one in four (23%) orders deviated from the guidelines, while seven in 10 (71%) orders were set in accordance with the guidelines. The deviation rate is consistent with that of the last review period (23%); moreover, between 20% and 25% of child support orders in Maryland have deviated from the guidelines since the 1996 to 1998 review period. A small percentage of orders—7%—were discretionary due to incomes above or below the guidelines, which has remained stable since the previous review period (6%). Likewise, the percentage of discretionary orders has been quite small since the 2002 to 2006 review period, the first period during which data on these orders in Maryland were collected. Because orders with combined incomes above or

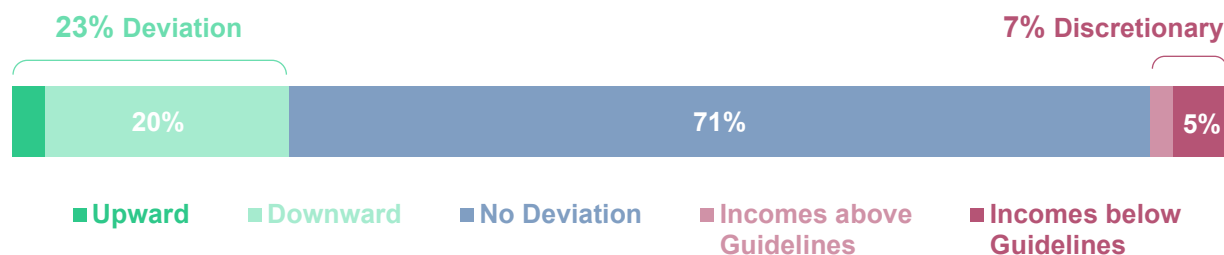
below the guidelines rely on courts' discretion rather than the guidelines to set basic support, discretionary orders cannot deviate from the guidelines.

Figure 12 also breaks out deviations by their direction. An *upward deviation* refers to an instance in which the obligation was for an amount more than \$10 *above* the guidelines-recommended amount. A *downward deviation* describes the inverse scenario, in which the obligation was for an amount more than \$10 *below* the guidelines-recommended amount. Upward deviations were quite rare; only 3% of orders deviated above the guidelines. Downward deviations were far more common, as they took place in one in five (20%) orders. These rates are consistent with those during the last review period.

The percentages of discretionary orders among parents with combined adjusted incomes above and below the guidelines are shown. Just as Figure 5 revealed, orders using incomes above the guidelines comprised only 2% of the sample, while one in 20 (5%) orders used incomes below the guidelines. Discretionary orders remained stable since the last review period.

The consistency in the deviation rate over time suggests that for the majority of Maryland families, the state's child support guidelines are just and appropriate. The limited use of deviations also indicates that courts attempt to accommodate the specific circumstances of families including the ability of obligors to pay their obligations while also adhering to the guidelines. These accommodations also appear to have a positive effect on payment compliance (Demyan & Passarella, 2018b).

Figure 12. Overall Deviation Rate



Note: The sum of categories does not equal 100% due to rounding.

When a deviation is warranted—i.e., when application of the guidelines would be unjust or inappropriate, and the court finds that a deviation serves the best interest of the child(ren) on an order—the court may choose any amount to order an obligor to pay. Table 4 displays the average and median amounts in which upward and downward deviations departed from the guidelines-recommended amount. Upward deviation amounts were an average of \$86 above the guidelines-recommended amount and a median of \$44 above the guidelines-recommended amount. Downward deviations experienced larger departures from recommended obligations, as obligors were ordered to pay an average of \$161 less, and a median of \$125 less, than the guidelines-recommended amount.

Table 4. Deviation Amounts

	Upward Deviation (n=135)	Downward Deviation (n=988)
Average	\$86	\$161
Median	\$44	\$125

If a court determines that the application of the guidelines would be unjust or inappropriate, it must write specific findings on the record that include (Md. Fam. L. Code §12-202(a)(2)(v)):

- a) “the amount of child support that would have been required under the guidelines;
- b) how the order varies from the guidelines;
- c) how the finding serves the best interest of the child;
- d) in cases in which items of value are conveyed instead of a portion of the support presumed under the guidelines, the estimated value of the items conveyed.”

In this sample of orders that deviated from the guidelines-recommended amount between 2015 and 2018, all four of these criteria were rarely explicitly listed. Three in four (73%) of these orders, though, partially complied with this requirement by listing at least one reason for the deviation. A substantial portion of deviations gave no reason (27%). This was a decrease in the percentage of deviations with no reason since the last review period (36%), which

shows that courts have increasingly complied with Maryland law.

In addition to displaying the percentage of deviations that had no reason, Figure 13 shows the percentage of orders that had a deviation reason listed, separated into 10 different categories: the parties agreed, in-kind support, obligor financial instability, intact second family, parent involvement, some other deviation reason, miscalculation of guidelines, encourage payments, and reunification for foster families. These categories are not mutually exclusive; a deviation may occur for multiple reasons.²⁰ In fact, more than one quarter (28%) of orders that deviated from the guidelines gave multiple reasons for deviating. Table 5 also provides the reasons for deviations, along with the deviation rate, among each jurisdiction.



More than **one quarter (28%)** of deviations had multiple reasons.

As shown by Figure 13, the most common reason for a deviation from the guidelines was that the parties agreed to the deviation (25%). This reason provides little context about the nature of the agreement, since it may have been due to the custodial family's receipt of in-kind support or the financial instability of the obligor, for example. Giving

the reason of party agreement is similar to giving no reason for a deviation when it does not include other reasons. Because of this, Figure 13 only displays the percentage of deviating orders that listed party agreement as the *only* reason and did not include multiple reasons. Thus, just over half (52%) of orders that deviated from the guidelines gave either no reason or provided little information about the reason for deviation by simply indicating party agreement.

One in 10 (10%) orders with a deviation from the guidelines listed in-kind support as a deviation reason. In-kind support refers to informal and non-monetary contributions an obligor may provide to the custodial family, such as necessities for the child, transportation, or childcare (Kane et al., 2015). Qualitative analysis has shown that in-kind support could consist of roughly one quarter of the total support provided by low-income noncustodial fathers, and the value of in-kind goods is sometimes higher than the amount of formal child support paid to the custodial parent (Kane et al., 2015). Moreover, research suggests that both low-income obligors and custodians prefer informal support arrangements to formal child support orders (Nepomnyaschy & Garfinkel, 2010). Some courts determined that accommodating these sorts of contributions when calculating support served the best interest of the child(ren) and deviated accordingly.

One in 10 (10%) deviations cited the financial instability of the obligor as a reason for deviating from the guidelines. The percentage of deviations listing such a

²⁰ Figure 13 displays the percentage of orders with a deviation in which the only reason listed was *Parties Agreed to Deviation*; if *Parties Agreed to Deviation* was listed along with any additional reason(s), Figure

13 only displays the other reason(s). Also excluding *No Reason for Deviation*, all other deviation reasons may include orders with multiple reasons.

reason was high enough during this review period to warrant it being included as an additional category in Figure 13, as such a reason was not common enough during the last review period. Courts may deviate for this reason in a variety of scenarios. For example, courts may recognize that obligors are changing jobs, transitioning from incarceration, or working hours that vary from week to week, among any numerous issues related to financial instability. Those issues may make it difficult for an obligor to pay an obligation, so the courts made adjustments as they saw appropriate to ensure the best interest of the child(ren) was met.

Another one in 10 (10%) deviations from the guidelines referenced an intact second family. When orders document this reason, it means that the obligor has formed a second family and paying the full guidelines amount may interfere with caring for other resident children. Maryland law allows for a deviation for this reason, though it may not be the sole reason for the deviation (Md. Fam. L. Code § 12-202(a)(2)(iii)(2)(iv)). This reason was more common than it was during the last review period (4%), which could be partially due to a revision in how we coded this reason for the current review. That is, we found that some courts subtracted the value of a parent's contributions to a resident child as existing child support, which caused combined adjusted incomes along with basic support obligations to decline. Maryland law does not permit courts to use adjustments intended for existing child support in such a way, so when those income adjustments were removed, the support obligations usually resulted in a deviation. Because subtracting contributions for resident children as if they were existing support

were both accommodations for intact second families and miscalculations of the guidelines, both deviation reasons were selected for such orders.

Just under one in 10 (9%) orders with a deviation cited parent involvement as a deviation reason. Courts may consider the active role of an obligor in a child's life as a reason to adjust an obligation amount, particularly if the custodian has sole custody. In fact, all orders but one that deviated for this reason used a sole custody worksheet. Sole custody worksheets do not account for any overnights the obligor may have with the child(ren), which often reduce support obligations for obligors with shared custody.

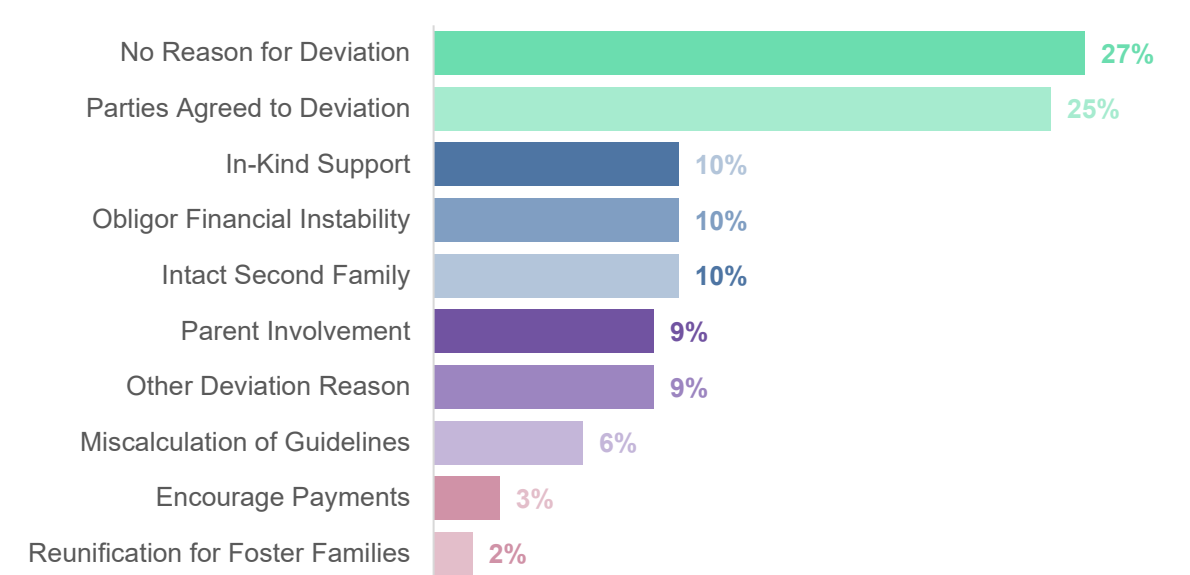
Another 9% of deviations included a reason of *Other*, such as travel expenses associated with visiting children or support paid for other children that was not subtracted from the obligor's income. The percentage of deviations in this category rose from 3% since the previous review period, suggesting that courts have applied more specificity to the circumstances of families when documenting deviation reasons.

Miscalculations of the child support guidelines can take many forms, such as an adjustment for an intact second family contrary to what Maryland law allows or rounding parents' combined adjusted incomes down so that the basic support obligation was set at a lower \$50 increment. Miscalculations of the guidelines were rare, as roughly one in 20 (6%) deviations occurred for that reason. This represents a slight reduction since the previous review period (10%), which indicates that courts increasingly followed the guidelines when setting support obligation amounts.

Very rarely, courts indicated that a deviation was warranted to encourage payments from the obligor (3%). Unsurprisingly, all of the orders that deviated for this reason experienced a downward deviation, but these orders included parents with high and low combined adjusted incomes. Courts also sometimes deviated to further reunification efforts for foster families (2%). Some families are required to participate in the child support program because the custodial families are receiving foster care maintenance payments. In foster care

cases, courts may have determined that reductions in child support obligations served the best interest of children, as they allowed parents additional resources to provide for the children once they returned to their care. In fact, the Administration for Children and Families (2022) recently encouraged states to appropriately refer IV-E foster care cases for child support; the goal is to avoid establishing support orders for families whose reunification may be postponed due to child support payments.

Figure 13. Deviation Reasons



Note: Excludes orders without a deviation (n=3,482). The sum of categories does not equal 100% because orders may deviate from the guidelines for multiple reasons.

Table 5. Deviation Rate and Reason***
By jurisdiction

	Deviation Rate	No Reason	Parties Agreed	In-Kind Support	Financial Instability	Intact Second Family	Parent Involvement	Other	Miscalculation of Guidelines	Encourage Payments	Reunification for Foster Families	Multiple Reasons
Harford	43%	13%	46%	21%	6%	9%	4%	11%	7%	-	6%	34%
Carroll	42%	4%	7%	1%	73%	17%	-	6%	17%	1%	10%	47%
Frederick	39%	26%	34%	-	27%	4%	3%	15%	3%	-	1%	21%
Wicomico	38%	5%	39%	4%	6%	2%	2%	8%	-	46%	-	27%
Worcester	35%	31%	54%	2%	2%	9%	2%	6%	9%	2%	-	13%
Montgomery	33%	70%	5%	10%	1%	6%	9%	10%	4%	-	-	18%
Caroline	31%	13%	25%	9%	11%	8%	15%	25%	11%	6%	2%	23%
Somerset	28%	12%	26%	-	-	39%	-	2%	61%	-	-	39%
Anne Arundel	27%	5%	9%	21%	6%	39%	6%	27%	9%	-	-	36%
Baltimore County	26%	6%	22%	3%	9%	3%	44%	58%	-	-	-	55%
Calvert	25%	18%	20%	12%	32%	10%	-	12%	-	-	6%	50%
Washington	23%	35%	35%	9%	5%	-	-	13%	5%	-	2%	13%
Maryland	23%	27%	25%	10%	10%	10%	9%	9%	6%	3%	2%	28%
Allegany	21%	26%	63%	-	2%	-	2%	7%	-	-	2%	5%
Prince George's	20%	24%	44%	8%	4%	8%	6%	14%	4%	-	-	16%
Dorchester	17%	43%	7%	37%	3%	3%	-	7%	7%	-	13%	37%
St Mary's	15%	83%	3%	14%	-	-	-	-	-	-	-	3%
Talbot	15%	61%	35%	-	-	-	-	-	4%	-	-	-
Charles	13%	37%	-	10%	27%	10%	17%	20%	-	13%	3%	37%
Howard	10%	62%	-	10%	10%	-	-	5%	19%	-	-	10%
Queen Anne's	8%	23%	23%	-	-	8%	-	38%	23%	-	-	31%
Cecil	6%	17%	8%	8%	33%	8%	17%	25%	8%	-	-	42%
Garrett	5%	14%	-	14%	-	14%	-	43%	29%	-	-	43%
Baltimore City	5%	8%	15%	46%	-	-	15%	38%	15%	-	-	54%
Kent	3%	50%	50%	-	-	-	-	-	-	-	-	-

Note: Dashes indicate no orders deviated for that reason in the respective jurisdiction. *Parties Agreed* excludes orders with multiple deviation reasons. *p<.05, **p<.01, ***p<.001.

CHARACTERISTICS IMPACTING THE DEVIATION RATE

The deviation rate of one in four (23%) among all orders in this sample indicates that, for most families in Maryland, the child support guidelines were appropriately applied. However, the deviation rate may vary depending on the circumstances of specific groups. Figure 14 displays the overall deviation rate in comparison to deviation rates by order type, parent relationships, combined adjusted incomes, imputed income statuses, family composition, and SSR benefit levels among obligors with SSR-range incomes.

There was not much difference in deviation rates between new (22%) or modified (24%) orders, nor did they differ greatly from the overall deviation rate. The deviation rate among orders with mother obligors (26%) was three percentage points higher than that among orders with father obligors (23%) as well as the overall rate of deviations. When the custodian of the child was the mother or father, the deviation rate was roughly the same (22% and 21%, respectively). However, it was notably higher among orders with custodians who were neither the mother nor the father—as three in 10 (29%) deviated from the guidelines. This was a decline since the last review period (35%). Still, it could be expected that such orders would have a greater proportion of deviations, as they include foster care cases that often involve special circumstances for courts to consider.

When examining deviation rates by categories of combined adjusted income, it is clear that deviations increased as income categories rose. Deviations slightly declined at the highest category to one in four (25%), but deviations were still more common than

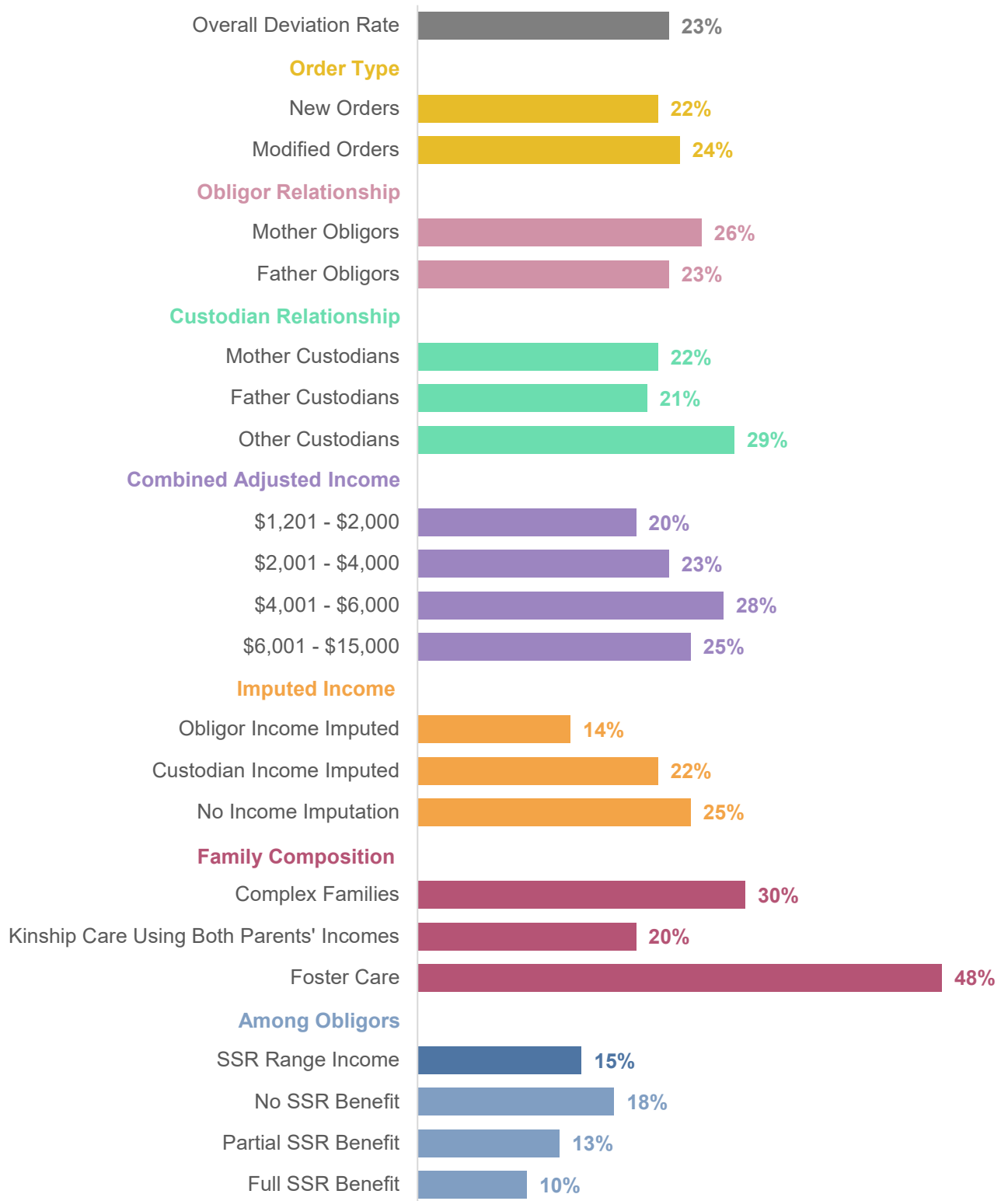
they were among orders using the lowest two categories of combined adjusted income. The deviation rate was lower than the overall rate (20%) at the lowest income category of \$1,201 to \$2,000, but it increased to meet the deviation rate among all orders at the \$2,001 to \$4,000 category (23%). The highest rate of deviations occurred among parents with combined adjusted incomes between \$4,001 and \$6,000, as nearly three in 10 (28%) of such orders experienced a deviation from the guidelines. It is unclear why this pattern existed, but it is consistent with the previous guidelines review, except for the decreased deviation rate in the highest income category.

Deviation rates also differed depending on which parent's income was imputed. Roughly one in seven (14%) orders that imputed incomes to obligors experienced deviations, which was nine percentage points lower than the overall deviation rate. Even though obligors with imputed incomes had fewer deviations, further investigation found orders using discretionary incomes below the guidelines were more common among obligors with imputed incomes than they were among those without imputed incomes (9% vs. 3%). This may indicate that the courts already adjusted to account for the financial circumstances of obligors by imputing their incomes to amounts less than the full-time minimum wage, and combined parental income was consequently below the guidelines. By contrast, orders that imputed incomes to custodians deviated from the guidelines at roughly the same rate as all deviations—22%—and one in four (25%) orders that did not utilize imputed incomes had deviations.

Complex Families describes families involving parents who have multiple children with more than one co-parent; three in 10 (30%) of such cases deviated from the child support guidelines. These types of families will be discussed further in a later chapter, but courts may have deviated more often among these cases to accommodate the children on other orders as well as those not included in orders. Kinship care cases were previously defined in this report as cases in which children are in the care of relatives or other trusted adults, oftentimes as a diversion for foster care removals. In Figure 14, *Kinship Care Using Both Parents' Incomes* describes kinship care cases that used the incomes of both biological parents without considering the resources of custodians. This is recommended by guidance from the Child Support Administration (Maryland Department of Human Services, Child Support Administration, n.d. -a), but only occurred among 25% of kinship care cases. However, courts may have been unable to locate both parent obligors to establish their incomes and set support, and therefore might have only included one parent's income on the worksheet. Deviations were slightly less common among such cases than among all orders, as one in five (20%) deviated from the guidelines. This indicates that the practice of using both parents' incomes in kinship care cases resulted in fewer obligations considered unjust or inappropriate by courts. The deviation rate among foster care cases was exceptionally high, as nearly half (48%) of all foster care cases experienced deviations from the guidelines. Again, courts may have considered these deviations appropriate so that parents could retain more resources in their efforts to reunify with their children.

Last, Figure 14 examines the deviation rate among orders including obligors with SSR-range incomes. It also reviews deviation rates by how much of the SSR's benefit such obligors received after adding custodian incomes. The deviation rate among obligors with SSR-range incomes was lower than the overall rate, as one in seven (15%) experienced deviations. One reason for such a low deviation rate among these obligors is that a noteworthy percentage (13%) were issued orders using discretionary combined adjusted incomes below the guidelines. The SSR is targeted toward parents with low incomes, so it can be expected that many of them had combined incomes below the guidelines. As the benefit of the SSR increased, the deviation rate decreased: roughly one in six (18%) obligors receiving no SSR benefit experienced deviations, while deviations were fewer among those receiving a partial (13%) and full (10%) benefit. When an obligor receives the full benefit of the SSR, then courts may be more likely to view the obligation as just and fair, and they would be less likely to deviate from the guidelines-recommended amount. Conversely, when an obligor does have very low income and the addition of custodian income raises the obligation, courts may consider that obligation outside of an obligor's ability to pay. Hence, courts may be more likely to deviate in these situations. Recent legislation in Maryland provides statewide guidance allowing courts to deviate in this latter scenario, in order to ensure support obligations are right-sized to obligors' ability to pay (S.B. 847, 2020).

Figure 14. Characteristics Impacting the Deviation Rate***



Note: *p<.05, **p<.01, ***p<.001.

ADJUSTMENTS FOR COMPLEX FAMILIES

This chapter further examines complex families, or families involving parents who have children with multiple co-parents. Research has found that the proportion of complex families has drastically increased in recent decades. One estimate using the 2014 Survey of Income and Program Participation found that one in five (21%) adults with at least two children in the U.S. has experienced multiple partner fertility, or children with multiple partners (Monte, 2017). Further, survey data suggest that as many as two in three (68%) children have experienced family complexity (Edin, 2018). Taken together, the findings from these studies suggest that family complexity is an ongoing reality for many families, including—and likely—those served by the child support program. To that end, a separate analysis found similar rates of multiple partner fertility among adult women, adding that such parents are likelier to be young at the births of their first children and unmarried to their partners, compared to those sharing children with a single partner (Guzzo, 2014). Given such characteristics, it may be expected that complex families are prevalent in the public child support program.

Although family law schemes in many states often address child support from the perspective of marital families (Huntington, 2015), many orders in this sample of the public child support program include families that did not conform to such households. In particular, the Income Shares model is at odds with the goal of equity between support orders in some instances of complex families. The Income Shares model requires the establishment of support orders reflecting the combined resources of parents as if they were residing

together, but if an obligor has orders with different custodians whose incomes vary, then orders for children sharing the same obligor may differ. There is no easy remedy to this inequity, as differing order amounts between children in complex families nonetheless reflect the combined resources of each set of parents.

This issue is further complicated by the fact that not all of an obligor's children have obligations based on the full income of the obligor when there are multiple support orders. Once an obligation is established for the child(ren) on one order, that obligation amount is then subtracted from the obligor's gross income during the establishment process of any subsequent orders involving the obligor (Md. Fam. L. Code §12-201(c)(1)). While this practice is intended to ensure the obligor will be able to pay the obligations of previous orders, the consequence is that obligors have less income to provide support to children as subsequent orders are established, and they would likely be obligated to pay lower amounts. A Wisconsin study found that when multiple children are not shared by the same set of parents, obligations for each child can vary widely, raising concerns about the equity of these separate orders (Meyer et al., 2005). However, a resolution to this issue of equity is not feasible, as it would require previous orders to be modified every time a new order is established for a different child. To add, modifications would likely reduce the amount of support owed to children who already have orders established, which raises issues for those custodial families. Last, deductions from income are necessary to ensure an obligor has enough income to

maintain a level of subsistence after paying multiple support obligations.

Complex families raise another equity issue related to children in intact second families, or those who do not have support orders but reside with parents who have obligations to children outside of the home. Qualitative research (Edin & Nelson, 2013) suggests that many low-income obligors, for instance, have children with whom they live and support financially in addition to nonresident children. However, any contributions obligors make toward children who live with them are not consistently considered when support is calculated for the obligors' nonresident children. This is because Maryland law does not allow courts to deduct contributions parents make toward children residing with them. However, the law does permit courts the discretion to deviate from an obligation due to intact second families, but under the condition that there is another reason to deviate in the

best interest of the child on the order. There is no statewide mechanism to recognize the needs of resident children, while the needs of children who already have support obligations are built into the calculation of support. Moreover, if contributions toward the child(ren) in the obligor's care are not factored into the calculation of support, there may be insufficient income for the obligor's household after paying an obligation.

To better understand the prevalence of complex families in Maryland, Figure 15 examines the percentage of orders in which there was at least one indicator of a complex family: (1) the intact second family deviation reason was selected; (2) either parent had more than one child support case; and/or (3) the worksheet included a deduction for existing child support from either parent. Nearly half (45%) of orders in this sample involved complex families.

Figure 15. Complex Families



<i>Identification of Complex Families</i>		
Intact Second Family	Multiple Child Support Cases	Child Support Deduction
<i>The order deviated from the guidelines due to the obligor having an intact second family.</i>	<i>Either the obligor or the custodian had multiple child support cases as an obligor or custodian.</i>	<i>There was a deduction from gross income for existing child support.</i>

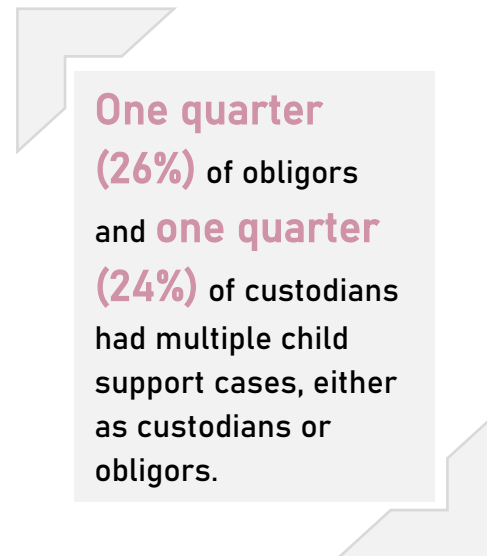
Notably, the first and third indicators of family complexity are themselves mechanisms permitted by Maryland law to account for the reality that parents can have children with multiple co-parents. Although there are still issues regarding equity for children having a shared parent, and some issues are unresolvable within the structure of the child support guidelines, these accommodations show that efforts have been made to address the complexity of families.

The largest contributor to the percentage of complex families was obligors and custodians who had multiple child support cases. Among both obligors (26%) and custodians (24%), one quarter had multiple child support cases. This includes parents who may be an obligor on one case and a custodian on another, or they could be an obligor or custodian on all of their cases. This does not include child support cases established outside of Maryland or children without cases in the public child support program, so there were likely additional parents with multiple cases in this sample. The next most common indicator of complex families was a deduction for existing child support on the worksheet; according to Figure 4, 20% of obligors and 1% of custodians had such a deduction. Very few (2%) obligors among the entire sample received a deviation due to an intact second family.²¹

Although Maryland law permits deviations from obligations to address intact second families, courts sometimes use processes that are not currently allowed to accommodate children living with one parent who owes support to other children.

²¹ Figure 13 examines deviation reasons only among orders with a deviation from the guidelines, resulting in 10% of such orders with a deviation due to an intact

For instance, some jurisdictions subtracted contributions to children in the obligor's home as if those contributions were existing support, thus treating such an instance as if the obligor had an additional child support order.




One quarter (26%) of obligors and one quarter (24%) of custodians had multiple child support cases, either as custodians or obligors.

Deductions from income for such contributions acknowledge that obligors have a duty to support children in their care, and they ensure obligors have sufficient income to maintain a standard of living after paying formal child support orders. As discussed previously, we identified these orders as having a deviation caused by an intact second family as well as a miscalculation, due to the fact that this adjustment is not allowed by Maryland law. Of orders that deviated from the child support guidelines due to a miscalculation, three in five (61%) occurred among families with complex circumstances. This suggests that additional guidance in Maryland law may be needed for courts to address family complexity in equitable ways, while also adhering to the Income Shares model. For

second family. However, orders citing this deviation reason comprised only 2% of all (n=4,928) orders.

instance, a *multifamily adjustment* has been proposed in Maryland's General Assembly that would standardize a calculation for the cost of caring for children in a parent's home. This amount would be deducted from a parent's income, thus adjusting the income before determining a support obligation for the child(ren) on the support order (H.B. 367, 2020). If passed, such an adjustment would allow courts to account for contributions parents are making to children who reside with them.



Three fifths (61%)
of all deviations due
to miscalculations
occurred among
complex families.

PAYMENT COMPLIANCE

Thus far, this report has focused on the steps courts take to establish child support orders along with instances when courts deviated from the guidelines used to calculate obligations. In this chapter, we discuss whether obligors with orders entered between 2015 and 2018 made payments to those obligations during the three years after order establishment or modification. Among those who made a payment, we also provide the average percentage of the obligation that was paid by obligors during each of the three years.

The payment outcomes provided in this chapter are potentially impacted by many factors, but one important factor is the ability of an obligor to pay their obligation. That is, does the obligor have the financial capacity to pay the ordered obligation amount? Research indicates that obligors can afford to pay no more than 30% of their earnings on child support even if the obligation exceeds that percentage (Eldred & Takayesu, 2011; Saunders et al., 2014; Hodges et al., 2020). This chapter explores obligors' ability to pay their obligations by providing the following measures:

- Order-to-income (OTI) ratio: The total child support *obligation* over the three-year period as a percentage of the obligors' total earnings during that period;²² and
- Payment-to-income (PTI) ratio: The total child support *payment* over the three-year period as a percentage of the

obligors' total earnings during that period.

Ideally, OTI and PTI would align, indicating that the obligation was an appropriate amount for the obligor. However, these measures can vary substantially as child support obligations can take up a much higher percentage of an obligor's earnings than payments. This is partly due to the order establishment process in which orders can deviate from the guidelines-recommended amount; parental income can be imputed, and obligations can be adjusted due to low parental income (Demyan & Passarella, 2018b; Eldred, 2021). These policies can encourage regular payments by taking specific circumstances into account, or they can be used to establish an order without regard to the realistic ability of an obligor to comply with the obligation. Given the potential influence of the order establishment process on payment outcomes, this chapter examines all payment compliance measures by comparing outcomes by deviation status, income imputation status, and the use of the Self-Support Reserve (SSR) for low-income obligors.²³

All Orders

Among all orders, nine in 10 (90%) received at least one payment during the first year after order determination, as shown in Figure 16. This percentage declined slightly in the second year to 88% and remained at this percentage in the following year. Conversely, this finding also indicates that

²² OTI in this chapter is based on UI-wage data, while OTI from the *Incomes of Obligor and Custodians* chapter is based on the incomes listed on the worksheet. Worksheet incomes may be based on actual income or may be imputed.

²³ Due to case closures or missing data, some orders were excluded from all analyses in the Payment Compliance chapter (175 in year one, 701 in year two, and 1,186 in year three).

about 10% of custodial families did not receive any formal support in each of the three years after order determination. Although these families may receive informal support from obligors (Kane et al., 2015), they may be at-risk for poverty without formal support, as the receipt of child support can reduce its incidence (Fox, 2019; Demyan & Passarella, 2019). Additionally, nonpaying obligors may also be vulnerable and face barriers that constrain their ability to pay their obligations (Eldred & Takayesu, 2013; Fox, 2019).

The previous measure of payment compliance—percent with a payment—includes obligors who paid any amount at least once in each of those three years. A more salient measure of payment compliance is the percentage paid of what was owed. Not only does this show to what extent an obligor complied with an order, it also hints at the level of support custodial families could expect from obligors. Among orders with a payment, obligors paid an average of about 70% of what was owed in each of the three follow-up years. For the recipient custodial families, this indicates that they could rely on a relatively stable source of support.

Figure 16. Payment Compliance



Deviation Status

A court may deviate from the child support guidelines when setting an obligation if the amount calculated using the guidelines would be unjust or inappropriate. Previous research found that obligors with deviations were slightly more likely to make payments and paid a slightly higher percentage of their obligations compared to obligors who did not have a deviation (Demyan & Passarella, 2018b). Figures 17 and 18 explore the two payment compliance measures—percentage with a payment and percentage paid among those with a payment—for obligors with orders that deviated from the guidelines as well as those that did not have a deviation. In this comparison, we also include orders that cannot deviate because the combined parental incomes were either below (\$1,200 or less per month) or above (more than \$15,000 per month) the guidelines schedule and were thus left to the discretion of the courts to determine an obligation amount.

Consistent with findings from prior research, obligors with deviated orders had slightly better payment compliance outcomes than obligors without a deviation. As shown in Figure 17, more than nine in 10 obligors with a deviation made at least one payment in each of the three follow-up years (93% in the first year followed by slight decline to 91% by year three). In comparison, 90% of obligors without a deviation made a payment in year one followed by a small decline to 88% by year three. The percentage among obligors without a deviation closely tracks with the percentages for all orders; this is not surprising since the majority (71%) of orders did not deviate from the guidelines-recommended amount (see Figure 12).

The average percentage paid, shown in Figure 18, follows a similar pattern. That is, obligors with a deviation paid a slightly higher percentage of their obligations—paying 72% in year one and 74% in year three—than obligors without a deviation. Those without a deviation paid around 70% in each of the three years. Given that most deviations result in a lower obligation amount than recommended by the guidelines (see Figure 12), these obligors may have perceived the order determination process as fair in which their concerns were understood and recognized, and potentially, resulting in slightly better payment compliance than obligors who did not have a deviation (Lin, 2000; Gold & Bradley, 2013; Skemer et al., 2022).

Orders that are based on incomes above and below the guidelines schedule have very different outcomes. Given the relationship between income and payment compliance (Hall et al., 2014; Hodges et al., 2020; Eldred, 2021), it is unsurprising to see that obligors with incomes above the schedule have the highest rates of payment compliance while obligors with incomes below the schedule have the lowest rates of payment compliance. Nearly all (95% to 97%) obligors with discretionary orders above the guidelines schedule had a payment during the three years after order establishment. These obligors also paid the vast majority of the amounts they owed,

paying 90% or more of their obligations. This latter percentage exceeds the percentage paid among all obligors by more than 20 percentage points. Clearly, these obligors have the ability to pay their obligations.

On the other hand, obligors with discretionary orders below the guidelines schedule had below-average payment compliance. Less than eight in 10 (78%) of these obligors made a payment in the first year after order determination, and this percentage declined in each of the subsequent two years. By year three, only 71% made a payment. Among those who did make a payment, just over half was paid in each of the three follow-up years, beginning with 52% in year one and increasing slightly to 54% in year three. Likely, these obligors faced barriers to employment that could provide sufficient incomes to pay their obligations. In fact, many of the obligors may be at-risk for housing instability and food insecurity. A previous examination found that nearly half of obligors earning full-time minimum wage or less had recently received SNAP benefits, pointing to their own need for income support (Passarella, 2018). Furthermore, the payment of child support can push some obligors into poverty (Fox, 2019) potentially leading to financial struggles for both low-income custodial families and low-income obligors.

PAYMENT COMPLIANCE BY DEVIATION STATUS

Figure 17. Percent with Payment

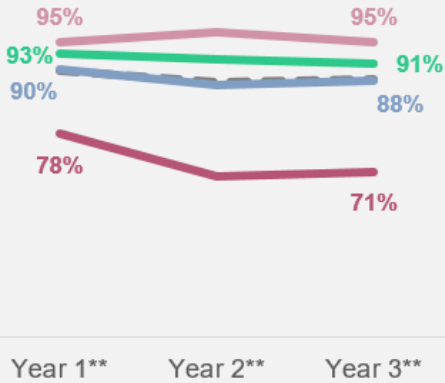
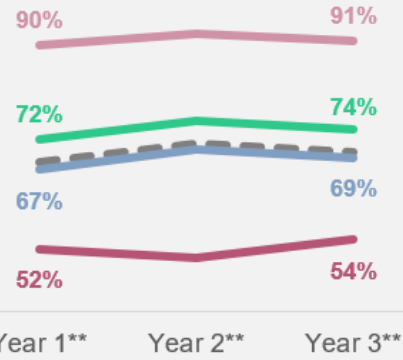


Figure 18. Average Percent Paid

Among orders with a payment



— Incomes above guidelines
— Deviation
- - - All Orders
— No deviation
— Incomes below guidelines

*p<.05, **p<.01, ***p<.001.

To address these issues related to an obligor’s ability to pay child support obligations, Figure 19 provides the average employment participation for these subgroups of obligors over the three follow-up years as well as the median annual earnings for employed obligors. On average, 63% of all sampled obligors were employed in each of the three years after order determination. Similarly, an average of about two in three obligors whose orders did (65%) and did not have a deviation (63%) were employed over the three years. Employment participation was lowest among those with incomes below the

guidelines (50%) and incomes above the guidelines (59%).

The limitations of our employment data should be noted here. More details can be found in the *Methods* chapter, but there are two relevant limitations. First, any out-of-state employment is excluded; this means that obligors employed in Washington, D.C. or the four states bordering Maryland are excluded from our percentages. Second, any employment that is not covered by Unemployment Insurance (UI) is excluded: this includes a range of employment types from the gig economy²⁴ to federal

²⁴ Sorensen (2022) found that employed obligors in the IV-D program were more likely than the national

workforce to perform gig work as their main form of employment (14% vs. 9%, respectively).

contractors. Hence, it is clear that, at minimum, we are missing employment among some obligors but particularly among those with incomes above the guidelines.

Median earnings among all employed obligors were about \$27,000. Obligor without a deviation (\$26,674) and those with a deviation (\$30,590) had median earnings similar to all employed obligors. Earnings among obligors with incomes above and below the guidelines schedule reveal their ability or *inability* to pay their obligations. Median annual earnings among obligors with incomes below the guidelines were less than \$10,000, while obligors with above-guidelines incomes earned more than \$100,000 in each of the three follow-up years.

To further explore ability to pay among obligors, the next set of analyses in Figures 20 and 21 explore child support obligations (OTI) and payments (PTI) as percentages of obligors' incomes. Generally, research has confirmed that obligors pay no more than 30% of their incomes toward child support, so obligations above that amount are likely to go unpaid and result in debt (Eldred & Takayasu, 2011; Saunders et al., 2014; Hodges et al., 2020). Although Figure 7 illustrated that the guidelines recommend obligations comprising an average of 20% of obligors' incomes, actual earnings data points to a much higher percentage. That is because those recommendations were based on the incomes listed on the worksheet, but not necessarily based on actual earnings. OTI, as presented throughout this chapter, uses UI wages to account for the discrepancies between incomes listed on the worksheet and verified earnings.

On average, all obligors were ordered to pay 32% of their incomes toward child support, but they only paid an average of 18%. Therefore, obligors are accruing a substantial amount of debt that can result in enforcement actions such as driver's license suspension or the intercept of federal tax returns. The OTI ratio for obligors whose orders did not have a deviation (34%) and those who did have a deviation (28%) were similar to the ratio for all obligors. Still, OTI was lower among obligors with a deviation, likely due to the fact that most deviations result in a decrease in the obligation amount (see Figure 12). Even with these high OTI ratios, obligors without a deviation (19%) and with a deviation (18%) paid just under 20% of their earnings toward child support.

Obligor whose incomes were at or below \$1,200 per month were expected to pay an average of 25% of their incomes toward child support. However, they only paid an average of 9%, substantially below the general finding of 30%. Again, these obligors likely faced substantial economic instability and may be unable to meet the needs of their children without assistance.

On the other hand, obligors whose combined parental incomes were above \$15,000 per month had remarkably similar OTI and PTI ratios. They were expected to pay only 17% of their incomes toward child support, and they paid 15%. Given the economic theory of the Income Shares guideline model (Venohr, 2016), it is not surprising that OTI is lower for these obligors since the cost of raising children as a percentage of income declines as income increases. Then again, it is surprising that PTI is lower than OTI if we assume that ability to pay is not a barrier to high-income obligors complying with their child support obligations.

OBLIGOR EMPLOYMENT, ORDERS, AND PAYMENTS

BY DEVIATION STATUS

Figure 19. Percent Employed and Median Earnings** in Maryland†**

Average percent of obligors employed and their annual median earnings during each of the three follow-up years.

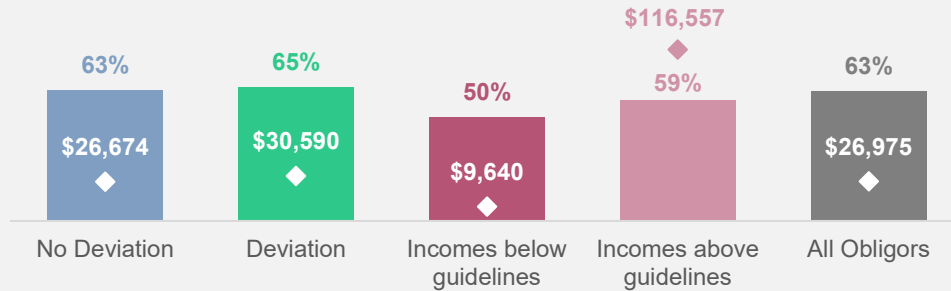


Figure 20. Order-to-Income (OTI) Ratio: Three-Year Average**

Total child support **obligation** as a percentage of obligors' total **earnings**

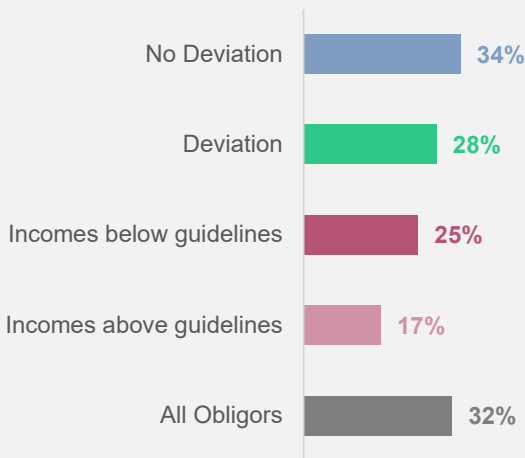
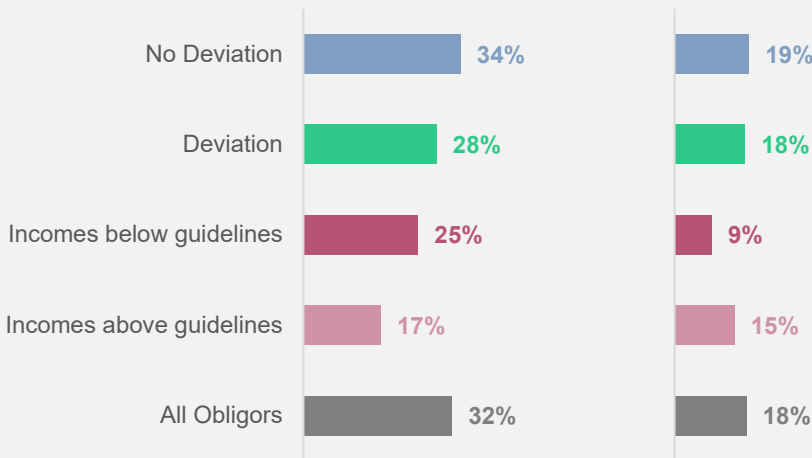


Figure 21. Payment-to-Income (PTI) Ratio: Three-Year Average**

Total child support **payments** as a percentage of obligors' total **earnings**



Notes: †Employment is limited to jobs in Maryland; please see the Methods section for additional limitations. Employment is a weighted average over the three years after order determination; earnings are a weighted median over the three years. OTI is the average of each obligors' total support due over the three years divided by total earnings over the three years. PTI is the average of each obligors' total payments over the three years divided by total earnings over the three years. Years in which support due or earnings are missing are excluded for both OTI and PTI. *p<.05, **p<.01, ***p<.001.

Imputed Incomes

One in three (33%) parents—and one in four (23%) obligors, in particular—sampled for this review had their incomes imputed for purposes of determining a child support obligation. These parents may be at a disadvantage as previous research found that obligors with imputed incomes had lower payment compliance than those without imputed incomes (Demyan & Passarella, 2018a). Lower payment compliance is attributed to the fact that the *actual* earnings of obligors were far less than the incomes imputed for the order, thereby limiting their ability to pay child support. We expand upon those findings in this section by examining payment compliance, employment, OTI, and PTI of obligors based on how the obligors' orders used income imputation. Specifically, we examine these measures by whether the child support orders imputed incomes for only the custodian, only the obligor, for both parents, or for neither parent.

Payment compliance is just above average for orders in which neither parent had their incomes imputed or only the custodians' incomes were imputed. More than nine in 10 obligors on these cases made payments in each of the three years after order determination, as displayed in Figure 22. Figure 23 shows that about three fourths of

the obligation, on average, was paid by obligors on these orders.

When actual incomes match the incomes used for order determination, payment compliance is generally higher because obligors have the incomes to pay their obligations. A past investigation found that worksheet incomes among obligors without imputed incomes were equivalent to their actual wages (Demyan & Passarella, 2018a), and this is likely true for the parents without imputed incomes in this sample.

The imputation of custodian income, on the other hand, likely benefitted obligors. That is because the Income Shares model is designed so that as a custodian's income increases, the obligor's share of the obligation is reduced.²⁵

Imputing obligor income, though, results in below-average payment compliance. Just under 80% of orders in which only the obligor's income was imputed received payments in the first (79%) and third (78%) years after order determination; there was a dip in year two to 72%. When both parents' incomes were imputed, only about 70% of cases received payments in each of the three years. When the obligor's or both parents' incomes were imputed, obligors paid a small percentage of the obligation: only 47% was paid in year one and just above 50% by year three.

Regardless of the order-to-income ratio, **most obligors paid between 15% and 19% of their incomes** toward their child support obligations.

²⁵ For example, an obligor would owe \$395 per month with a monthly income of \$2,000 in which the custodian had \$0 income; however, if the custodian's income increases to \$1,250, the obligor would owe \$368 per month. The exception to this calculation is

when the self-support reserve (SSR) is built into the schedule. In these instances, a custodian income of \$0 is most beneficial to the obligor, because the obligor can take full advantage of the SSR.

PAYMENT COMPLIANCE BY IMPUTATION STATUS

Figure 22. Percent with Payment

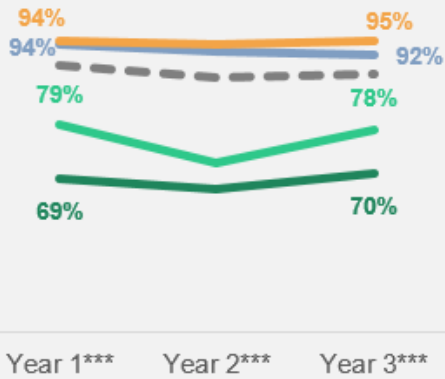
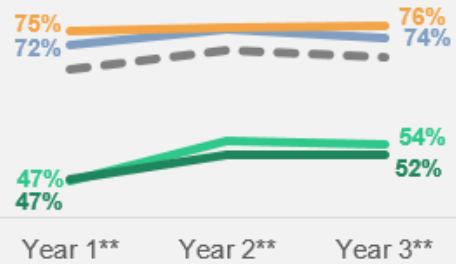


Figure 23. Average Percent Paid
Among orders with a payment



*p<.05, **p<.01, ***p<.001.

The employment and earnings of obligors—or their ability to pay—clarify the payment compliance findings related to income imputation. That is, obligors with above-average payment compliance also had employment and earnings that were above average, while obligors with low payment compliance also had lower employment and very low earnings. Figure 24 provides obligors’ employment and earnings based on how their orders used imputation. On average, two thirds (65%) of obligors whose orders did not impute incomes to either parent were employed in each of the three years as were 70% of obligors whose orders included imputed custodian income. For these employed obligors, median annual earnings were around \$32,000.

In contrast, just over half of obligors with imputed incomes were employed during each of the three years: 52% of obligors were employed when only the obligor’s income was imputed and 55% when both

parents’ incomes were imputed. These employed obligors had low earnings with which to pay their child support obligations. Median annual earnings were just over \$11,000 for obligors whose orders imputed their incomes alone and only about \$8,000 when both parents’ incomes were imputed.

Unsurprisingly, orders in which obligors’ incomes were imputed had obligations that represented a very large percentage of their earnings. As shown in Figure 25, when both parents’ incomes were imputed, the child support obligation was half (51%) of the obligor’s income, on average. The average OTI was also high (42%) among obligors whose orders imputed only the obligor’s income. OTI drops substantially when neither parent had their incomes imputed (29%) or only the custodian’s income was imputed (25%). Regardless of income imputation status, however, obligors consistently paid between 15% and 19% of their incomes (Figure 26).

OBLIGOR EMPLOYMENT, ORDERS, AND PAYMENTS

BY INCOME IMPUTATION STATUS

Figure 24. Percent Employed and Median Earnings** in Maryland†**

Average percent of obligors employed and their annual median earnings during each of the three follow-up years.

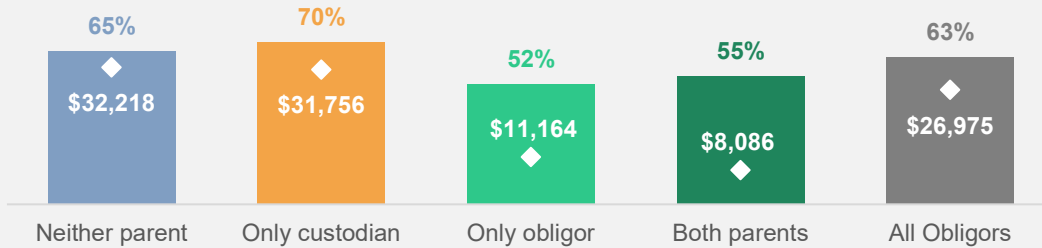


Figure 25. Order-to-Income (OTI) Ratio: Three-Year Average**

Total child support **obligation** as a percentage of obligors' total **earnings**

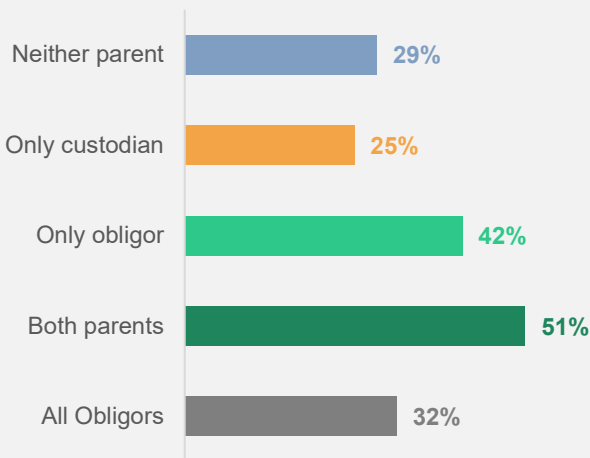
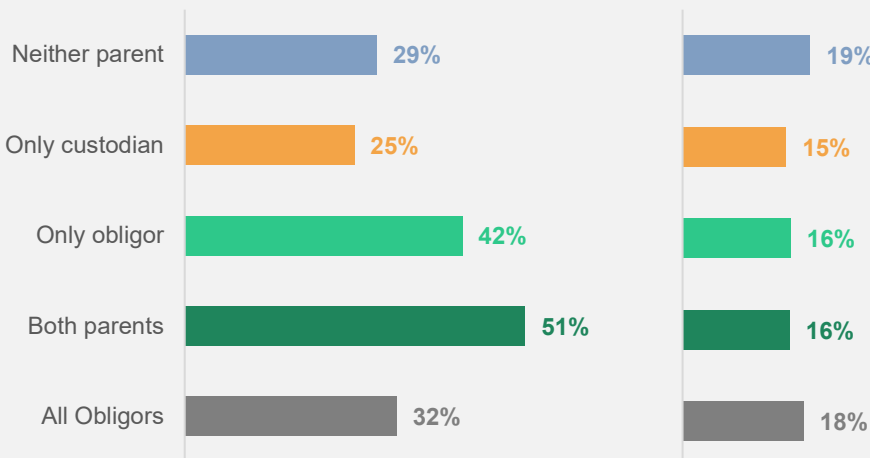


Figure 26. Payment-to-Income (PTI) Ratio: Three-Year Average**

Total child support **payments** as a percentage of obligors' total **earnings**

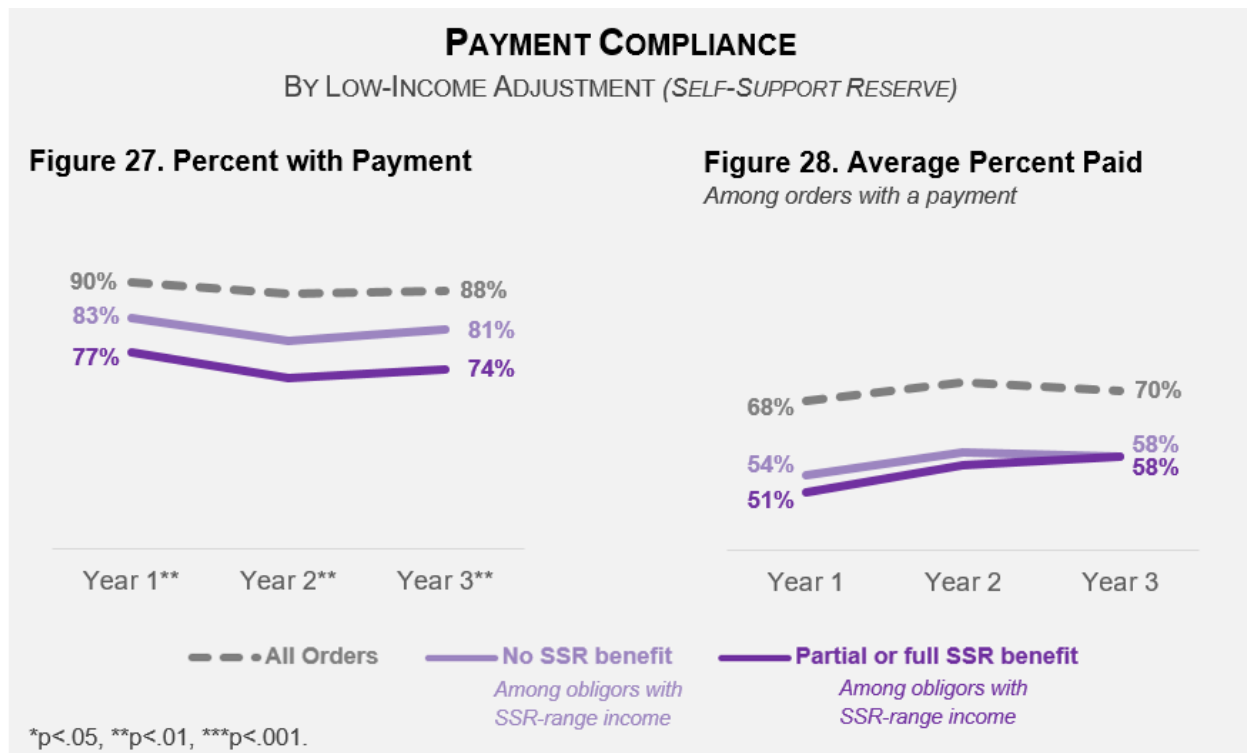


Notes: †Employment is limited to jobs in Maryland; please see the Methods section for additional limitations. Employment is a weighted average over the three years after order determination; earnings are a weighted median over the three years. OTI is the average of each obligors' total support due over the three years divided by total earnings over the three years. PTI is the average of each obligors' total payments over the three years divided by total earnings over the three years. Years in which support due or earnings are missing are excluded for both OTI and PTI. *p<.05, **p<.01, ***p<.001.

Low-Income Adjustment

Those with low incomes often require special considerations from courts to strike the balance between custodial families' need for support and obligors' ability to pay. To that end, Maryland's guidelines schedule builds in the Self-Support Reserve (SSR) that is designed to lower the obligation, encourage payment compliance, and help obligors maintain a certain level of income after paying child support. This last payment compliance section examines the one in three obligors who had incomes in the SSR range. It compares obligors who benefited from the SSR to those who did not benefit because the custodian's income disqualified the obligor (see Figure 6 and the table on page 22).

Payment compliance was below average for both groups of obligors with SSR-range incomes. In the first year after order determination, 77% of obligors benefitting from the SSR made payments, and this declined to 74% by year three (Figure 27). Similarly, just over 80% of obligors who did not benefit from the SSR made payments in each of the three years. Both groups of obligors paid a low percentage of their obligations, as shown in Figure 28. In the first year, just over half of the obligation was paid among obligors who benefited (51%) and those who did not benefit (54%) from the SSR. This percentage increased to 58% for both groups by the third year.



When reviewing the earnings of obligors in the SSR range, displayed in Figure 29, it can be assumed that many struggled to afford basic necessities. While an average of nearly 60% of these obligors were employed in each of the three years after order determination, median annual earnings were only \$13,000 for obligors who did not benefit from the SSR and just under \$12,000 for those who did benefit. While not shown in this report, half (51%) of these low-income obligors received SNAP in the year before their orders were determined.

Without the benefit of the SSR, obligors were expected to pay 41% of their earnings toward child support (Figure 30). Obligor who did benefit from the SSR experienced a substantially lower, albeit still high, OTI at 29%. Even with this lower OTI, obligors who benefited from the SSR only paid 12% of their incomes toward child support, while those who did not benefit from the SSR paid 18% of their incomes (Figure 31).

These payment compliance findings seem at odds with the fact that receiving a lower obligation from the SSR should encourage better outcomes as compared with obligors who had similar earnings but did not benefit from the SSR. While additional analyses are needed to tease out the factors related to payment compliance among these low-income obligors, there may be some behavioral economics at play. First, although obligors benefited from the SSR, it is not clear on the child support worksheet nor in the guidelines schedule that the obligation amount has been reduced based on low earnings. Instead, this reduction was built into the guidelines and is invisible to

the obligor.²⁶ Hence, it is unlikely that the obligors benefitting from the SSR even realized they received a benefit, and so, they may not have perceived the order determination process as fair (Lin, 2000; Gold & Bradley, 2013; Skemer et al., 2022). Although the goal of the SSR is to encourage payment compliance, obligors likely need to be aware of the advantage in order for them to respond by paying their full obligation—the expected behavioral change.

On the other hand, obligors who did not benefit from the SSR were slightly more likely to receive flexibility based on their family’s particular situation, possibly encouraging compliance. About one in seven (15%) of these obligors had their obligations deviate downward. These obligors would be able to see this adjustment in either the court order or child support worksheet. The perceived fairness of having the order adjusted based on individual circumstances may have led

Low-income obligors who did not benefit from the SSR were more likely than those with a partial or full SSR benefit to have downward deviations (15% vs. 9%). On average, their orders were reduced by \$109.

²⁶ While not a perfect solution to ensuring parents are aware of the SSR, Maryland’s updated guidelines schedule, as of July 2022 identifies the basic child support obligations that include an adjustment for low

income with an asterisk. Parents, however, cannot see what the obligation would be before the adjustment which would further transparency.

those with a deviation to have slightly better payment compliance, as was shown in Figures 17 and 18. One in 10 (9%) obligors who did benefit from the SSR also had a downward deviation. Despite the SSR accommodations built into the guidelines schedule, it is not surprising that many obligors still struggled to meet their full

obligations. However, recent legislation in Maryland may improve payment compliance among parents in the SSR range. The reforms will allow obligors to retain more of their earnings after paying support and allow courts to make deviations when obligors with SSR-range incomes do not receive its full benefit (S.B. 847, 2020).

OBLIGOR EMPLOYMENT, ORDERS, AND PAYMENTS

BY LOW-INCOME ADJUSTMENT (SELF-SUPPORT RESERVE)

Figure 29. Percent Employed and Median Earnings in Maryland[†]

Average percent of obligors employed and their annual median earnings during each of the three follow-up years.

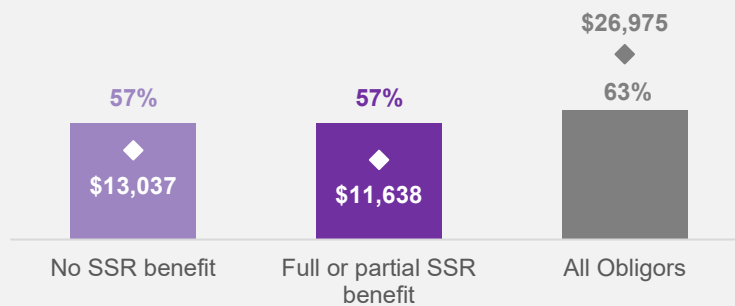


Figure 30. Order-to-Income (OTI) Ratio: Three-Year Average**

Total child support **obligation** as a percentage of obligors' total **earnings**

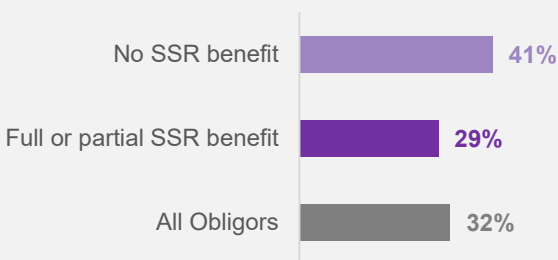
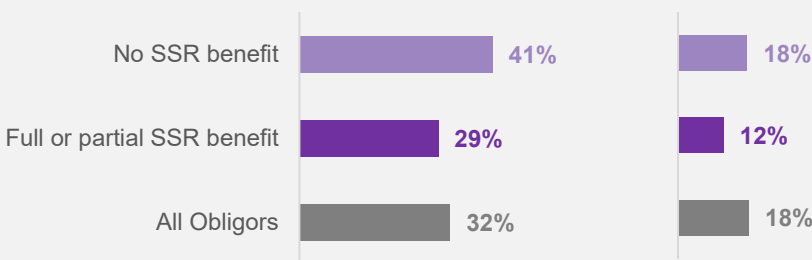


Figure 31. Payment-to-Income (PTI) Ratio: Three-Year Average**

Total child support **payments** as a percentage of obligors' total **earnings**



Notes: [†]Employment is limited to jobs in Maryland; please see the Methods section for additional limitations. Employment is a weighted average over the three years after order determination; earnings are a weighted median over the three years. OTI is the average of each obligors' total support due over the three years divided by total earnings over the three years. PTI is the average of each obligors' total payments over the three years divided by total earnings over the three years. Years in which support due or earnings are missing are excluded for both OTI and PTI. *p<.05, **p<.01, ***p<.001.


SUBSEQUENT MODIFICATIONS

Given some of the high order-to-income ratios presented in the previous chapter, it is possible that some obligors would seek a modification to their orders. Lowering OTI is not the only reason for a modification, however. In Maryland, parents can request a review for a modification in two situations. First, if it has been three years since the order was determined or last reviewed for a modification, parents are notified that they have the right to request a review of their orders to determine whether a modification is warranted (Maryland Department of Human Services, n.d. -b).²⁷ Second, parents can request a modification if there has been a change in circumstances since the order was last determined, such as the incarceration of the obligor, a permanent and substantial change in income, or a change in the number of overnights parents have with children (Maryland Department of Human Services, n.d. -d). In this report, we use three years of follow-up data to examine modifications among orders that were determined—either newly established or previously modified—between 2015 and 2018.

There are some limitations to examining modifications. The three years of follow-up data do not allow sufficient time to capture modifications based on the three-year review entitled to all parents because requests for modifications at or toward the end of the three-year period may not be complete within the follow-up period we examine. However, this time period still allows us to capture modifications due to changes in circumstances. Additionally, we

do not include data on how frequently parents requested modifications or how often those requests were successful. Last, we do not know the justification for these modifications; that is, whether the order was modified because a parent's income changed, the obligor was incarcerated, or some other reason.

Nonetheless, this final chapter does explore modifications among orders determined between 2015 and 2018. In particular, we examine the percent of sampled orders that were modified within three years of order determination, whether the modification increased or decreased the order amount, and whether payment compliance differed between the months leading up to and after the modification. These modification findings are also presented by subgroups, including (a) orders by deviation status; (b) orders by income imputation status; and (c) orders with low-income obligors.



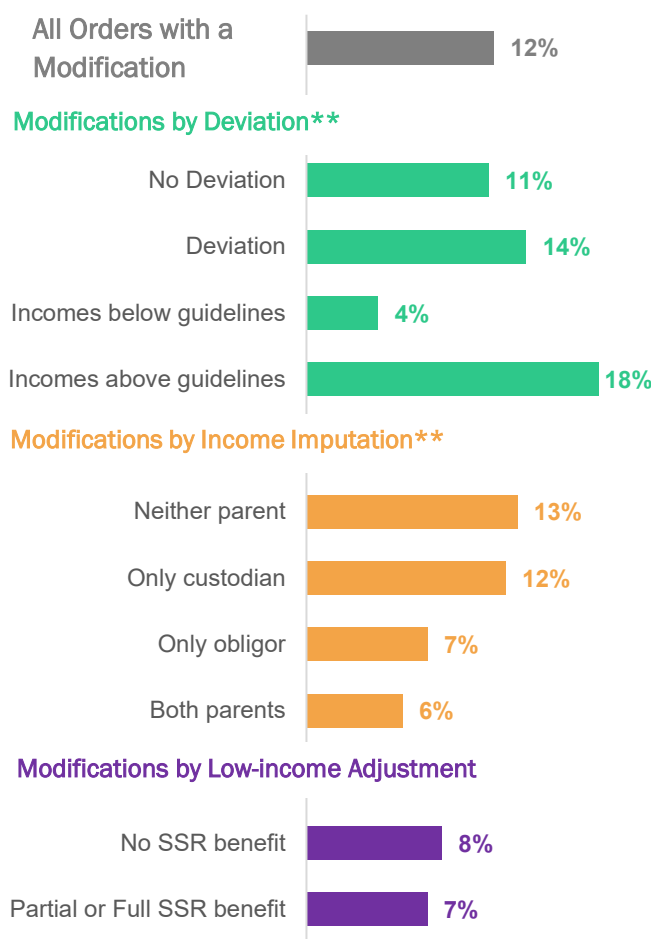
On average, orders were **modified 20 months after** order determination.

While there was not an overwhelming percentage of sampled orders with modifications occurring within three years of order determination, there was a sizeable percentage given that parents had not yet been notified of the opportunity to request reviews of their orders. As shown in

²⁷ An automatic review of TANF cases with current support orders is conducted regardless of whether parents request a review (Maryland Department of

Human Services, Child Support Administration, n.d. - c).

Figure 32. Percent of Orders Modified during Three Follow-up Years



Note: Excludes cases with a modification that was not in effect for at least 3 months (n=43). *p<.05, **p<.01, ***p<.001.

Figure 32, modifications occurred in just over one in 10 (12%) orders. On average, orders were modified 20 months after order determination.

The percentage of orders with modifications varied by subgroups. That is, orders with above-average payment compliance in which the obligor has the ability to pay the obligation were more likely to obtain modifications. For example, there were

modifications among nearly one in five (18%) orders in which the combined parental income was above the guidelines schedule (i.e., above \$15,000 per month), while only 4% of orders with incomes below the guidelines schedule (i.e., at or below \$1,200 per month) were modified. Also, orders with deviations (14%) were slightly more likely to be modified than orders without a deviation (11%), which is consistent with the fact that payment compliance is also slightly higher among orders with a deviation (see Figures 17 and 18).

Similarly, the same pattern is observed by income imputation status, in which modifications are more common among orders with above-average payment compliance outcomes. Orders that did not impute income to either parent (13%) and orders in which custodians' incomes were imputed (12%) were more likely to have modifications as compared to orders in which obligors' incomes were imputed (7%) or both parents' incomes were imputed (6%). Furthermore, both groups of low-income obligors—those who benefited from the SSR (7%) and those who did not benefit (8%)—were less likely to have modifications.

It appears that higher-income obligors are more likely to obtain modifications, but there may be other factors influencing the likelihood of modifications. For instance, it is possible that higher-income parents have more changes to income or in overnights with their children that would warrant modifications. On the other hand, higher-income parents may be more likely to pursue a modification through private legal counsel, making it more likely for modifications to occur. Last, employment among the low-income obligors could have

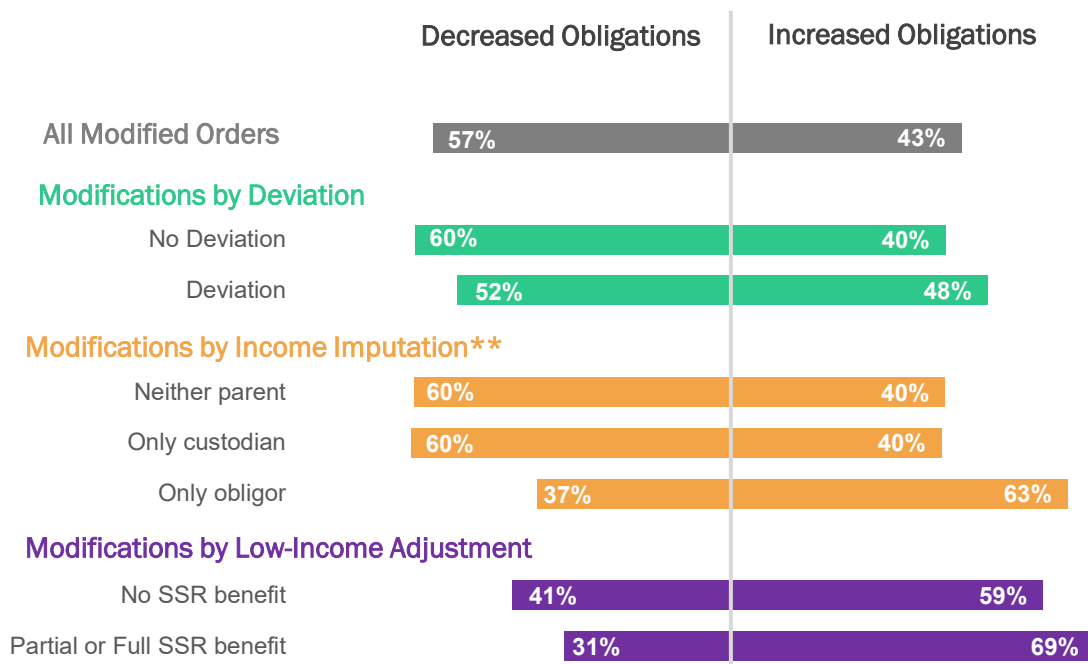
been inconsistent but persistently low-wage, making it less likely income changes would warrant modifications. Without more data on requests and analyses of changing circumstances among those who requested a modification, it is difficult to make any assumptions about equity in the modification process.

Depending on the reason for the modification, the order amount can be increased or decreased. For example, an order amount may increase if there was a substantial rise in income, but it may decrease if the obligor now has more overnights with the child. While we do not know the reason for the modification, Figure 33 does show that three in five (57%) modified orders were modified downward while two in five (43%) were modified upward. In the complementary Figure 34, downward modifications resulted in orders that decreased by a median of \$248, and

upward modifications increased the order by a median of nearly \$300.

Due to small sample sizes, not all subgroups can be examined, but there are some differences in the direction of modifications by the deviation, income imputation, and low-income status of the original sampled order. Among orders that were subsequently modified, there was a higher percentage of *decreased* obligations among orders that did not have a deviation (60%) and those that did have a deviation (52%) as well as orders in which neither parents' incomes were imputed (60%) or only custodians' incomes were imputed (60%). Conversely, there was a higher percentage of *increased* obligations among orders in which only obligors' incomes were imputed (63%) and among both groups of low-income obligors, including those who benefited from the SSR (69%) and those who did not benefit (59%).

Figure 33. Modification Direction among Orders with Modifications



Note: Categories including less than 10 modified orders have been excluded from the figure: *Incomes above guidelines*, *Incomes below guidelines*, and *Both parents* with imputed incomes. *p<.05, **p<.01, ***p<.001.

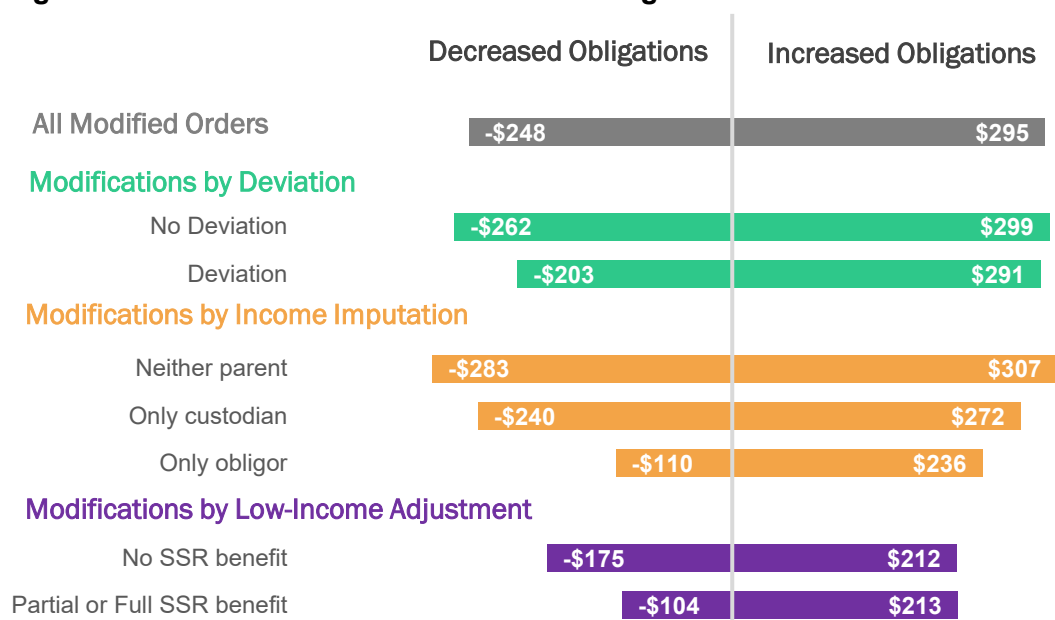
In connecting these findings to payment compliance outcomes, it appears that orders with at- or above-average payment compliance were more likely to have modifications that resulted in lower obligations, while orders with lower payment compliance were more likely to have modifications that increased the obligations. This seems counter-intuitive. That is, if an obligor is having difficulty paying the current obligation, it seems the order should be reduced rather than increased. Also, the low incomes of these obligors could validate a decrease in the obligation (see earnings in the Payment Compliance chapter).

Without more information on the circumstances for the modification, however, it is impossible to draw any concrete conclusions. For example, obligors having difficulty paying their current obligation may have had a recent and substantial increase in earnings, warranting higher obligations. Additional information is needed to fully understand the rationale for

the modifications and any potential relationship with prior payment compliance. Similar to all modified orders, the amount of the obligation change was always higher when the obligation increased as compared to decreased obligations. For example, in Figure 34, the median increase in obligations was \$299 for orders without a deviation, while the median decrease was slightly lower at \$262. Each subgroup follows that same pattern.

Also worth noting is that the amount of the obligation change was smaller among lower-income obligors. Those who had their incomes imputed or who had SSR-range incomes had modifications closer to \$200 or less, while the other obligors (no deviation, deviation, imputation of neither parent, and imputation of custodian income) generally had modifications exceeding \$200. This trend seems logical: obligors with lower incomes experienced a smaller increase or decrease in their obligations as compared with higher-income obligors.

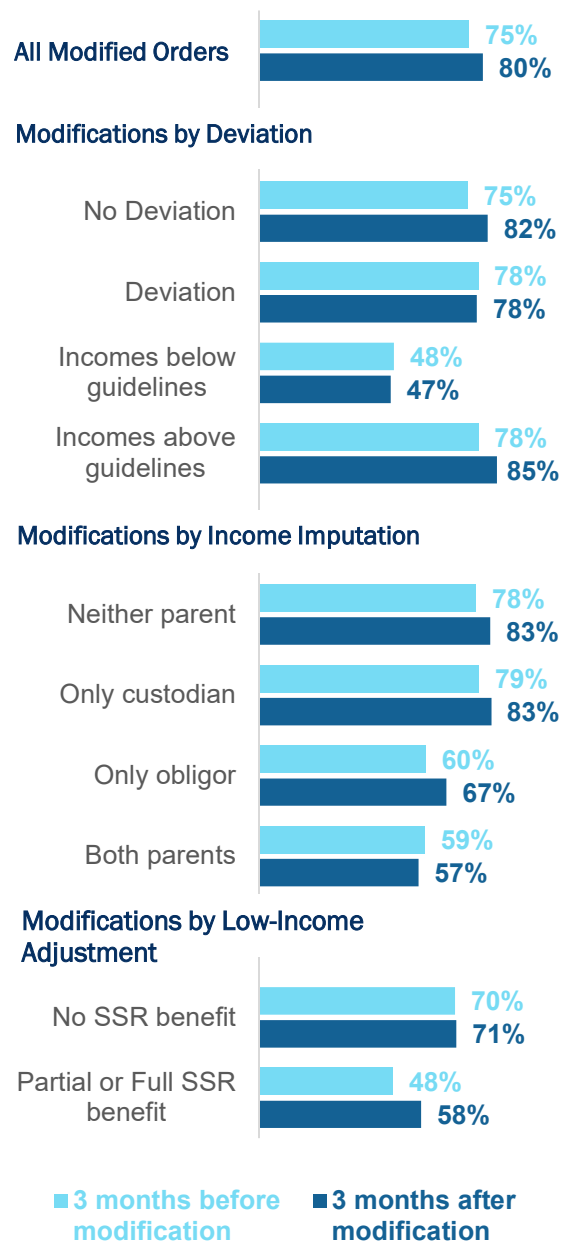
Figure 34. Median Modification Amount among Orders with Modifications



Note: Categories including less than 10 modified orders have been excluded from the figure: *Incomes above guidelines*, *Incomes below guidelines*, and *Both parents* with imputed incomes. *p<.05, **p<.01, ***p<.001.

The last analyses related to modifications focuses on payment compliance in the three months immediately preceding the modification compared to the three months after the modification. As shown in Figure 35, there was improved payment compliance after the modification. The percent with a payment increased from 75% before the modification to 80% after the modification. For most subgroups, there was a similar increase in payment compliance after the modification with a few exceptions. First, there was a substantial increase in payment compliance among orders that benefitted from the SSR of 10 percentage points, from only 48% before the modification to 58% after the modification. Second, there were a few subgroups that did not see a change in payment compliance (orders with a deviation) or there was a small decrease in payment compliance (orders with incomes below the guidelines and orders that imputed income to both parents).

Figure 35. Percent with Payments in the Three Months Before and After Modification



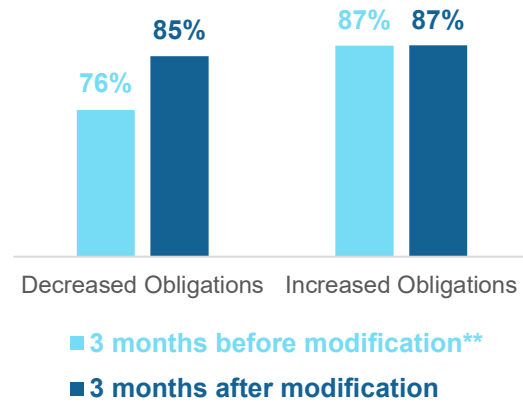
PANDEMIC MODIFICATIONS

According to the [Maryland Courts Coronavirus Phased Reopening Plan](#), court dates for child support orders were permitted under Phase III of the reopening plan. Phase III began July 20, 2020 but was halted on September 1; it was reinstated on November 16, 2020.

Given the closure and stalled reopening, modifications were limited. Only 2% of sampled orders were modified between July and December 2020. There was little difference by case characteristics: the percentage of modifications ranged from 1% to 3% regardless of deviation status, imputation of income, or use of the low-income adjustment.

Lastly, it appears that downward modifications may have contributed to improvements in payment compliance. Figure 36 shows that there was a nine percentage point increase in payment compliance among downward modifications, from 76% with a payment in the three months before modification to 85% with a payment in the three months after order modification. On the other hand, payment compliance remained stable among modified orders that increased the obligation at 87%. These are very short-term outcomes, and longer-term analyses may reveal a different trend. Nonetheless, decreasing obligations when warranted may encourage improved payment compliance.

Figure 36. Percent with Payments in the Three Months Before and After Modification
Among all modified orders by direction of the modification



*p<.05, **p<.01, ***p<.001.

CONCLUSIONS

Federal law requires states to periodically review how they are using their state-mandated numeric guidelines to determine child support orders. The main purpose of this process is to ensure children's financial needs are equitably met through the consistent application of the guidelines. The findings from the reviews help states identify opportunities to improve policy and practice so adjustments, if necessary, can be made.

Every four years, through an ongoing partnership with the Maryland Child Support Administration (CSA), the University of Maryland School of Social Work reviews court orders to assess Maryland's application of the child support guidelines. This current review, the seventh in the series, evaluates orders that were newly established or modified between calendar years 2015 and 2018. A random, stratified sample of 4,928 orders was selected to provide valid results at both the state and the jurisdictional levels.

Consistent with previous guidelines reviews, Maryland courts usually set child support based on the amount recommended by the guidelines schedule. Seven in 10 (71%) orders set support within the guidelines, while roughly one in four (23%) orders were for amounts that deviated from the guidelines by more than \$10. Deviations are permitted by Maryland law to ensure the establishment of reasonable child support orders when the guidelines-recommended obligations are unjust or inappropriate. When courts deviated, it was often for amounts that were lower than what the guidelines recommended. A small percentage of orders—7%—were considered discretionary due to combined

parental income outside of the guidelines schedule.

The most common reason courts listed for a deviation from the guidelines was because both parents agreed to a different support order amount (25%). Within the context of Maryland family law, courts must list why the deviation is in the best interest of the child(ren). Although the agreement between parents may be in the best interest of the child, that information was not included in many of the orders with a deviation. Notably, just over one in four (27%) deviated orders did not list any reason for the deviation. Roughly half (48%) of orders with deviations did provide a specific reason for deviating. Deviations occurred due to in-kind contributions from an obligor (10%), an obligor's financial instability (10%), an obligor's intact second family (10%), and the obligor's involvement in the child's life (9%), among other reasons.

Deviations from the guidelines, which usually resulted in lower obligations than what the guidelines recommended, led to meaningful payment compliance outcomes. Obligor's with orders that deviated from the guidelines made a payment more often and paid a higher percentage of support due than obligor's with orders that did not deviate, potentially because these obligor's perceived the order establishment process as fair. Deviations may be important to create orders that are aligned to obligor's ability to pay. When obligor's can make regular, consistent payments, custodial families receive the support they need and the success of the child support program improves.

Contrary to the payment outcomes among deviated orders, the practice of income imputation negatively impacted payment compliance. When obligor income was imputed, fewer than eight in 10 obligors made a payment and only half of the obligation was paid. These low payment compliance outcomes are the result of overestimating the actual earnings of parents (Demyan & Passarella, 2018a). Legislation effective July 2022 is intended to address issues associated with this practice (S.B. 847, 2020). First, the legislation increases transparency in the process of income imputation by defining voluntary impoverishment, a requirement for imputation. Courts are also required to make a finding of voluntary impoverishment if a parent disputes it. When a parent is found to be voluntarily impoverished, then the updated law also provides that the potential income imputed to the parent must be based on the specific circumstances of that parent, such as their education and earnings history, among several other factors (S.B. 847, 2020). Although the overall rate of income imputation declined since the previous review, we still found that among those with imputed incomes, half of obligors and three in five custodians had their incomes imputed to a full-time rate. Full-time minimum wage work opportunities are rare, so this new guidance may result in the imputation of more realistic incomes. Last, when income imputation is not appropriate, the updated guidance provides an alternative to imputation. The new schedule includes \$0 combined adjusted income with a specific obligation amount that can be ordered for an obligor who does not have any current income, in lieu of imputing income (S.B. 847, 2020). Policies

that encourage courts to set support at reasonable amounts are likely to have positive compliance outcomes in the long term (Eldred & Takayesu, 2011; Saunders et al., 2014).

The Self Support Reserve (SSR) is intended to set reasonable obligations by ensuring obligors retain a minimum income of \$867 after paying child support. However, because the SSR is based on the combined incomes of obligors *and* custodians, both parents share the benefit of the SSR if they both have incomes. Of obligors with SSR-range incomes, seven in 10 received no benefit from the SSR, because custodians' incomes raised combined incomes above the SSR range.²⁸ In these cases, Maryland's recent update to the child support guidelines allows courts to deviate from the guidelines to set support at amounts obligors can pay while retaining a minimum income (S.B. 847, 2020). For obligors who did benefit from the SSR, it reduced the percentage that support comprised of their adjusted incomes. Nonetheless, these obligors had lower payment compliance compared to similarly low-income obligors who did not benefit from the SSR. Why might this be? One explanation is that \$867 per month was not sufficient because it was based on poverty data from 2008. To address the outdated amount, Maryland's guidelines update raises the SSR to \$1,145 per month, which is 110% of the 2019 Federal Poverty Level for one person (S.B. 847, 2020). Additionally, obligors may have been unaware that the adjustment was applied to their orders, potentially negating any positive benefits from when an obligor perceives the process as fair. To address

²⁸ The SSR range in the guidelines schedule, effective from 2010 to 2022, is located on page 22.

this concern, the guidelines update added language to Maryland law that defines the SSR and clearly identifies the SSR range in the guidelines schedule (S.B. 847, 2020). These changes encourage regular, consistent child support payments to families by ensuring obligors with limited resources are able to afford their obligations.

In this report, we also investigate complex families in Maryland's public child support program, or families in which multiple children are shared between the same parent and different co-parents. Complex families are increasingly common in the U.S. (Monte, 2017; Edin, 2018), and their prevalence has implications for child support order establishment. Nearly half of all families in this sample met our criteria for a complex family. Due to the ways in which the guidelines are structured, the children in these complex families had varying support orders amounts despite sharing the same obligor. The inequities between these support orders are balanced by the need to ensure that (1) obligors support all of their children, and (2) the payment of support does not leave obligors with insufficient income. Deducting existing support obligations from parental income is likely the least problematic way to achieve these two goals, particularly when obligors have limited financial resources.

However, the needs of all an obligor's children are not routinely recognized by courts, specifically those of children who reside with an obligor in an intact second family. Maryland law does not permit deductions from parents' incomes for the contributions they make toward children in their care; it only allows deductions for existing support being paid. Some courts did subtract contributions to resident

children from parental incomes, perhaps in recognition of the needs of obligors and their resident children to maintain a level of subsistence, but those subtractions resulted in miscalculations of the guidelines. Proposed legislation would have permitted courts to deduct an allowance from a parent's income for children residing with the parent in the same way existing child support is deducted (H.B. 367, 2020). This legislation would have provided consistent guidance, but it was not passed during Maryland's 2020 legislative session. Additional policies, then, may be necessary to improve equity for children in such families.

In the majority of cases, Maryland courts have adhered to the recommended child support guidelines when establishing or modifying orders. This consistency has endured over time, as the previous six case-level reviews for the state have made similar findings. However, the public child support program serves a diverse range of families, and some of those families face challenges that require special considerations from courts when setting support. The Child Support Administration has worked to address some of these challenges by refining the use of income imputation and addressing the inadequacies of the SSR. These solutions have only been implemented recently in 2022, though, so the results of such efforts remain to be seen. To add, there are other areas that could be addressed to increase consistency across the state as it relates to intact second families. Nonetheless, this report illustrates that for most orders, the child support guidelines and other policies to promote order establishment benefit families and serve the best interest of children.

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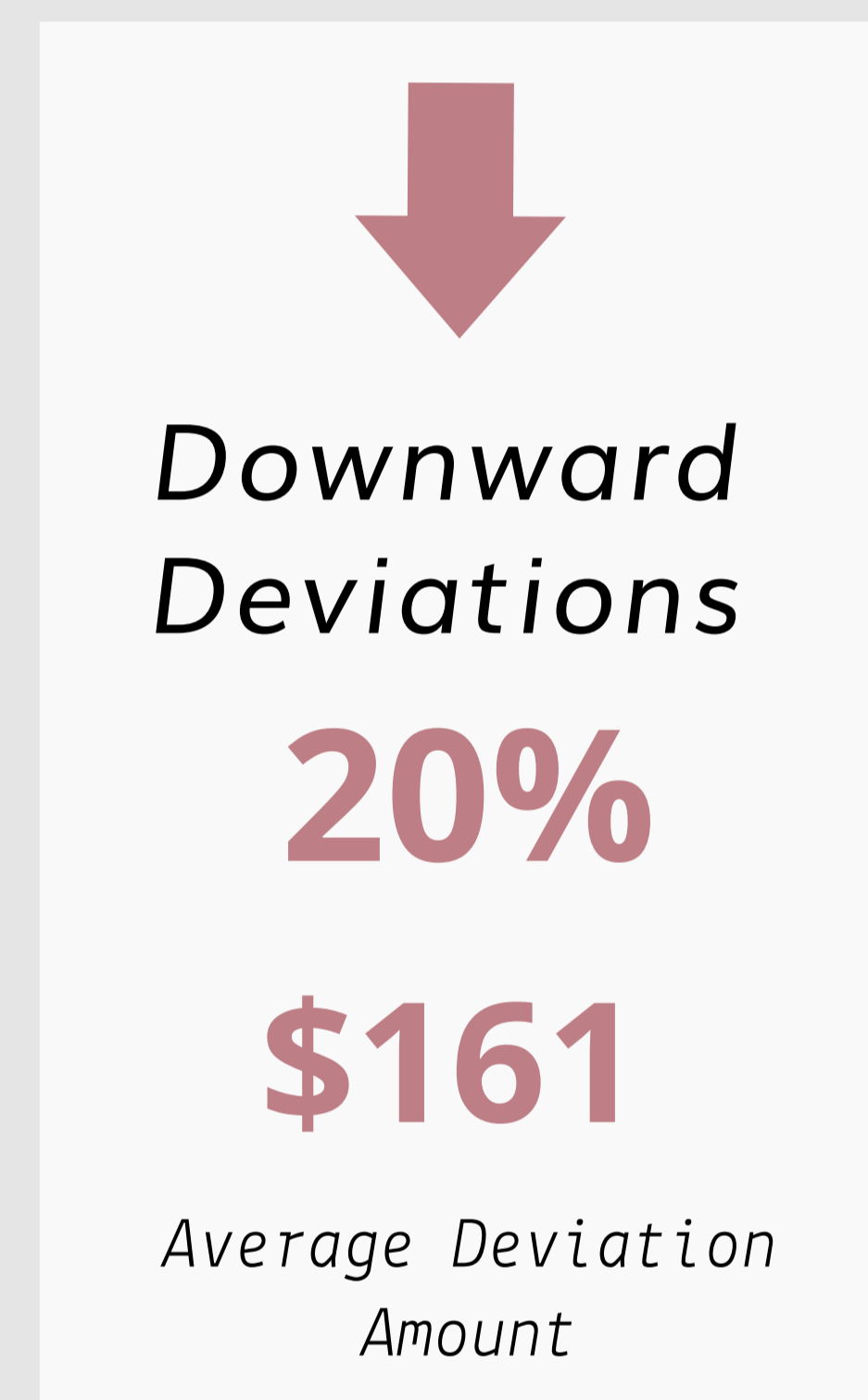
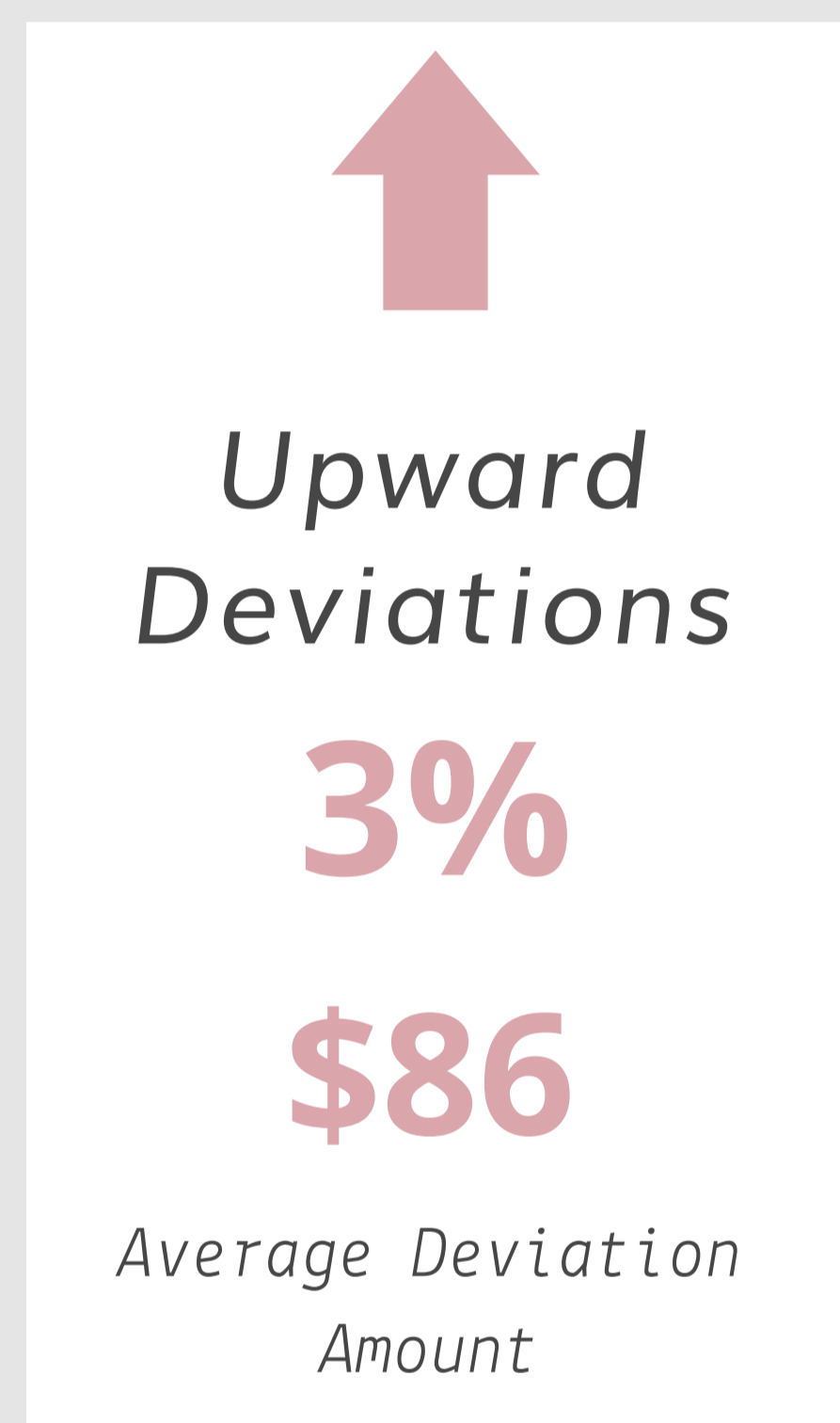
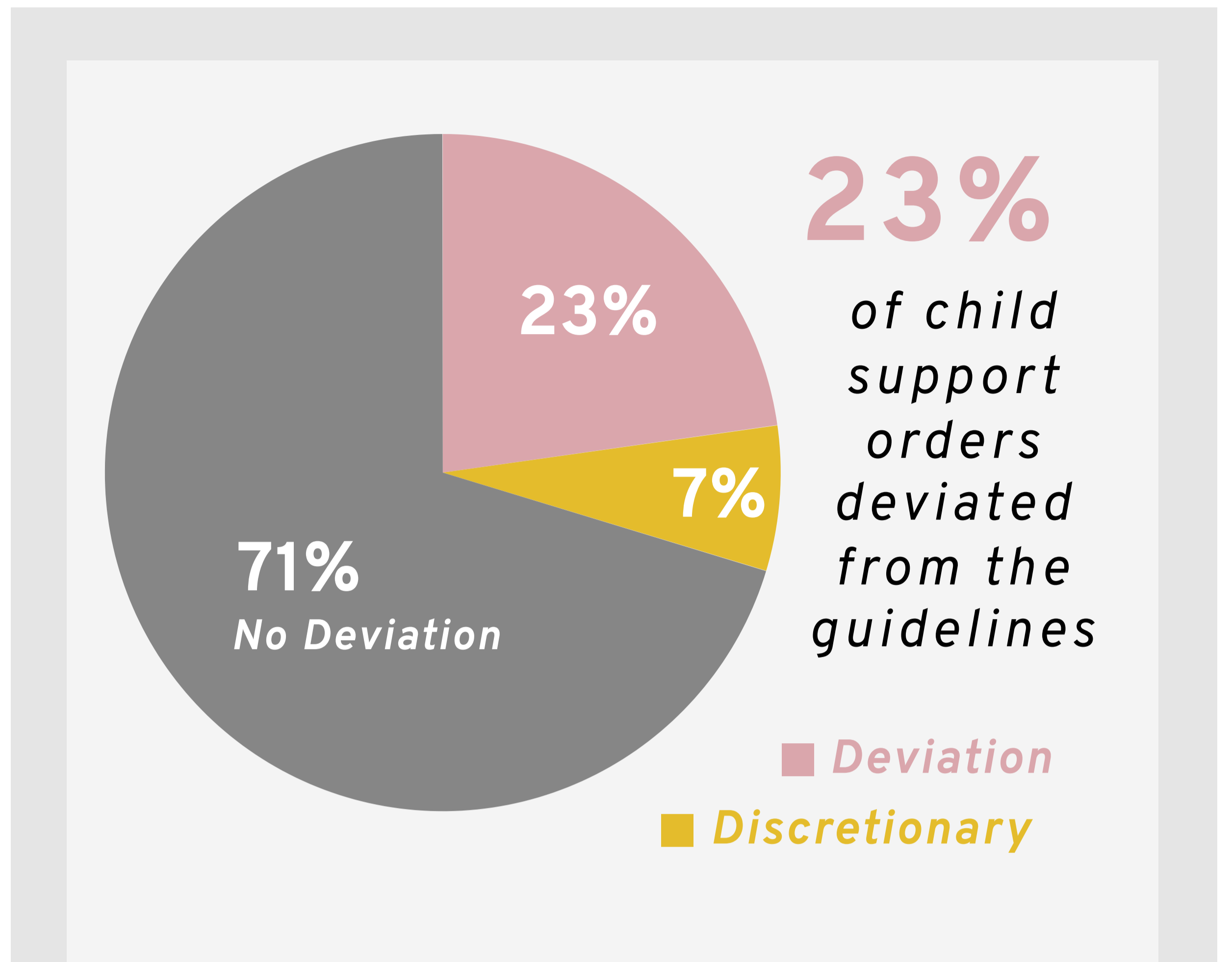
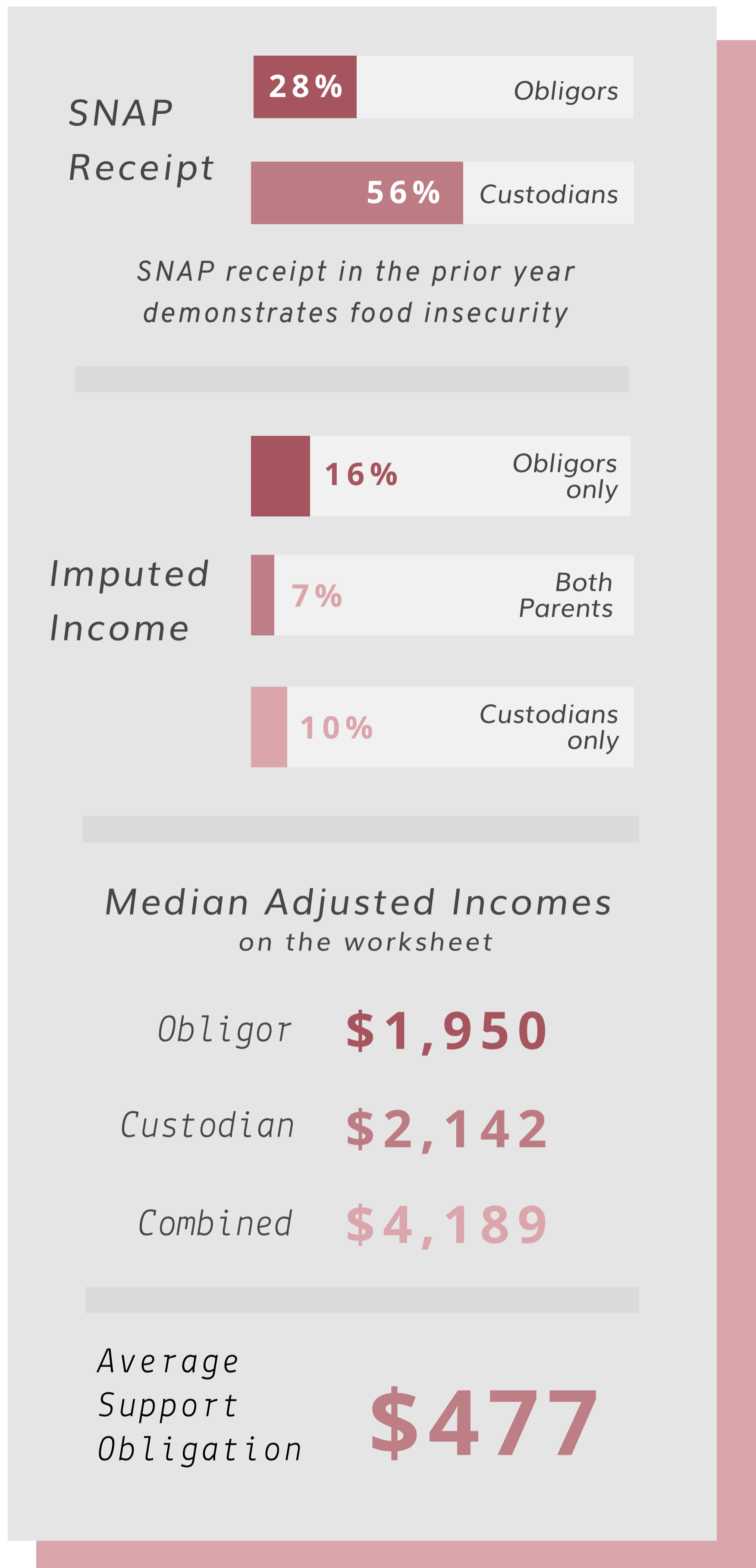
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APPENDIX: STATE AND JURISDICTIONAL PROFILES

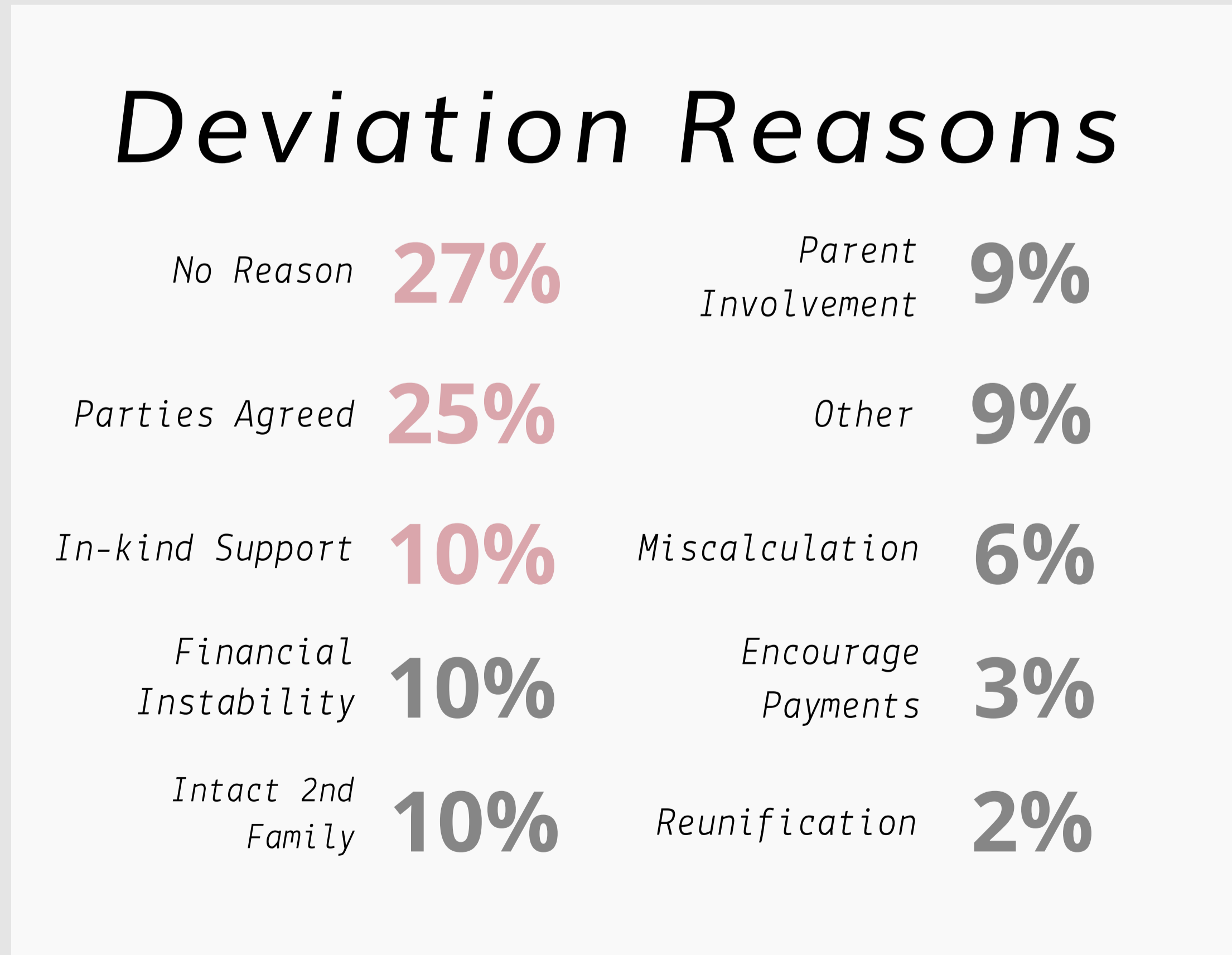
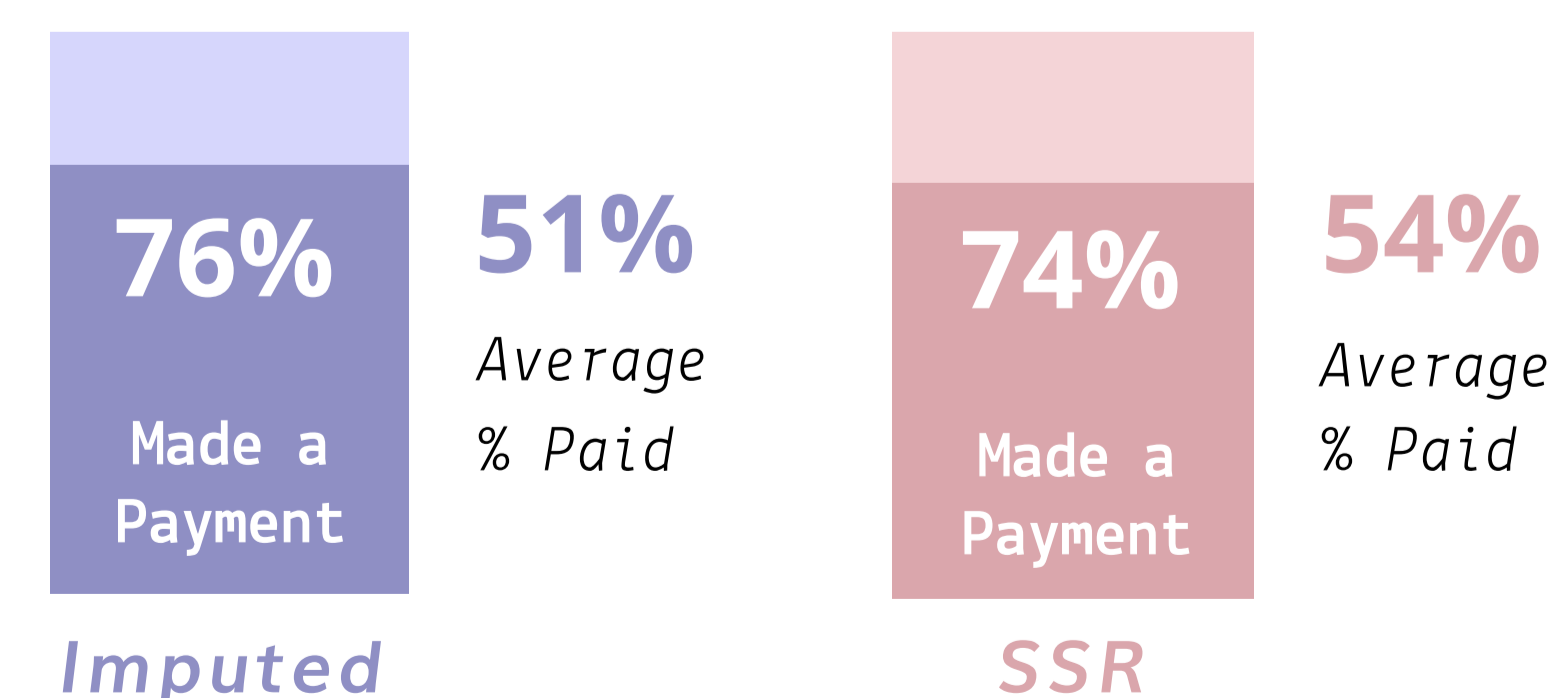
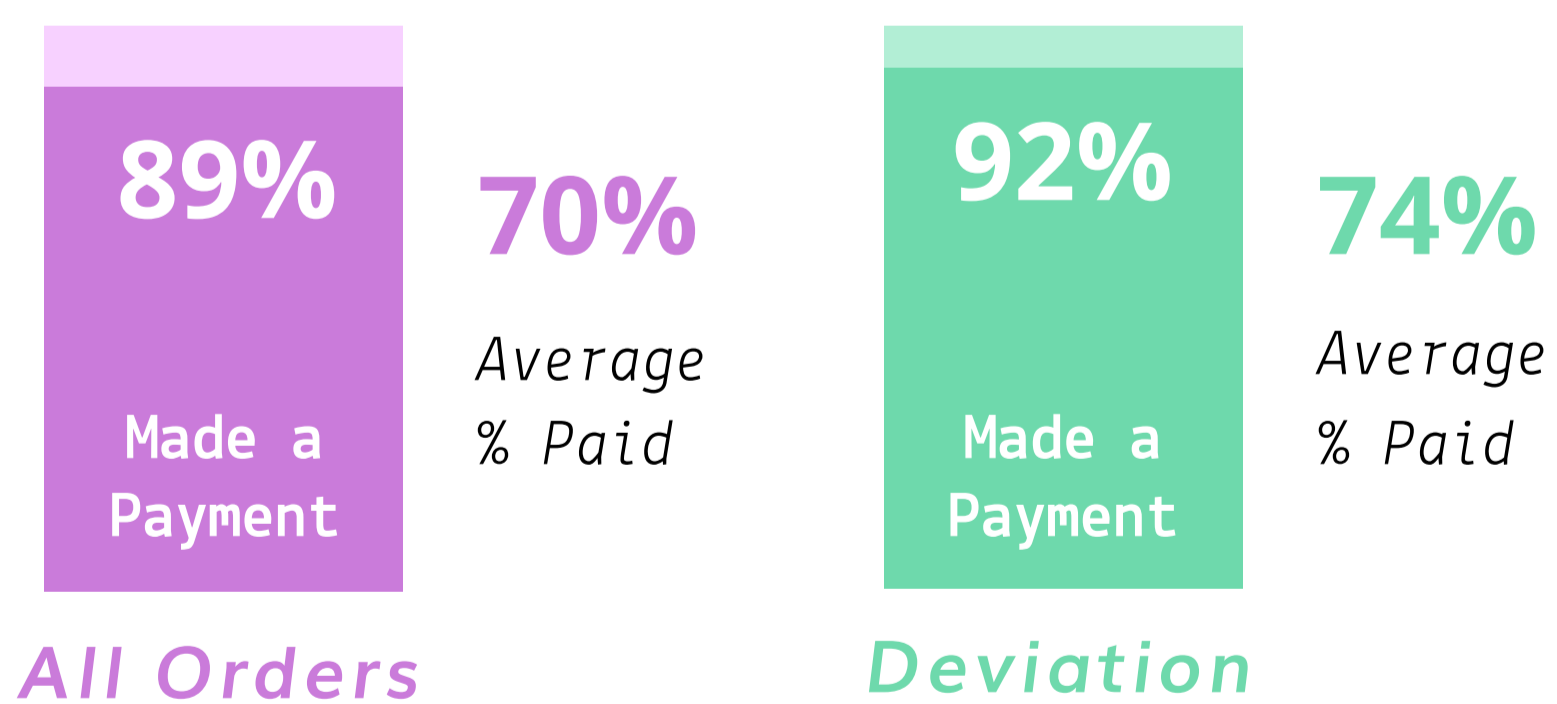
1. Maryland
2. Allegany County
3. Anne Arundel County
4. Baltimore City
5. Baltimore County
6. Calvert County
7. Caroline County
8. Carroll County
9. Cecil County
10. Charles County
11. Dorchester County
12. Frederick County
13. Garrett County
14. Harford County
15. Howard County
16. Kent County
17. Montgomery County
18. Prince George's County
19. Queen Anne's County
20. St. Mary's County
21. Somerset County
22. Talbot County
23. Washington County
24. Wicomico County
25. Worcester County

MARYLAND

Child Support Guidelines Case-Level Review: 2015 to 2018



Payment Compliance Three-year Average



Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

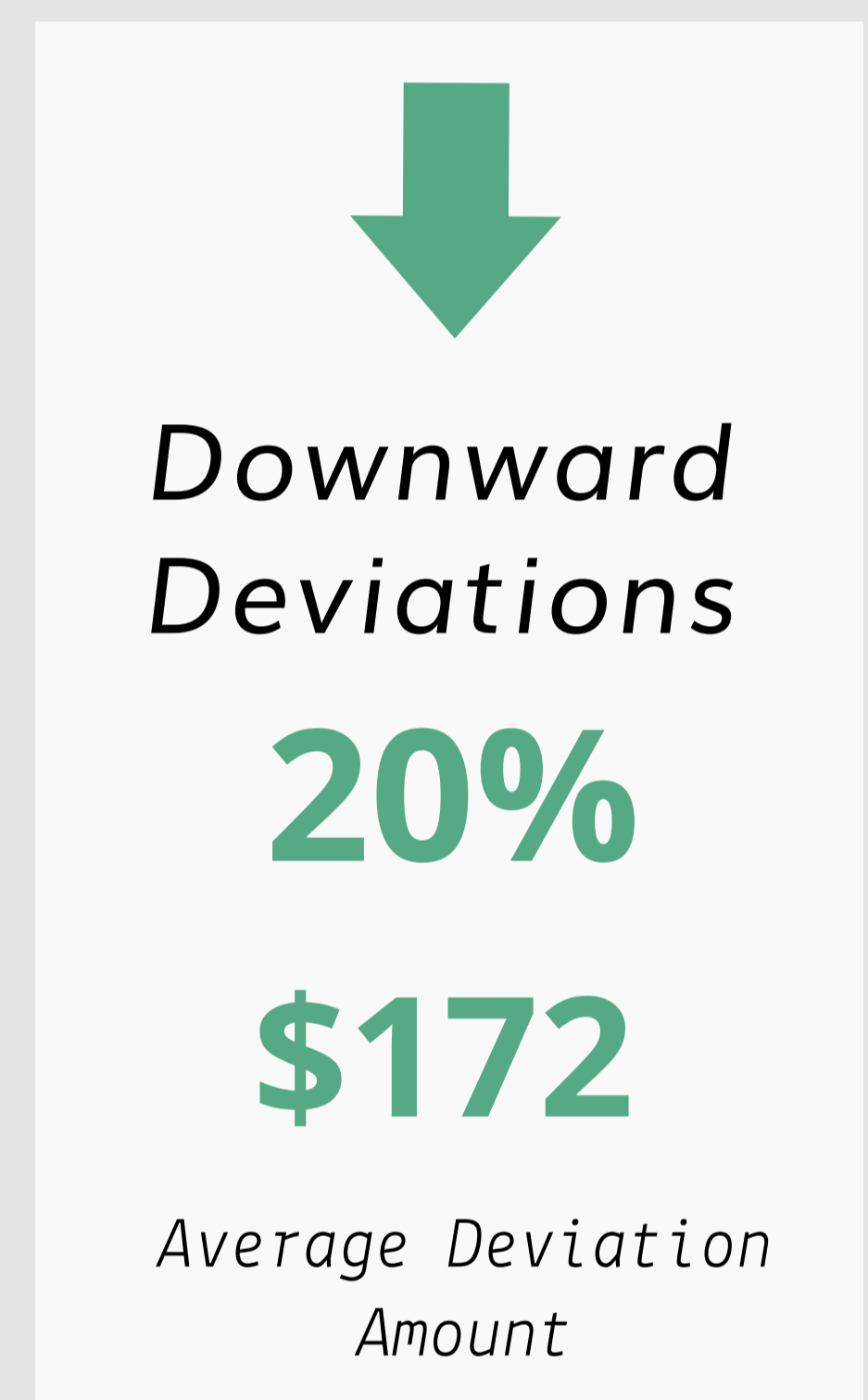
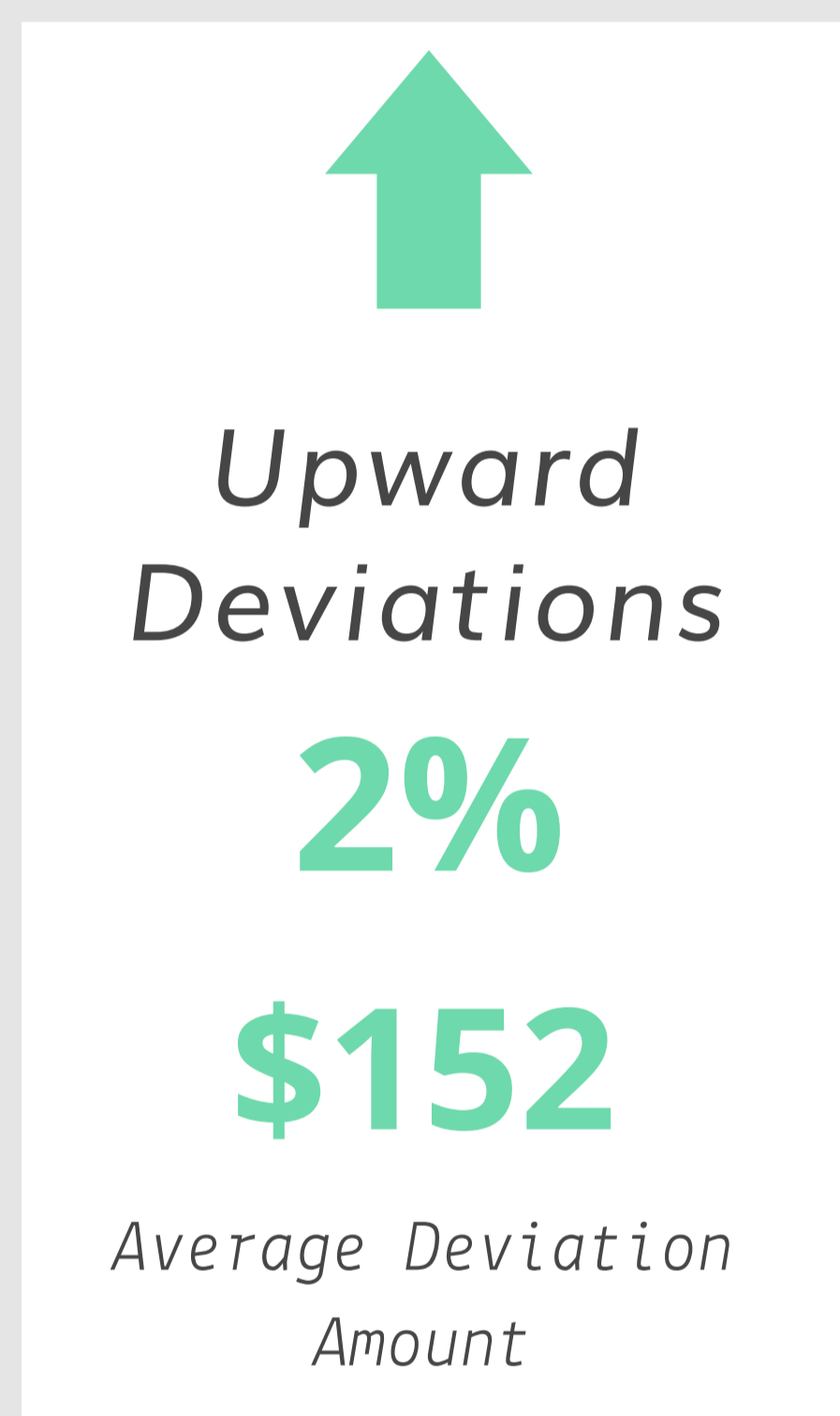
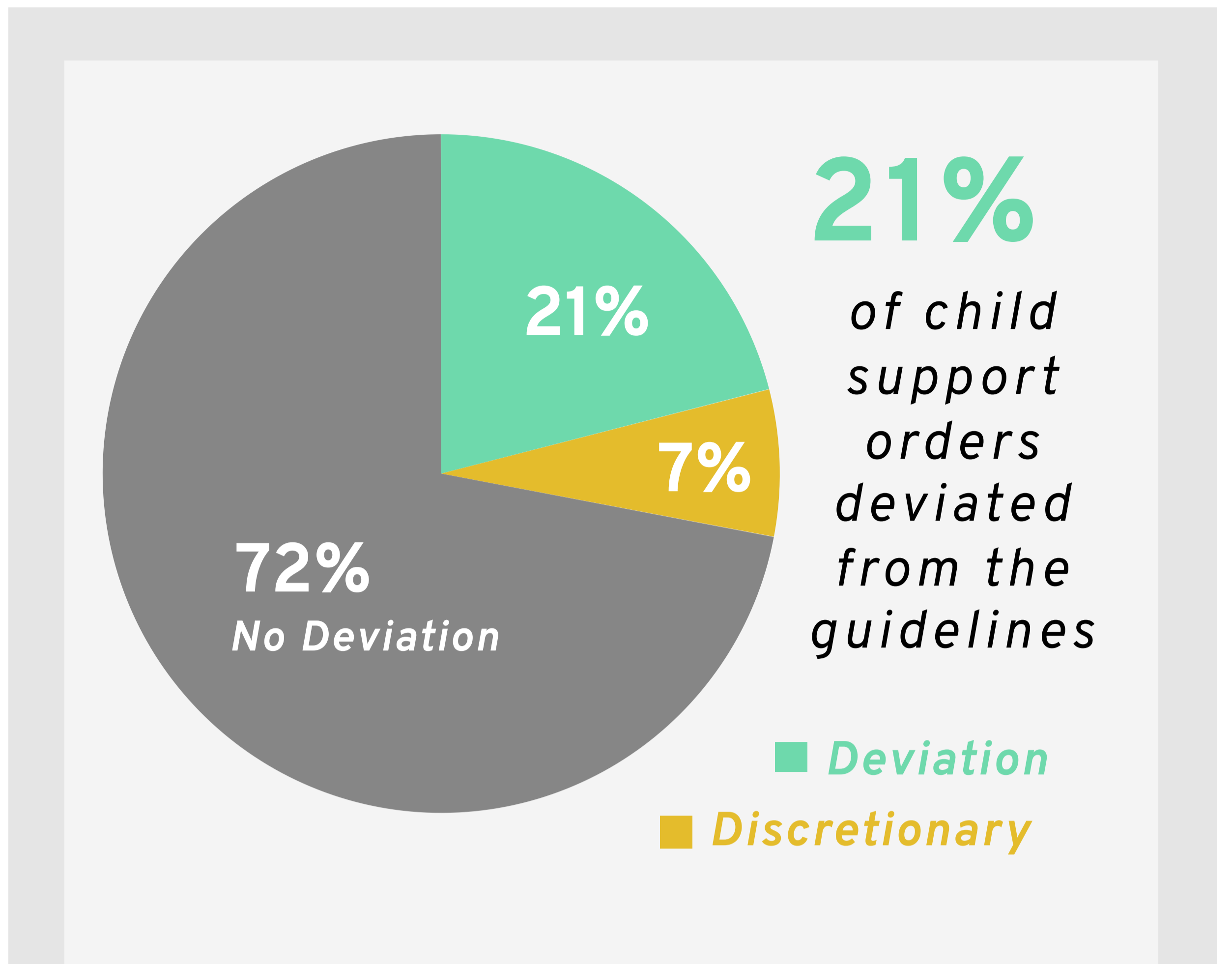
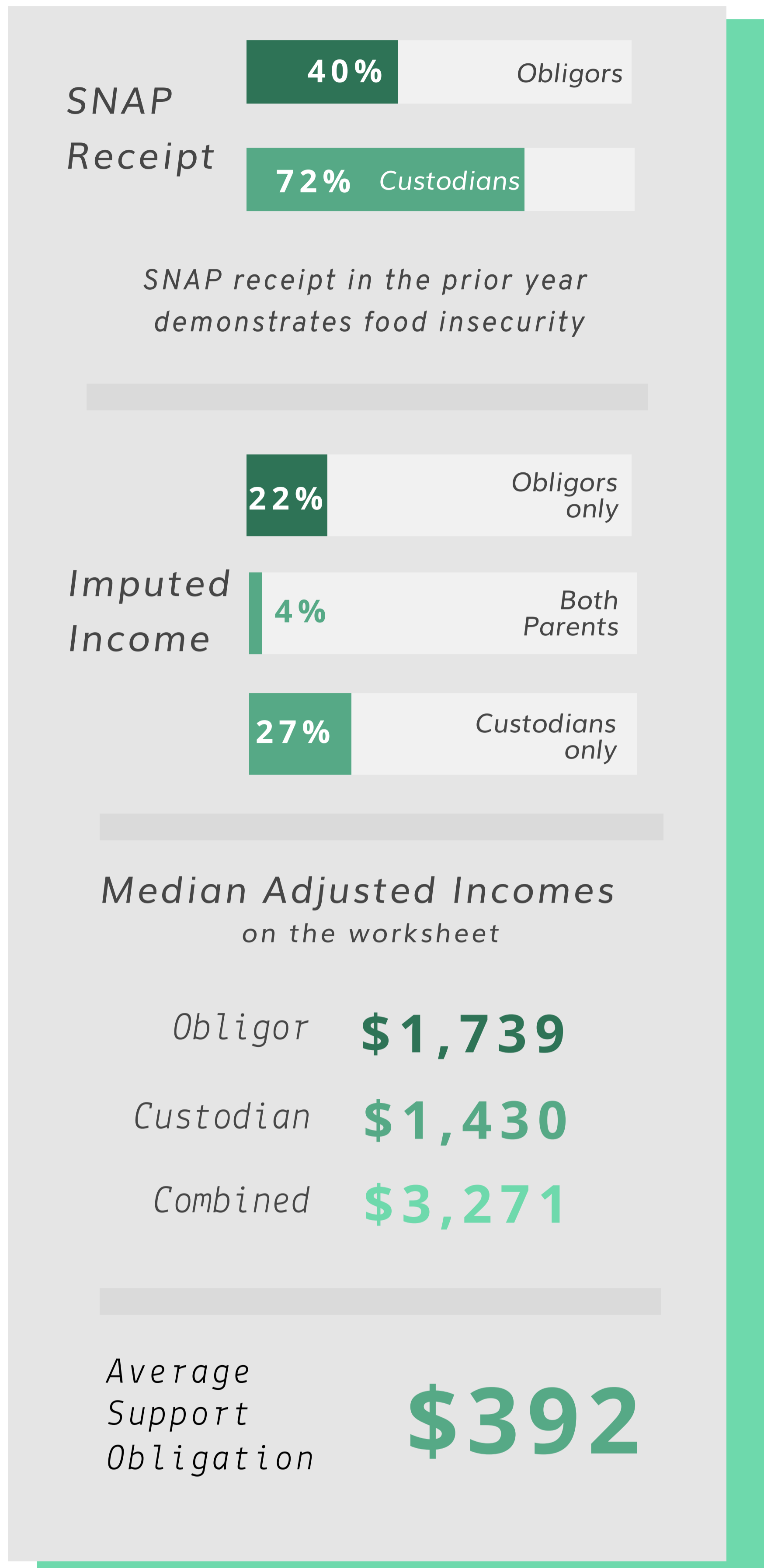
For more information, please contact Letitia Logan Passarella:

llogan@ssw.umaryland.edu | 410 706 2479

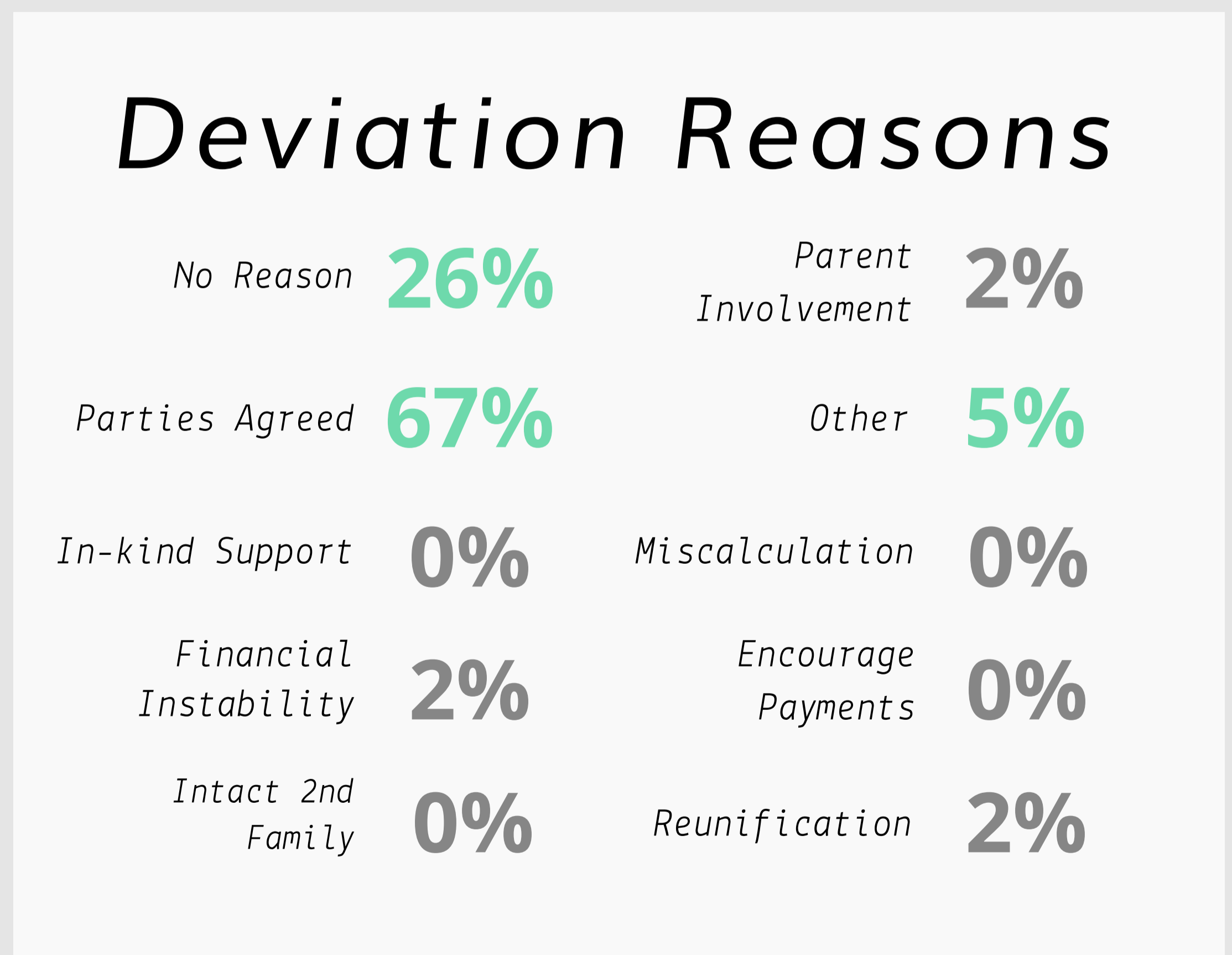
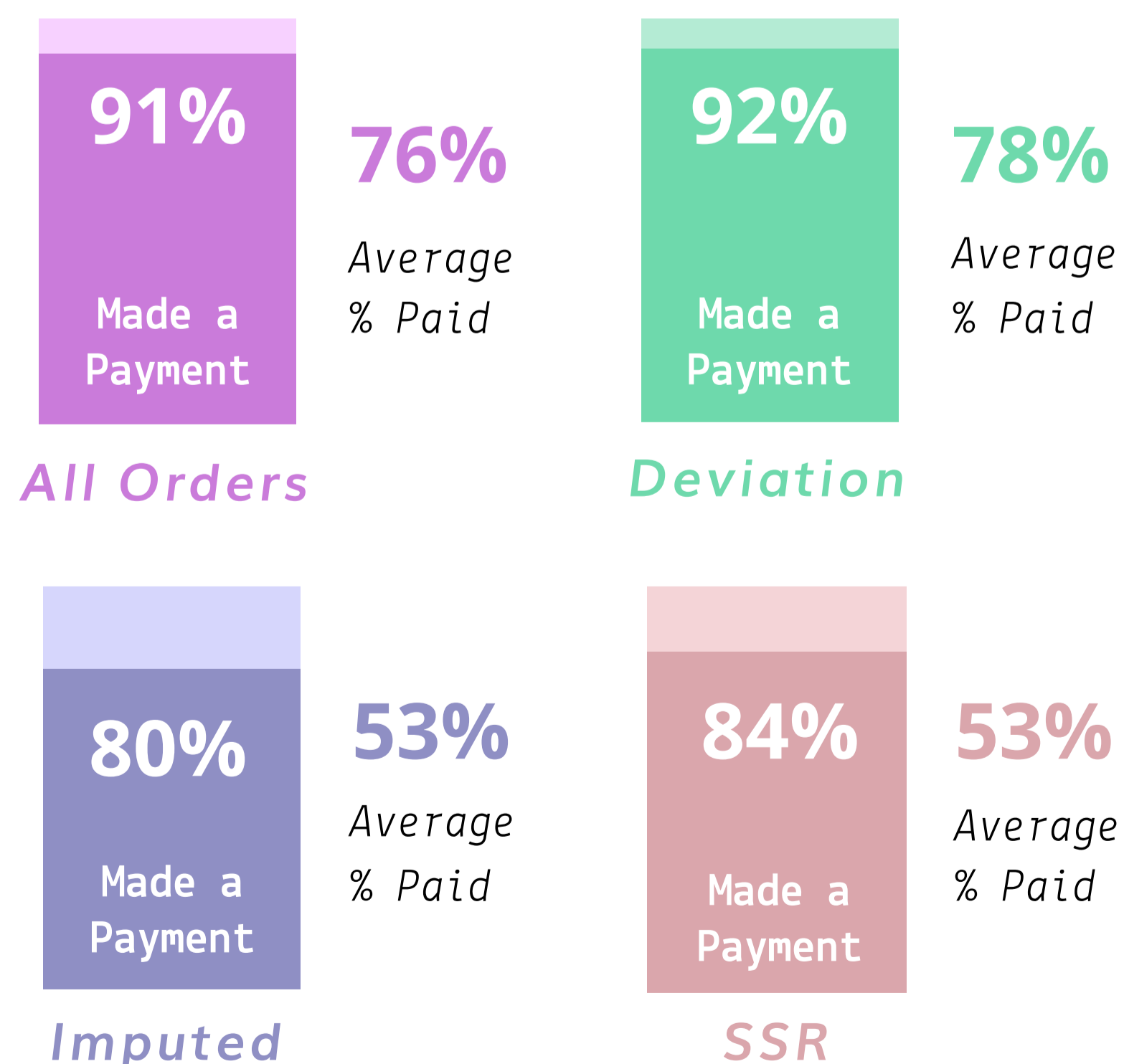


ALLEGANY COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



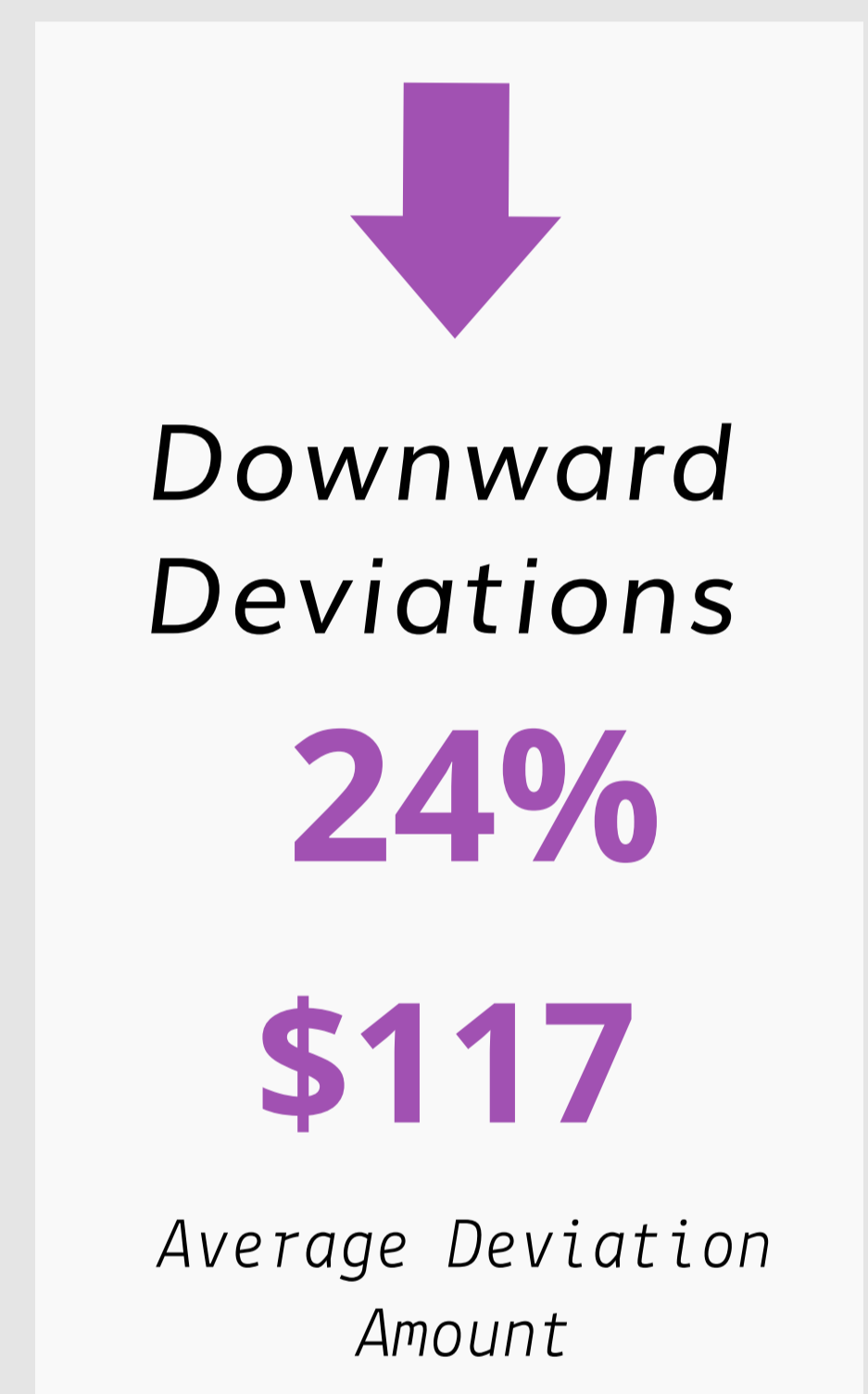
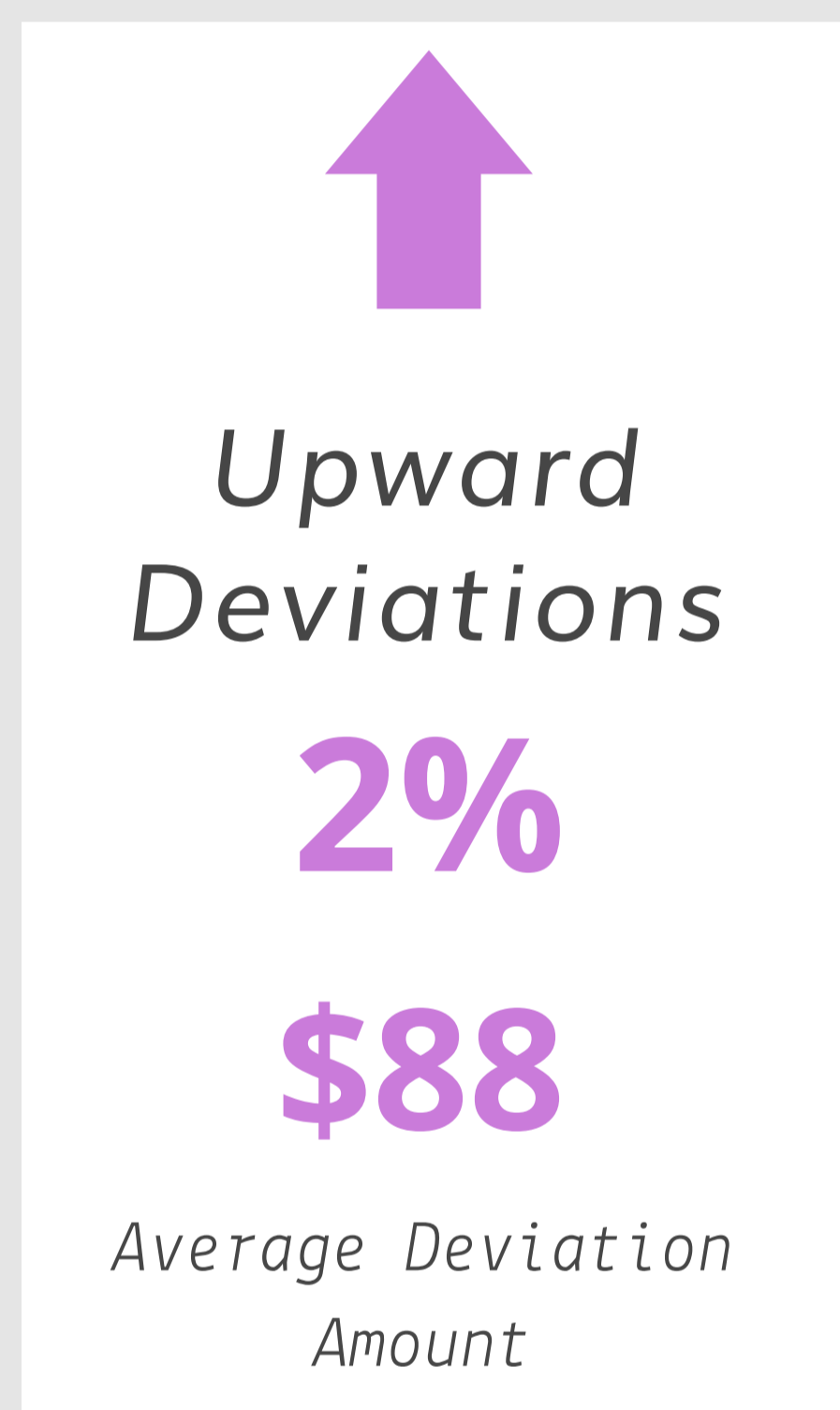
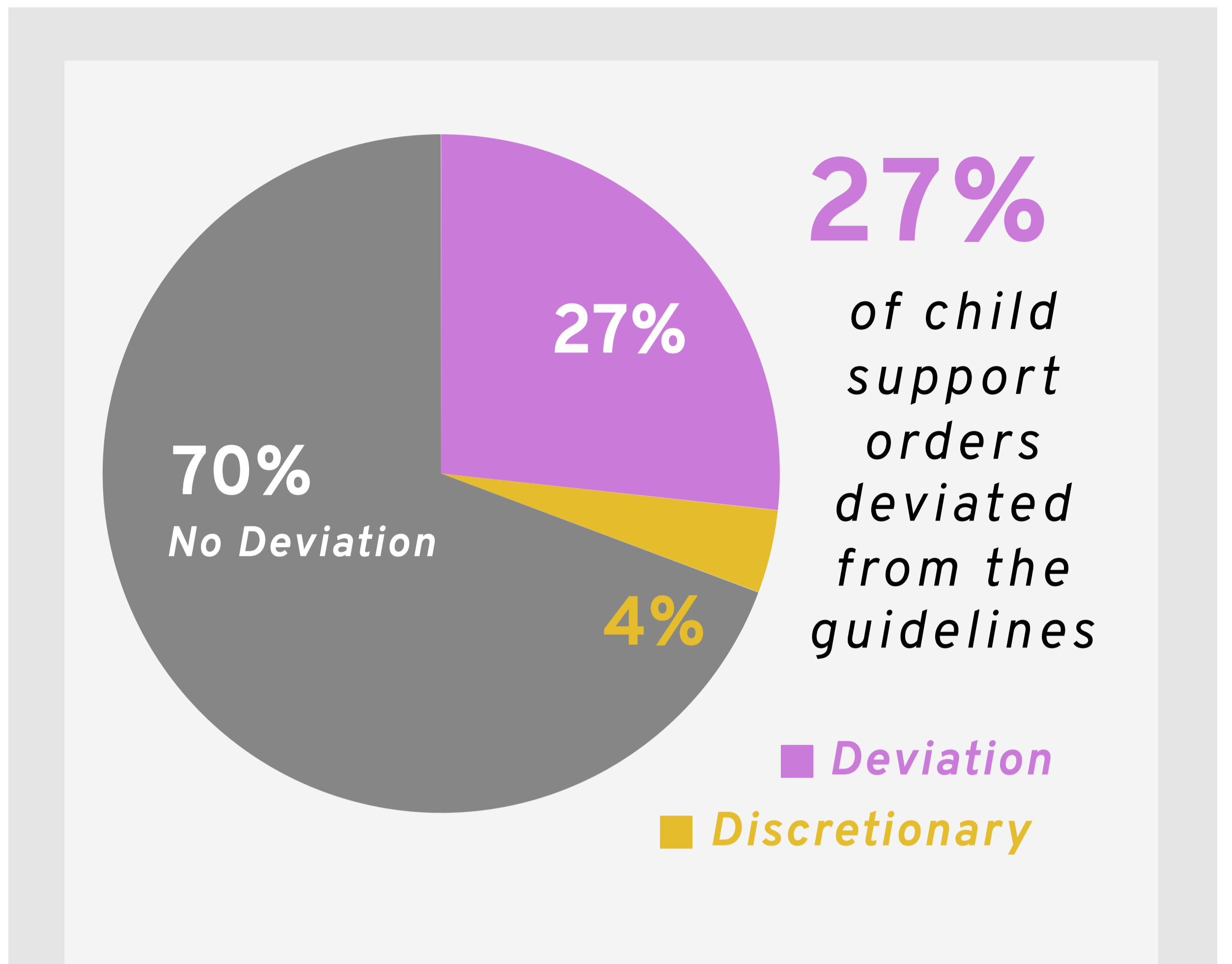
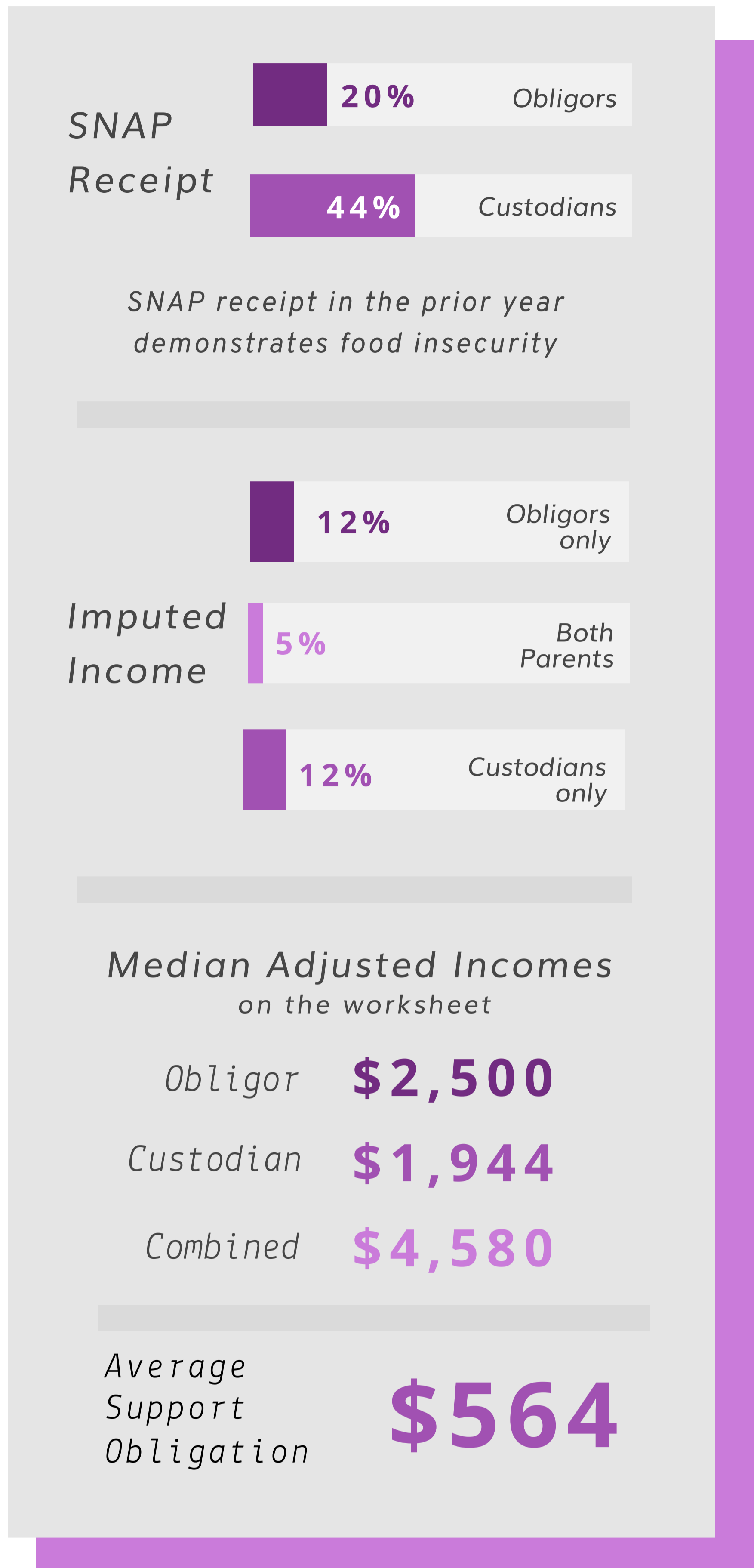
Payment Compliance Three-year Average



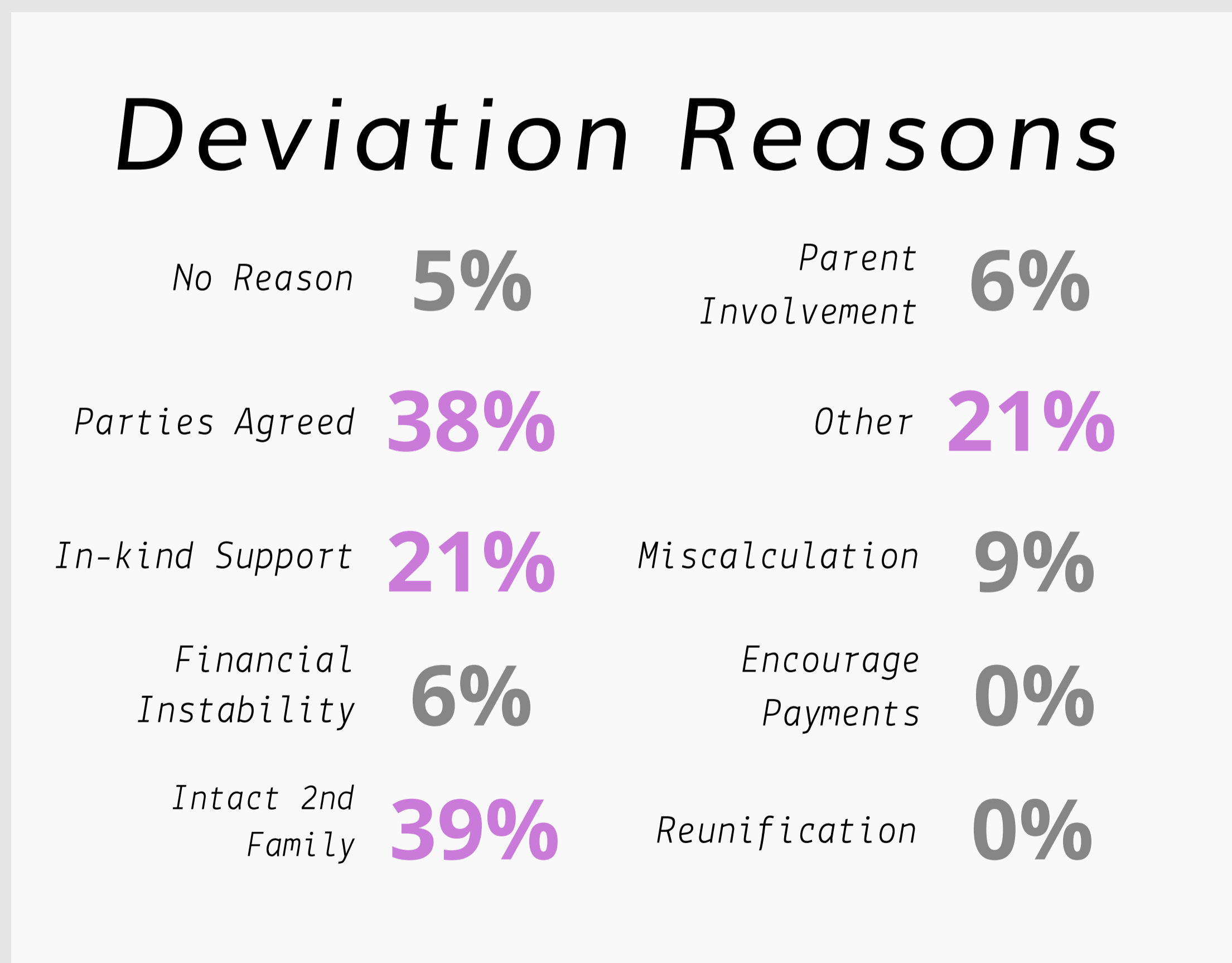
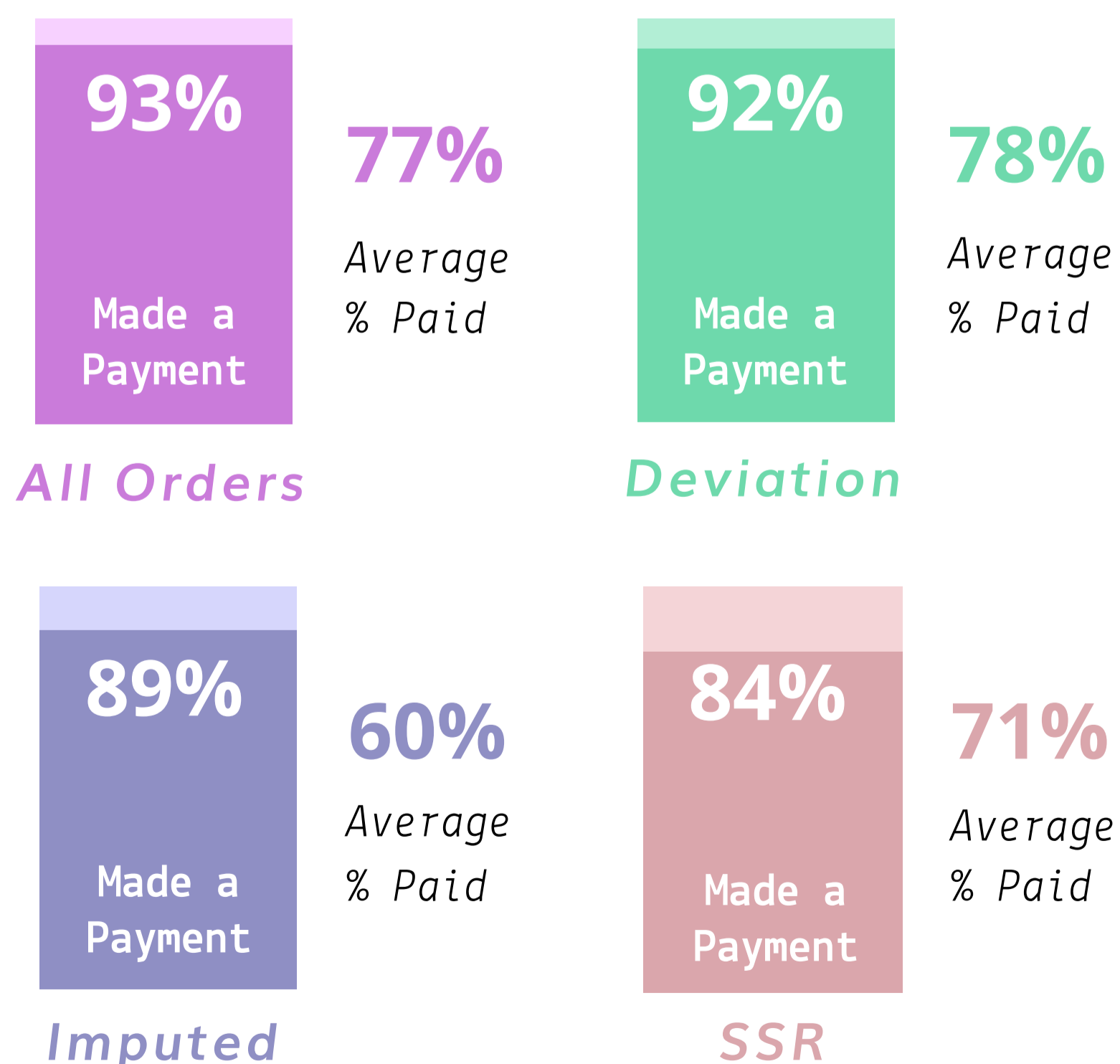
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ANNE ARUNDEL COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



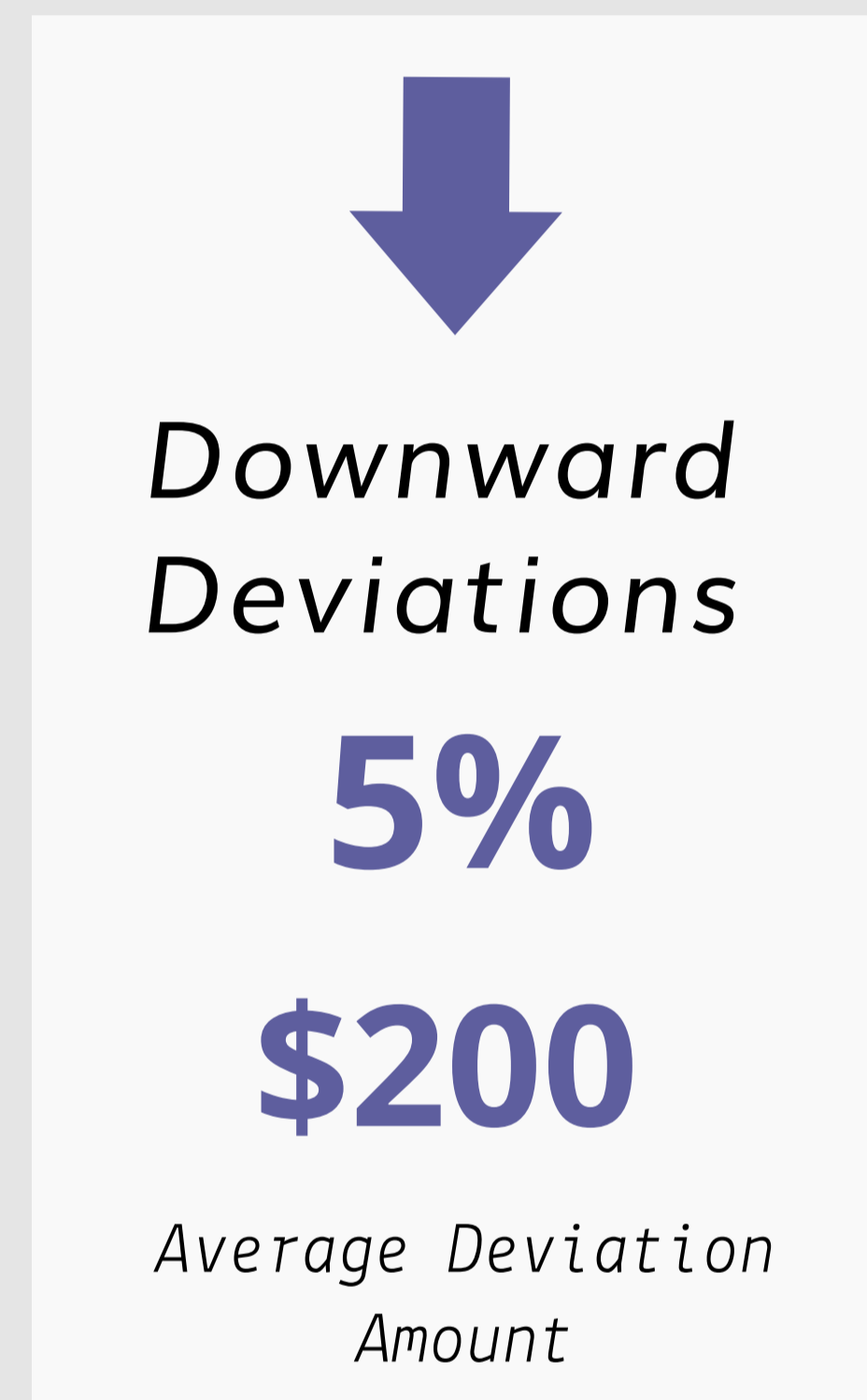
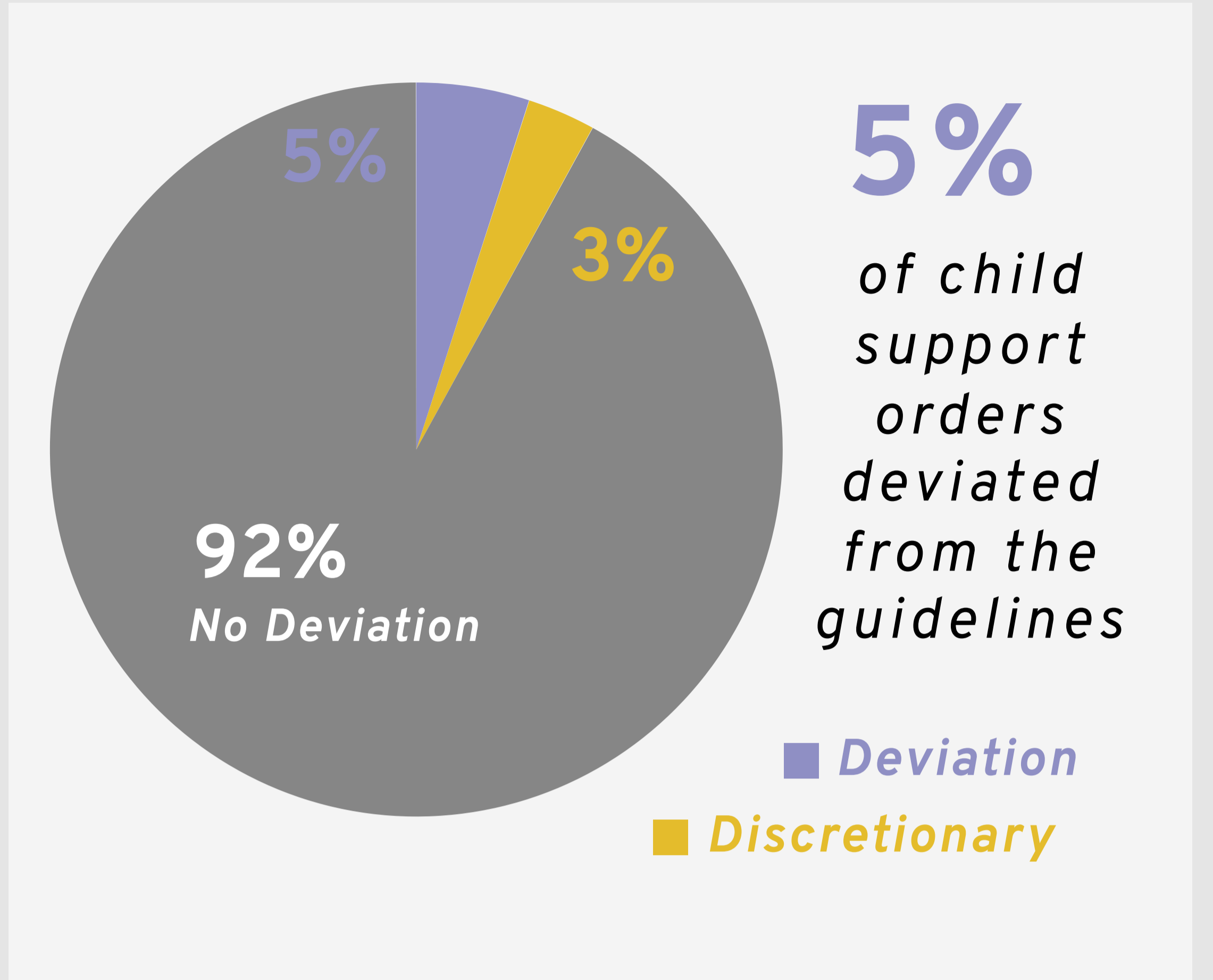
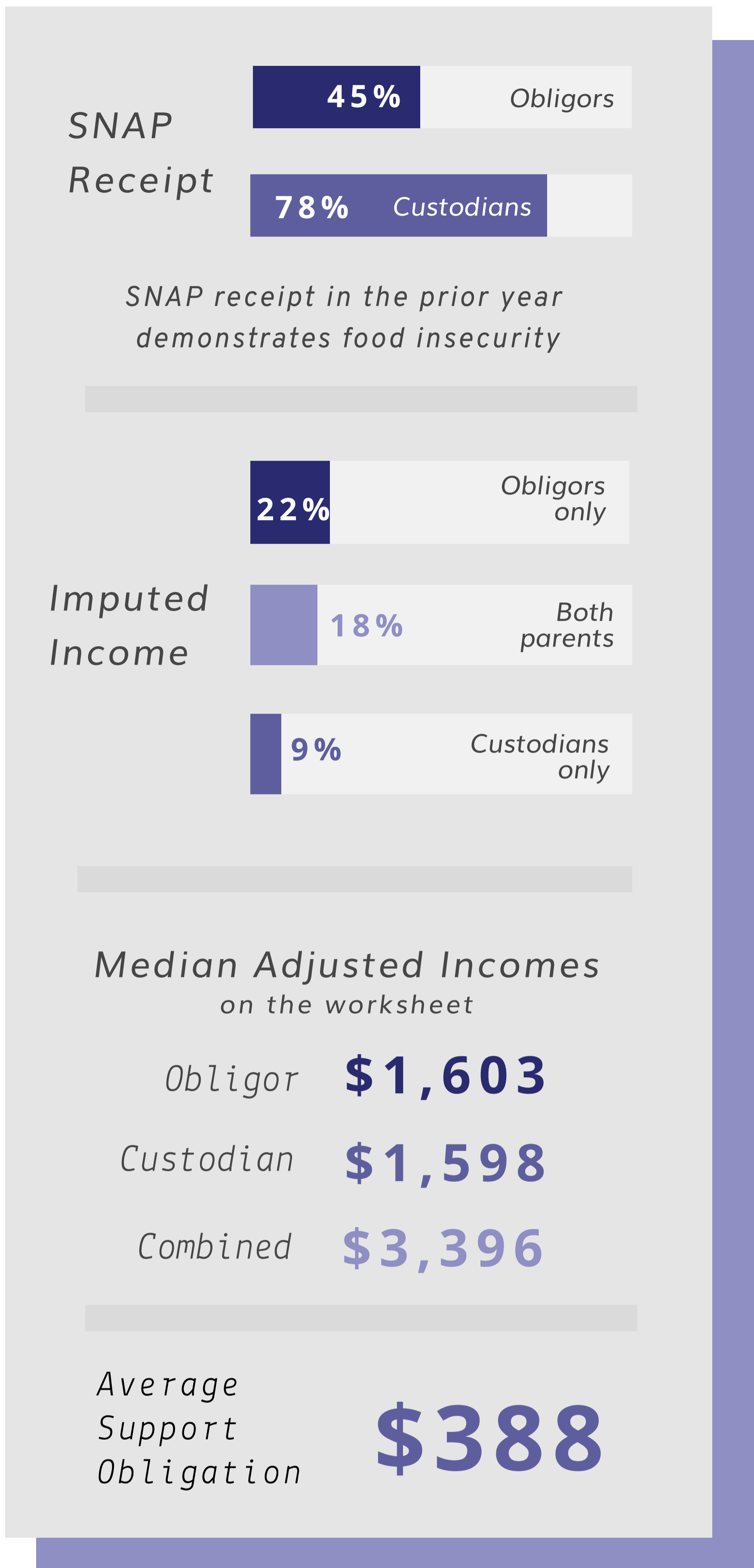
Payment Compliance Three-year Average



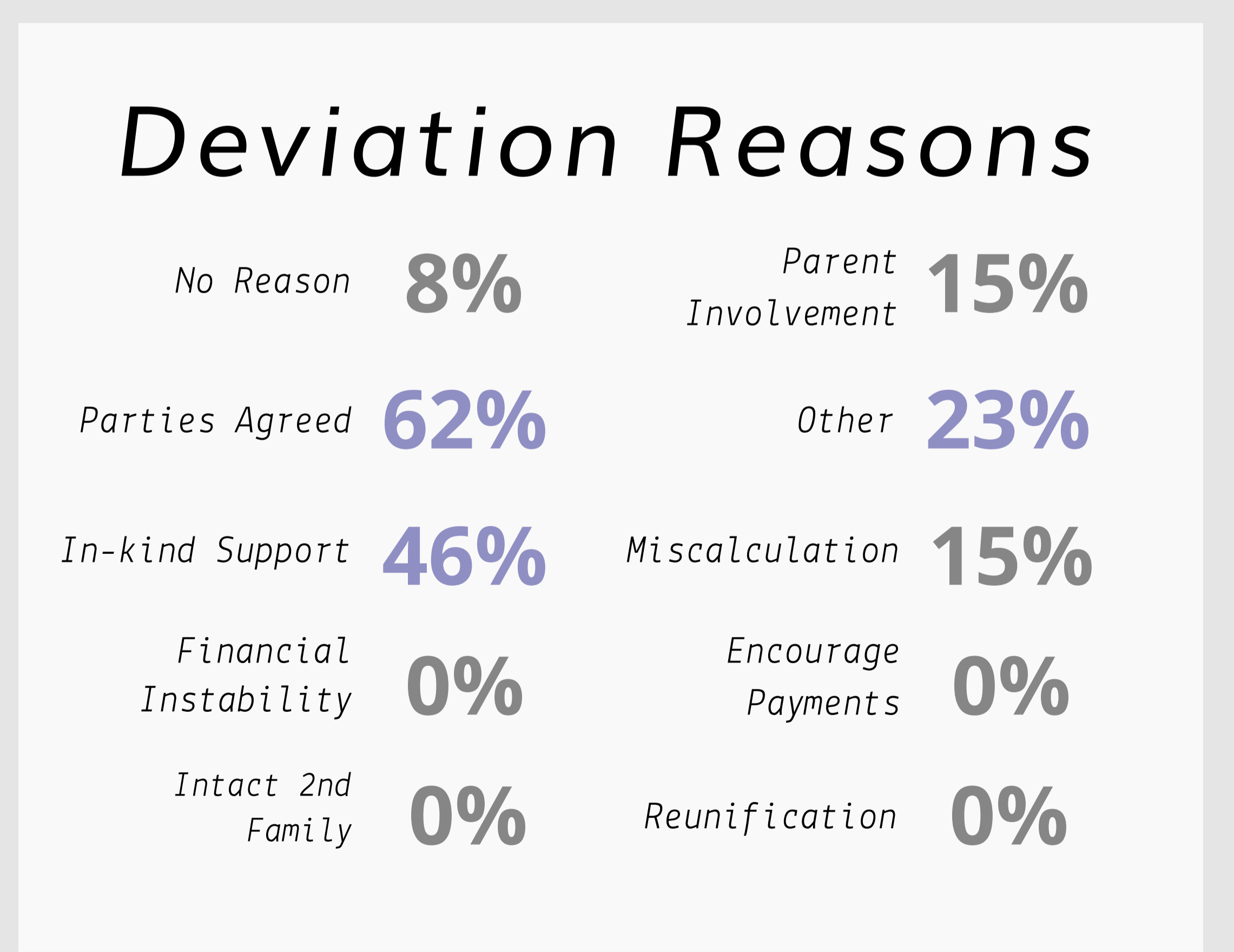
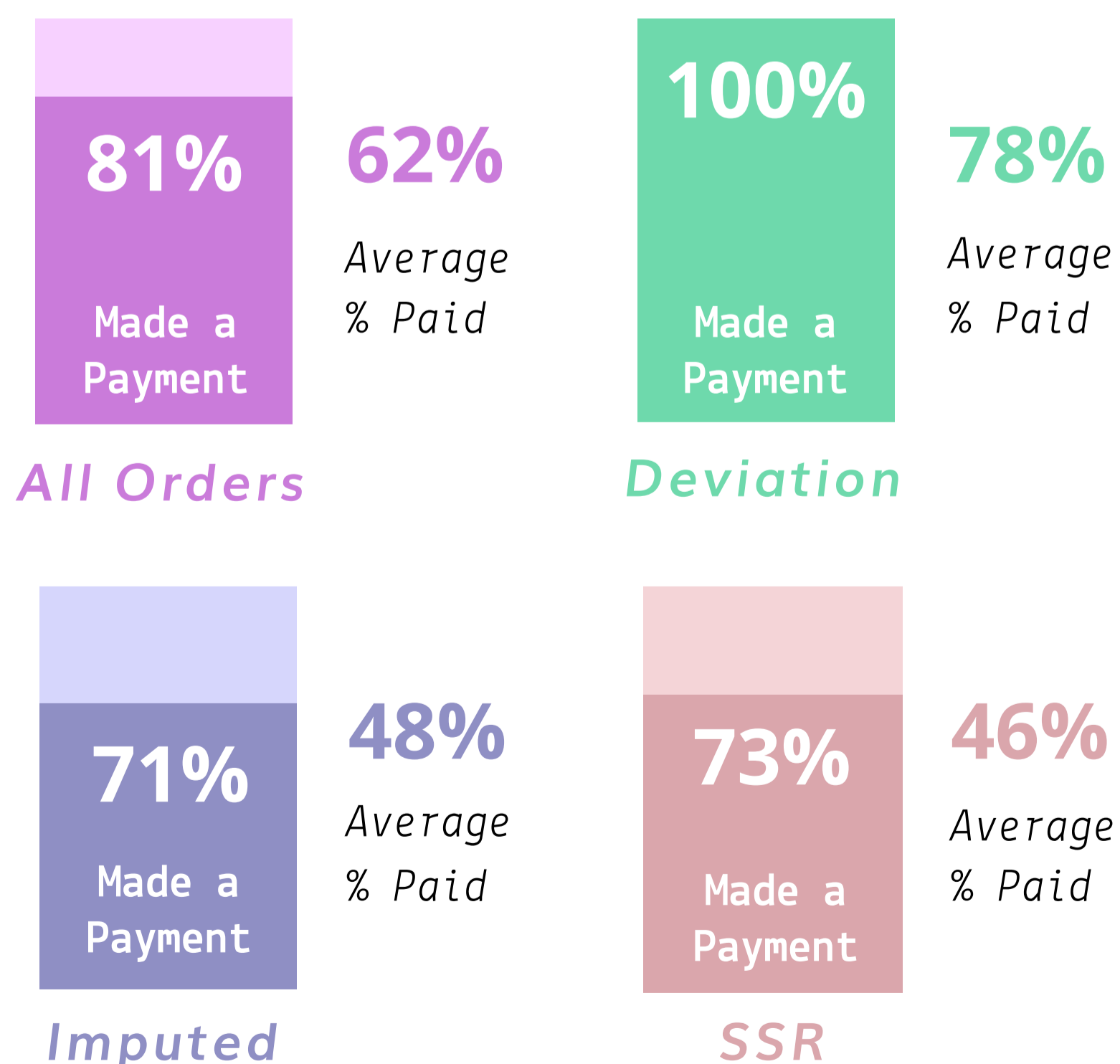
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BALTIMORE CITY

Child Support Guidelines Case-Level Review: 2015 to 2018



Payment Compliance Three-year Average



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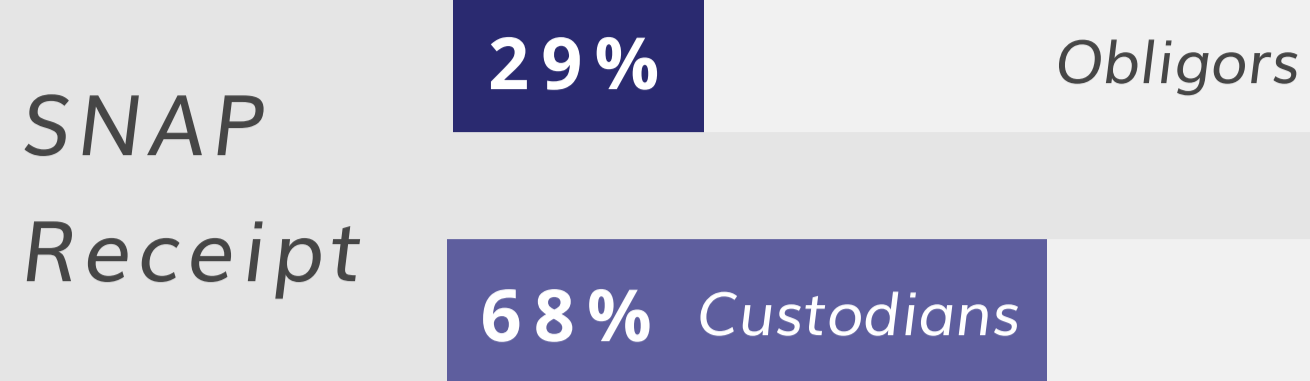
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llogan@ssw.umaryland.edu | 410 706 2479

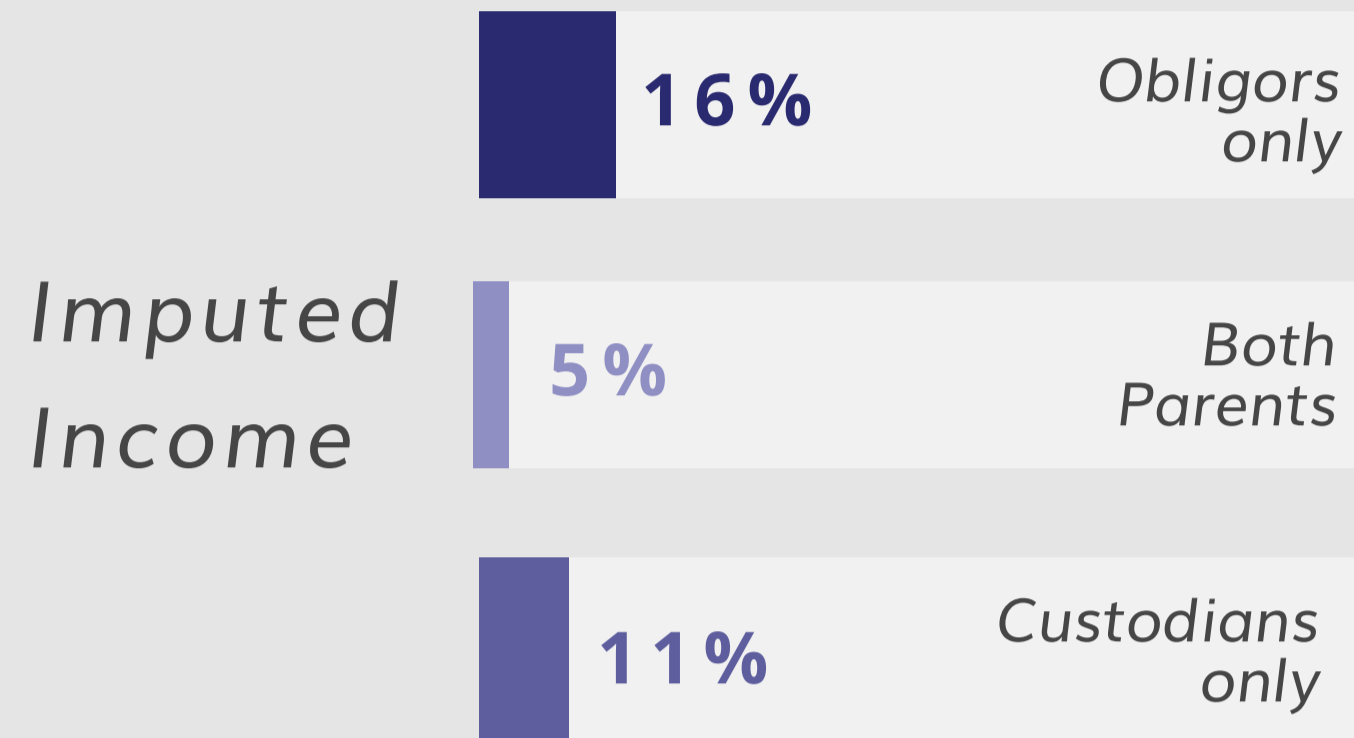


BALTIMORE COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



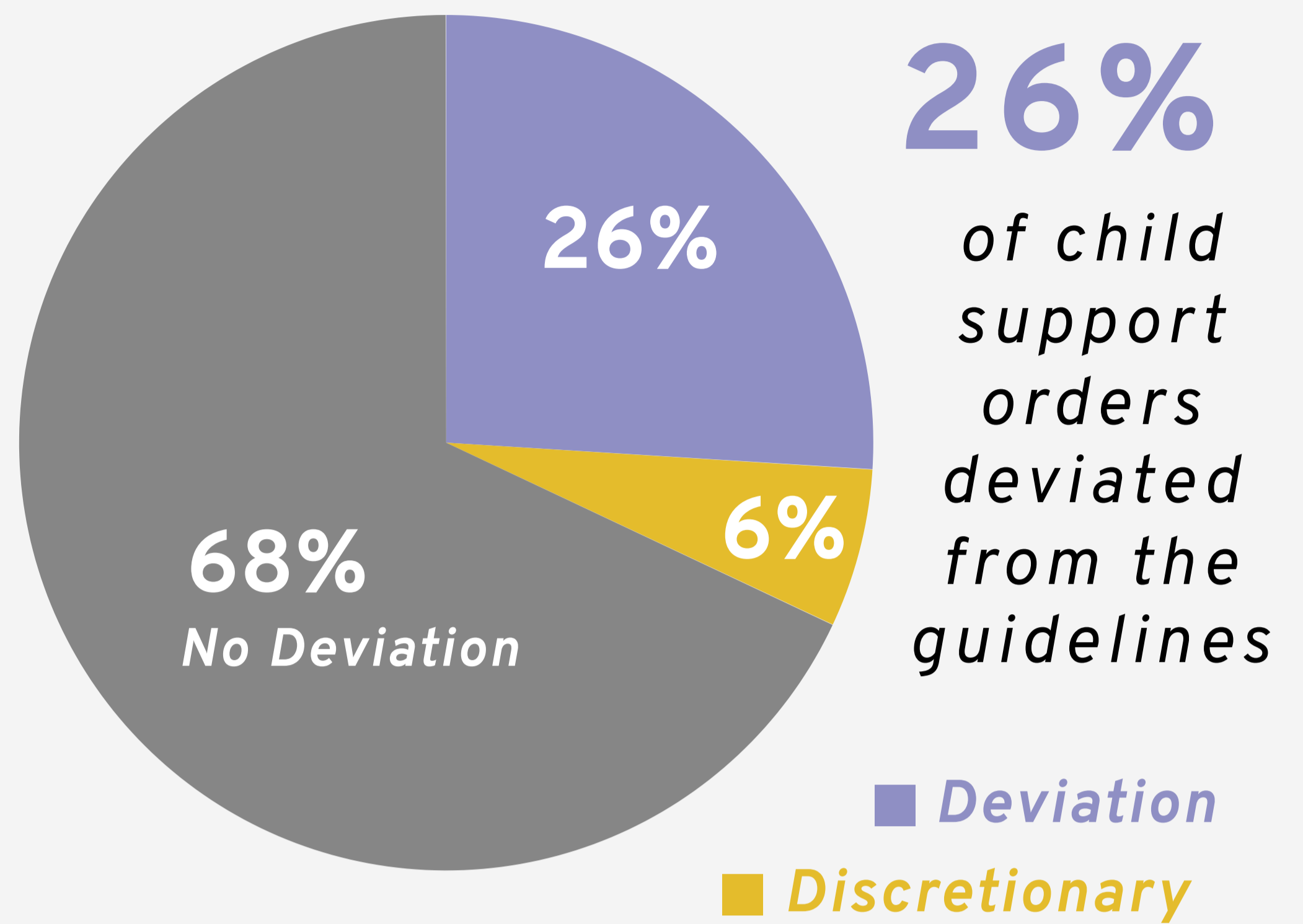
SNAP receipt in the prior year demonstrates food insecurity



Median Adjusted Incomes on the worksheet

Obligor **\$2,080**
 Custodian **\$1,972**
 Combined **\$4,286**

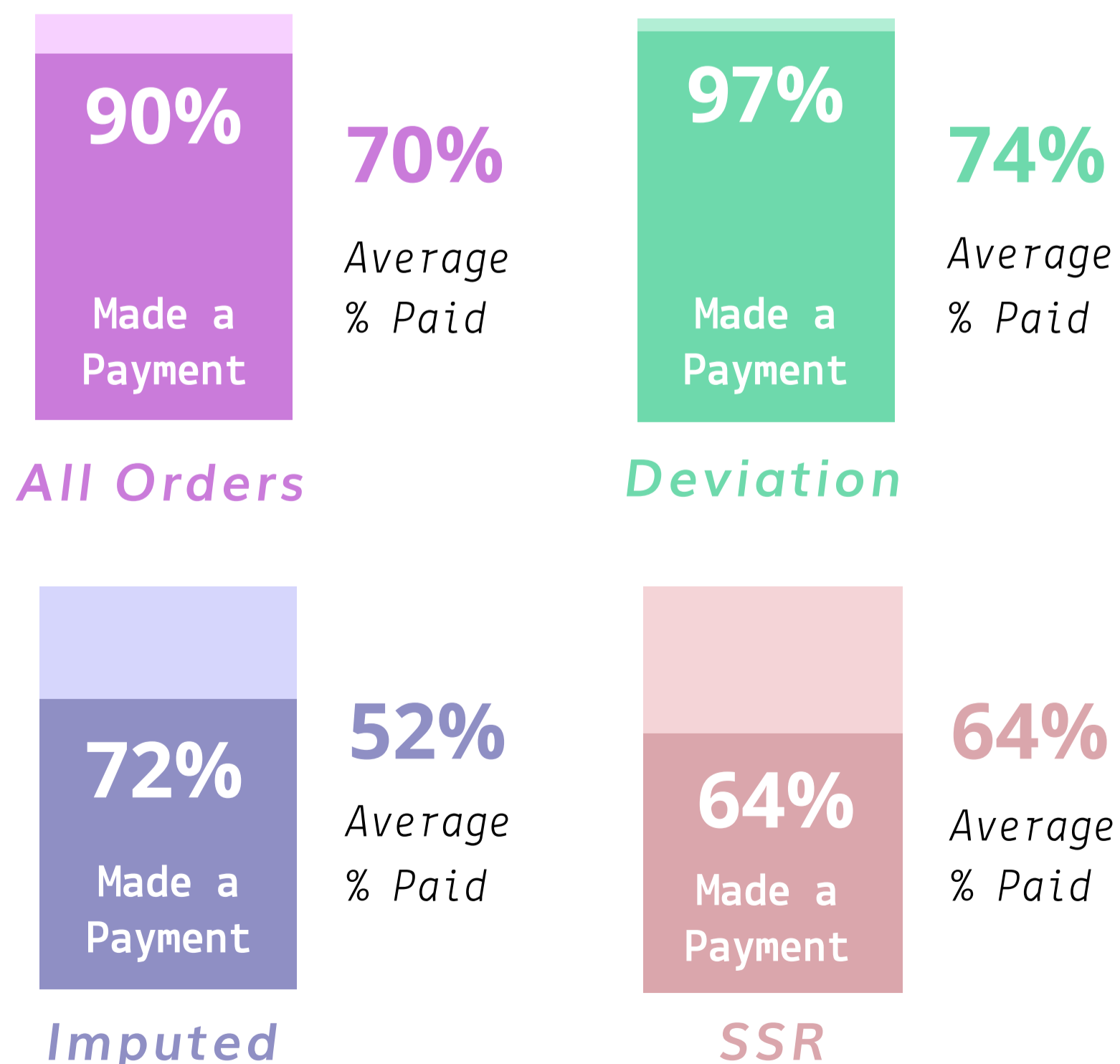
Average Support Obligation **\$470**



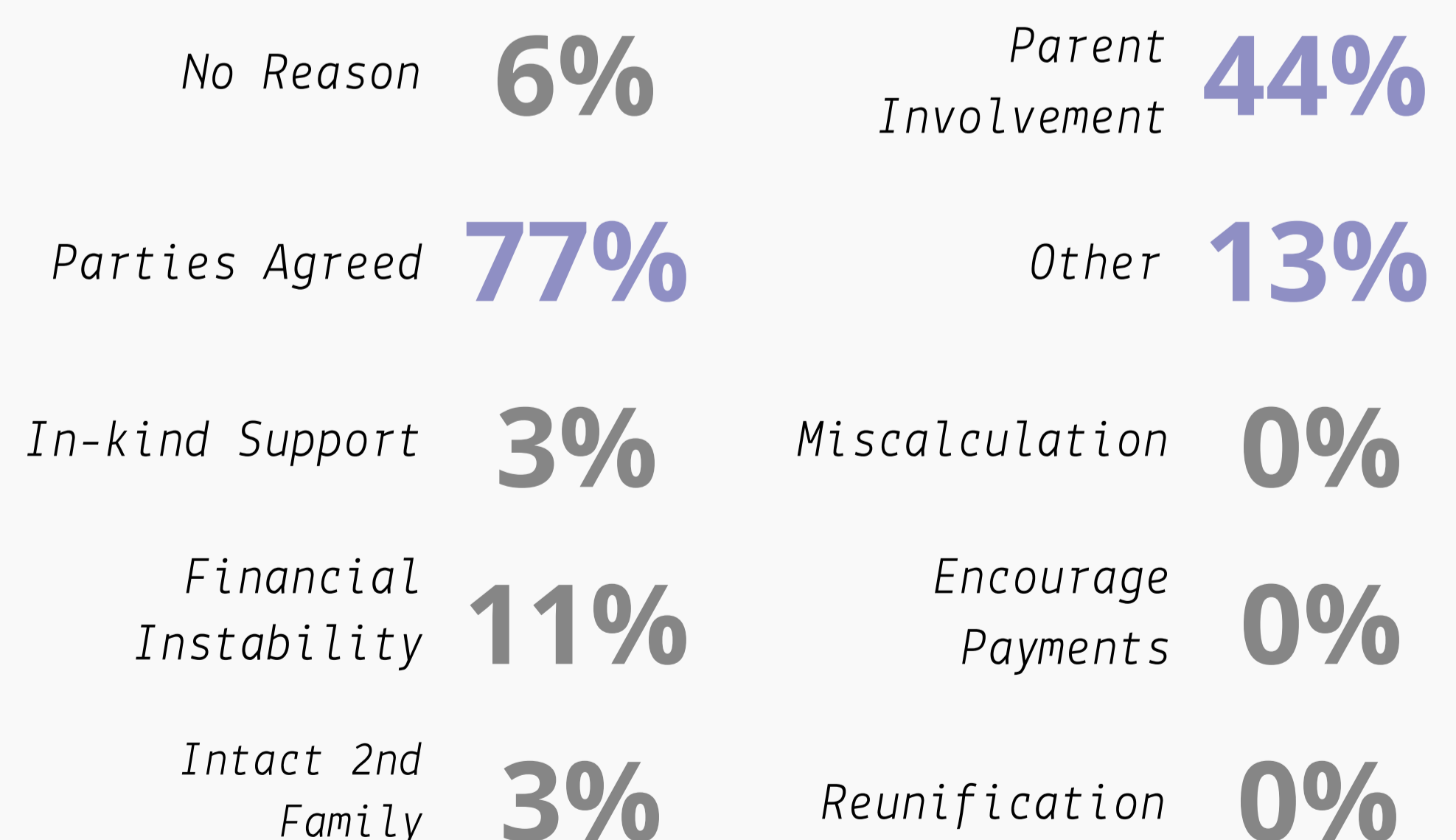
↑
 Upward Deviations
2%
\$44
 Average Deviation Amount

↓
 Downward Deviations
23%
\$128
 Average Deviation Amount

Payment Compliance Three-year Average



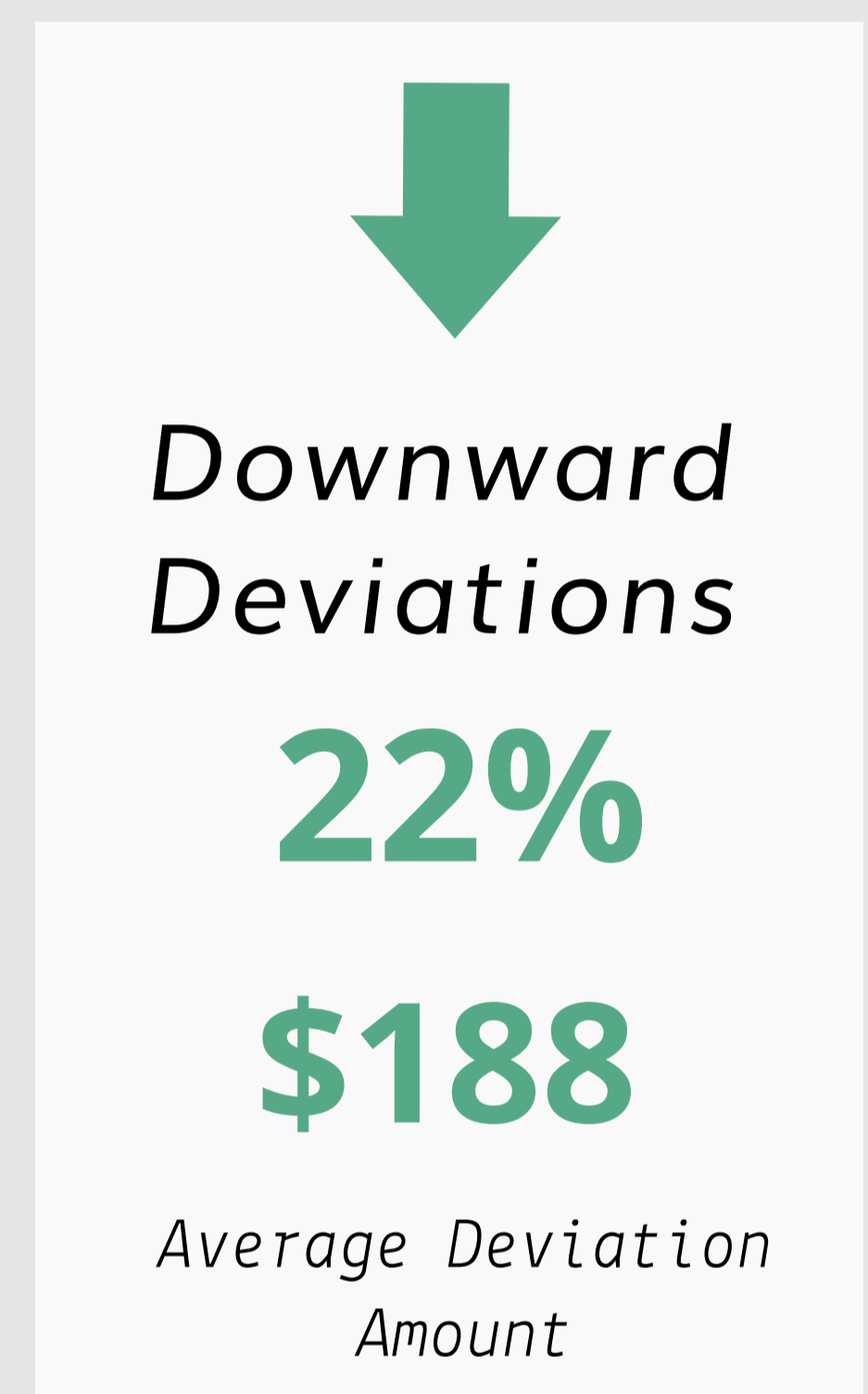
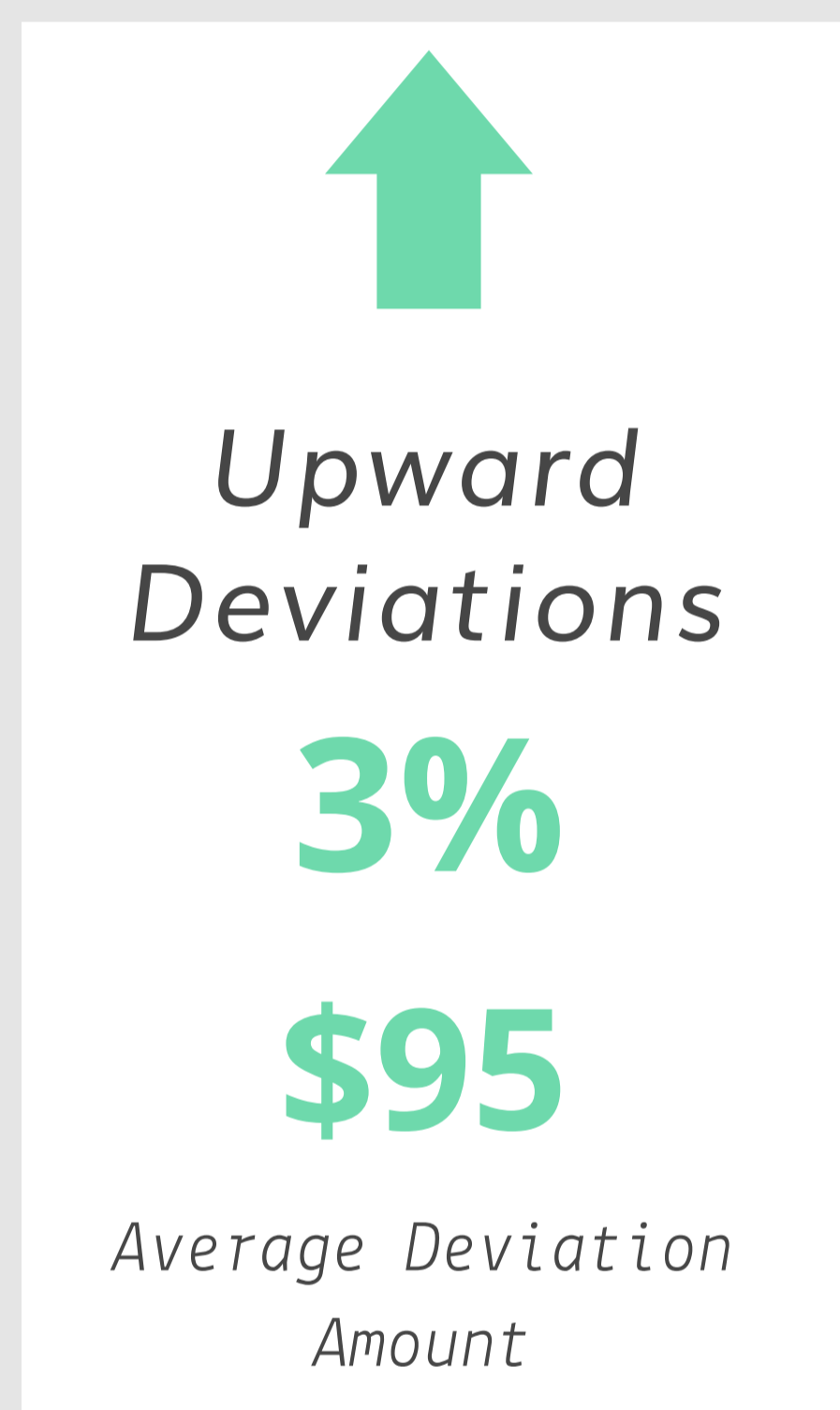
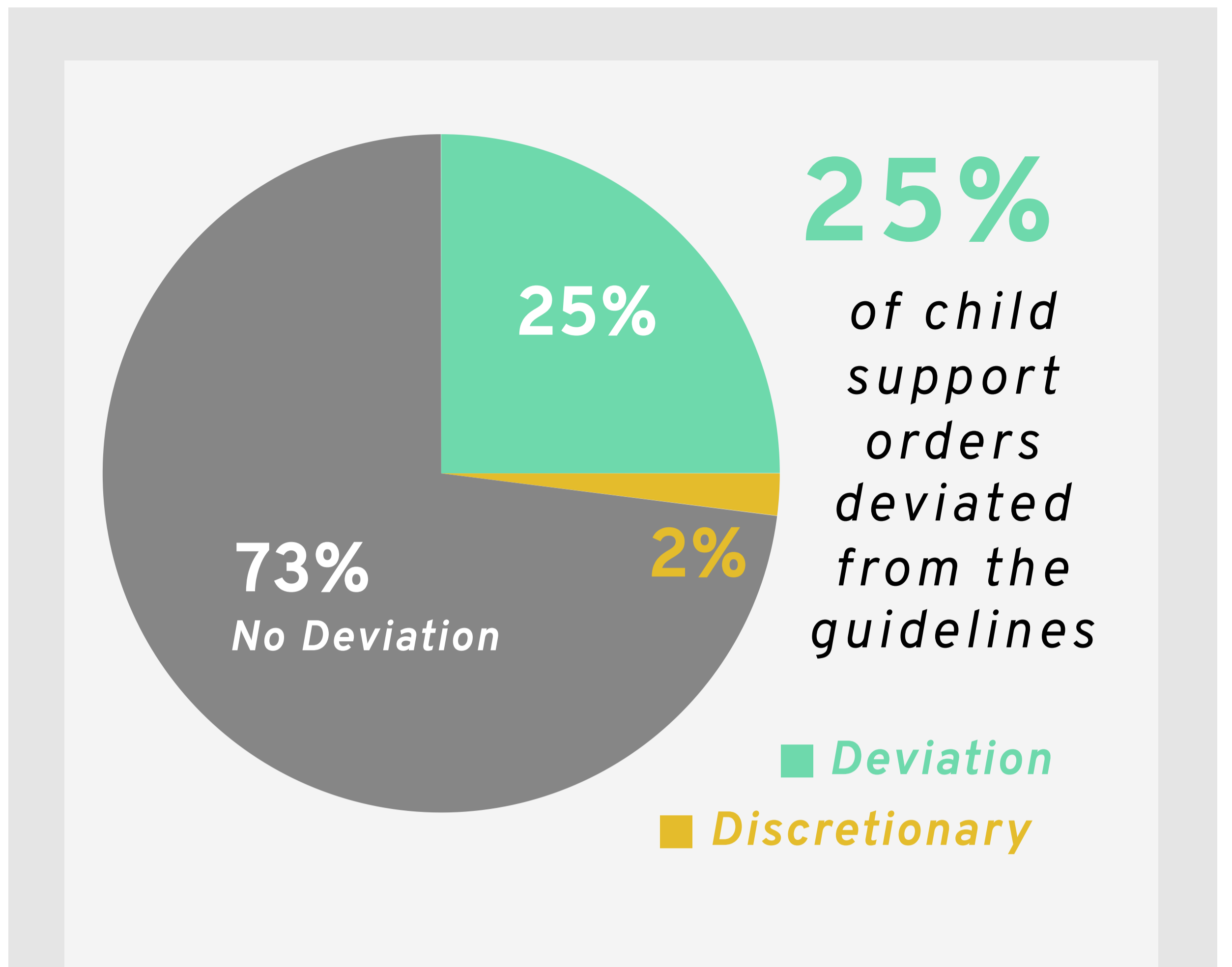
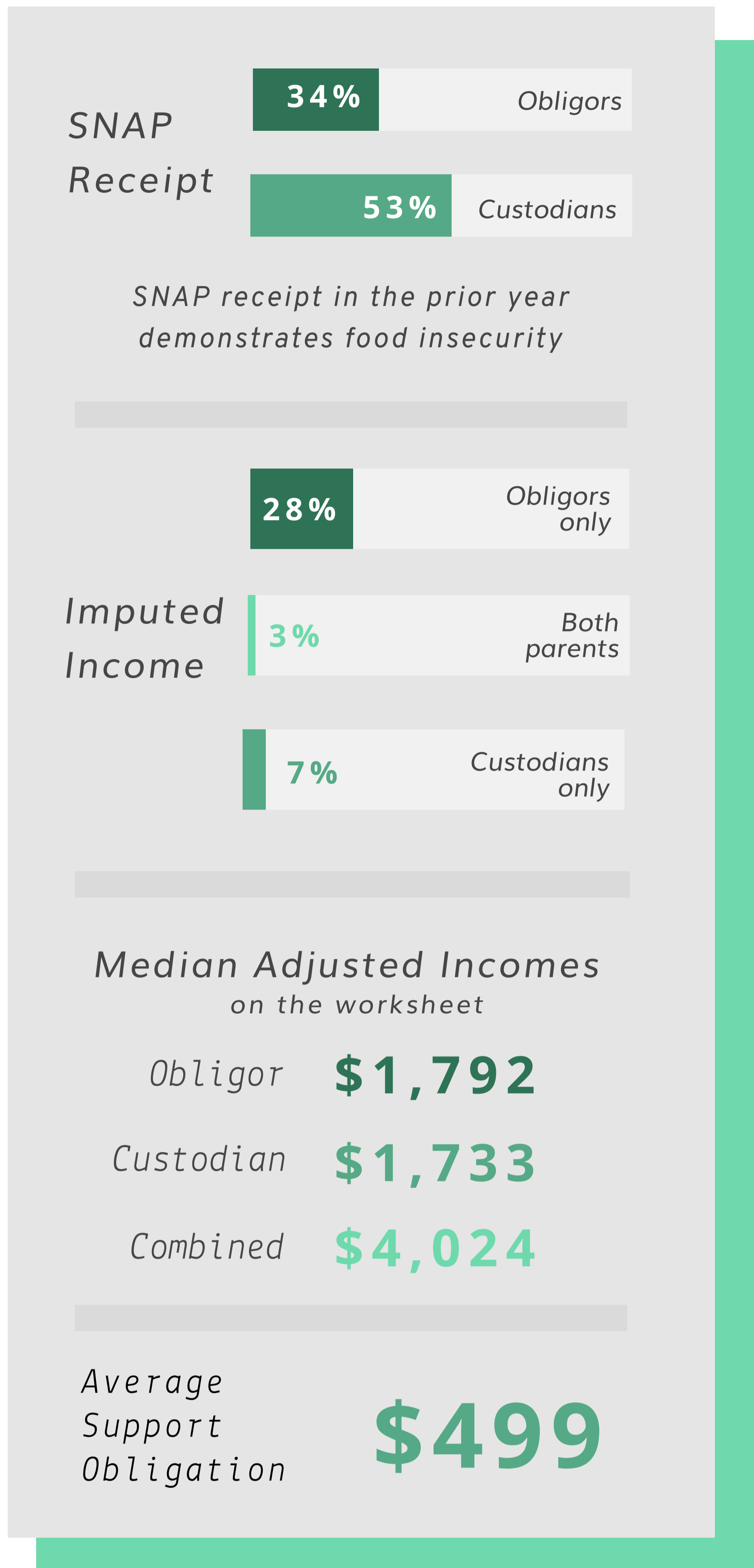
Deviation Reasons



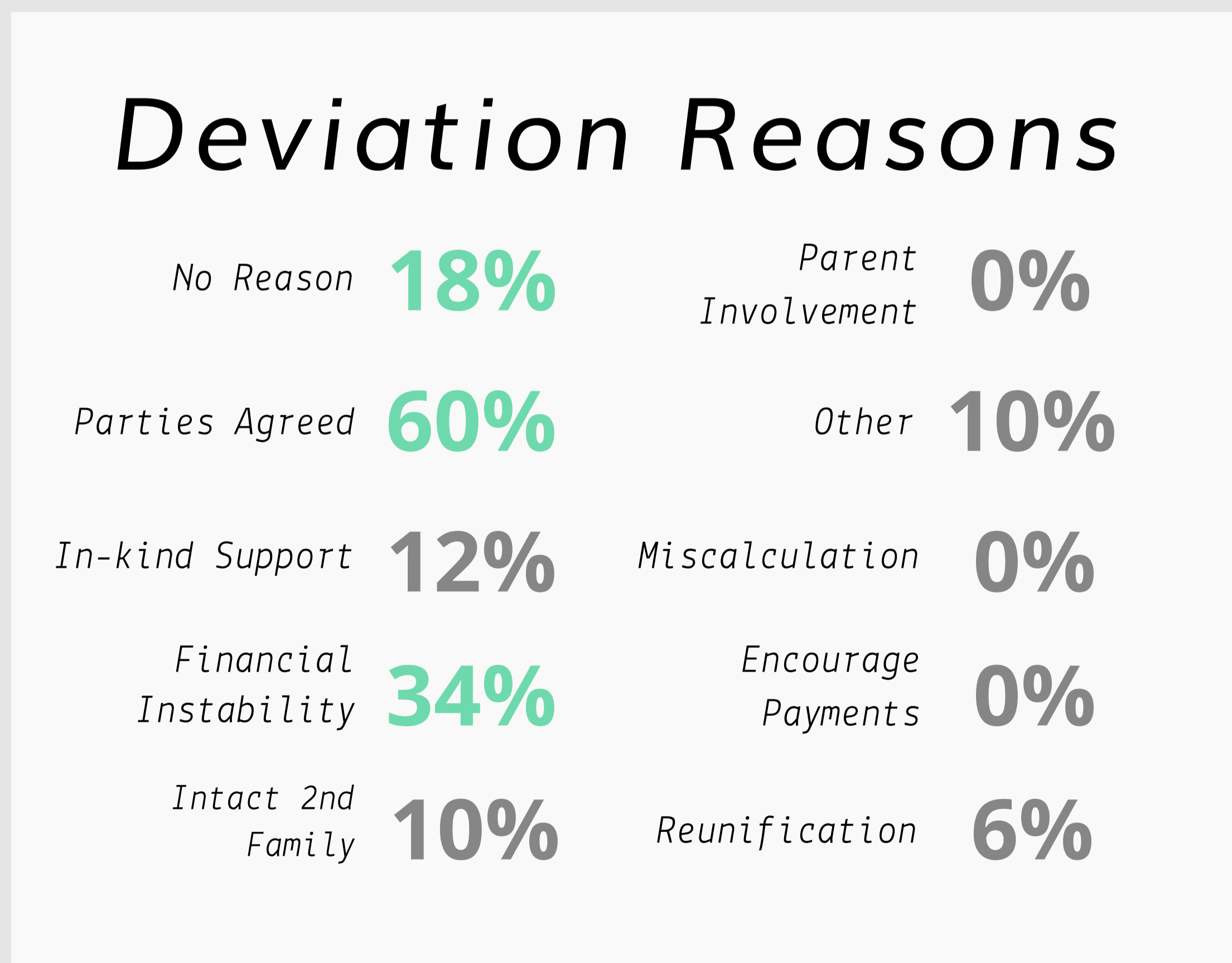
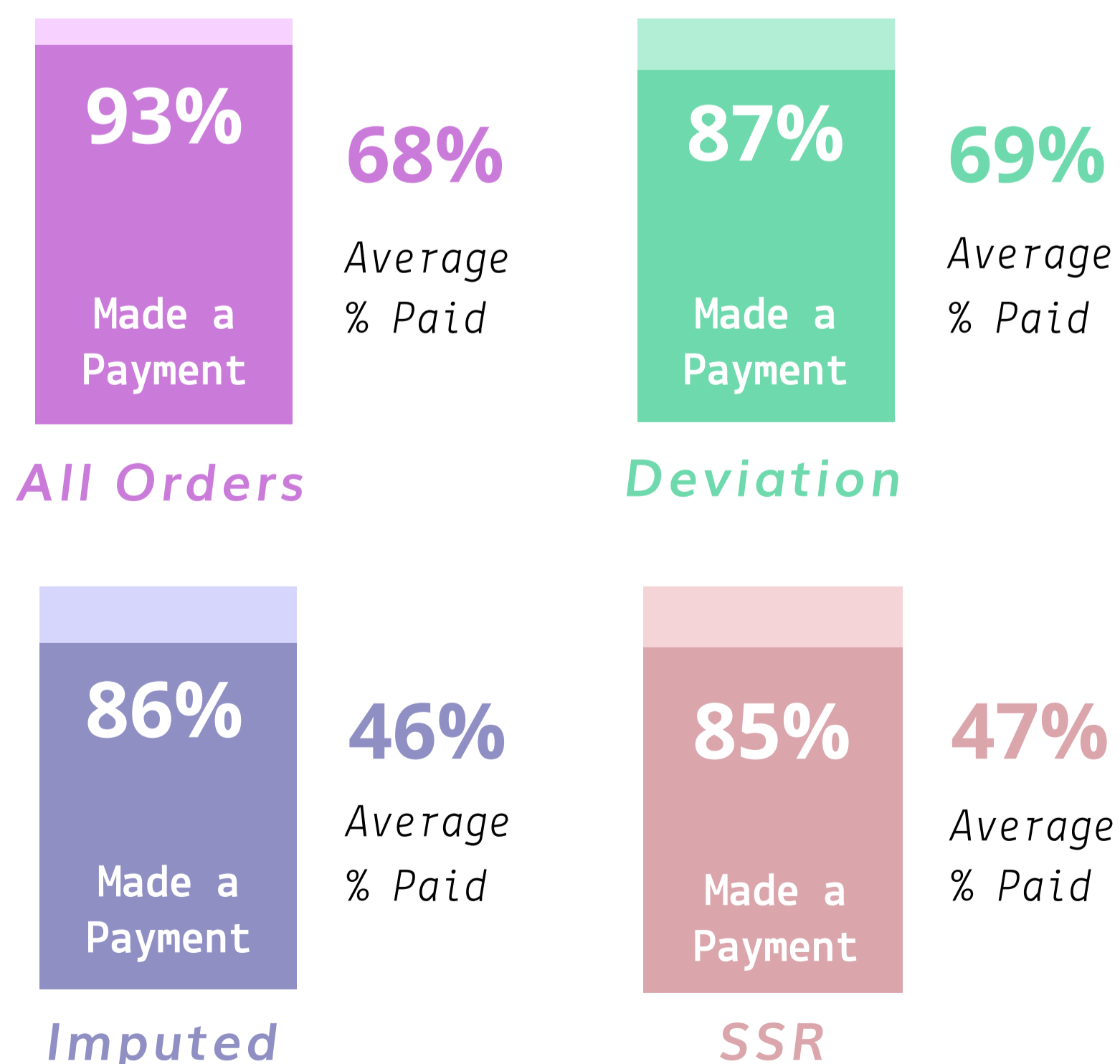
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

CALVERT COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



Payment Compliance Three-year Average

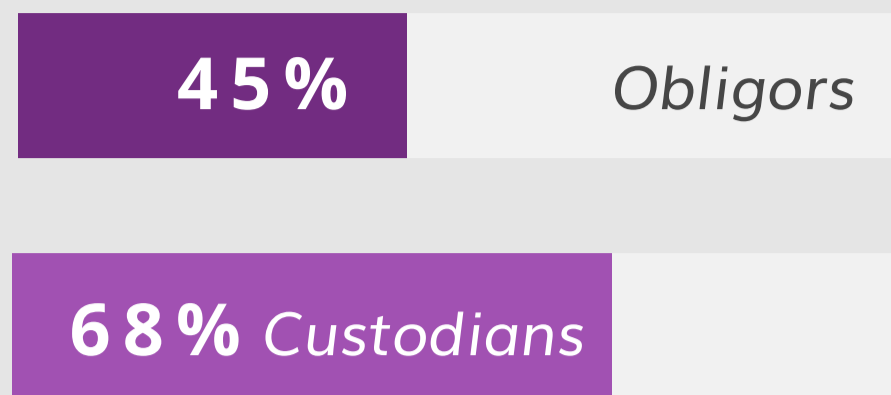


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CAROLINE COUNTY

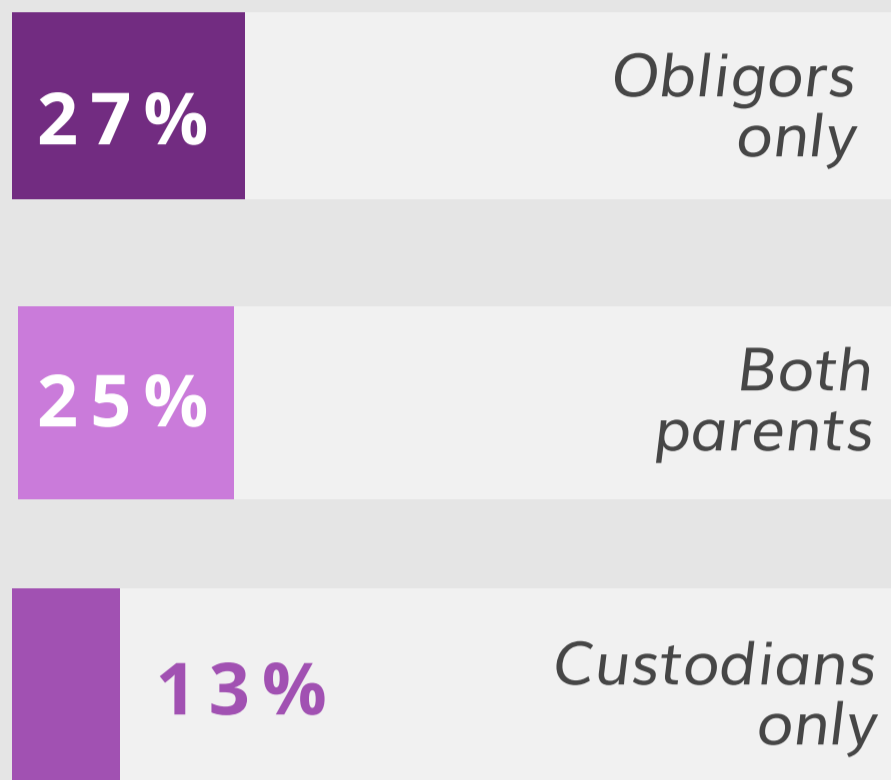
Child Support Guidelines Case-Level Review: 2015 to 2018

SNAP Receipt



SNAP receipt in the prior year demonstrates food insecurity

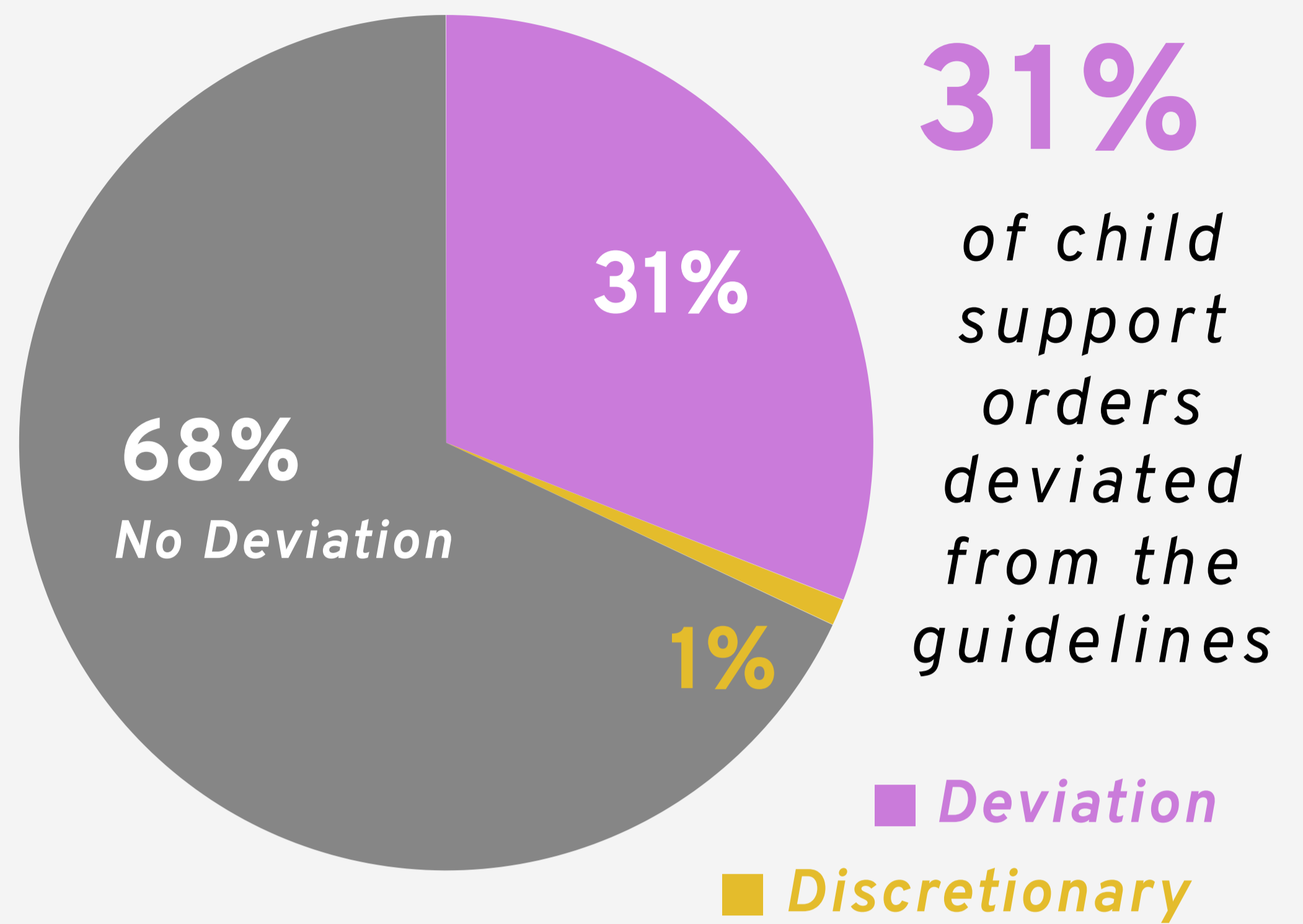
Imputed Income



Median Adjusted Incomes on the worksheet

Obligor **\$1,516**
Custodian **\$1,516**
Combined **\$3,073**

Average Support Obligation **\$351**



Upward Deviations

4%
\$88

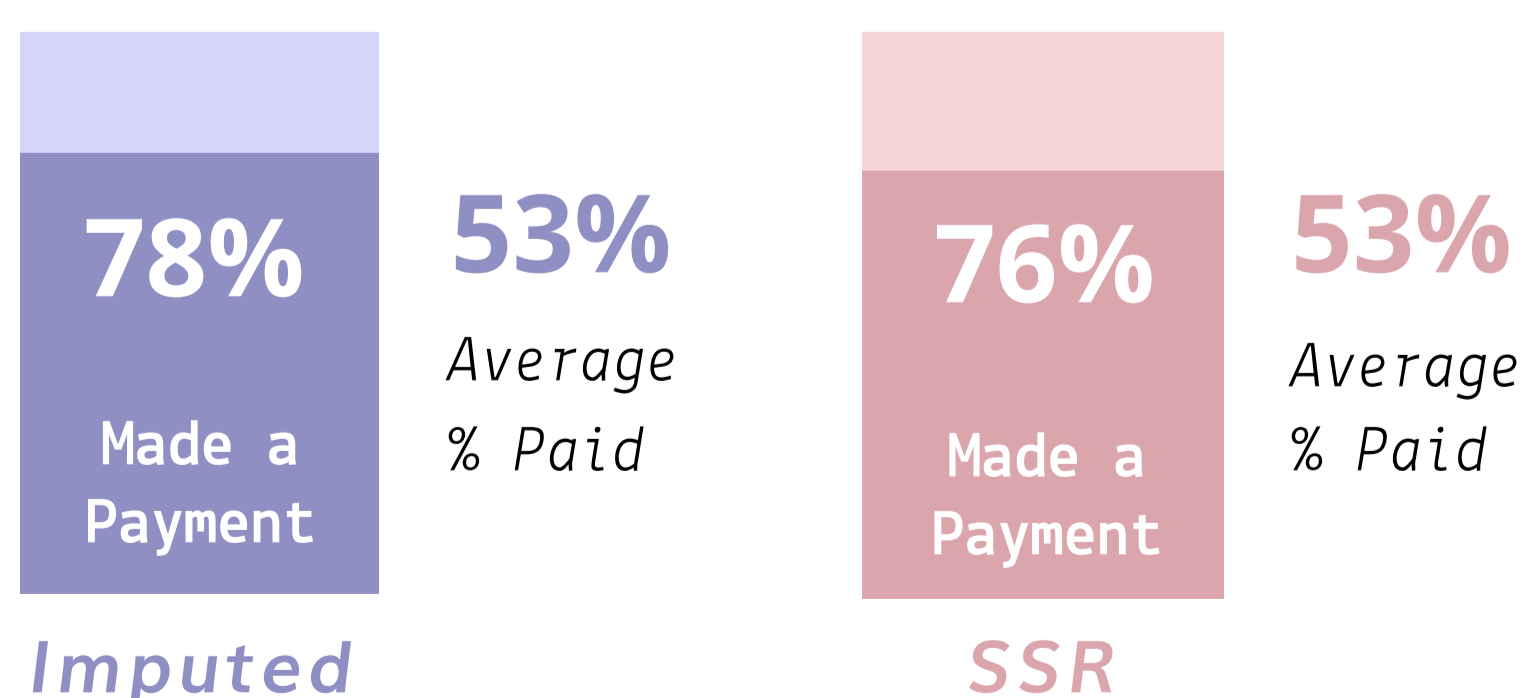
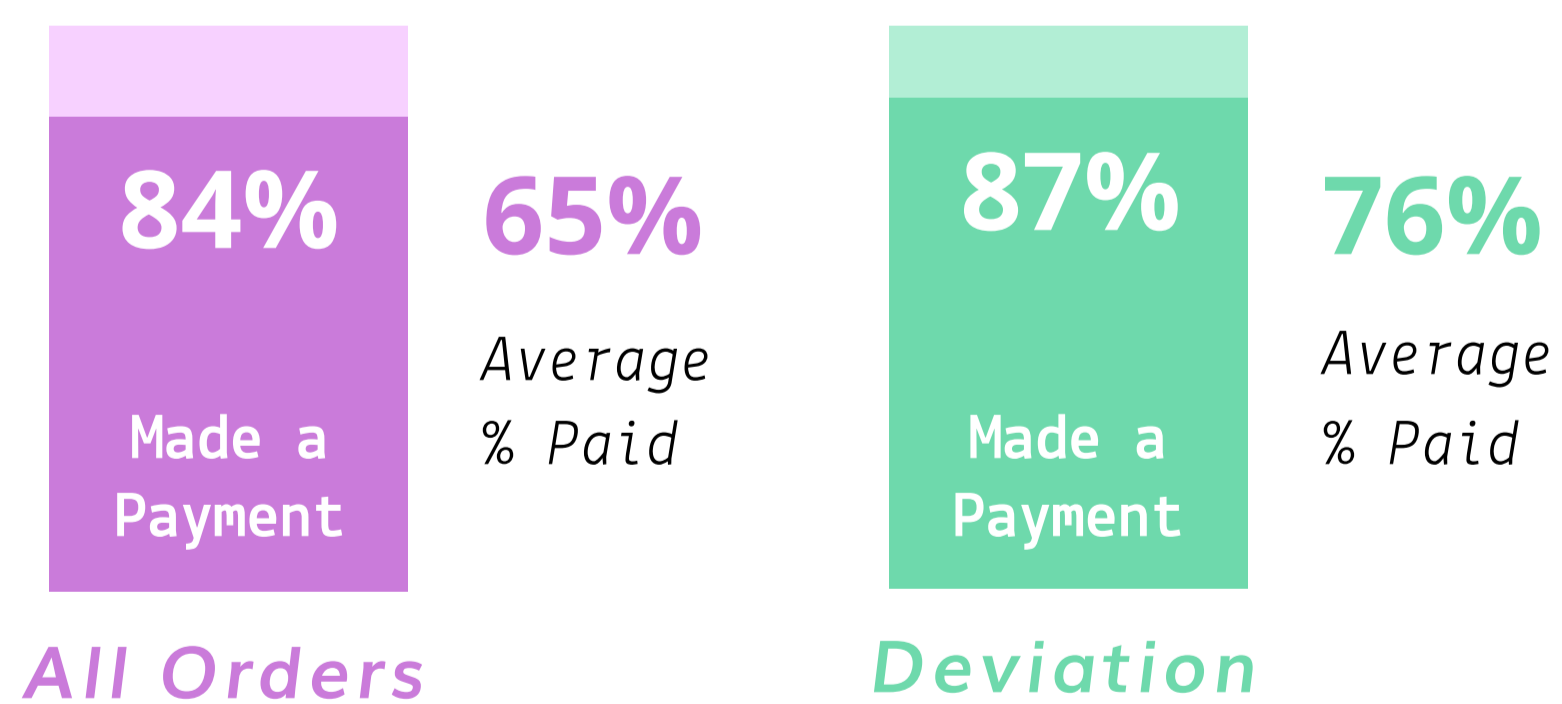
Average Deviation Amount

Downward Deviations

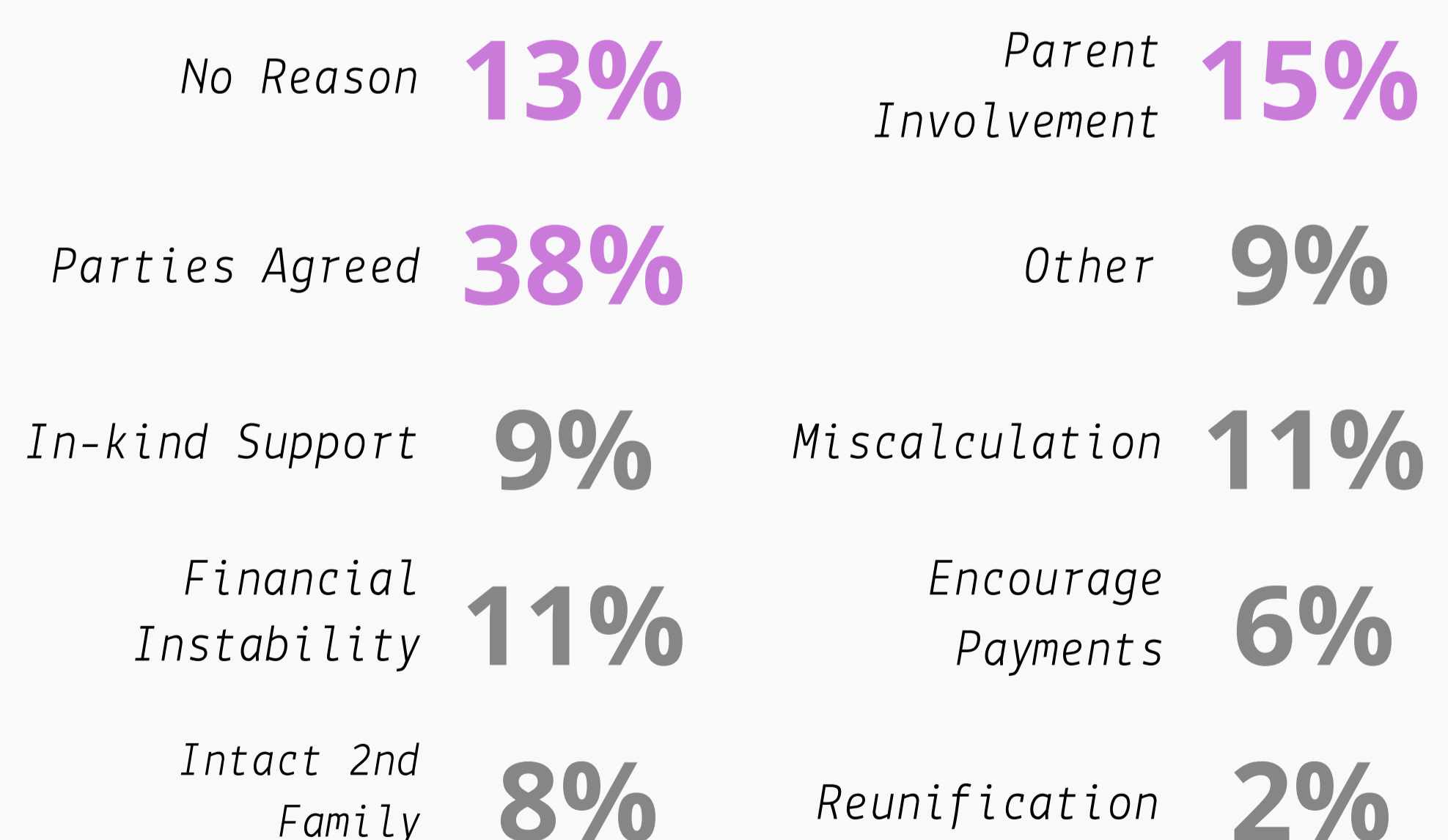
28%
\$135

Average Deviation Amount

Payment Compliance Three-year Average



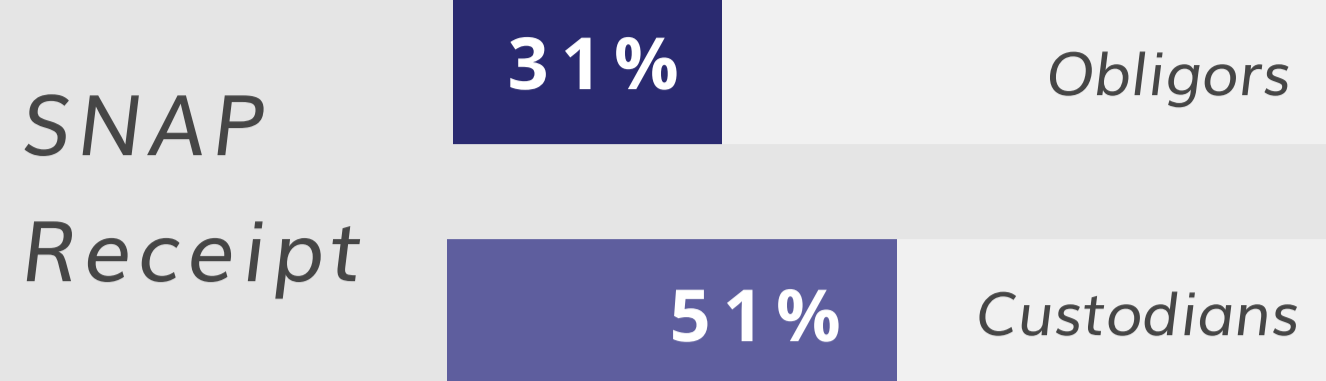
Deviation Reasons



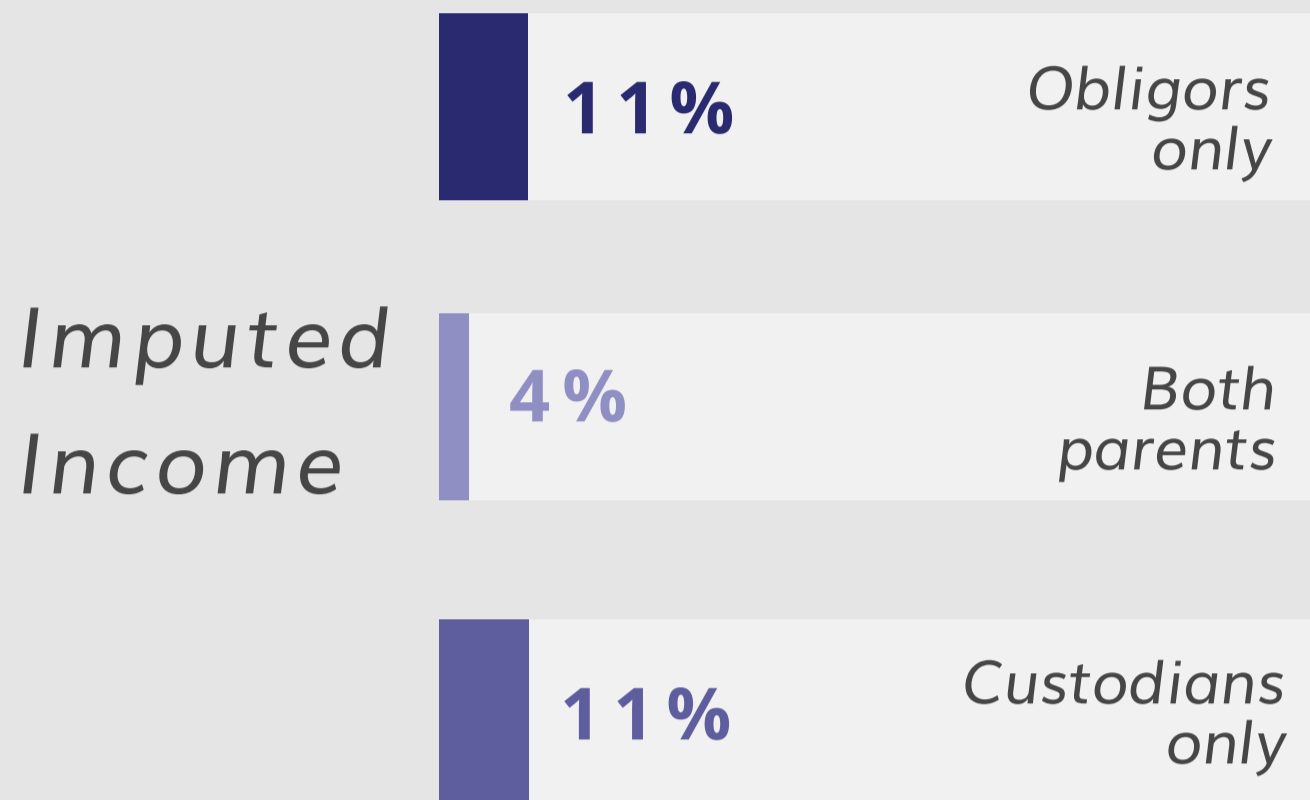
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CARROLL COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



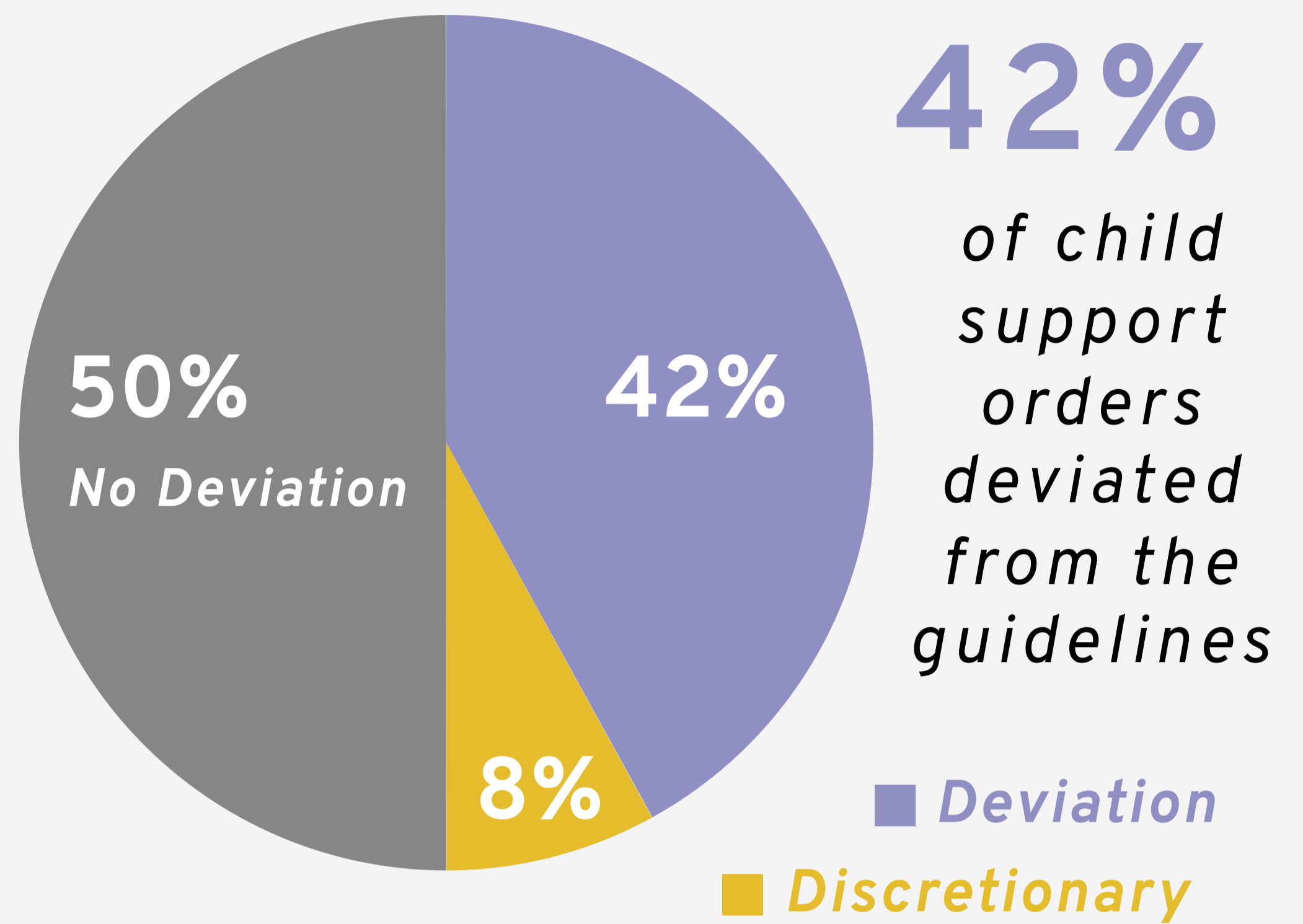
SNAP receipt in the prior year demonstrates food insecurity



Median Adjusted Incomes on the worksheet

Obligor	\$2,130
Custodian	\$1,439
Combined	\$3,864

Average Support Obligation **\$436**



Upward Deviations

3%
\$63

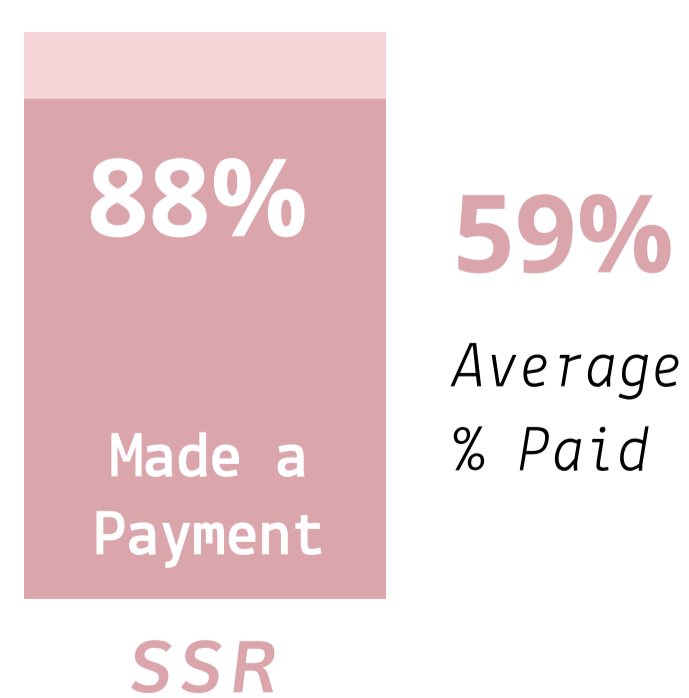
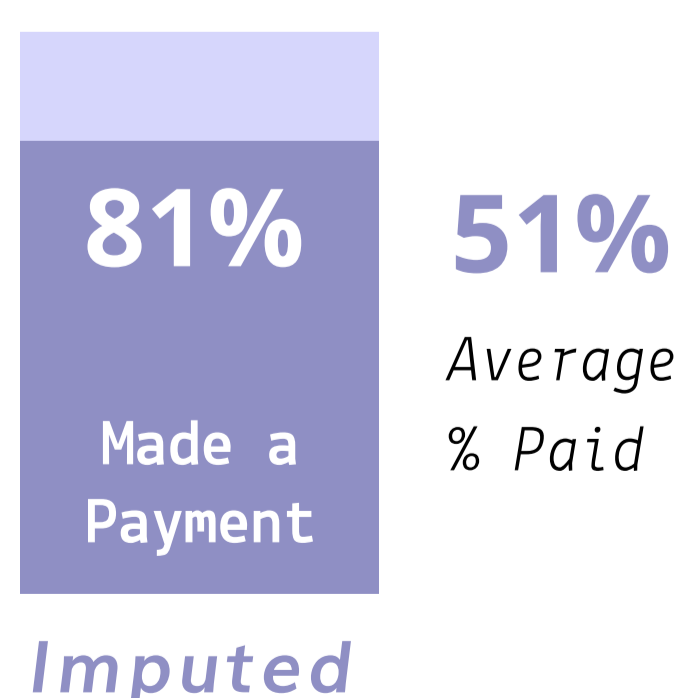
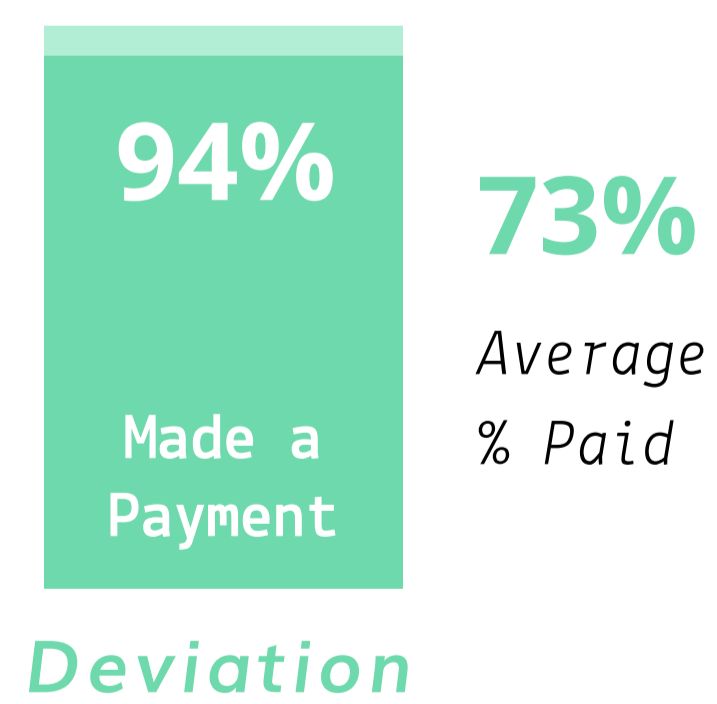
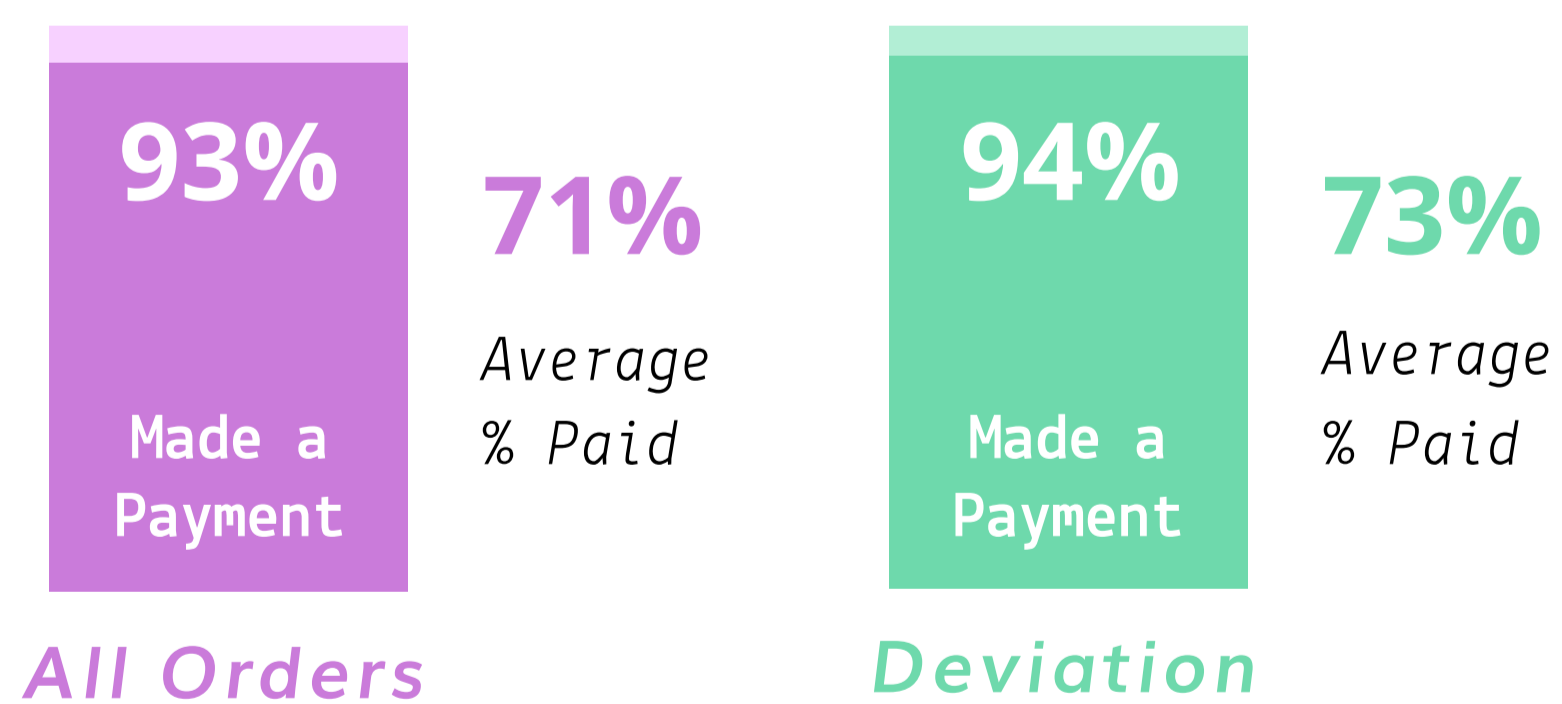
Average Deviation Amount

Downward Deviations

39%
\$200

Average Deviation Amount

Payment Compliance Three-year Average



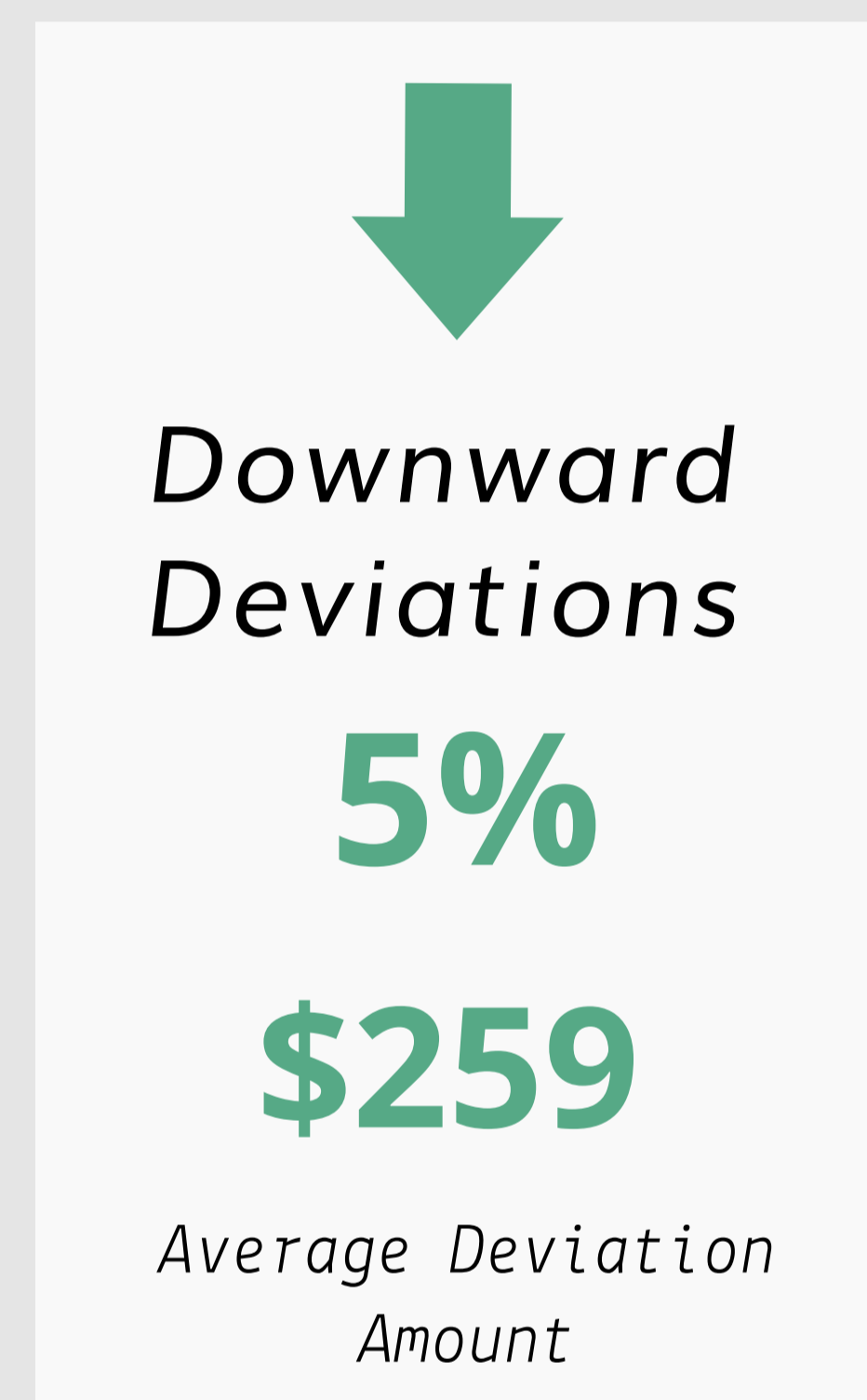
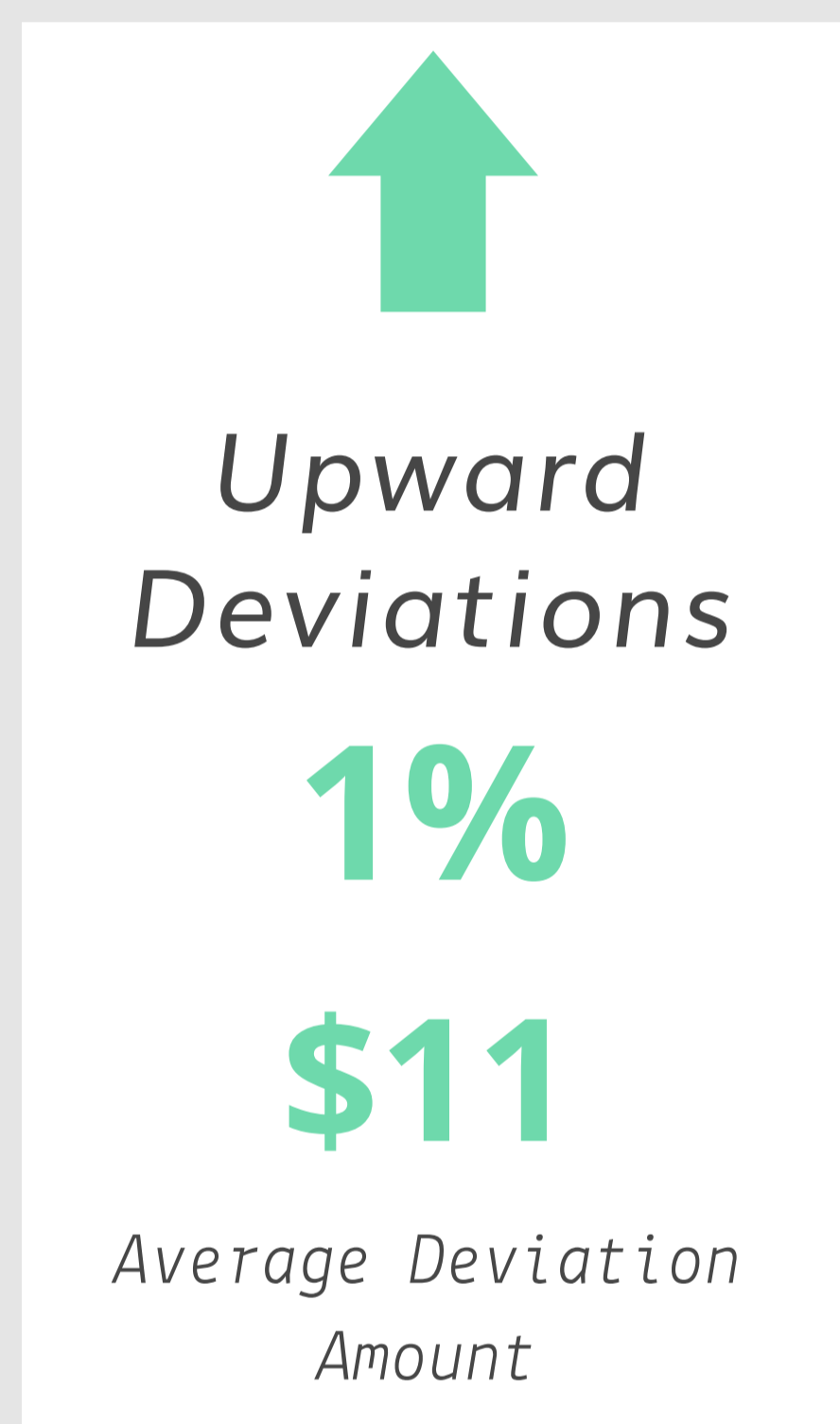
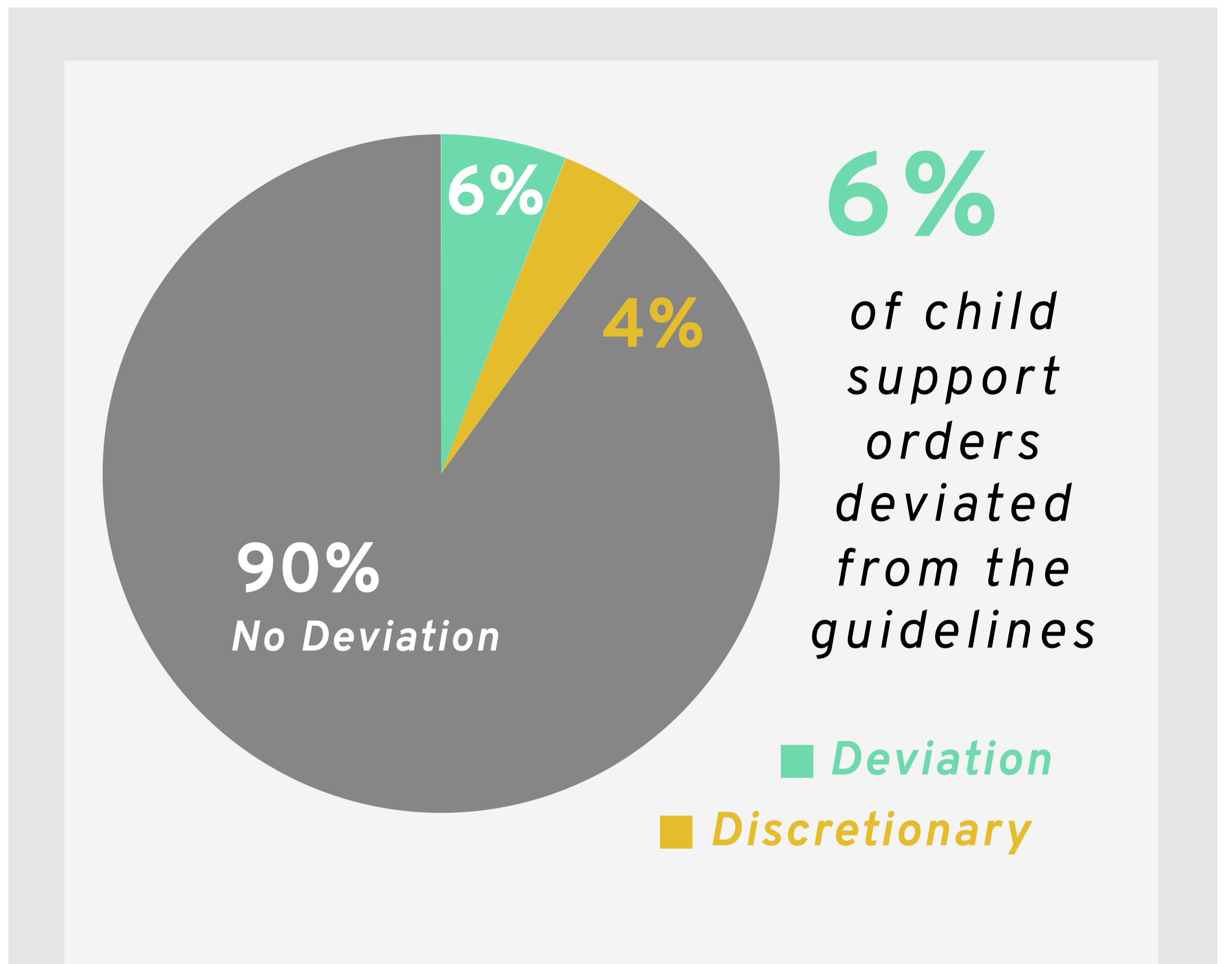
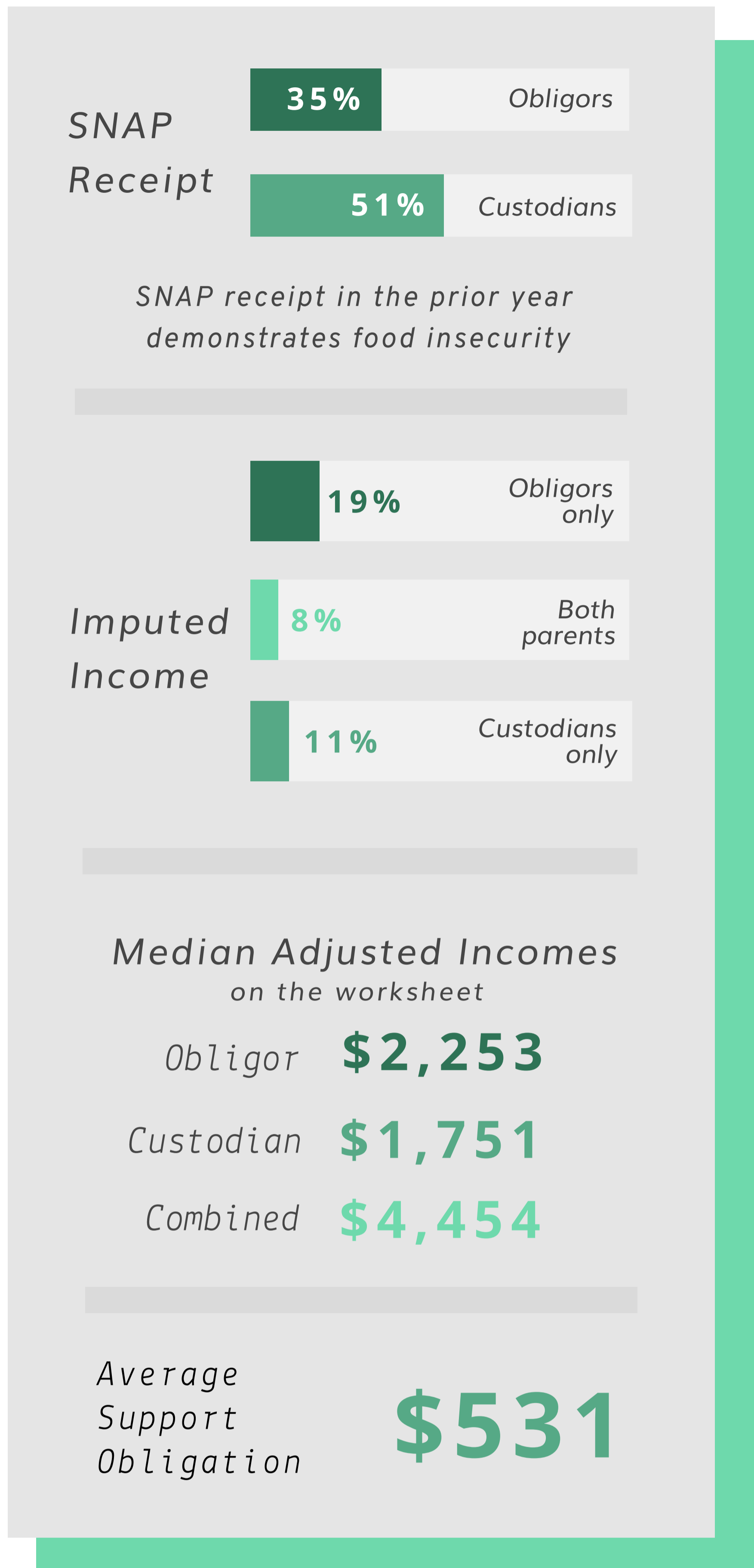
Deviation Reasons

No Reason	4%	Parent Involvement	0%
Parties Agreed	29%	Other	6%
In-kind Support	1%	Miscalculation	17%
Financial Instability	73%	Encourage Payments	1%
Intact 2nd Family	17%	Reunification	10%

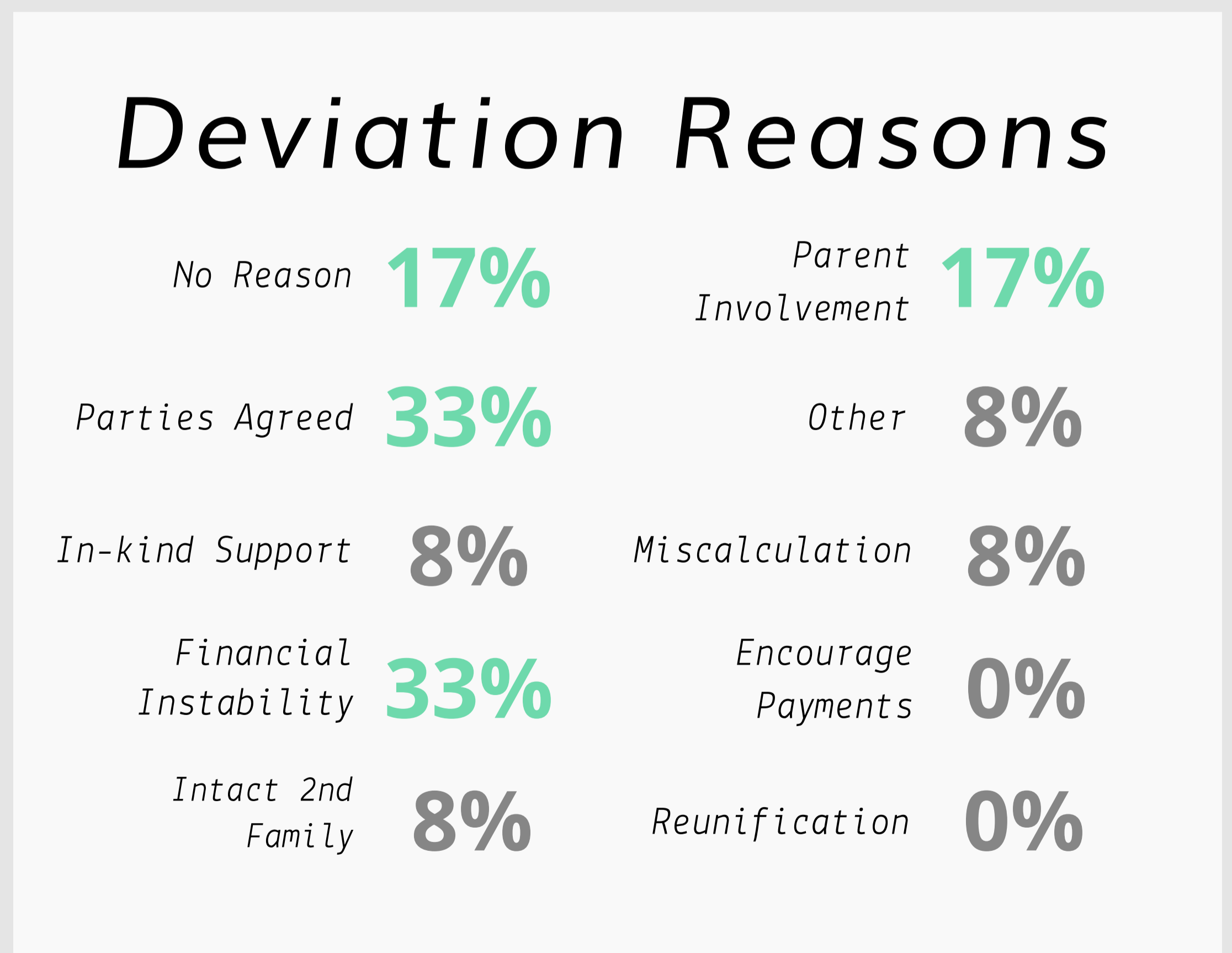
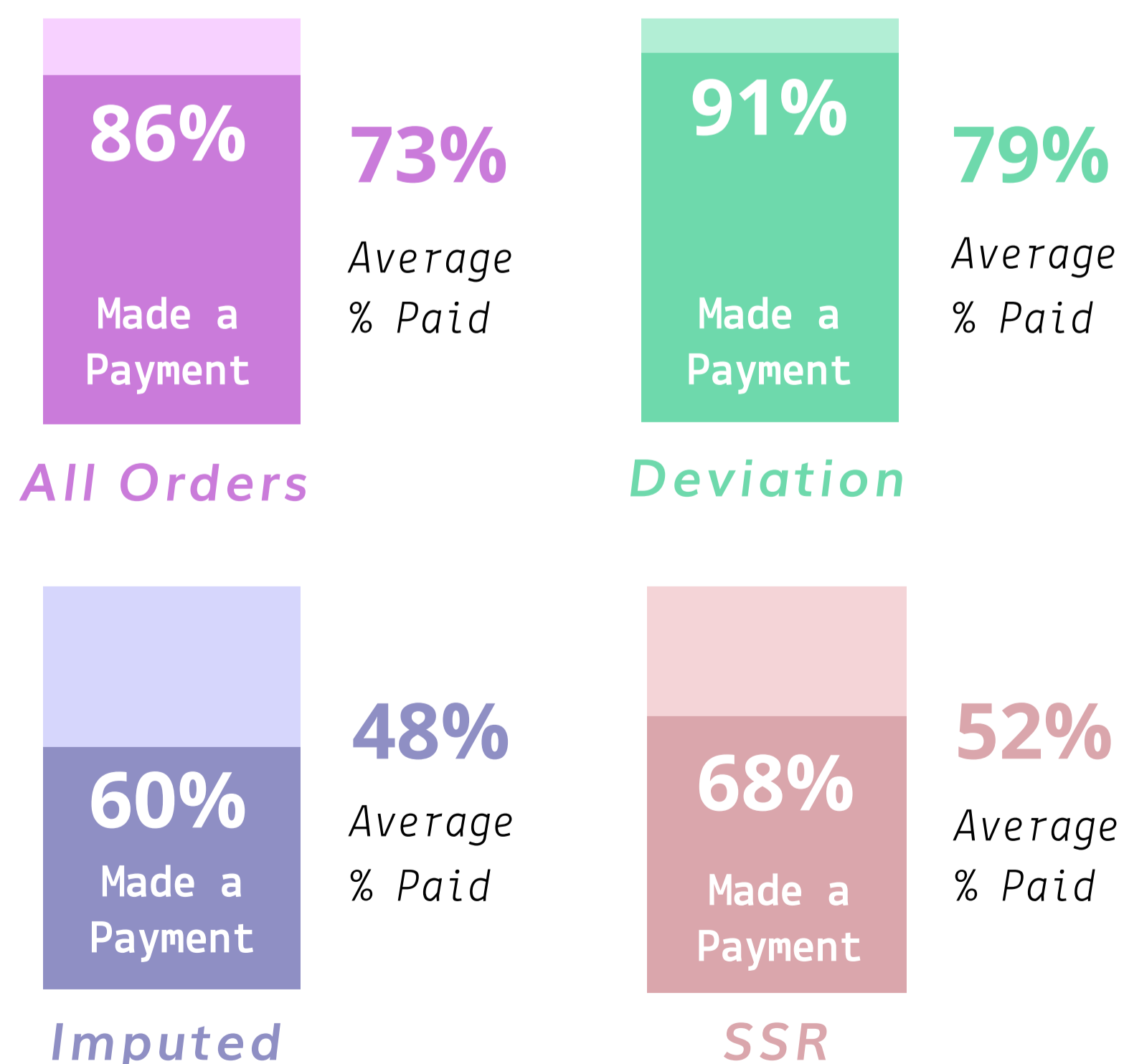
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CECIL COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



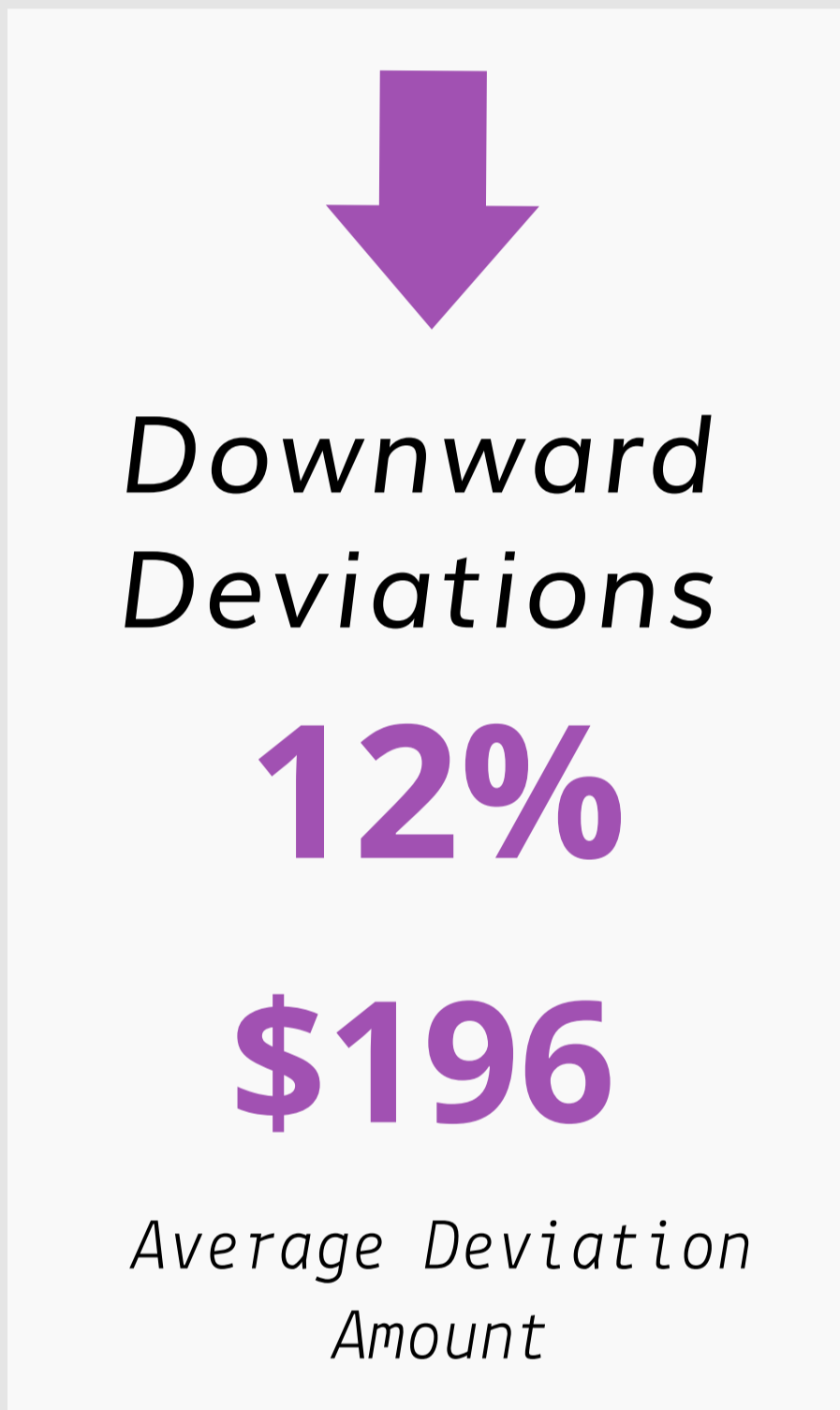
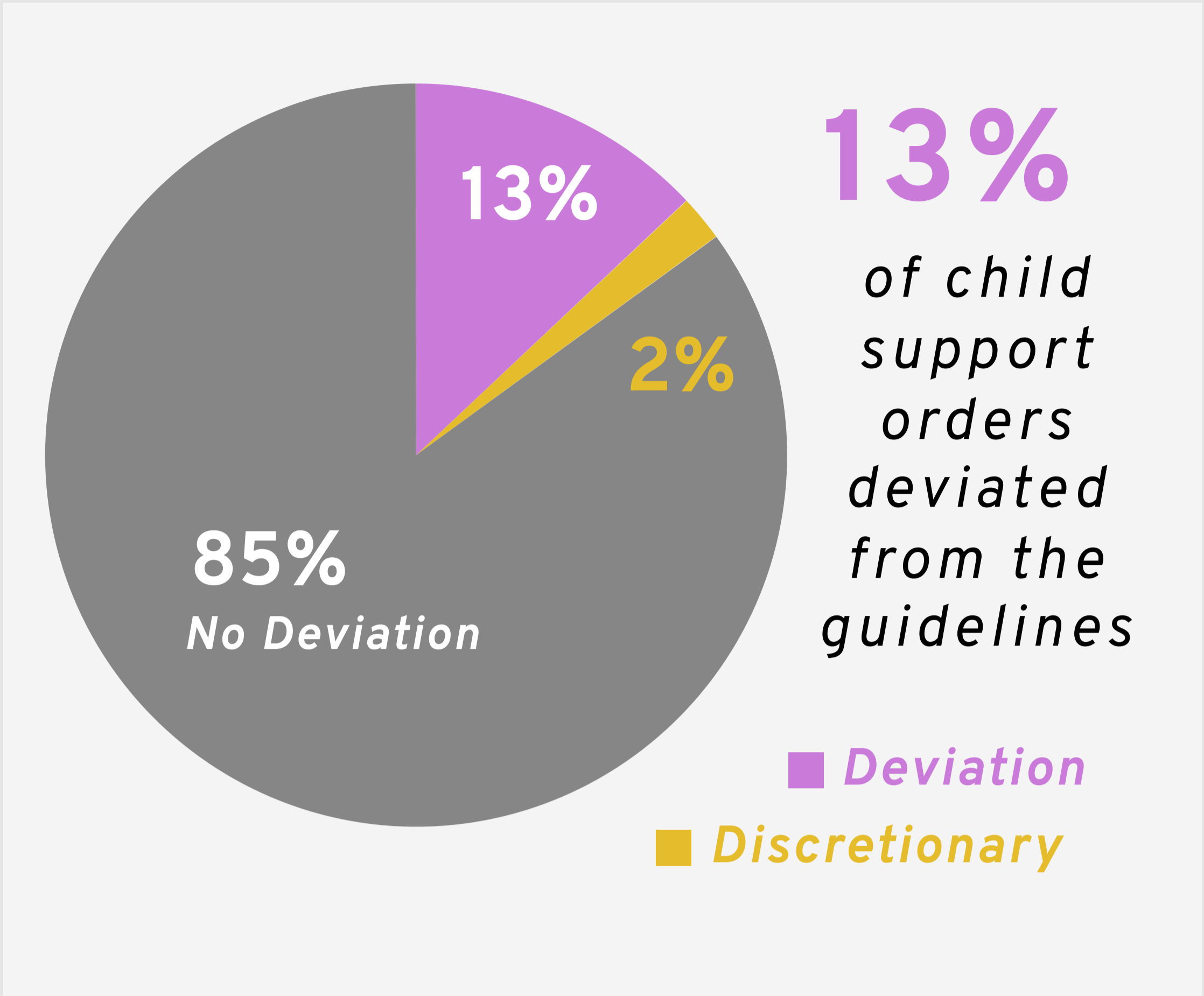
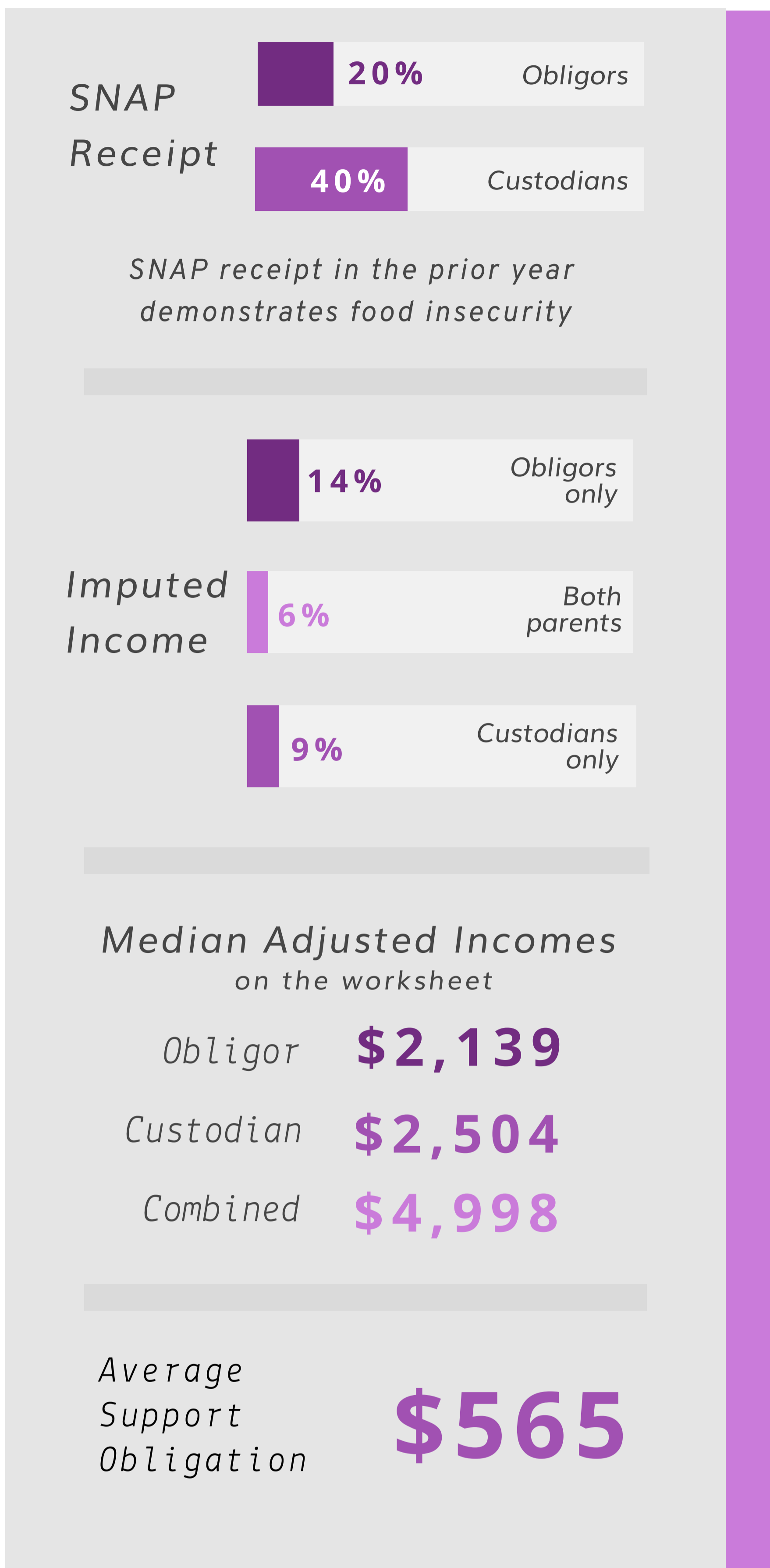
Payment Compliance Three-year Average



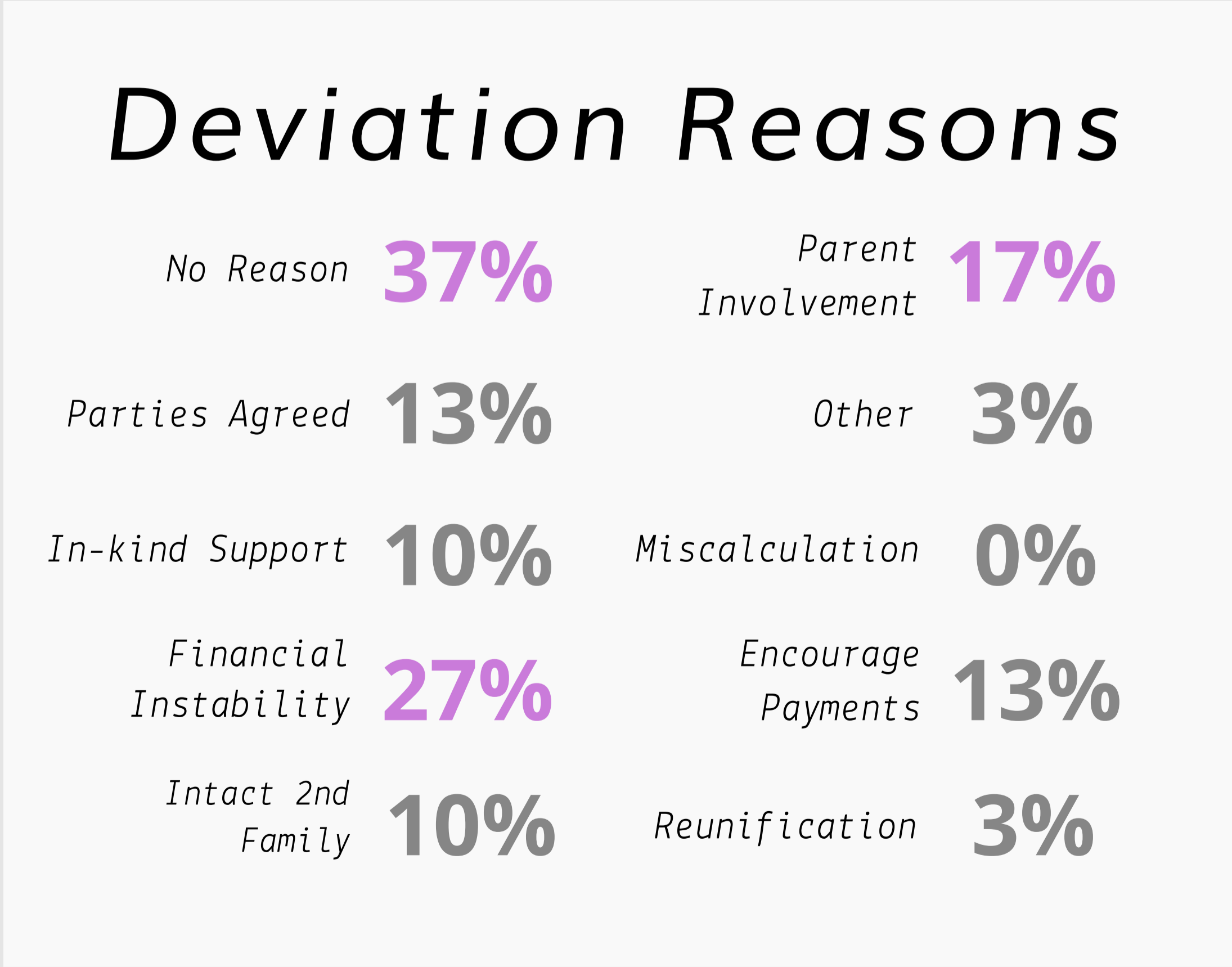
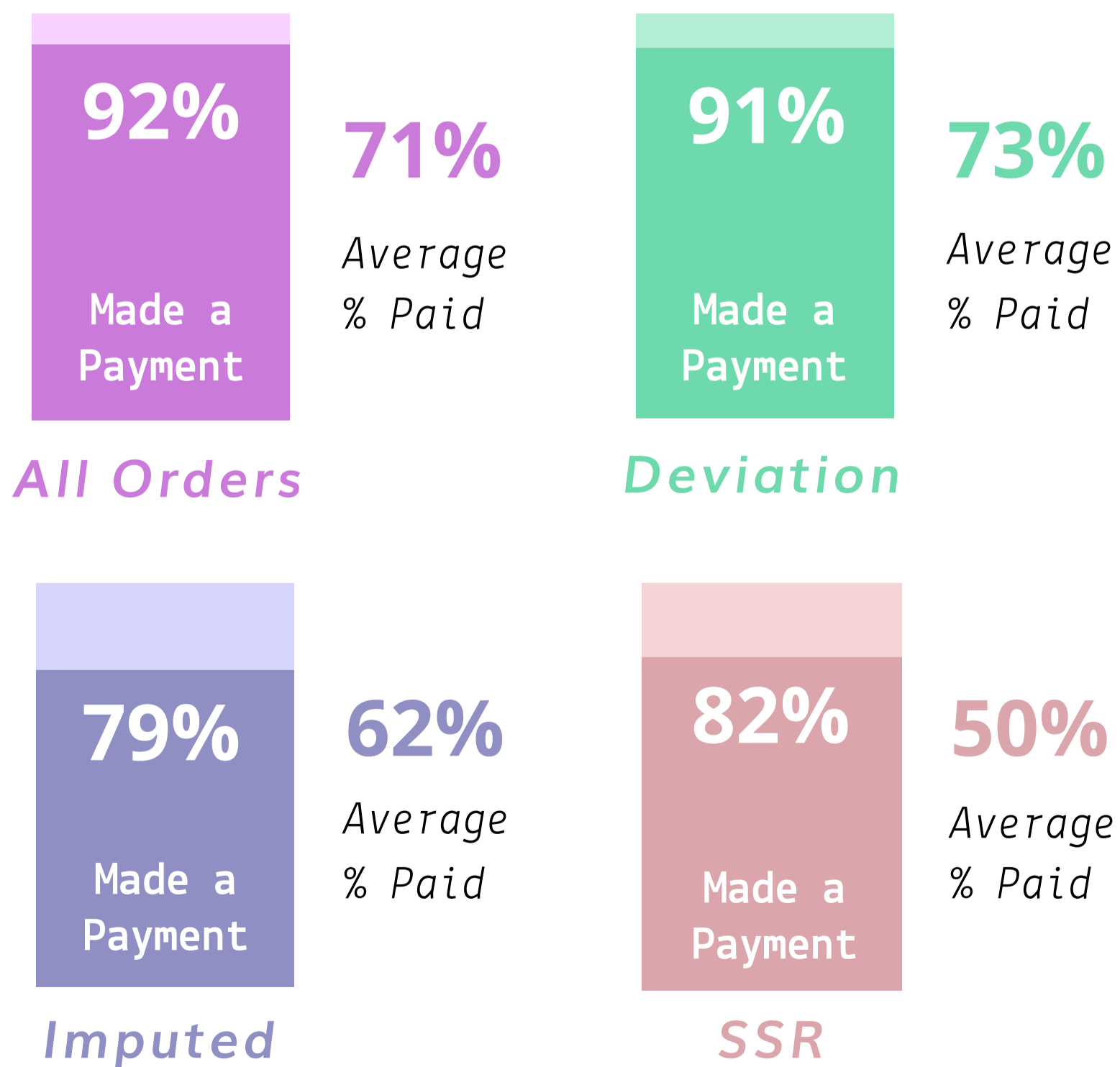
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CHARLES COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



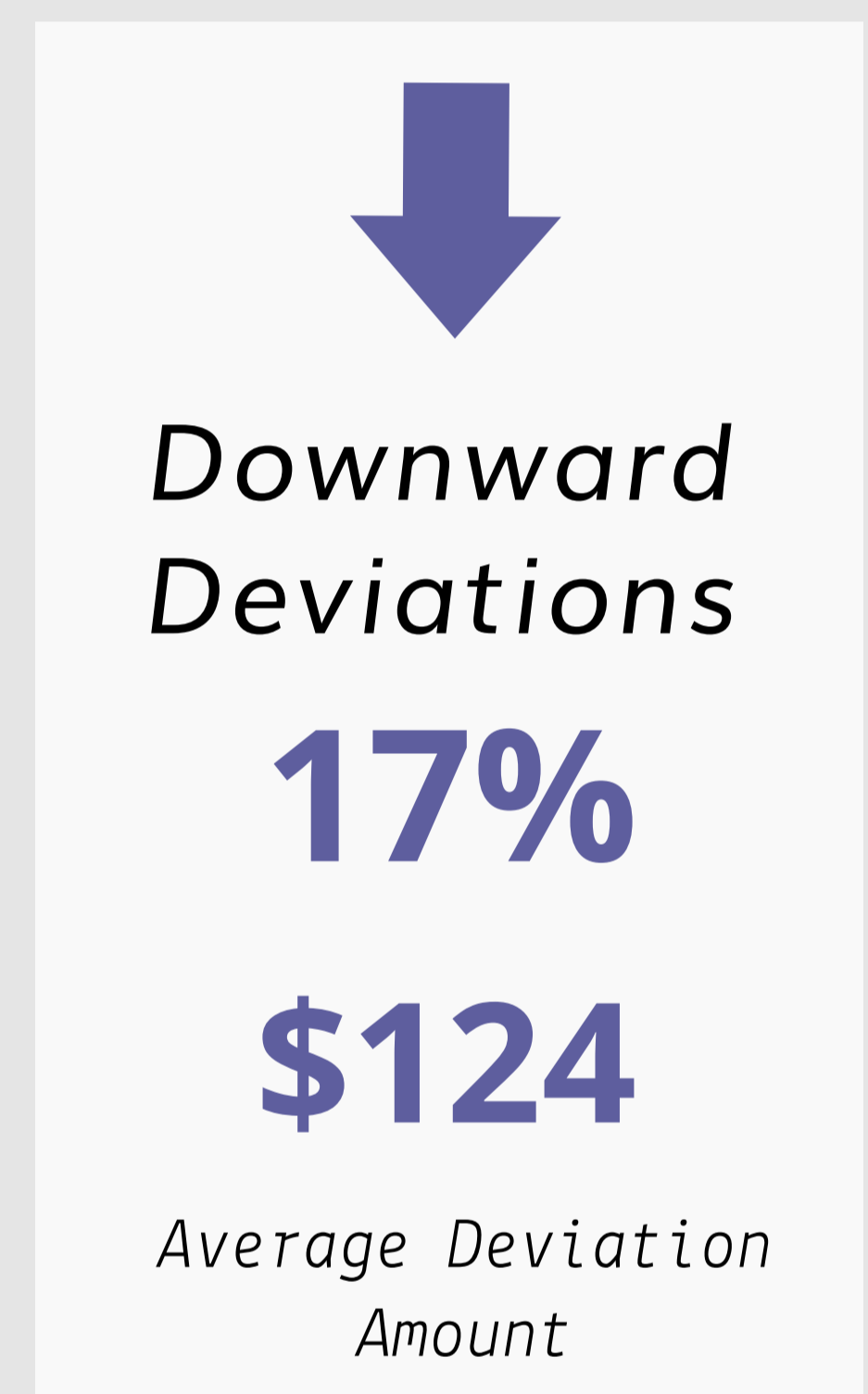
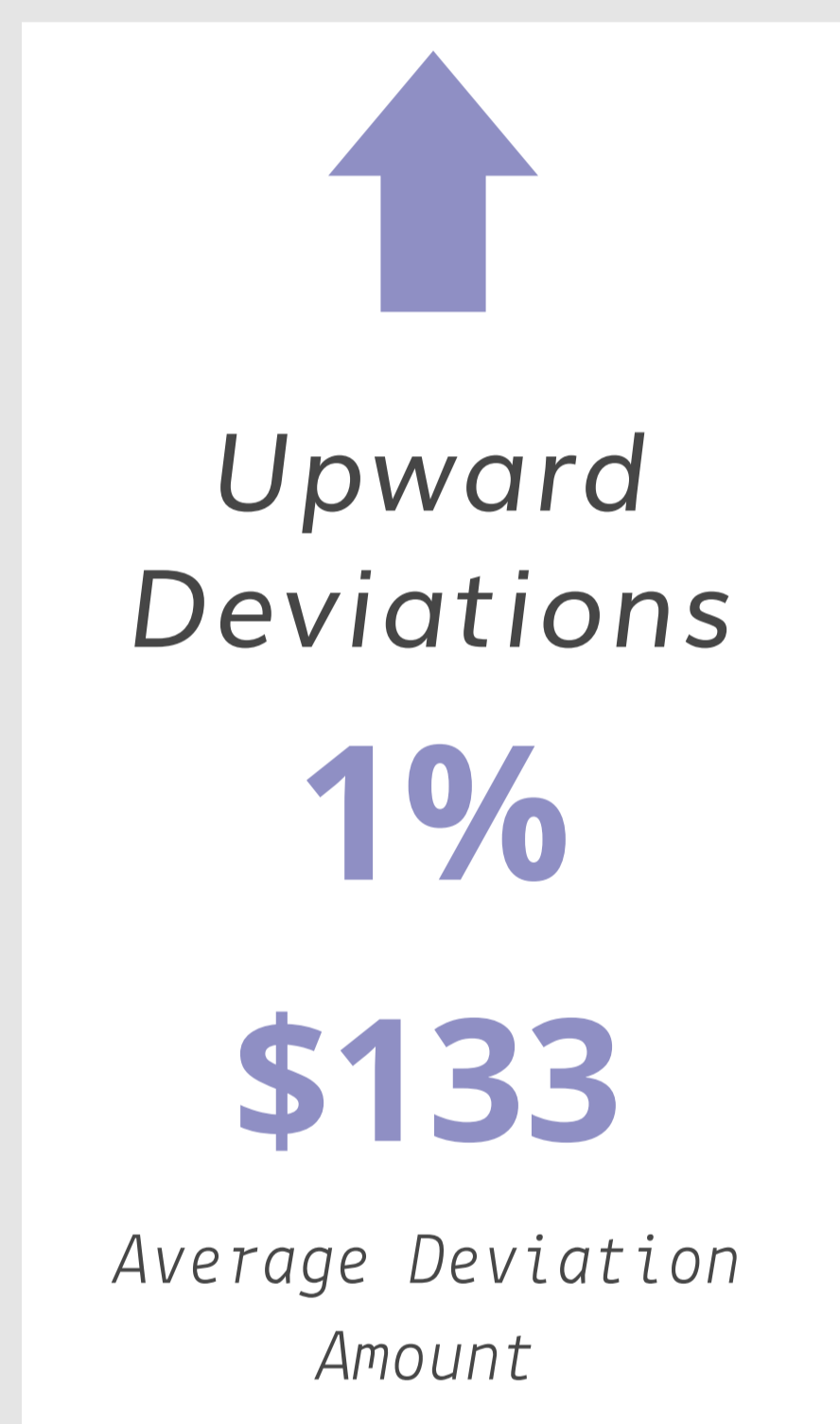
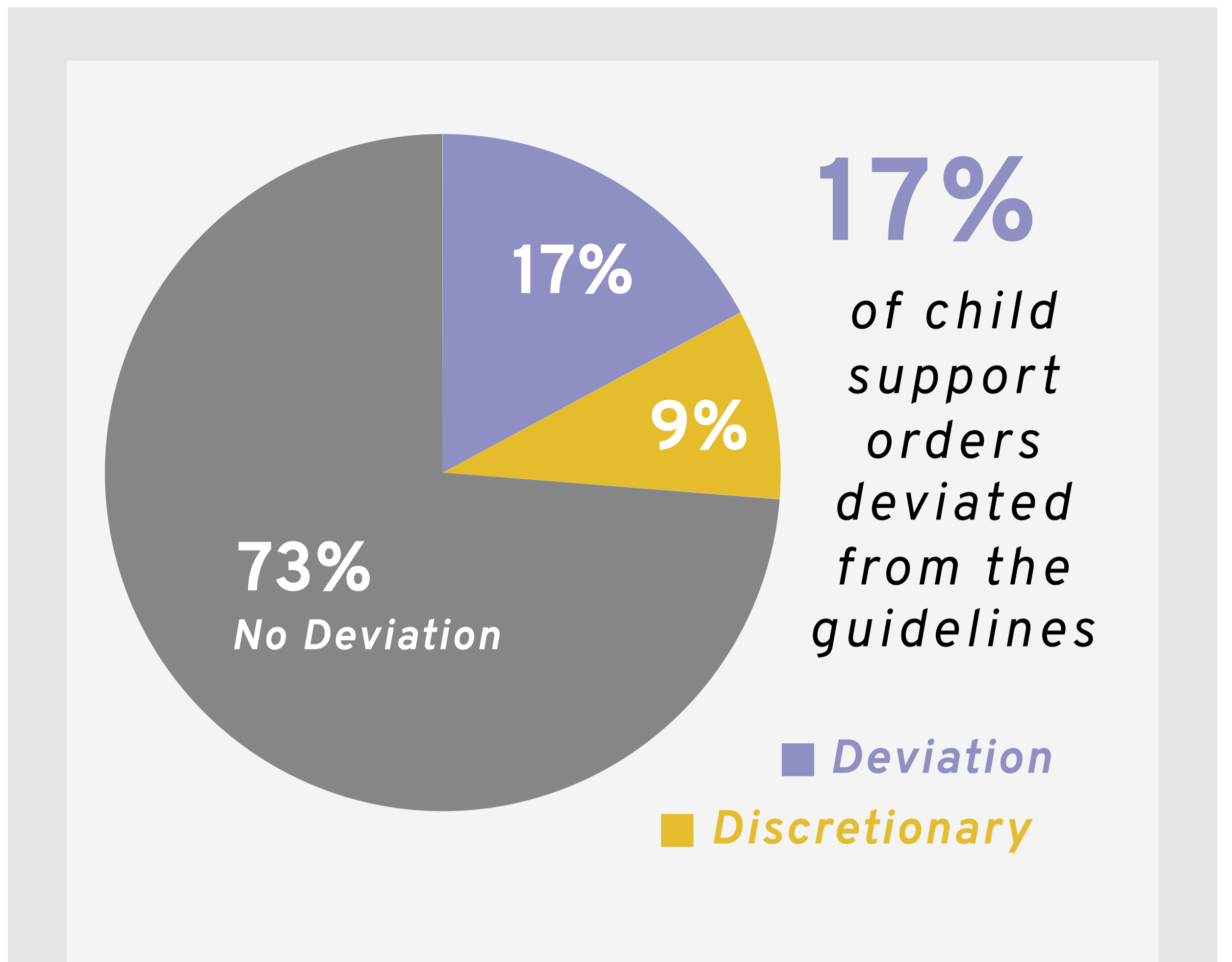
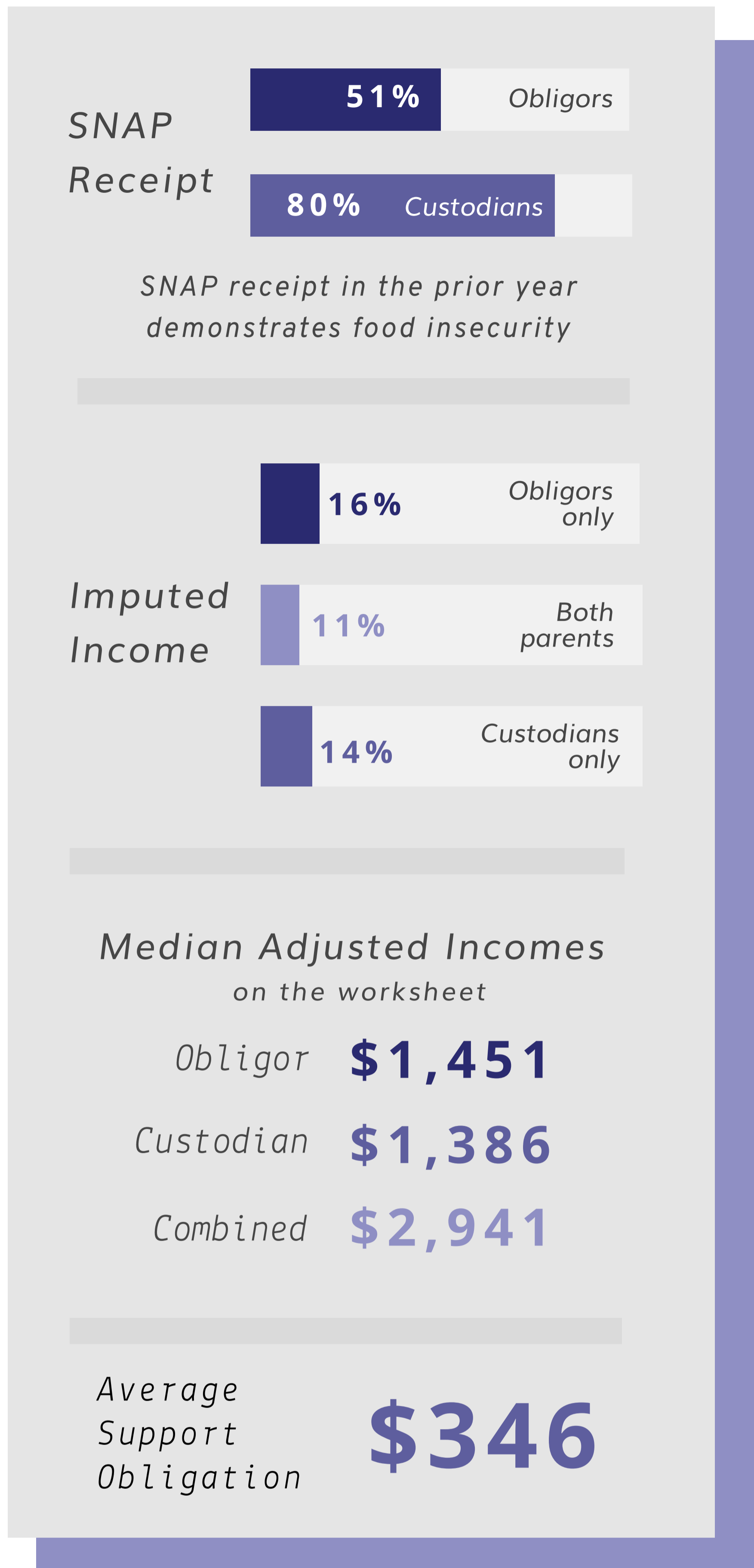
Payment Compliance Three-year Average



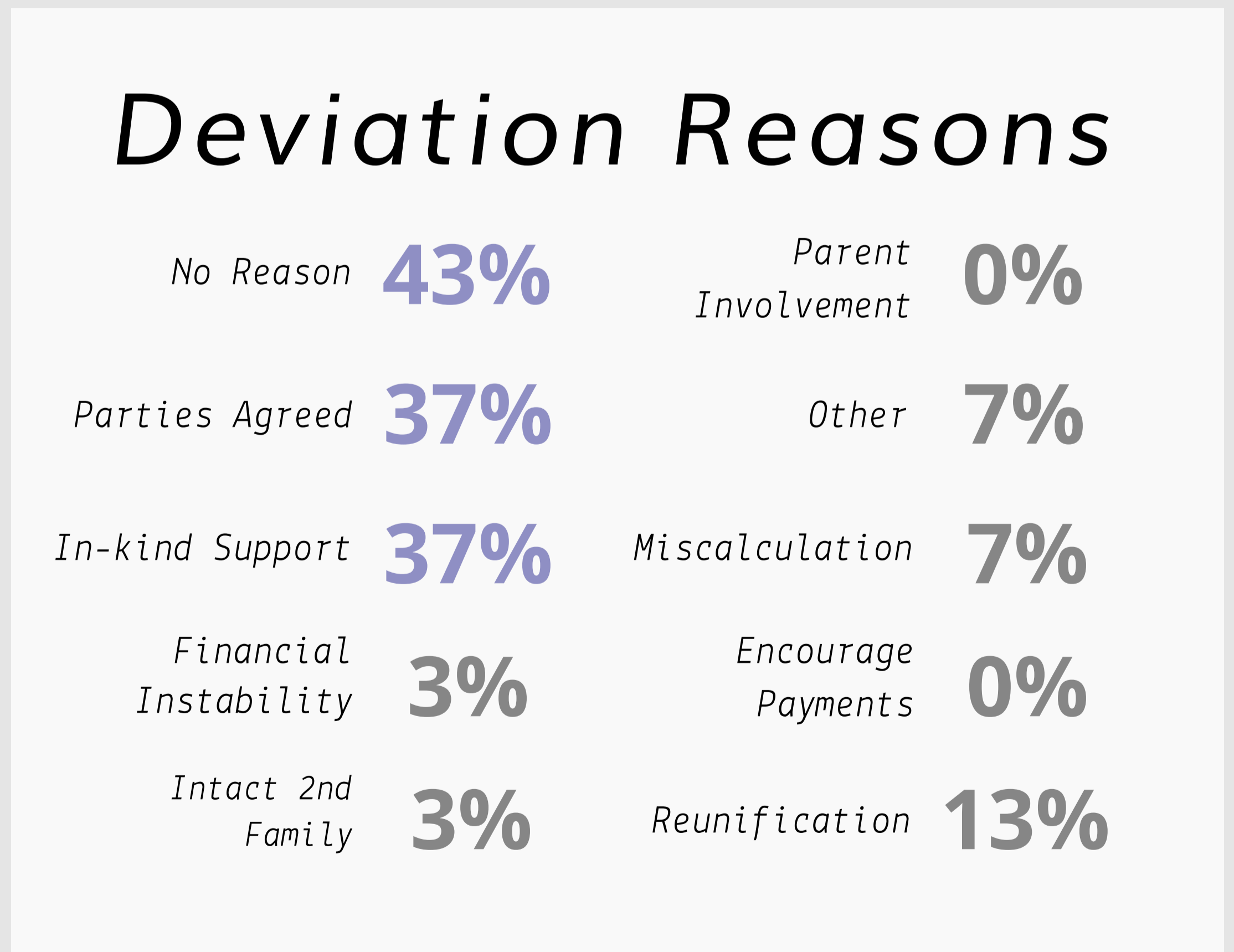
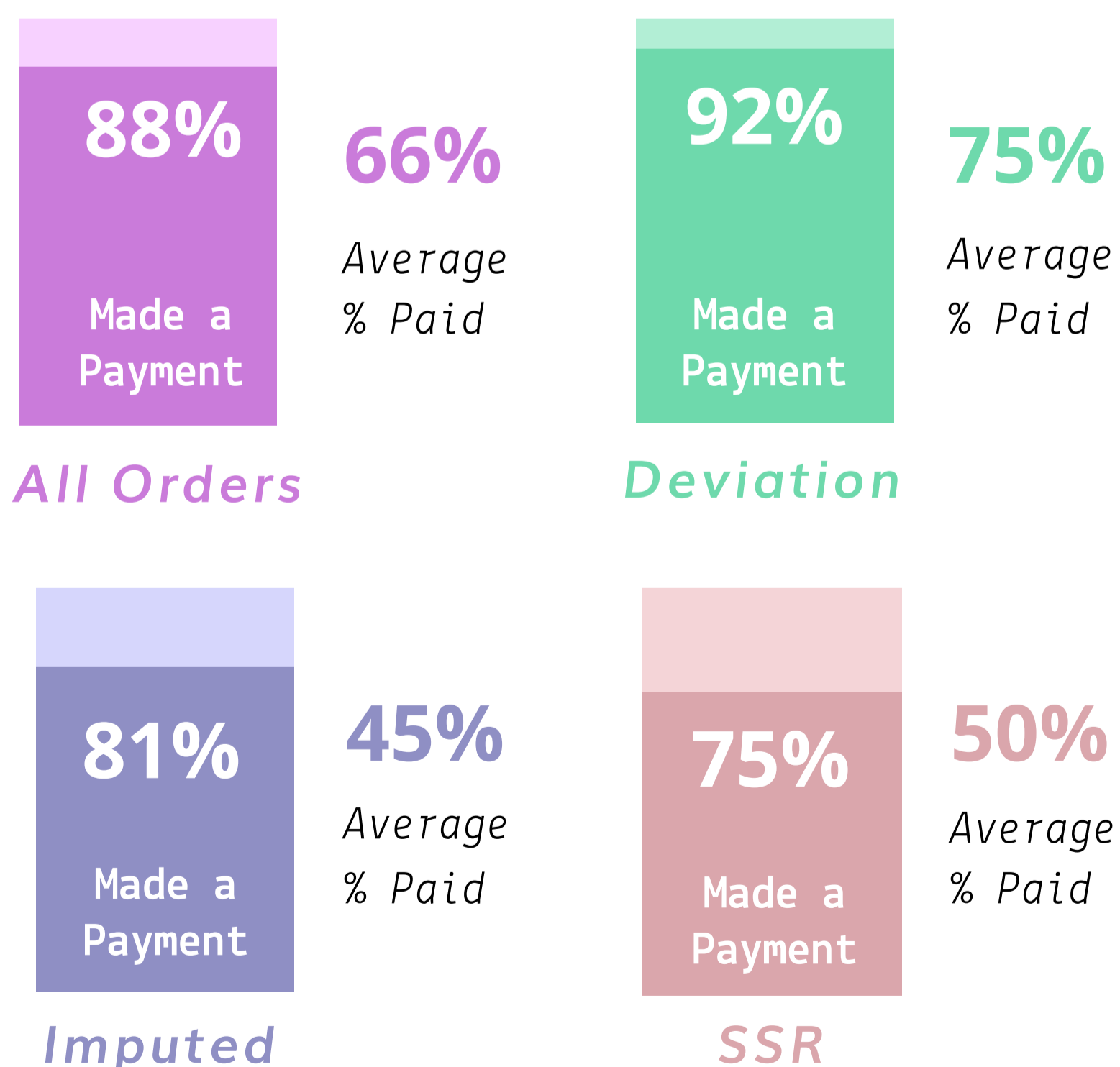
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DORCHESTER COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



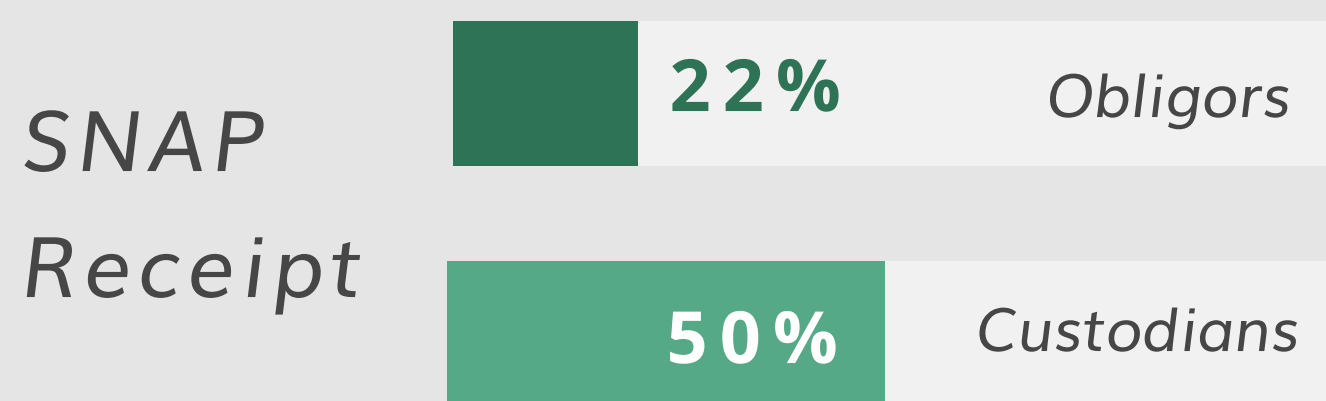
Payment Compliance Three-year Average



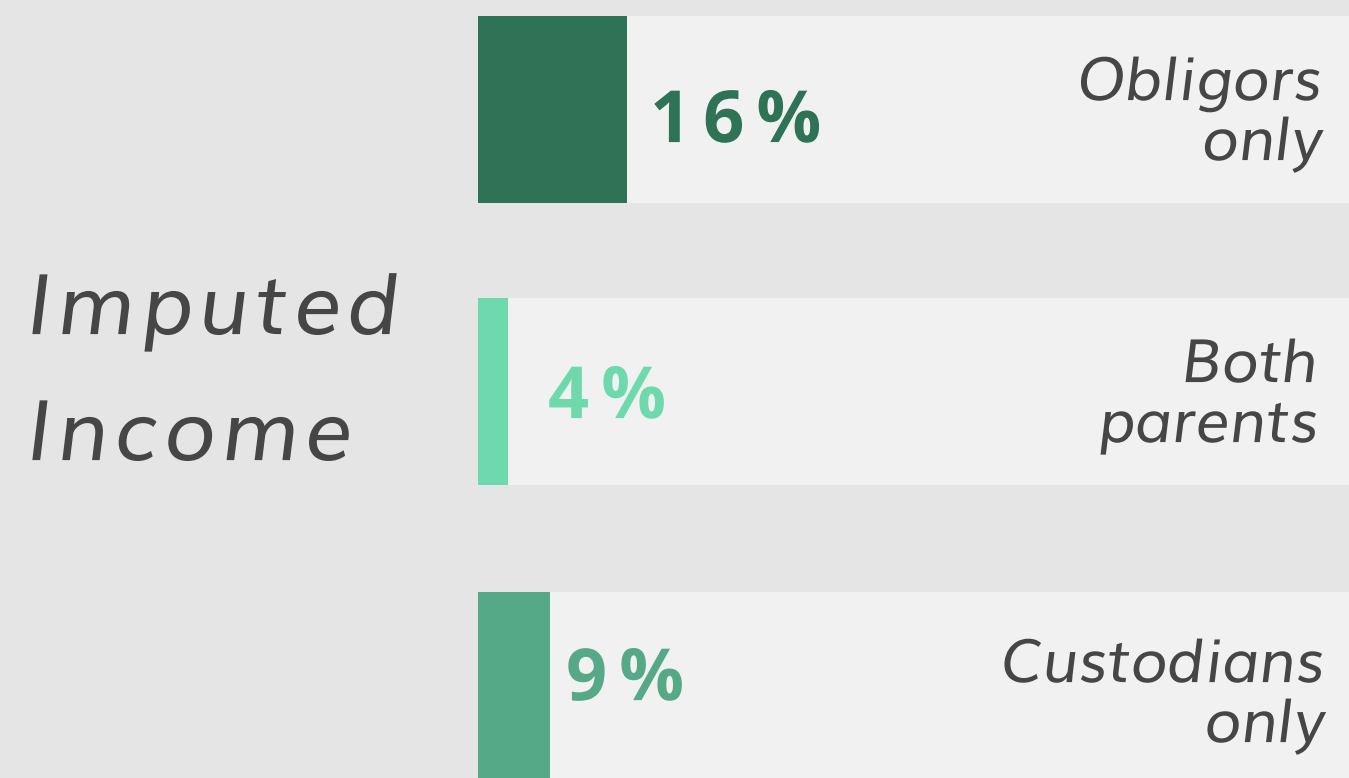
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FREDERICK COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



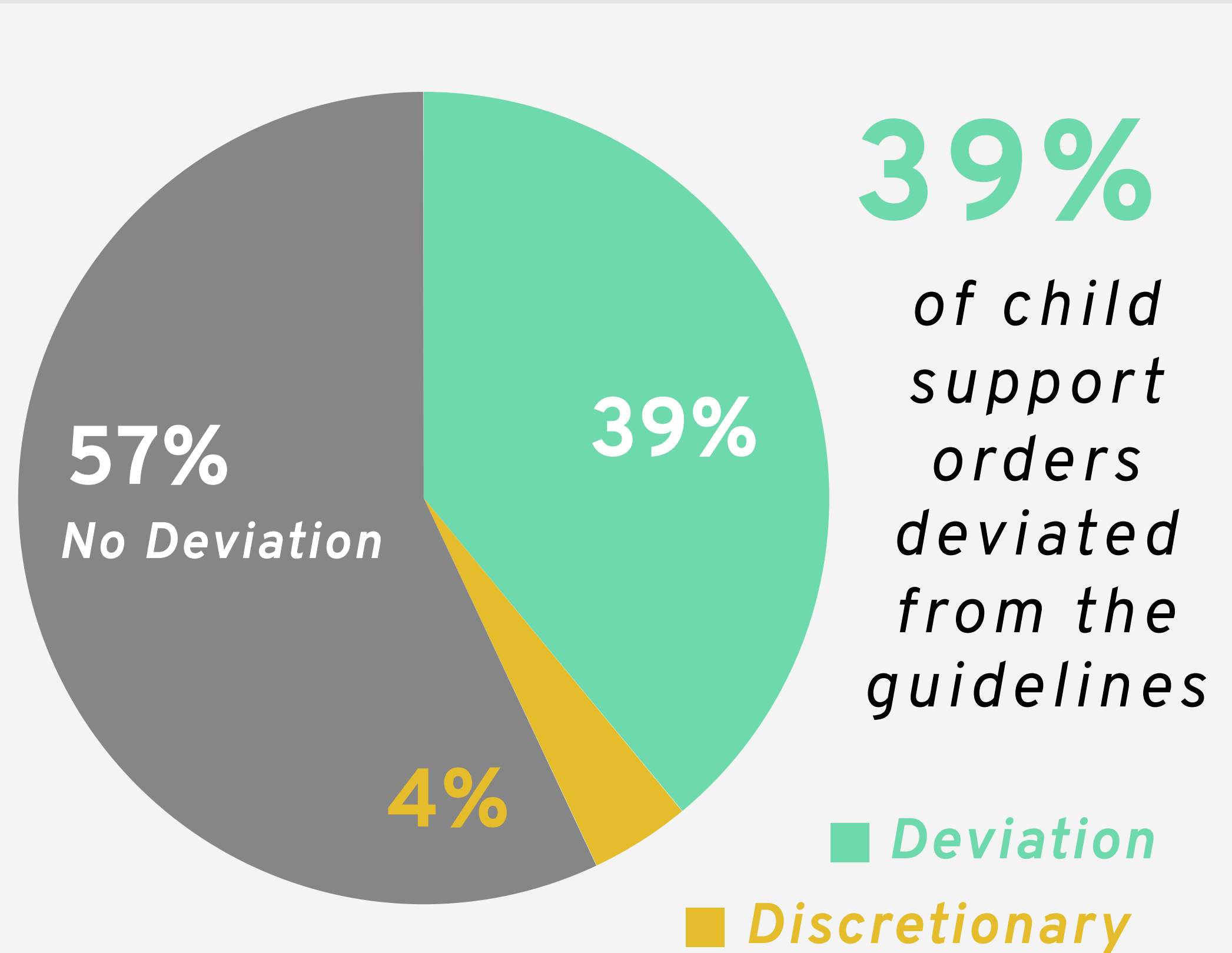
SNAP receipt in the prior year demonstrates food insecurity



Median Adjusted Incomes on the worksheet

Obligor **\$2,080**
 Custodian **\$1,723**
 Combined **\$4,229**

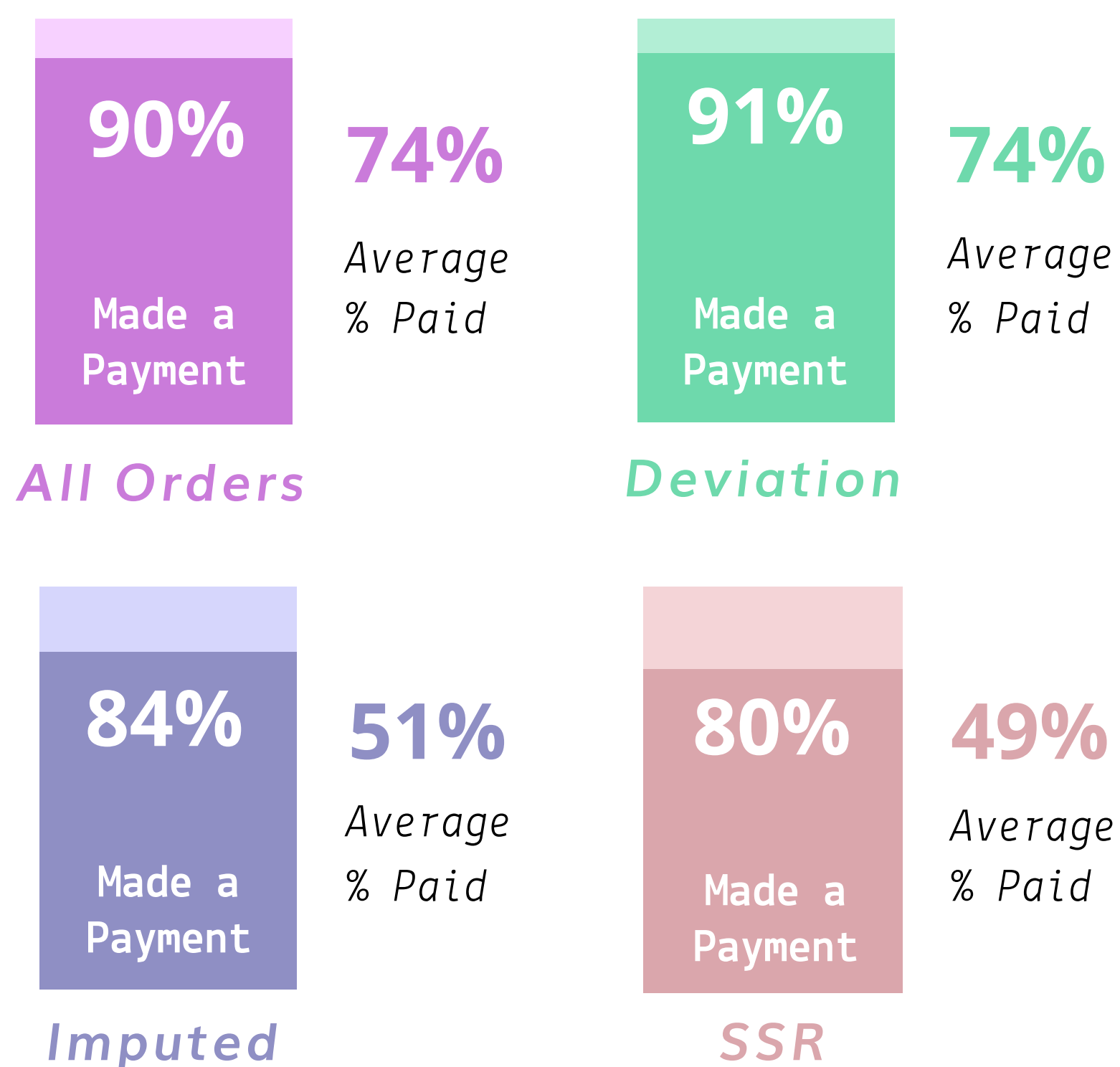
Average Support Obligation **\$455**



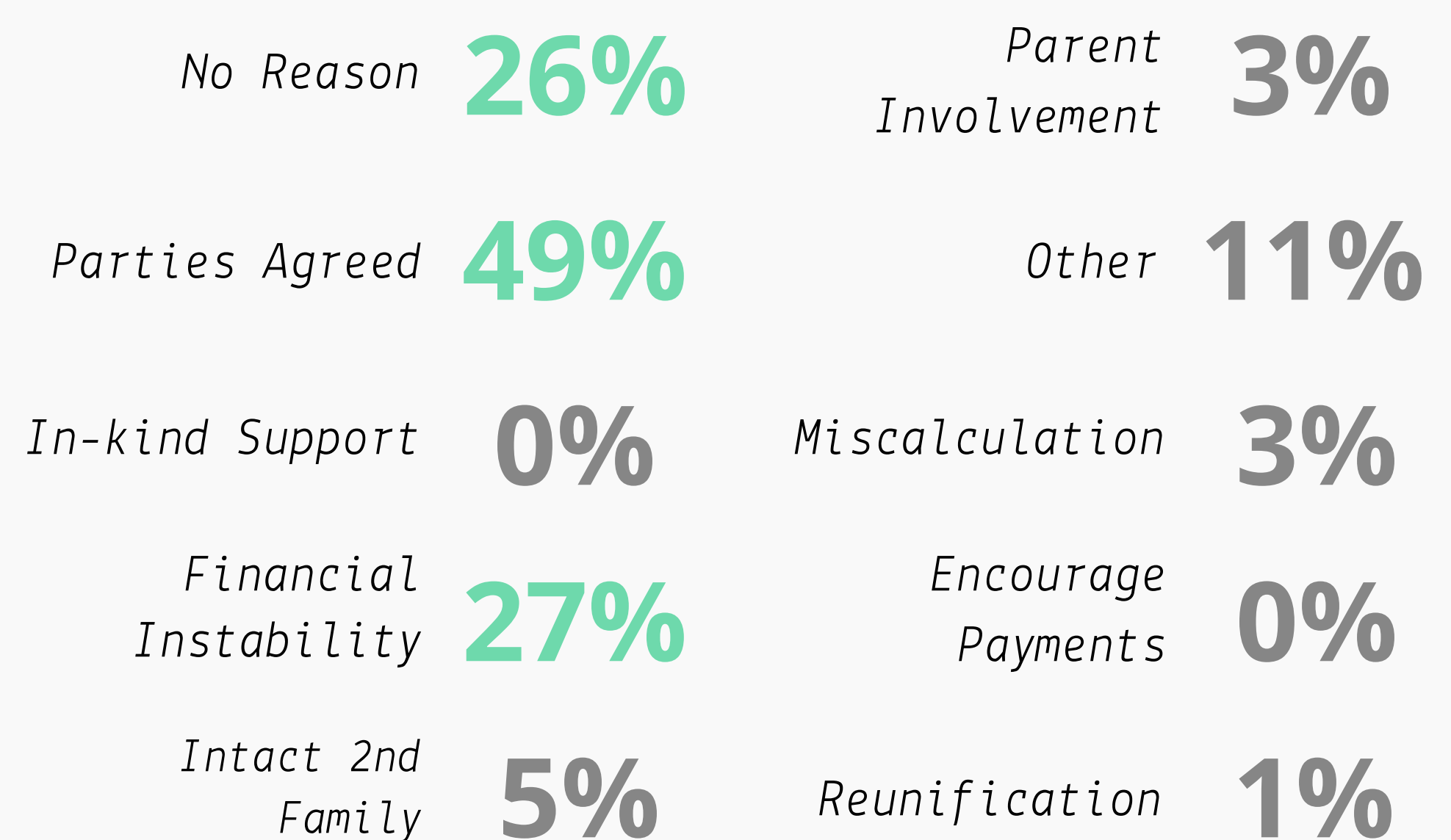
Upward Deviations
4%
\$68
 Average Deviation Amount

Downward Deviations
35%
\$144
 Average Deviation Amount

Payment Compliance Three-year Average



Deviation Reasons



Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

GARRETT COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018

SNAP Receipt 37% Obligor

60% Custodians

SNAP receipt in the prior year demonstrates food insecurity

24% Obligor only

Imputed Income 9% Both parents

25% Custodians only

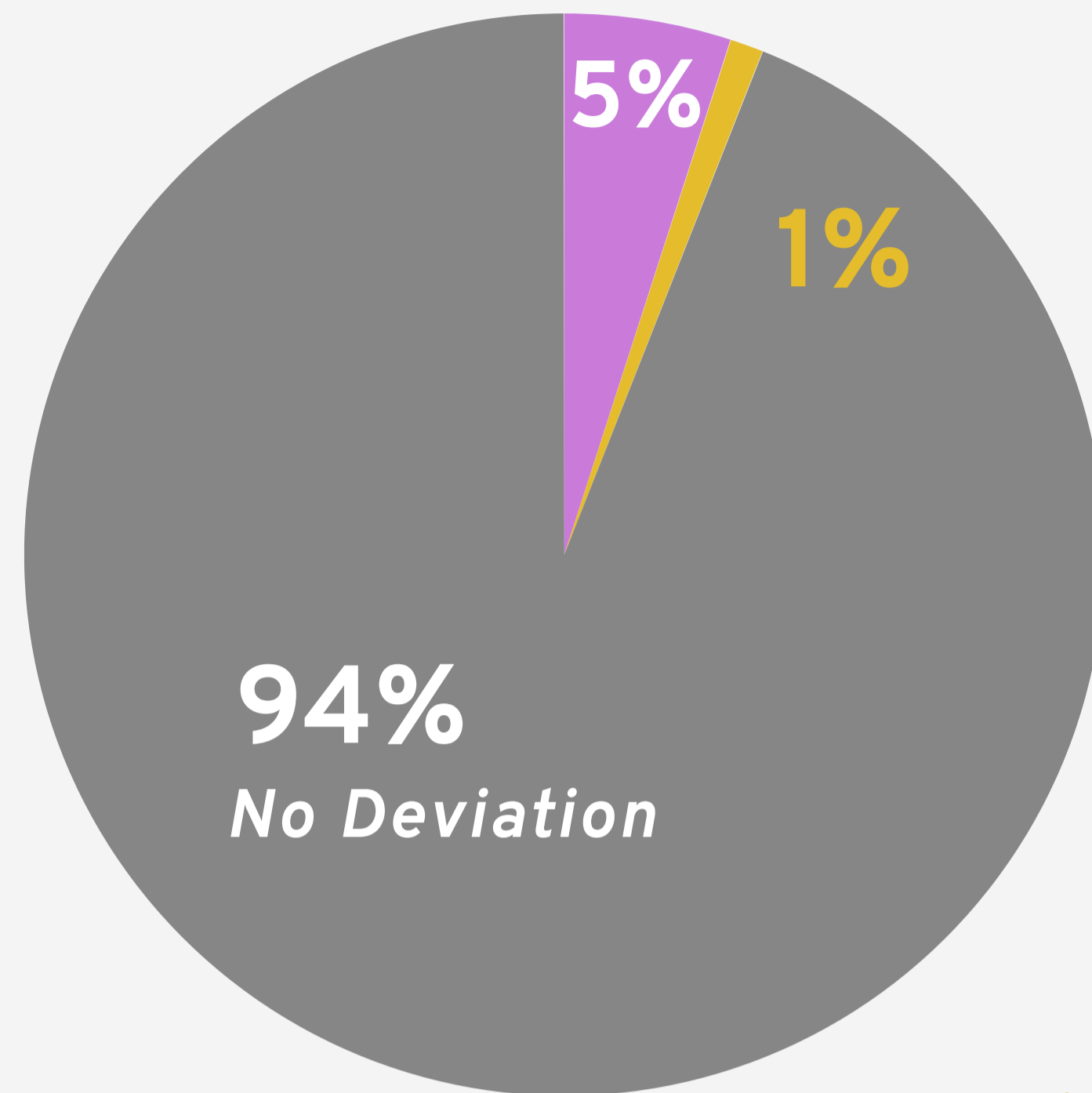
Median Adjusted Incomes on the worksheet

Obligor \$1,907

Custodian \$1,436

Combined \$3,543

Average Support Obligation \$489



5% of child support orders deviated from the guidelines

Deviation
Discretionary

Upward Deviations 2%

\$135

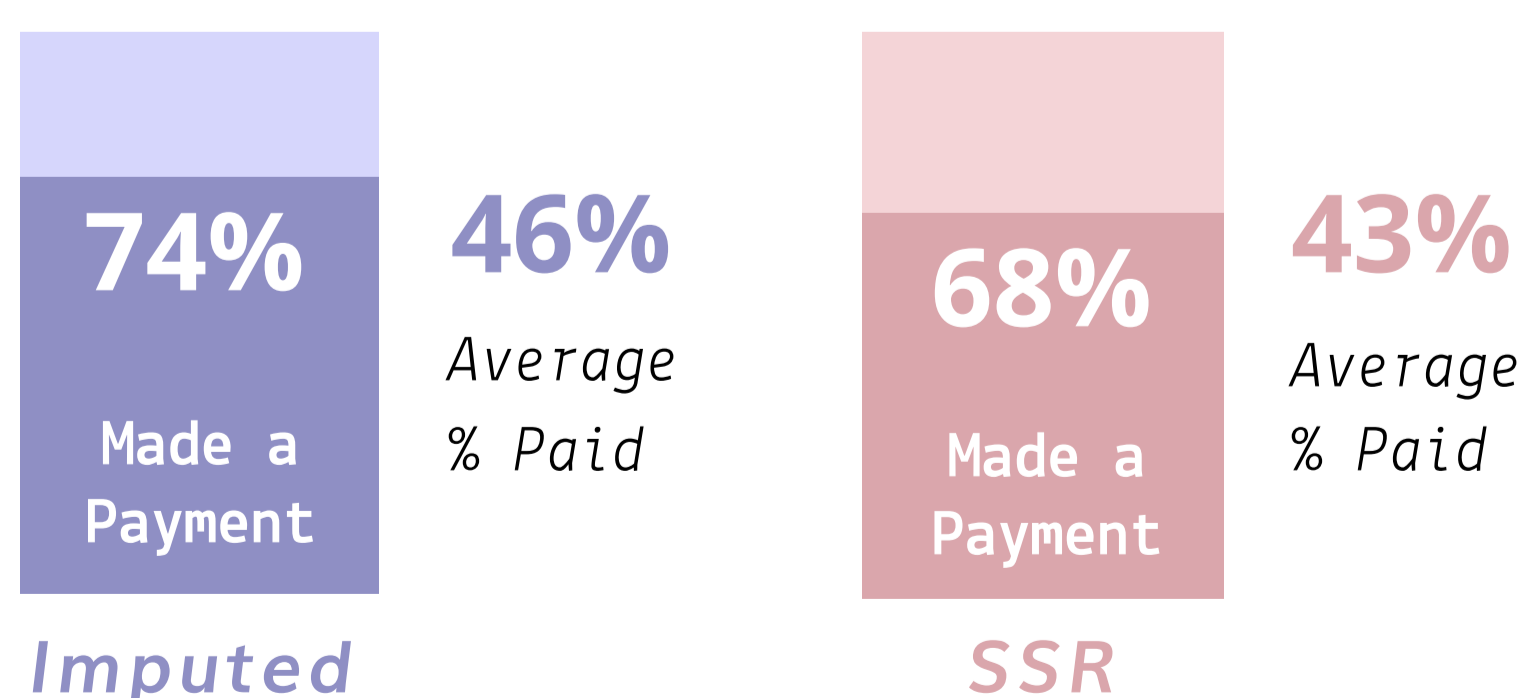
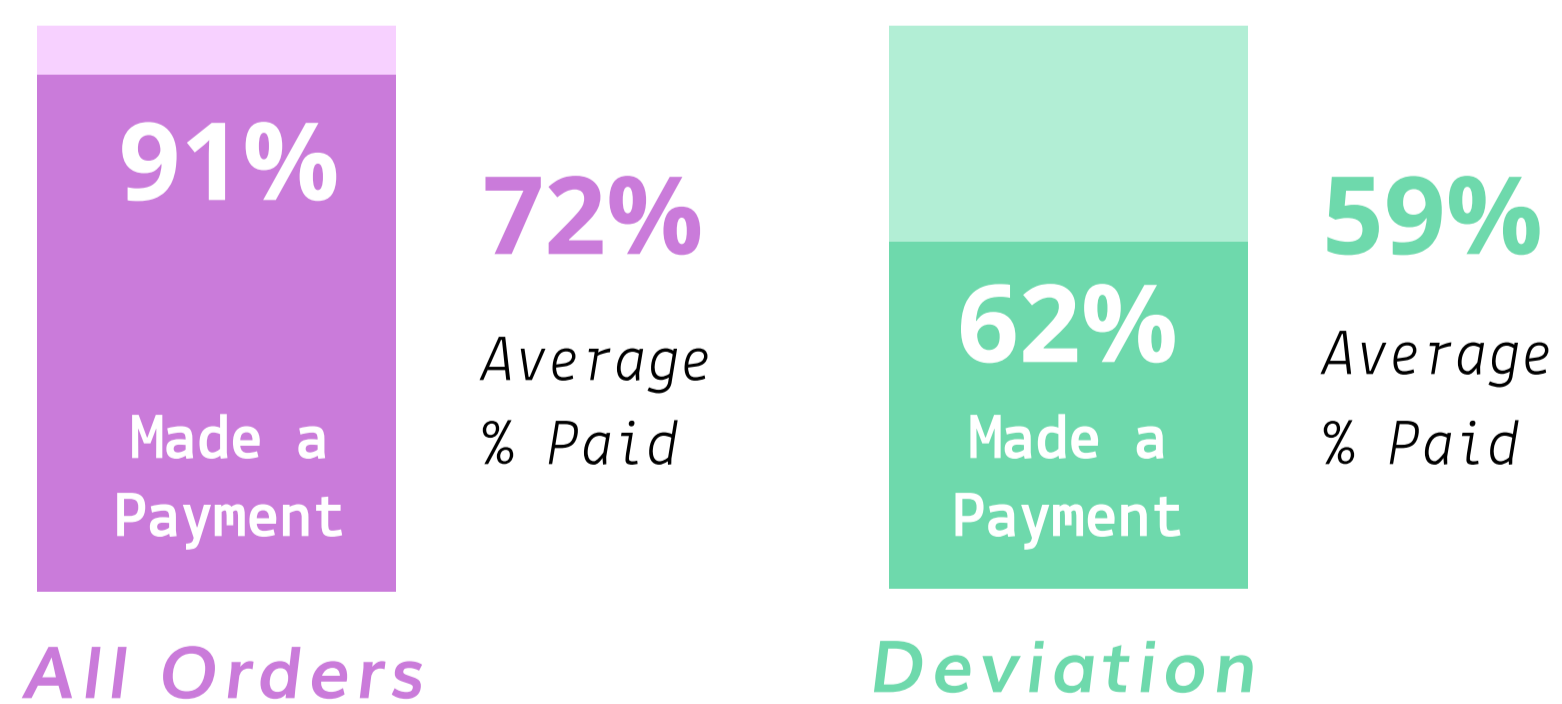
Average Deviation Amount

Downward Deviations 3%

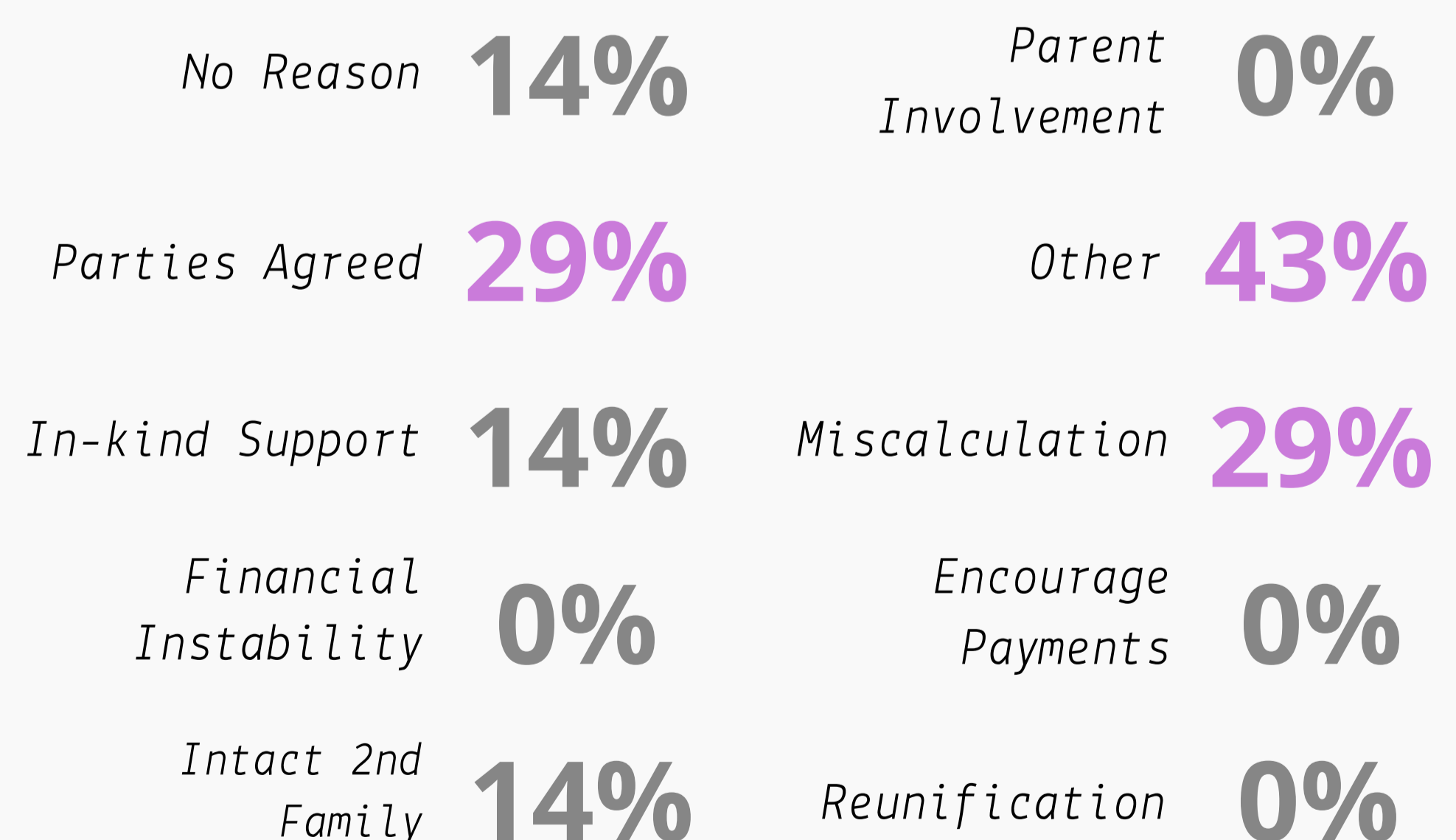
\$108

Average Deviation Amount

Payment Compliance Three-year Average



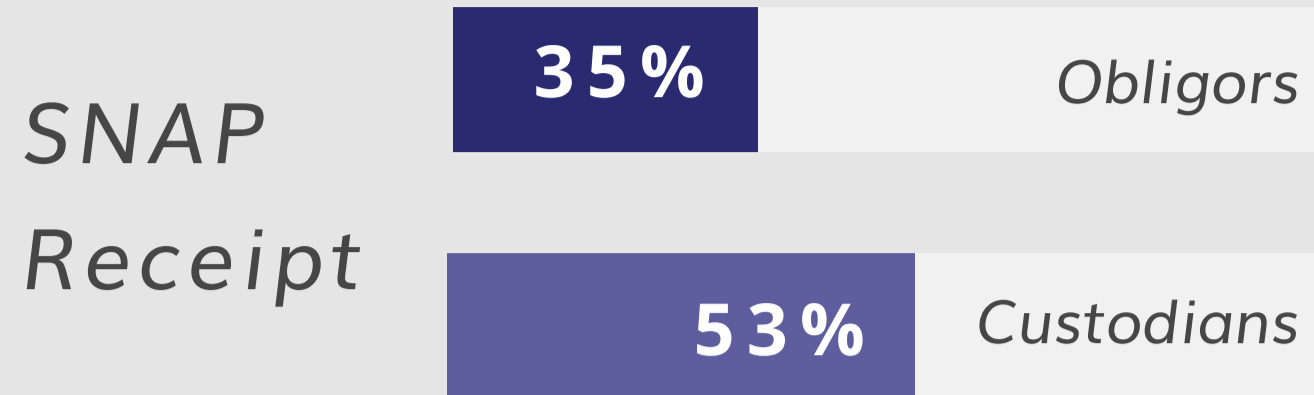
Deviation Reasons



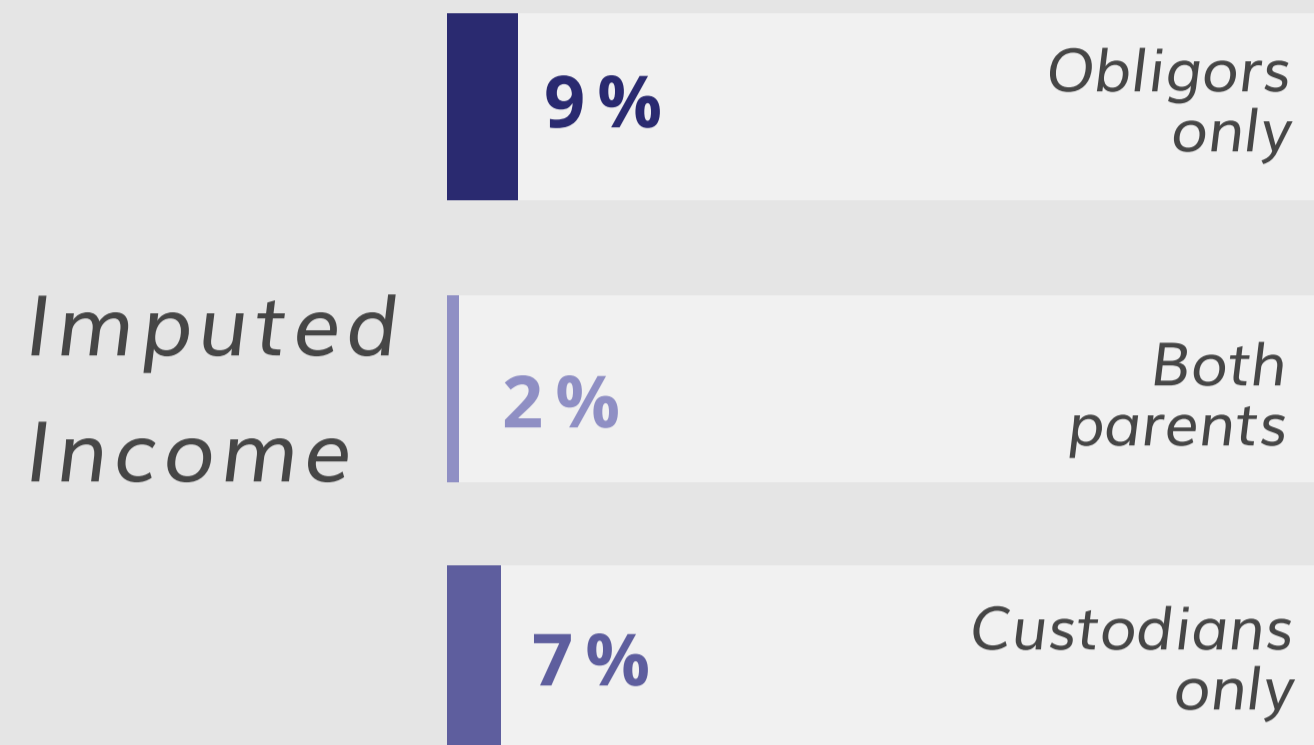
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

HARFORD COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



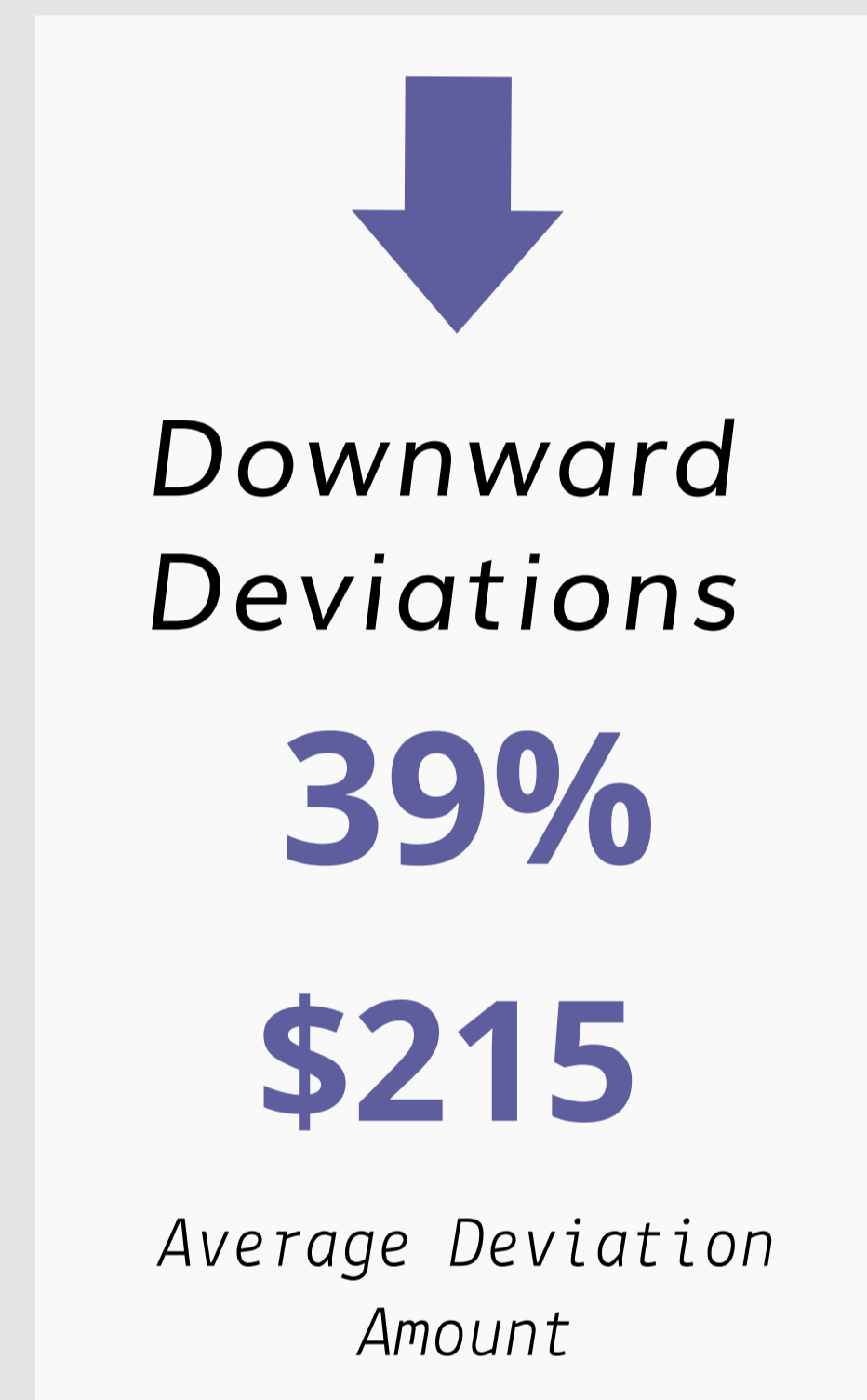
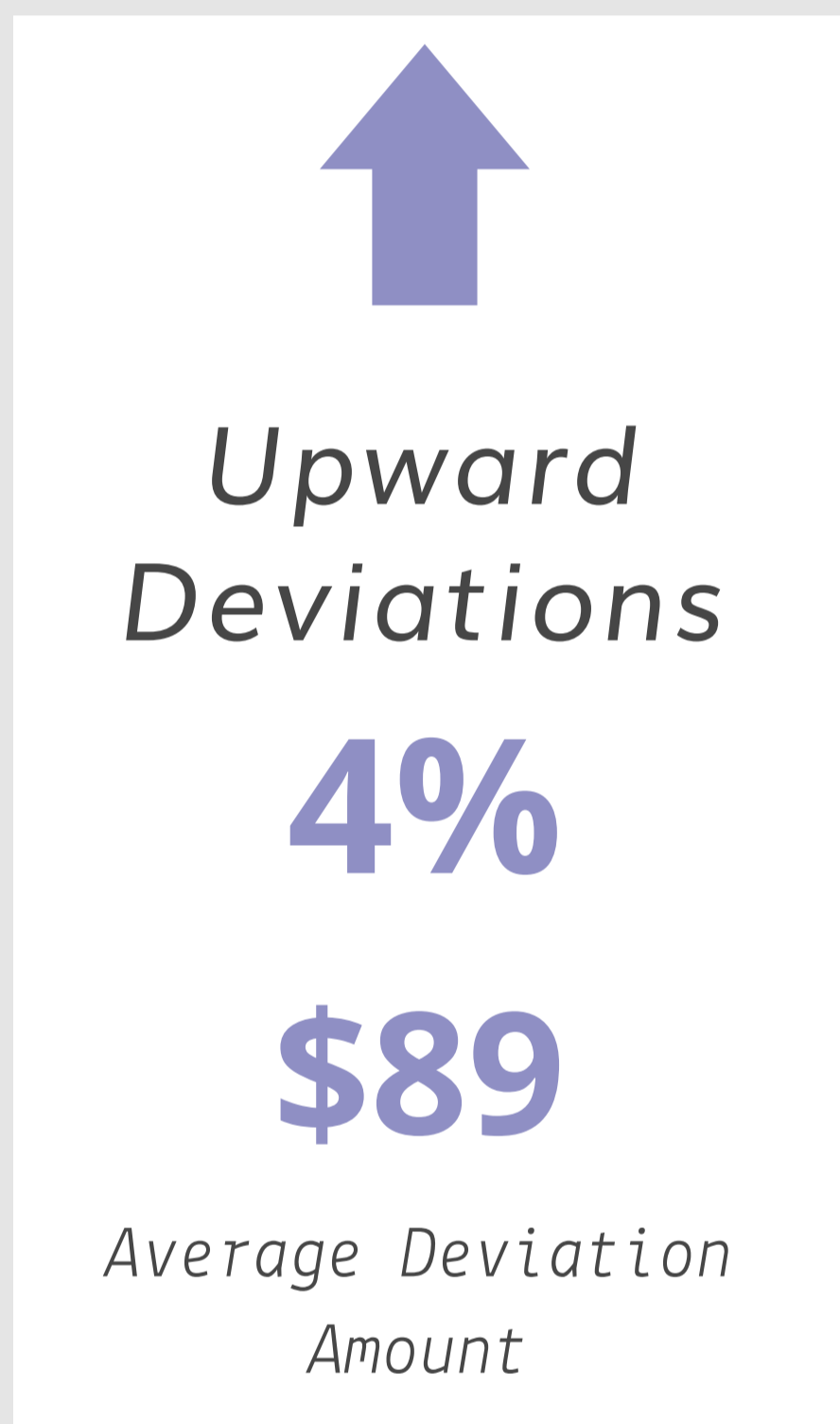
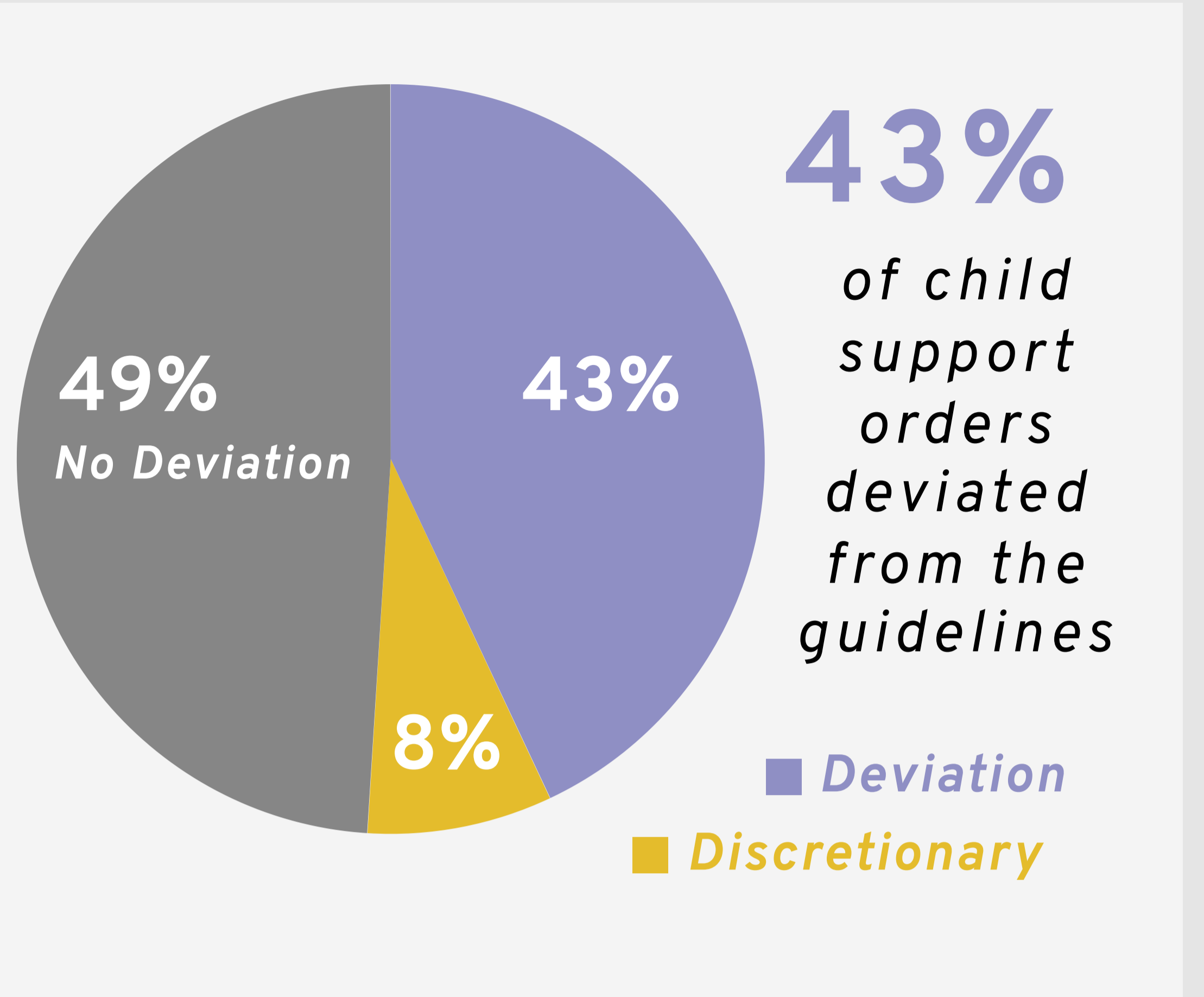
SNAP receipt in the prior year demonstrates food insecurity



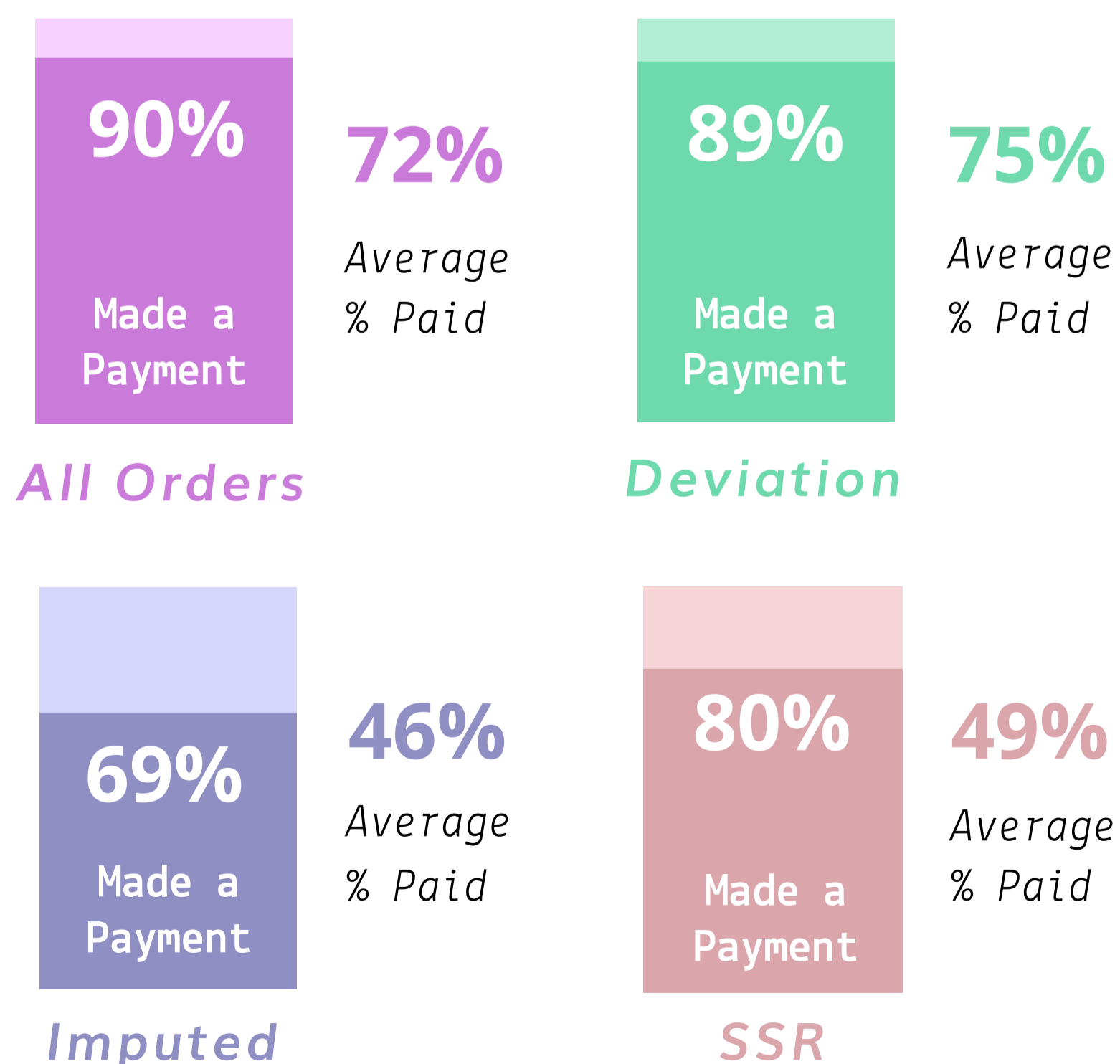
Median Adjusted Incomes on the worksheet

Obligor	\$2,164
Custodian	\$1,950
Combined	\$4,745

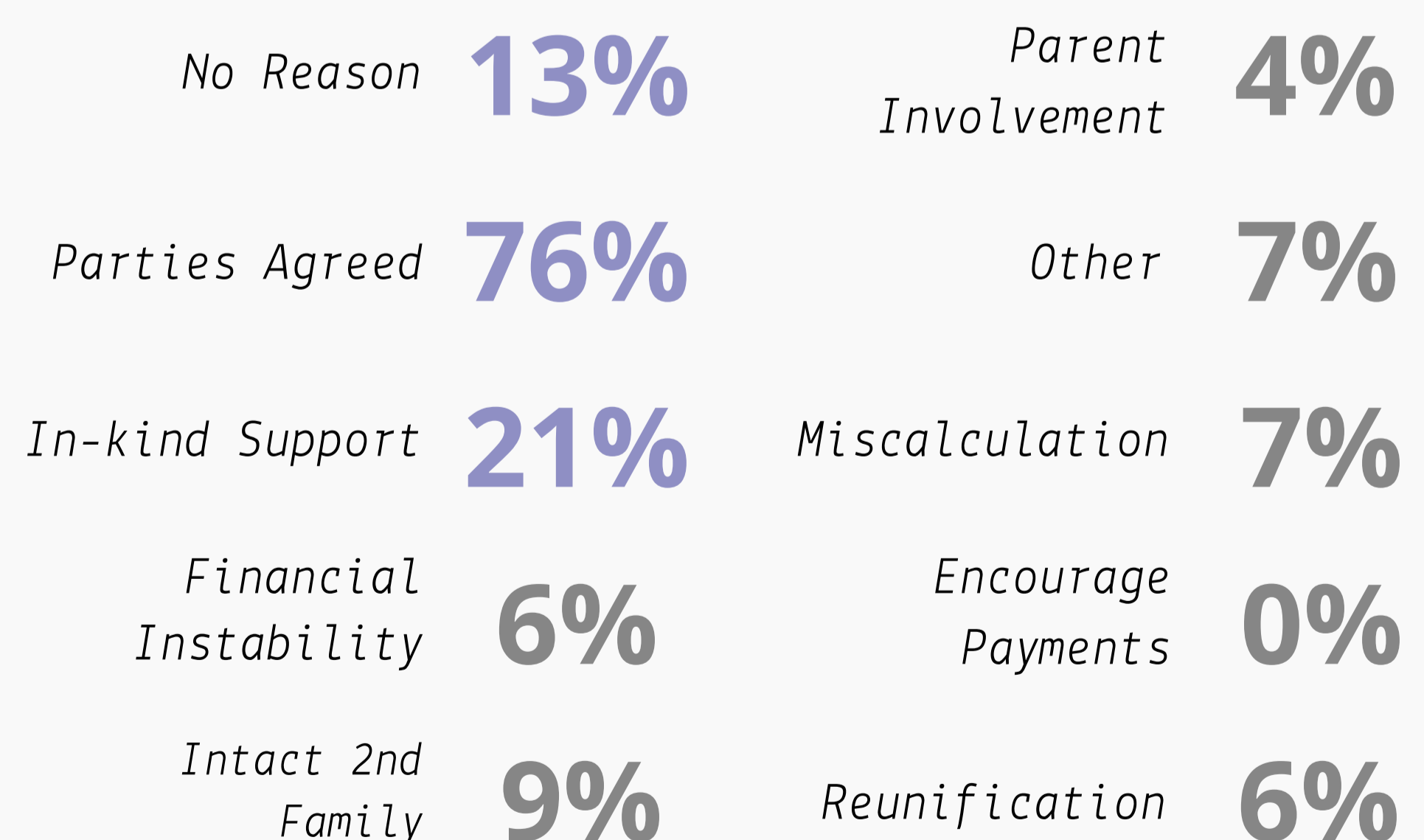
Average Support Obligation **\$470**



Payment Compliance Three-year Average



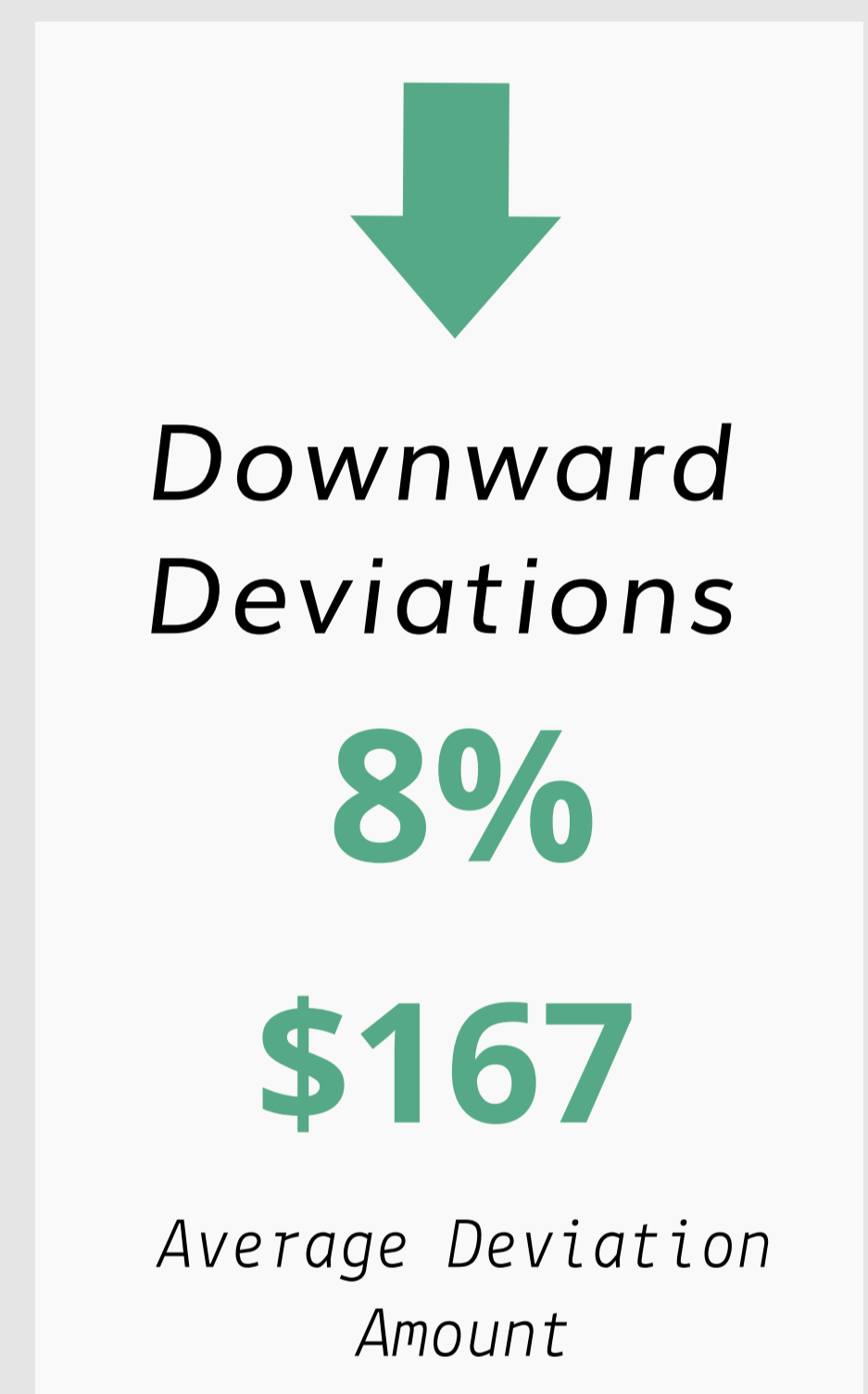
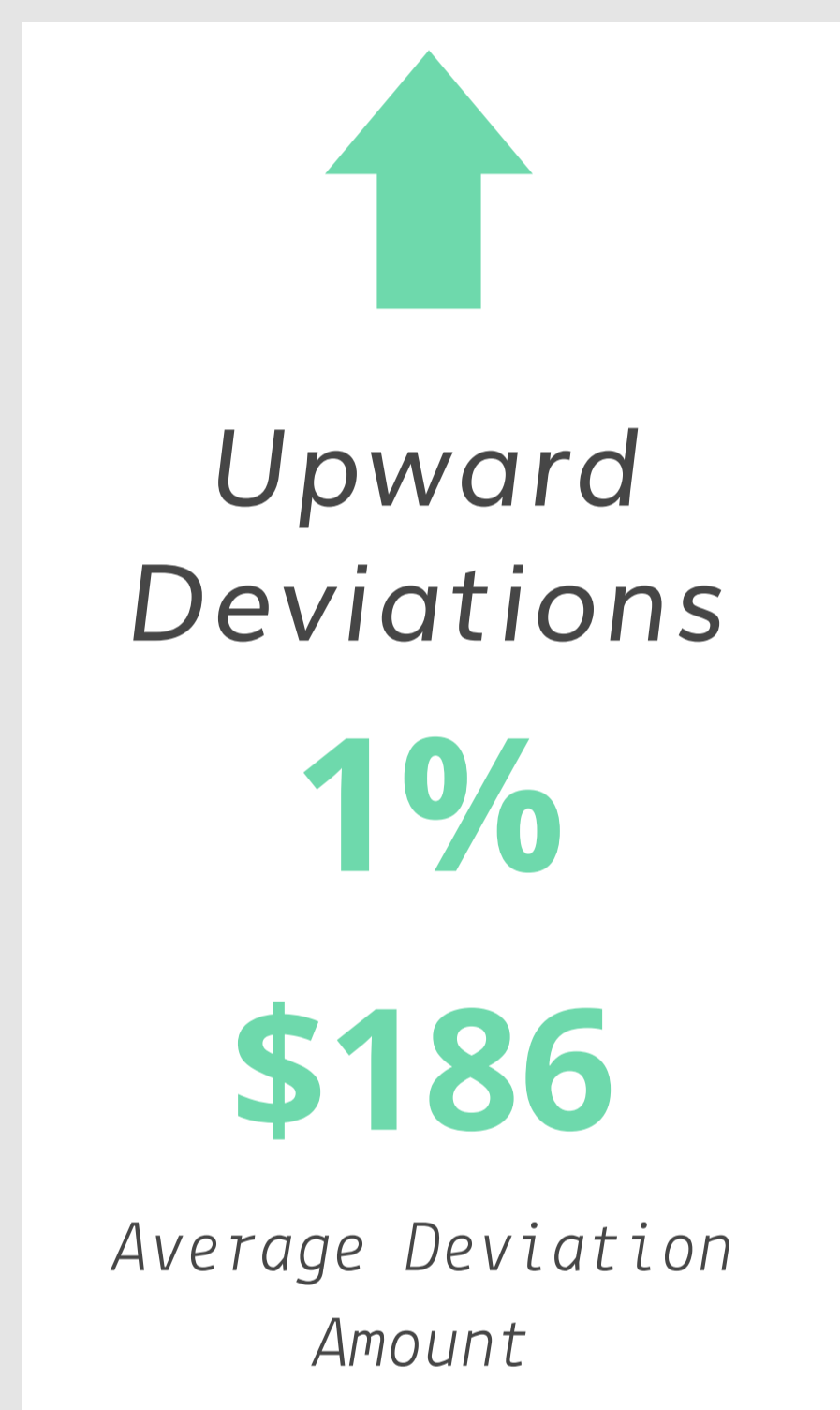
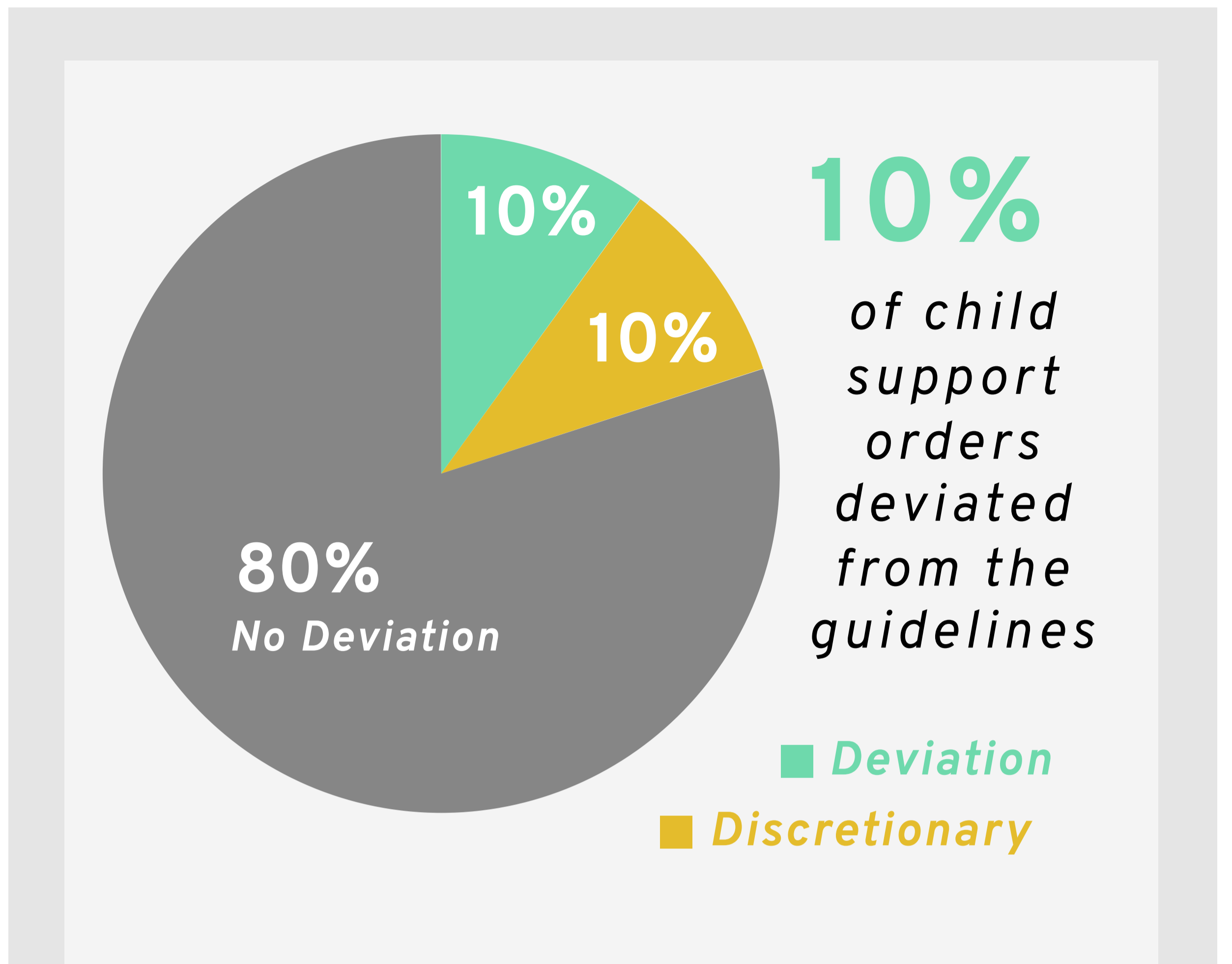
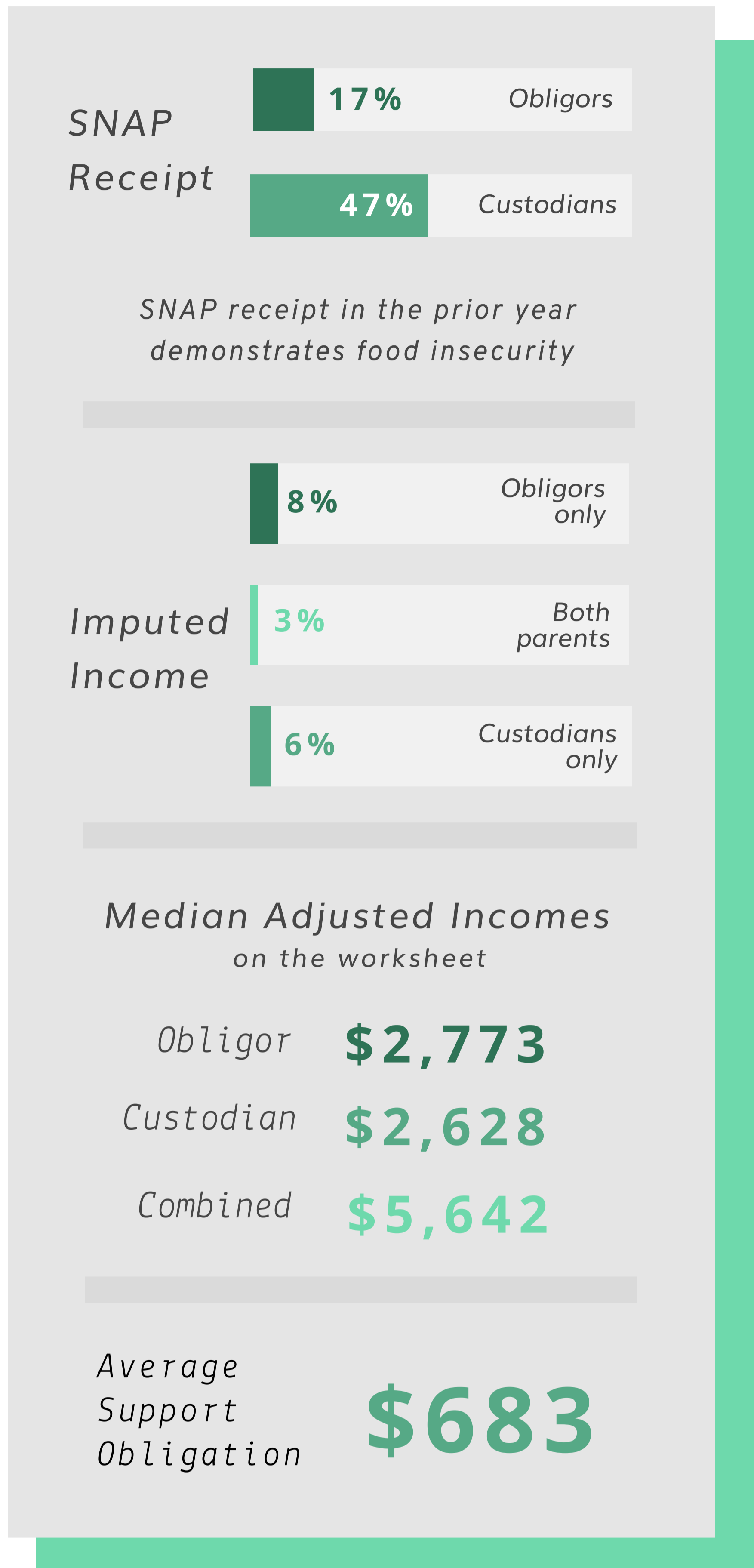
Deviation Reasons



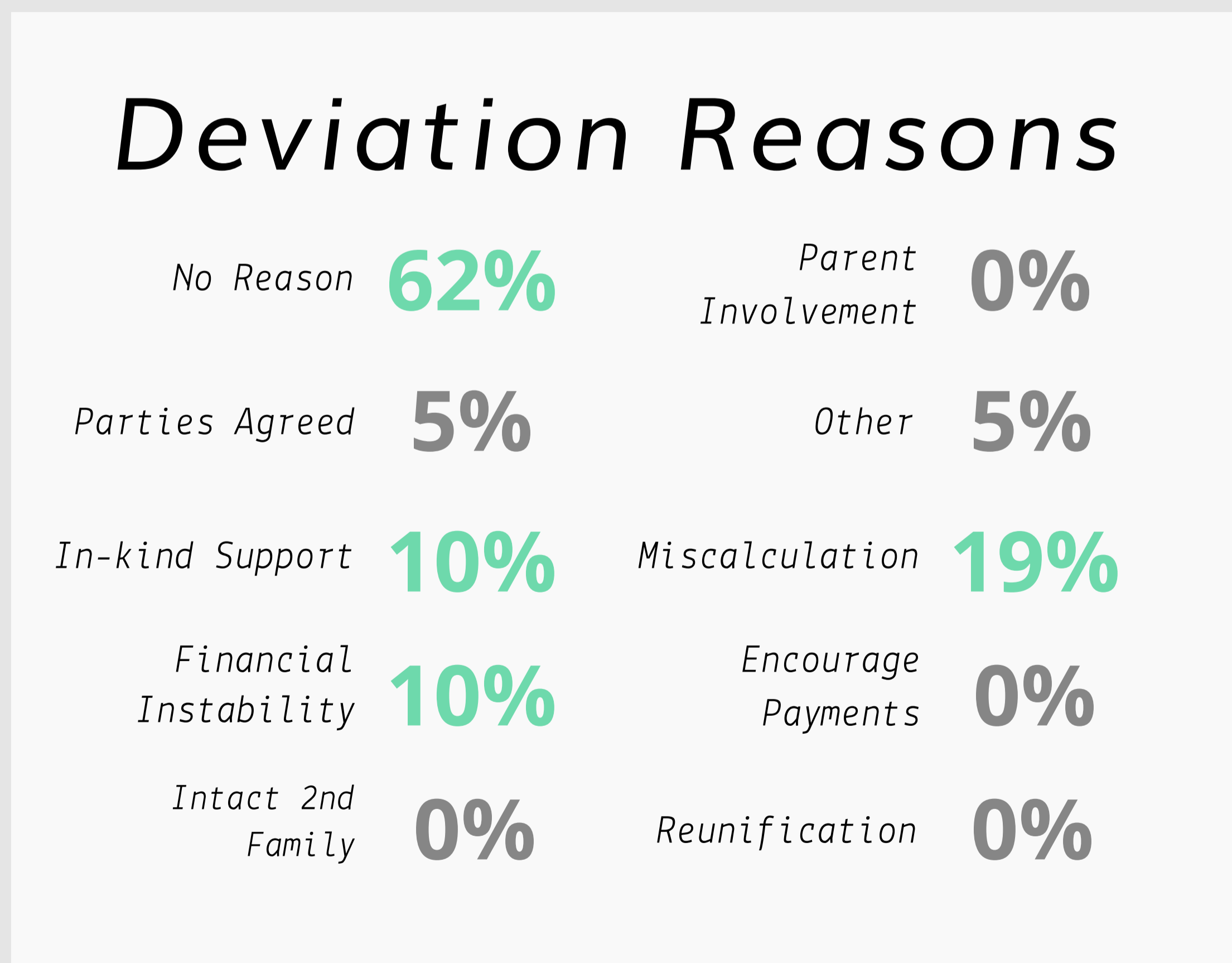
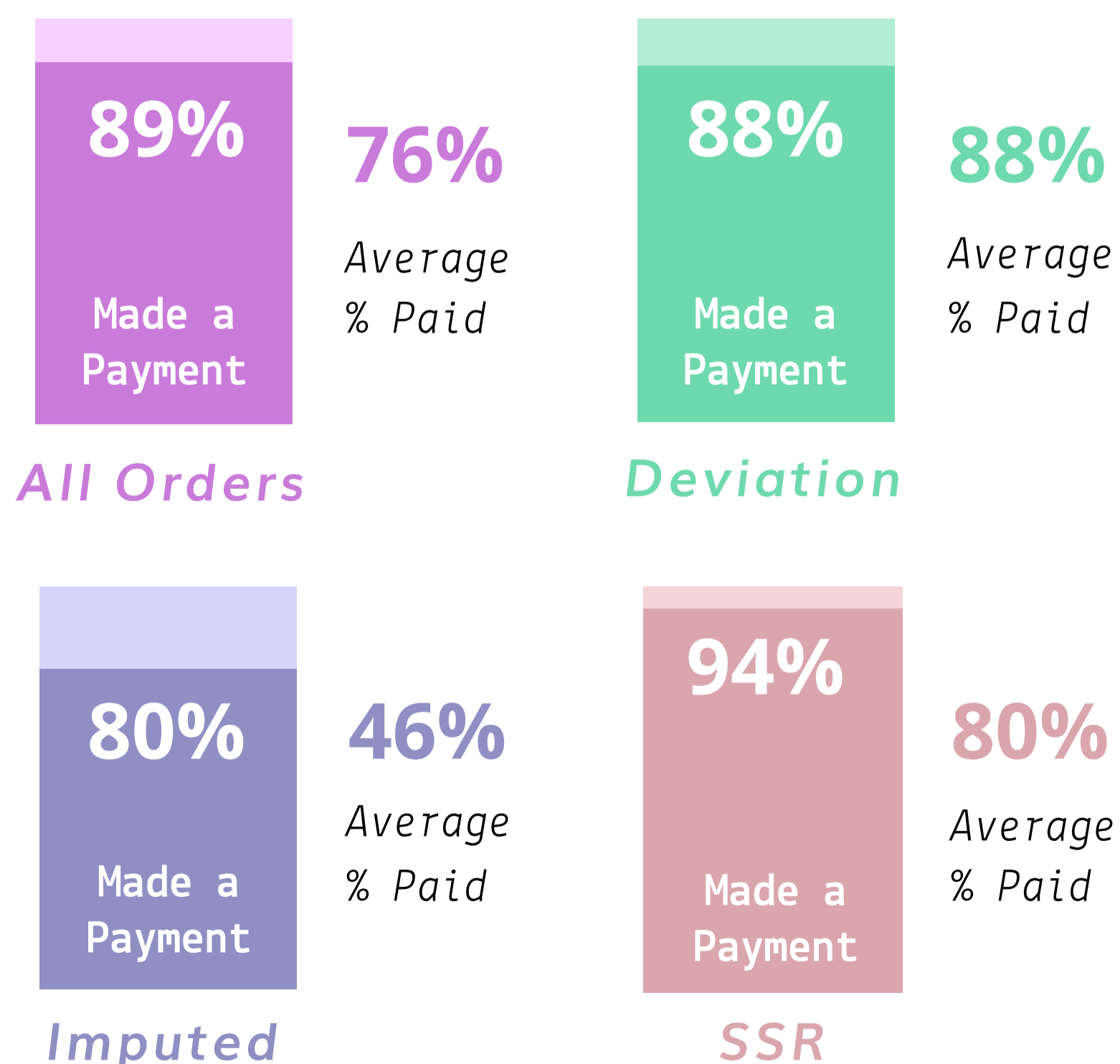
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

HOWARD COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



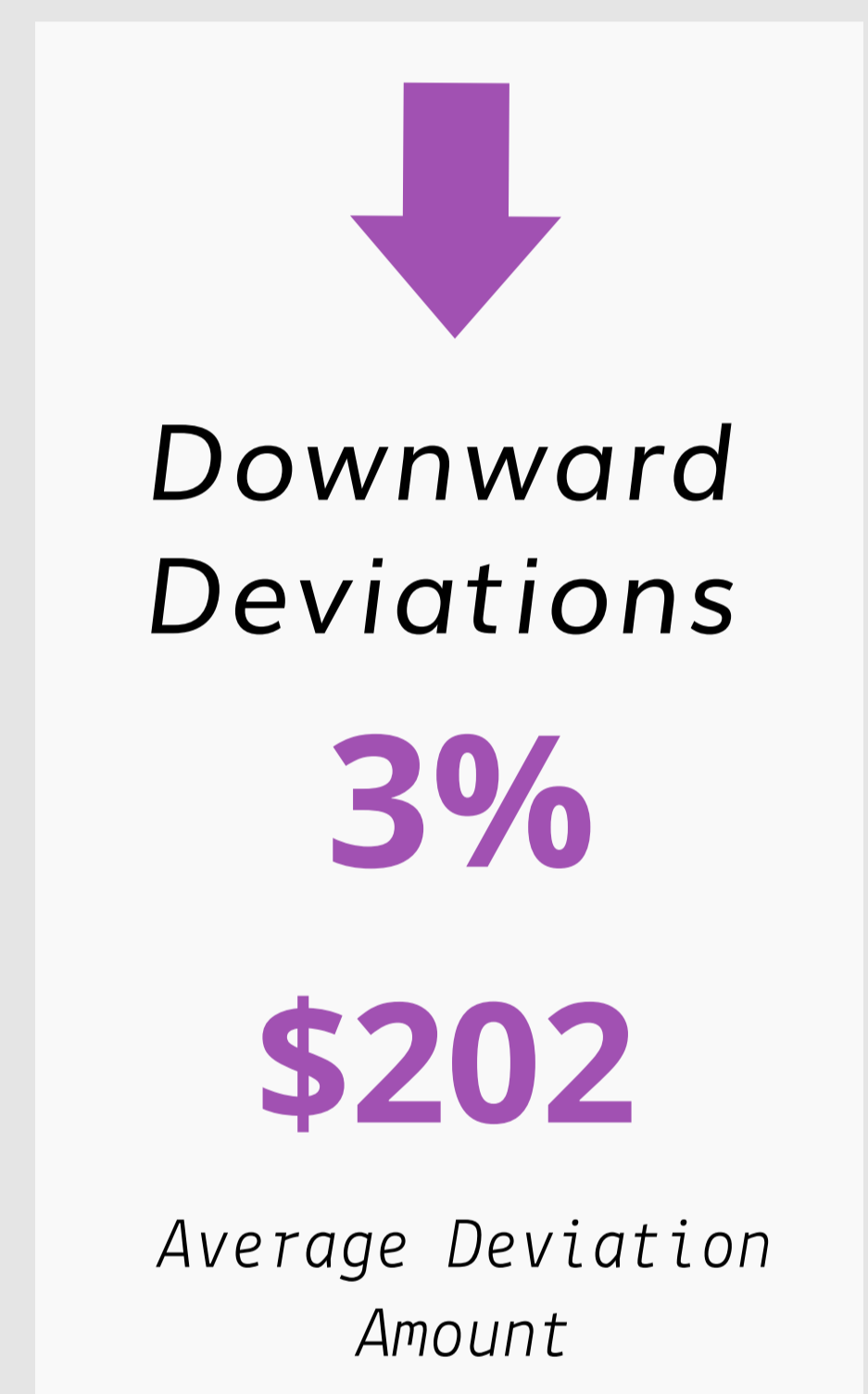
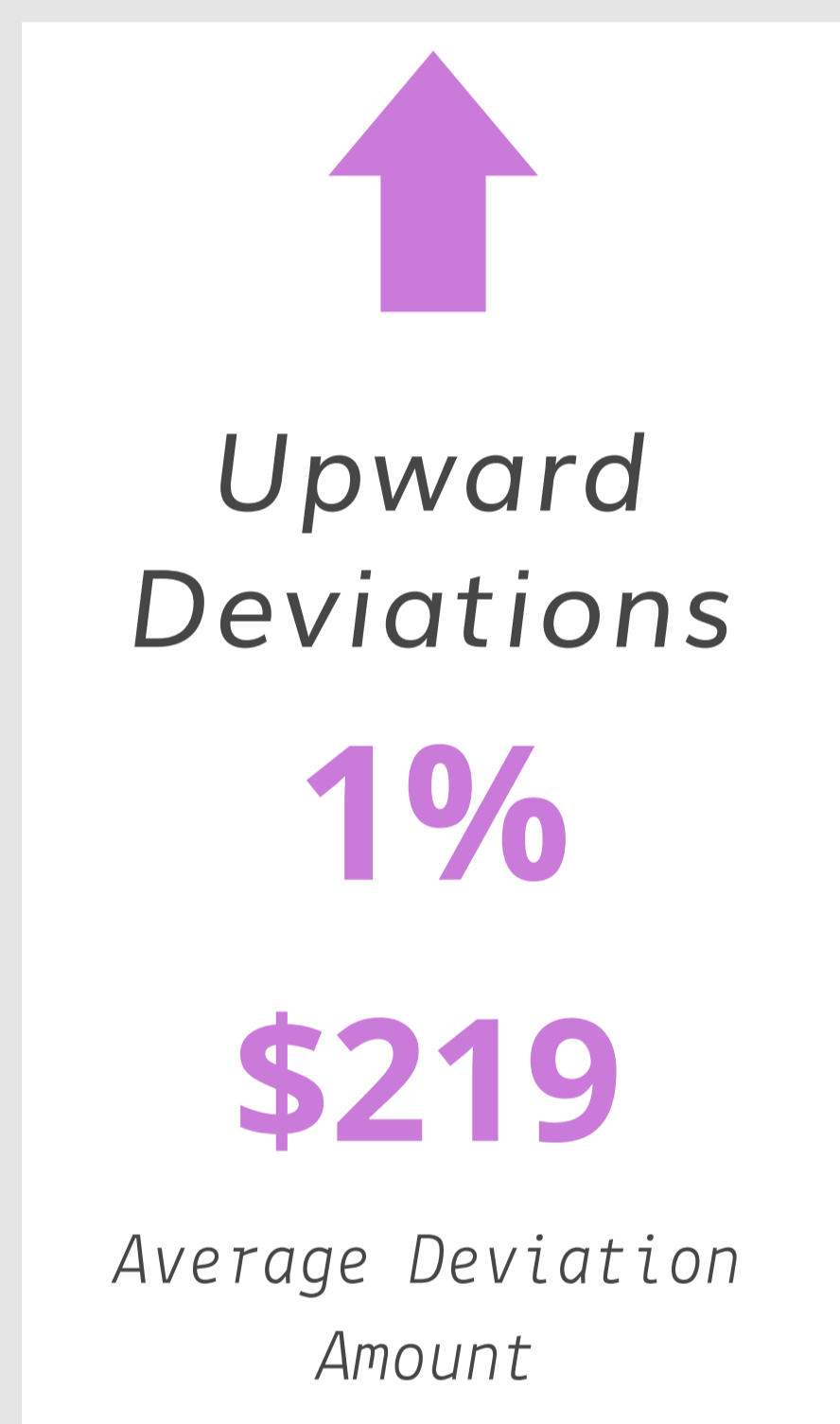
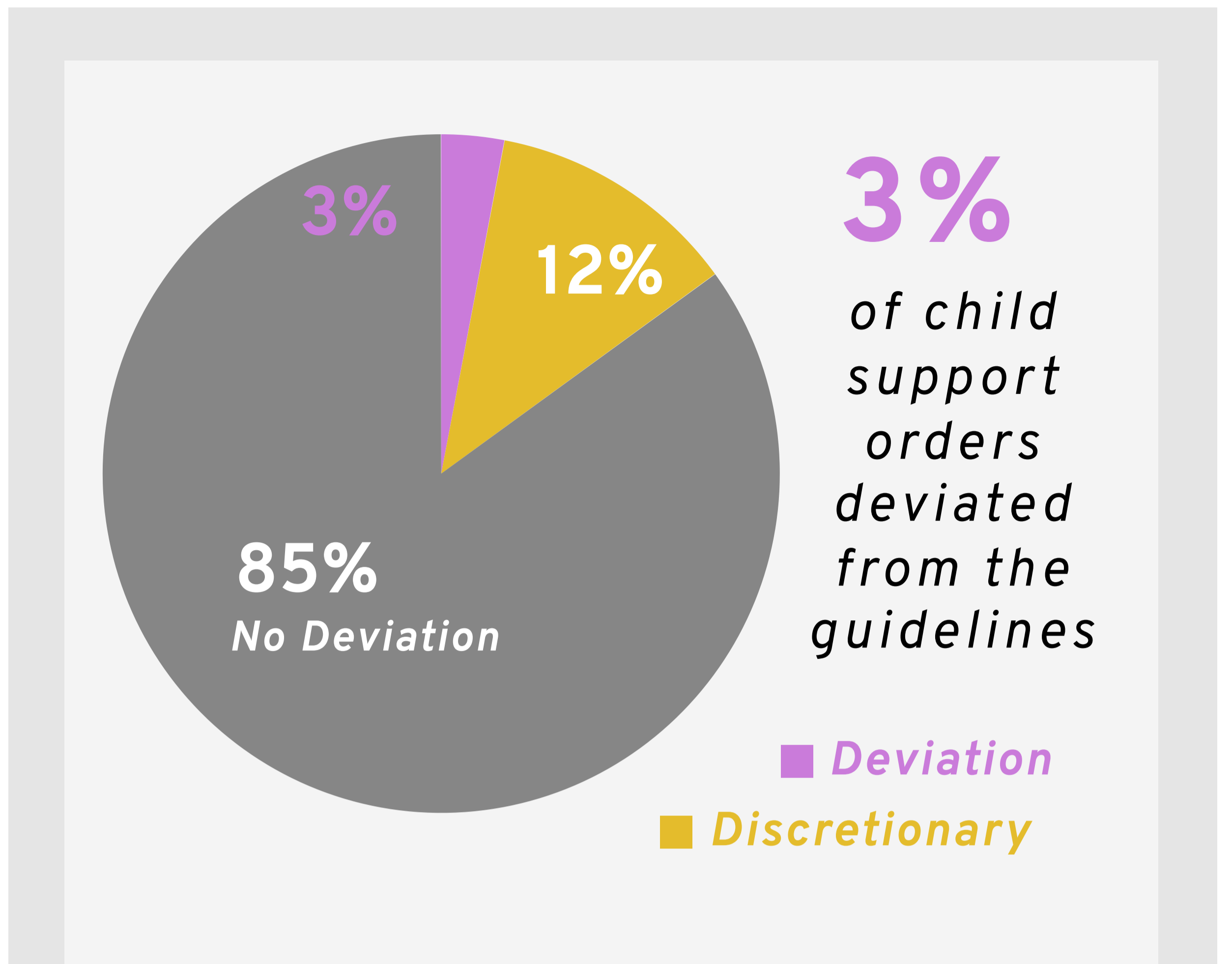
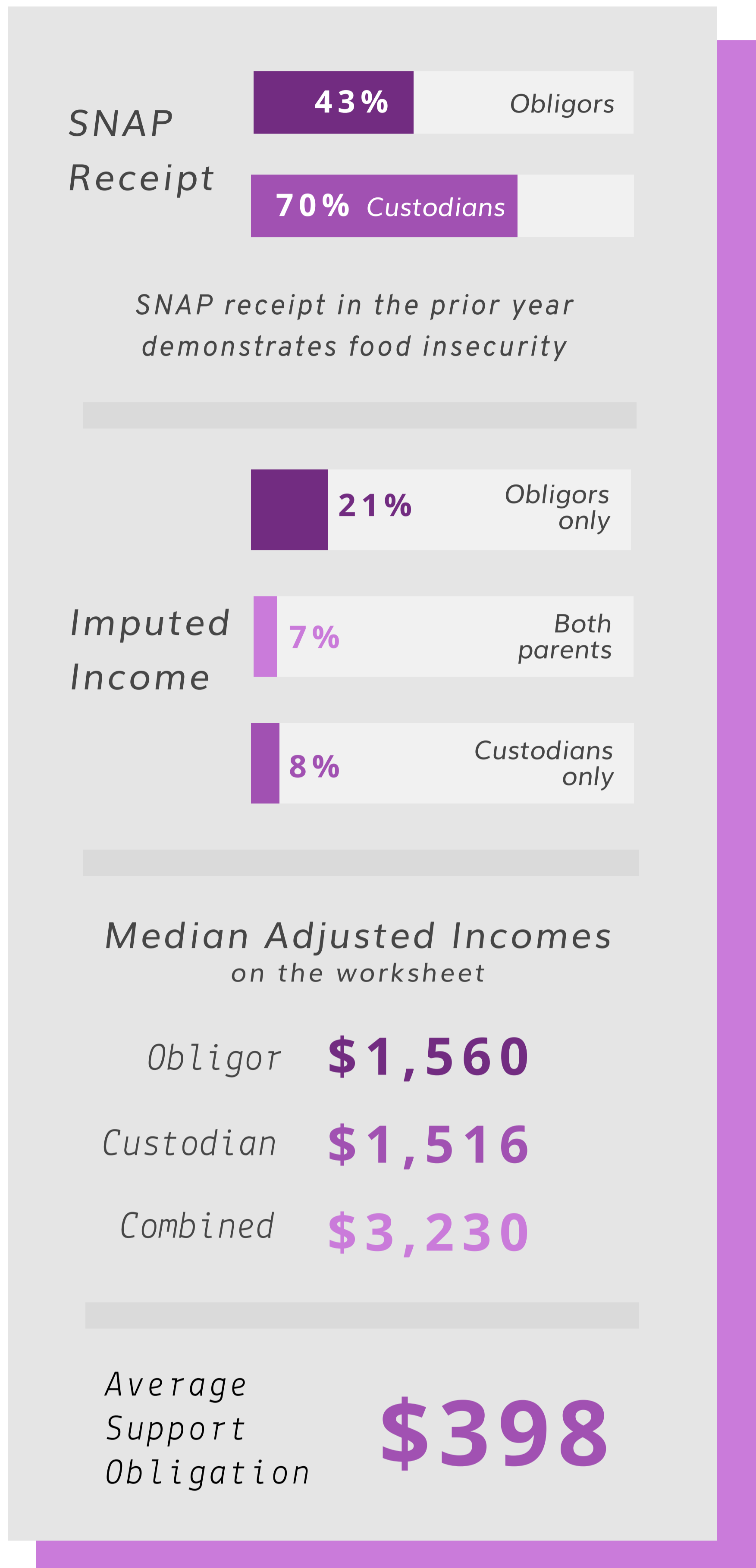
Payment Compliance Three-year Average



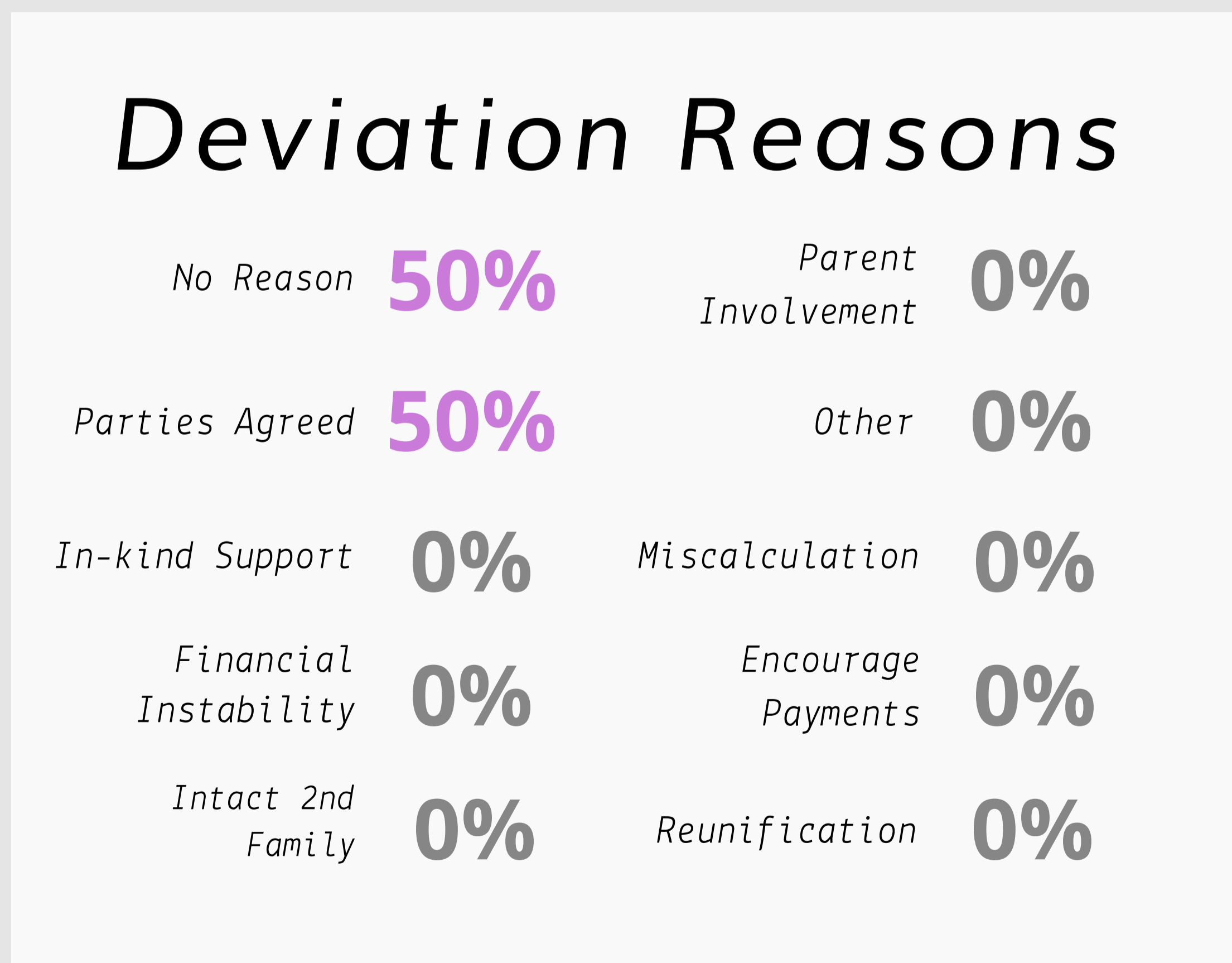
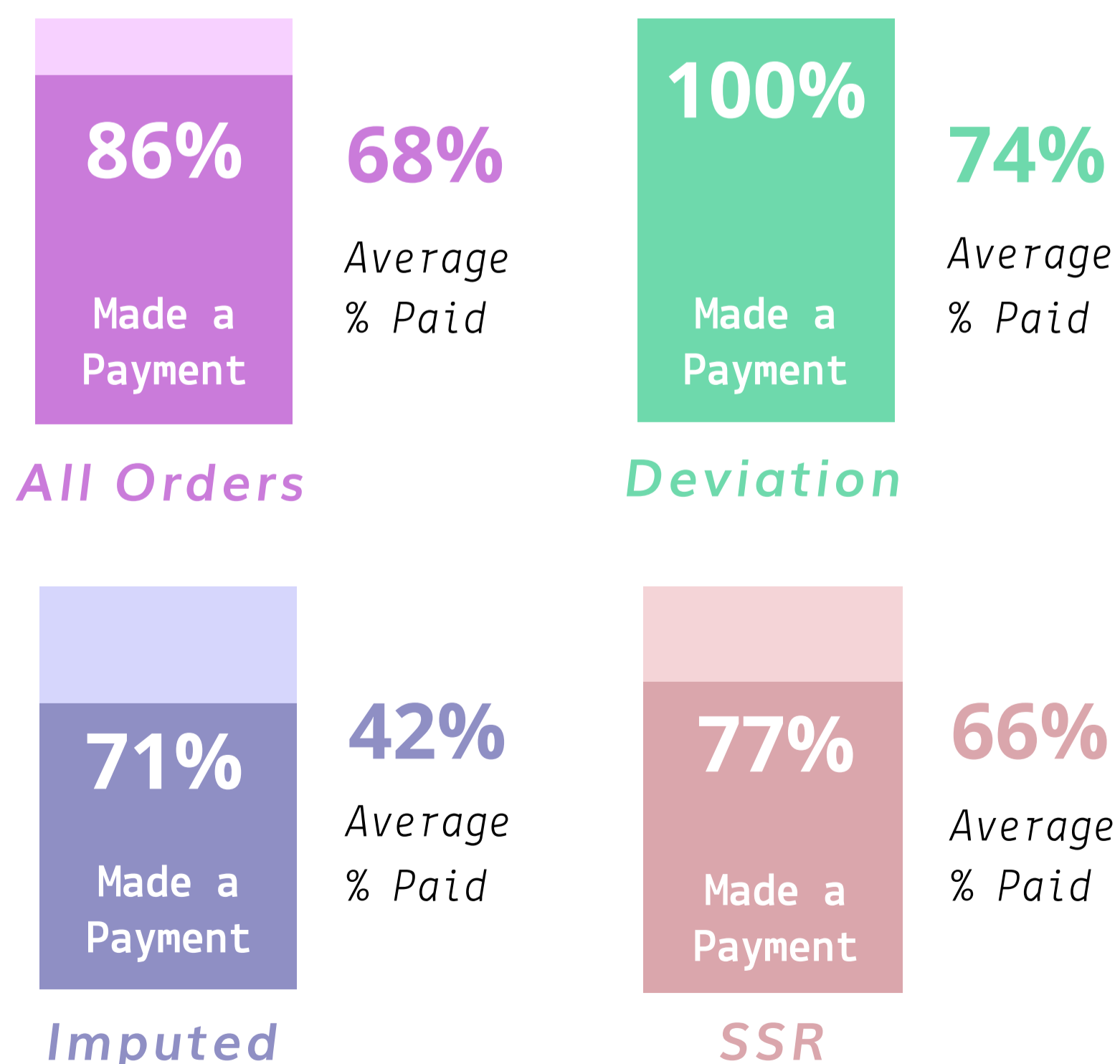
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

KENT COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



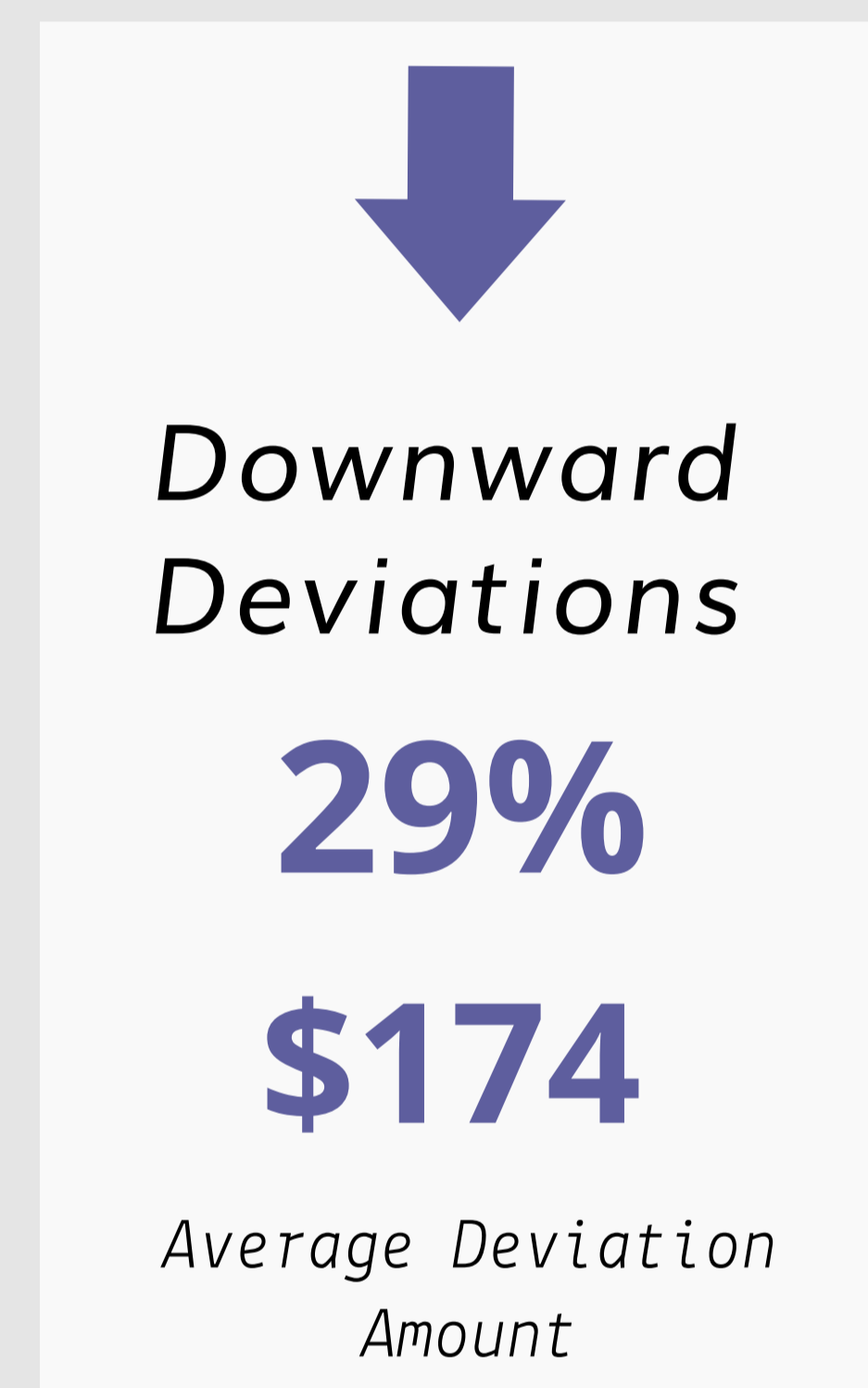
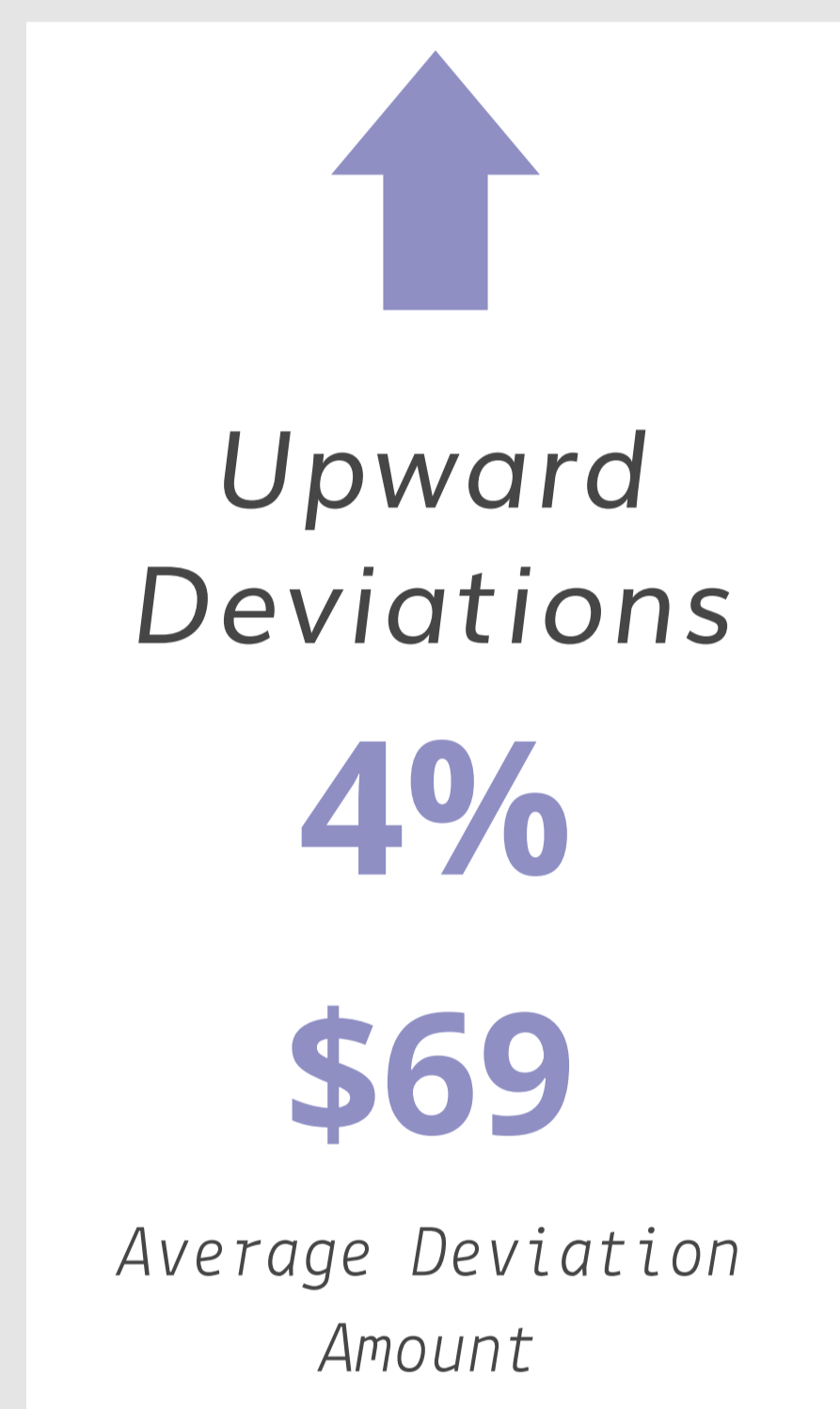
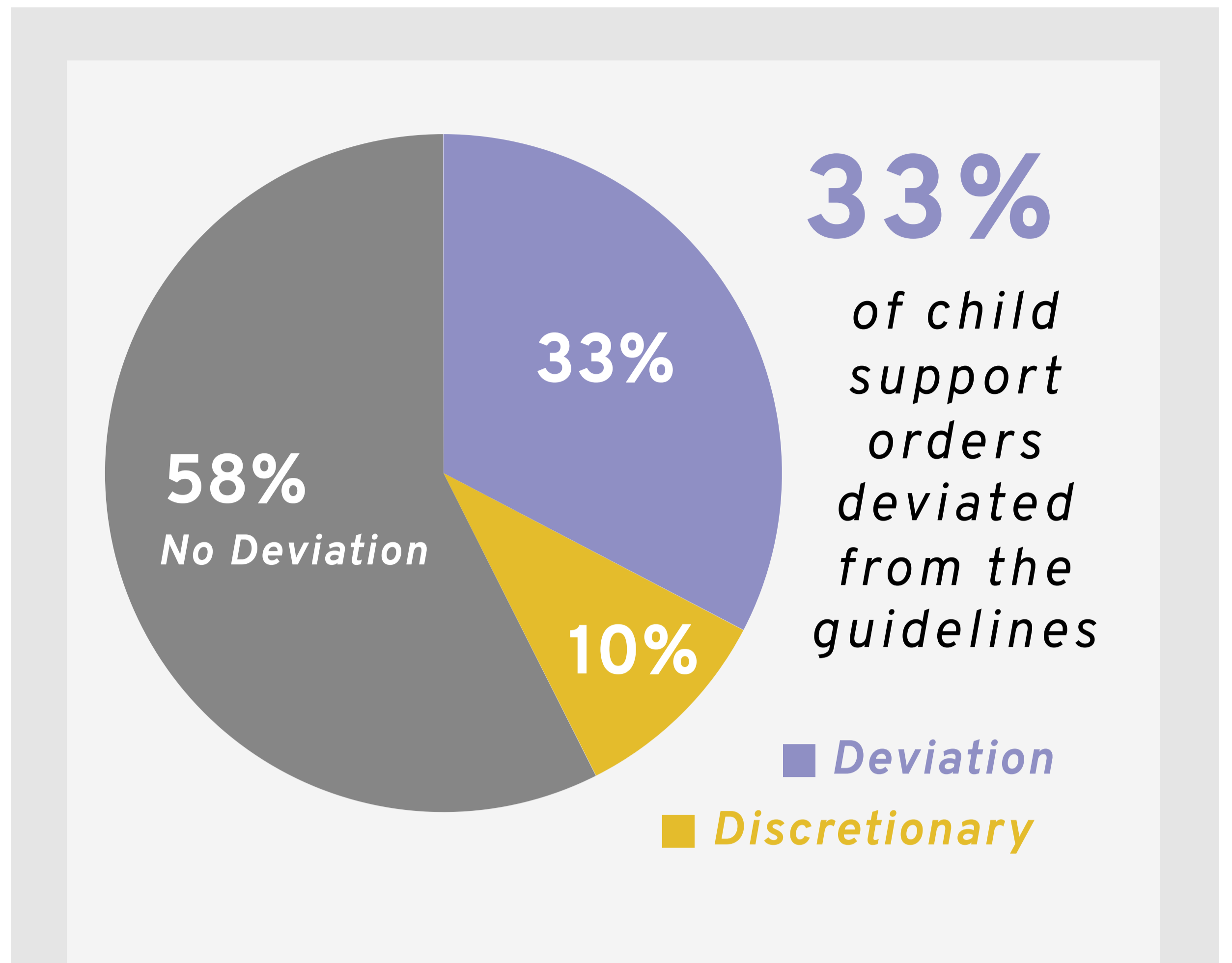
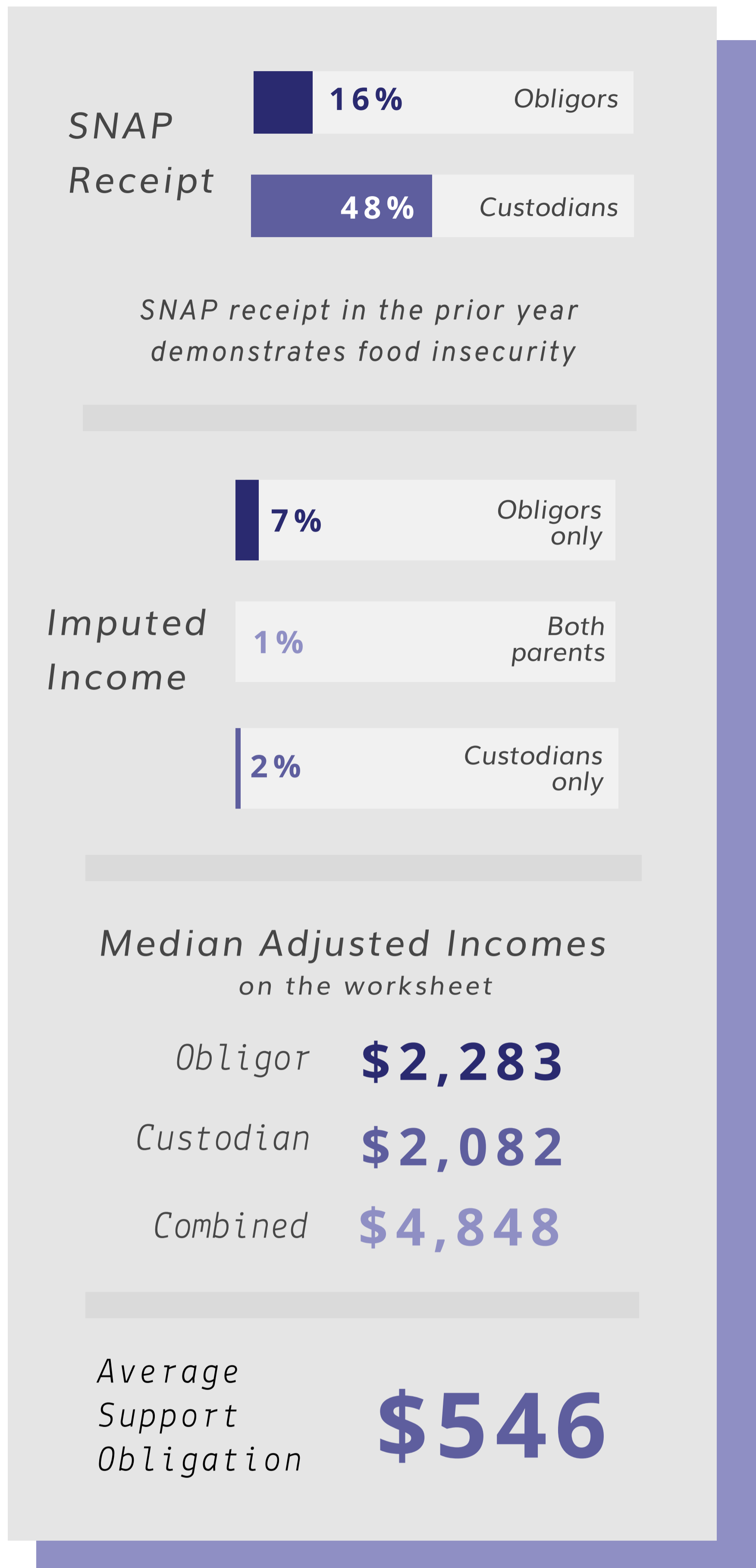
Payment Compliance Three-year Average



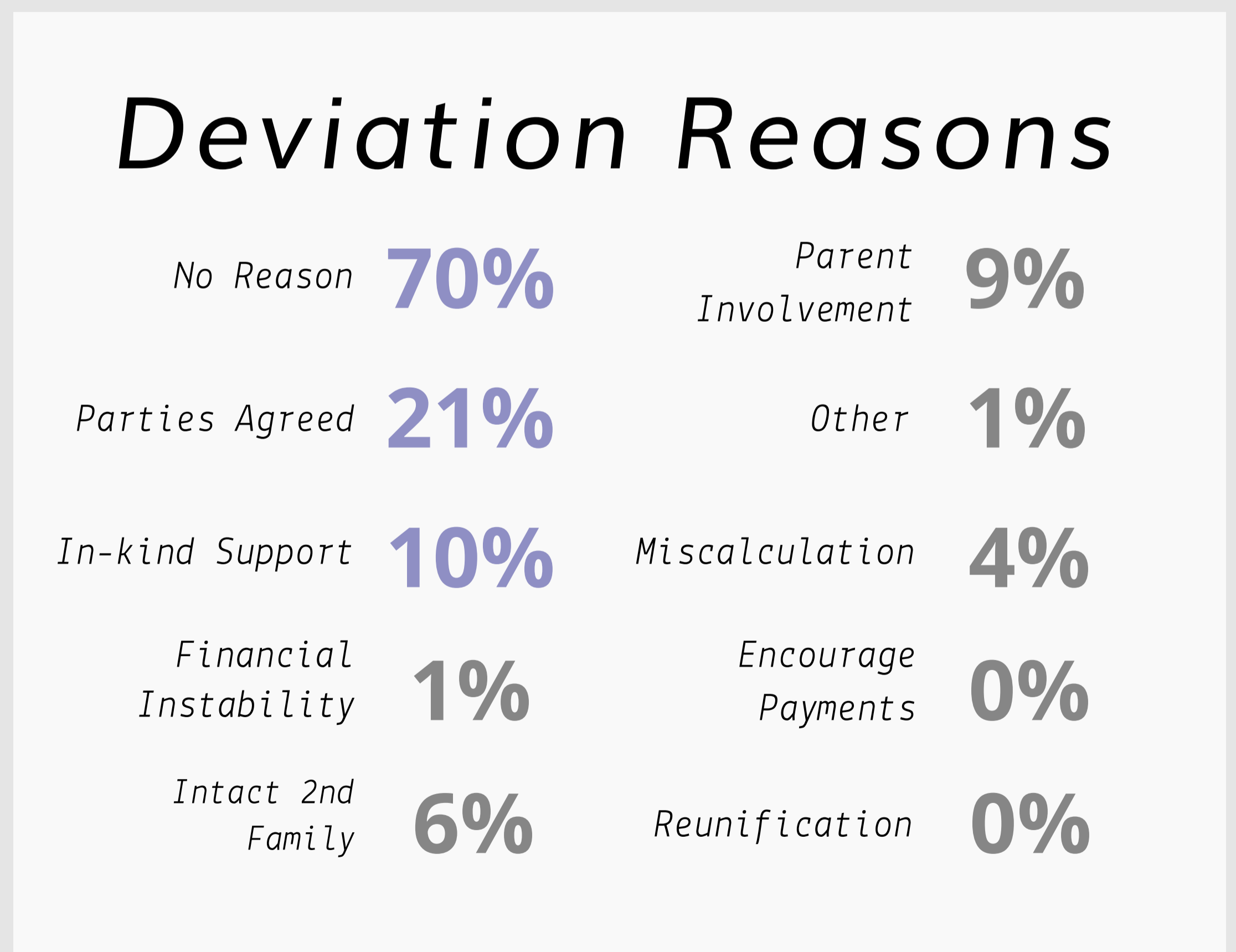
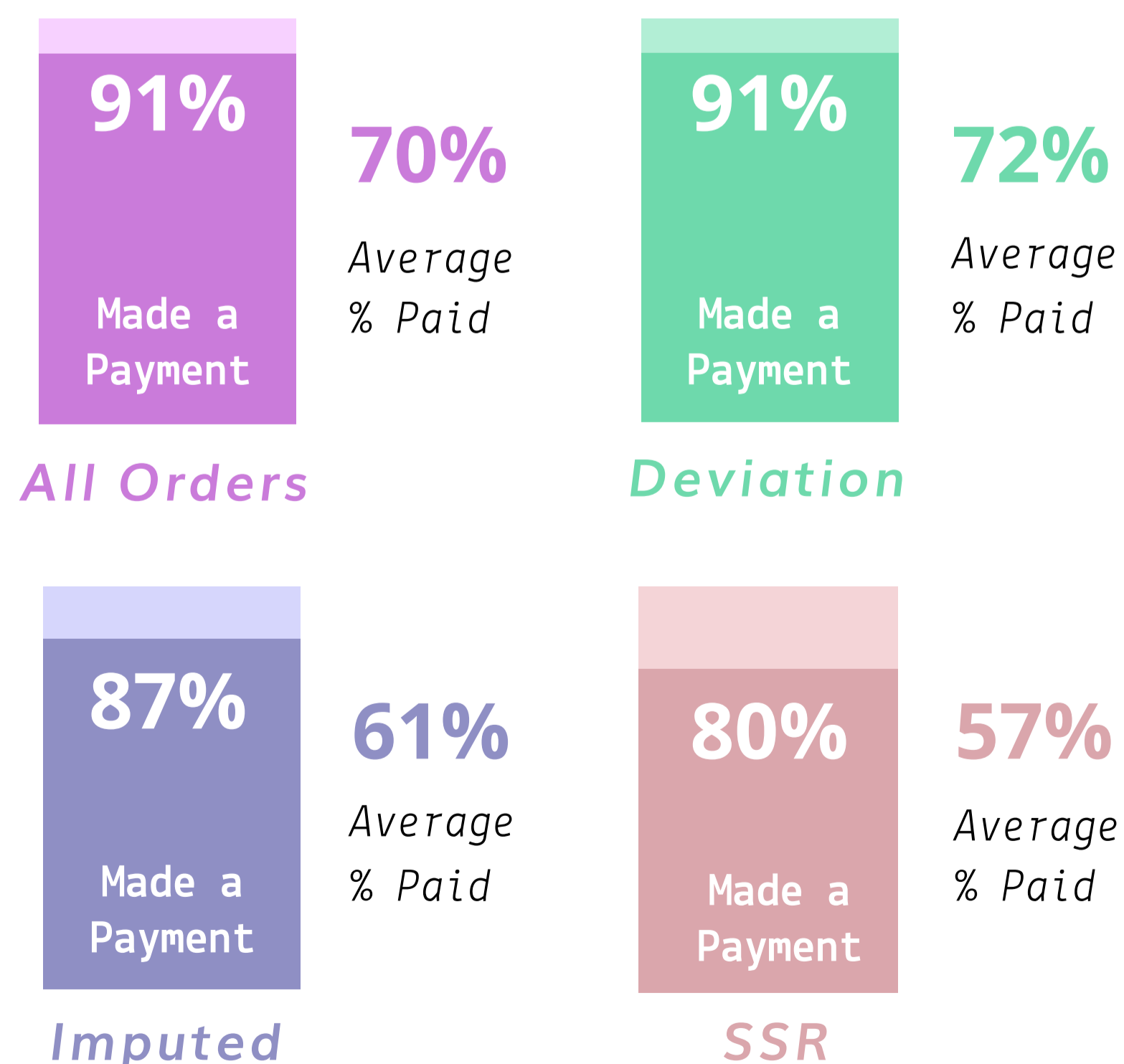
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

MONTGOMERY COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



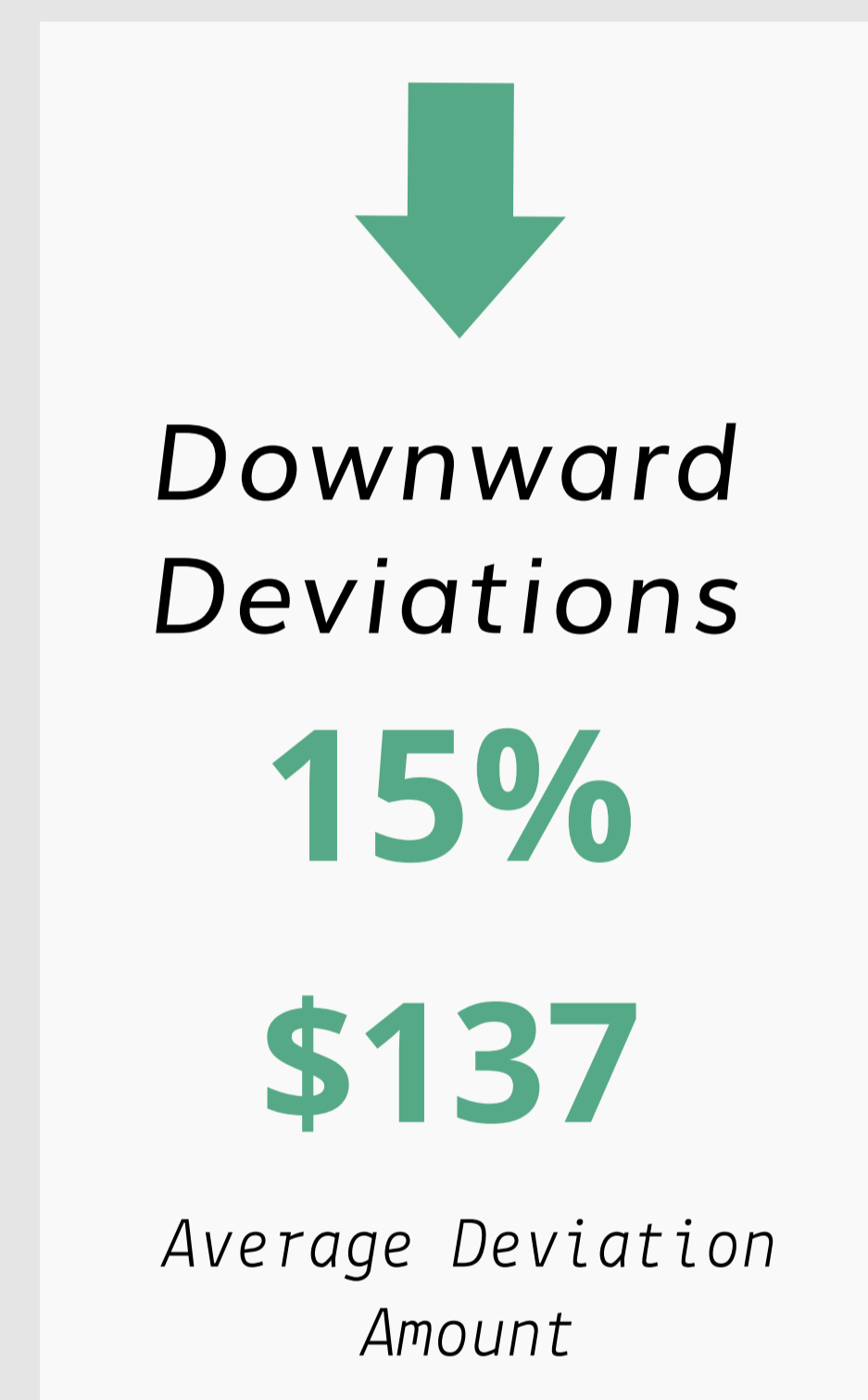
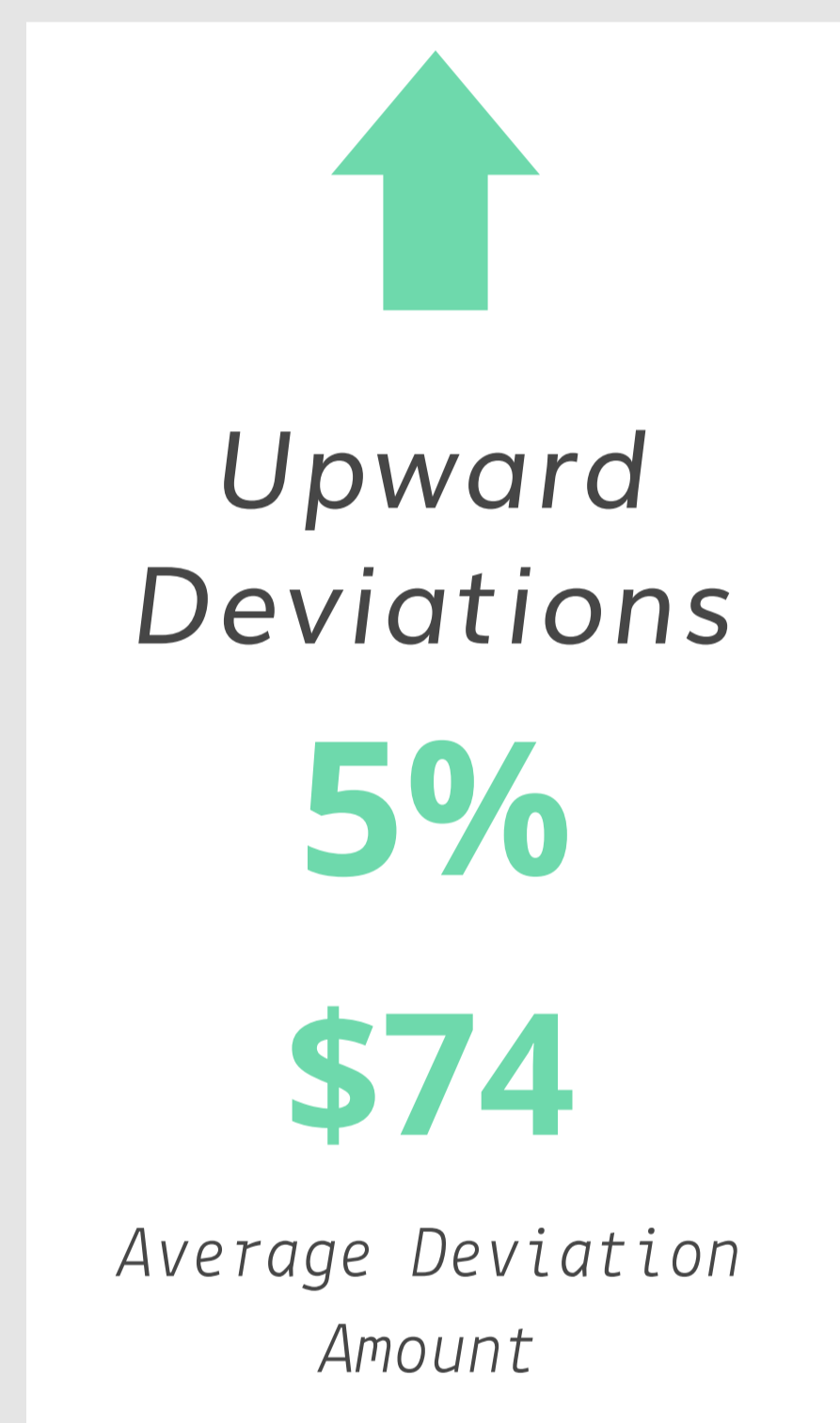
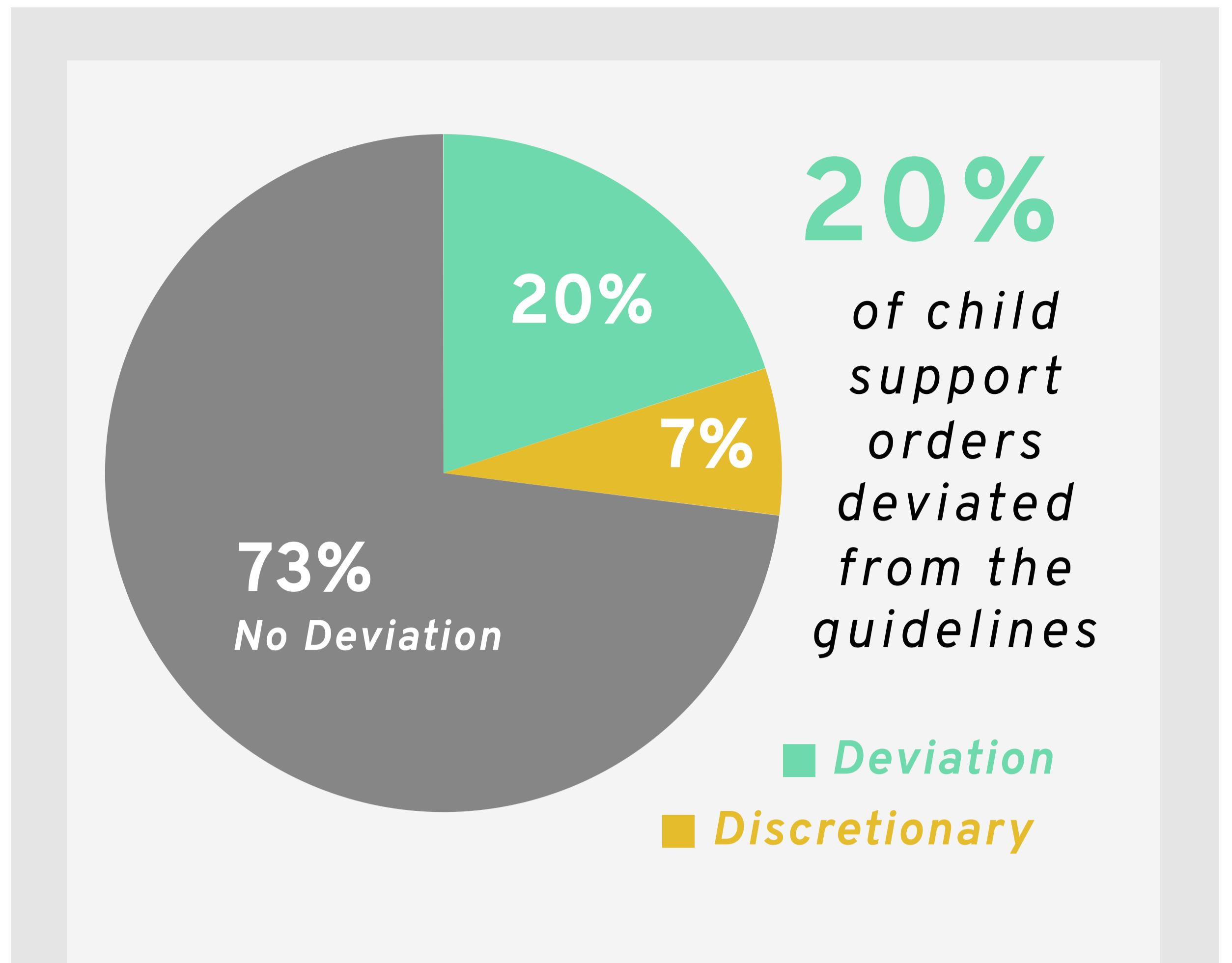
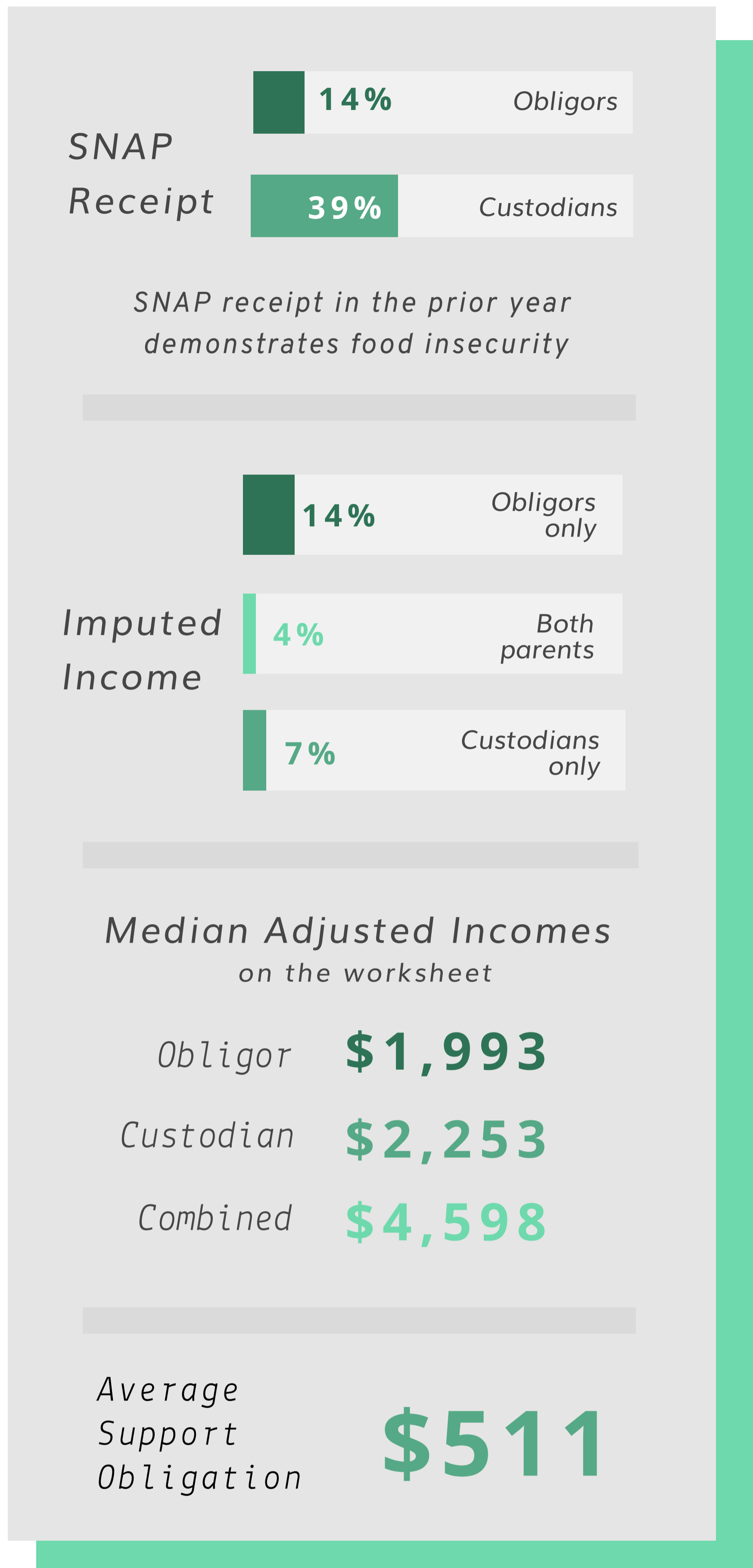
Payment Compliance Three-year Average



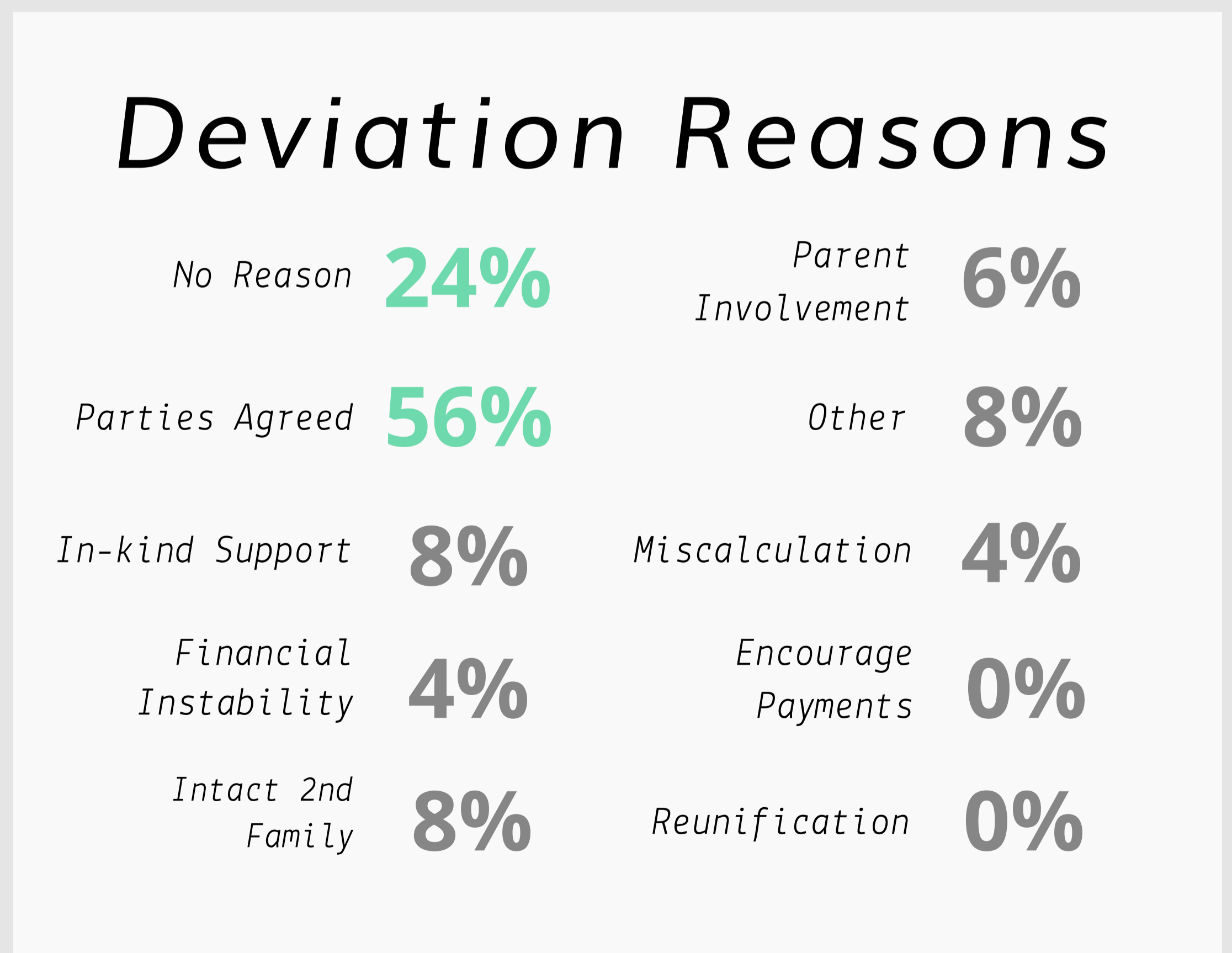
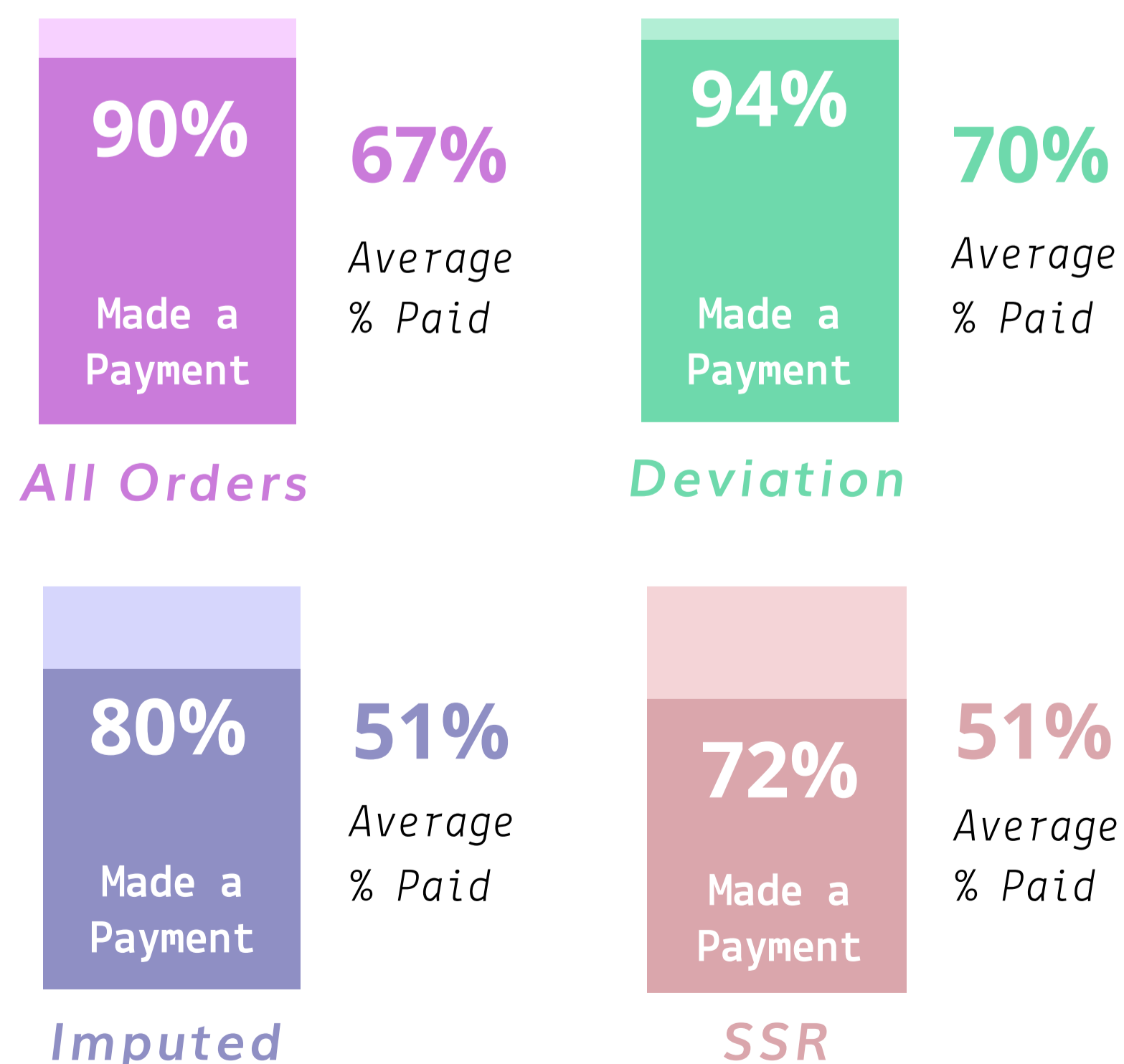
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

PRINCE GEORGE'S COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



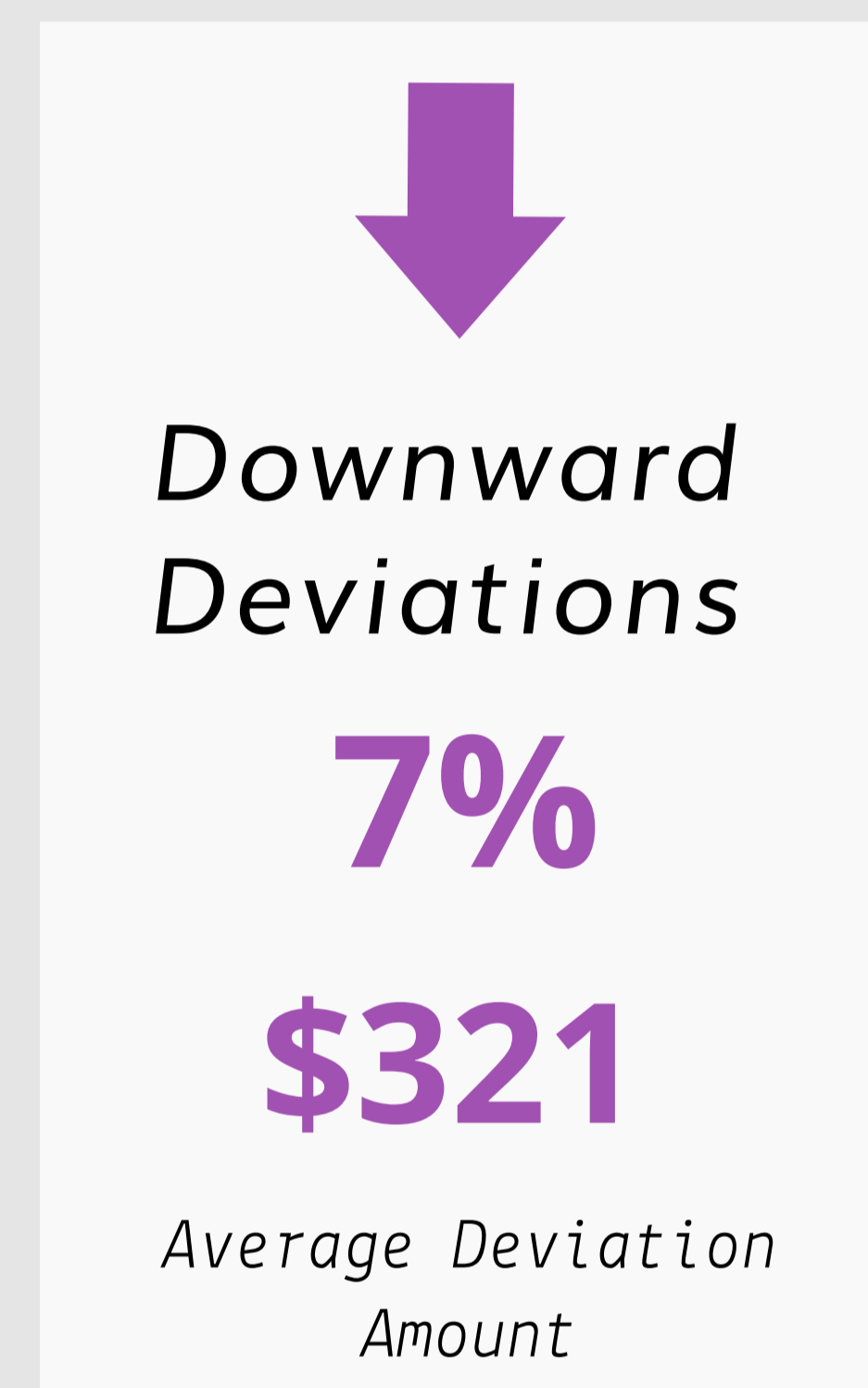
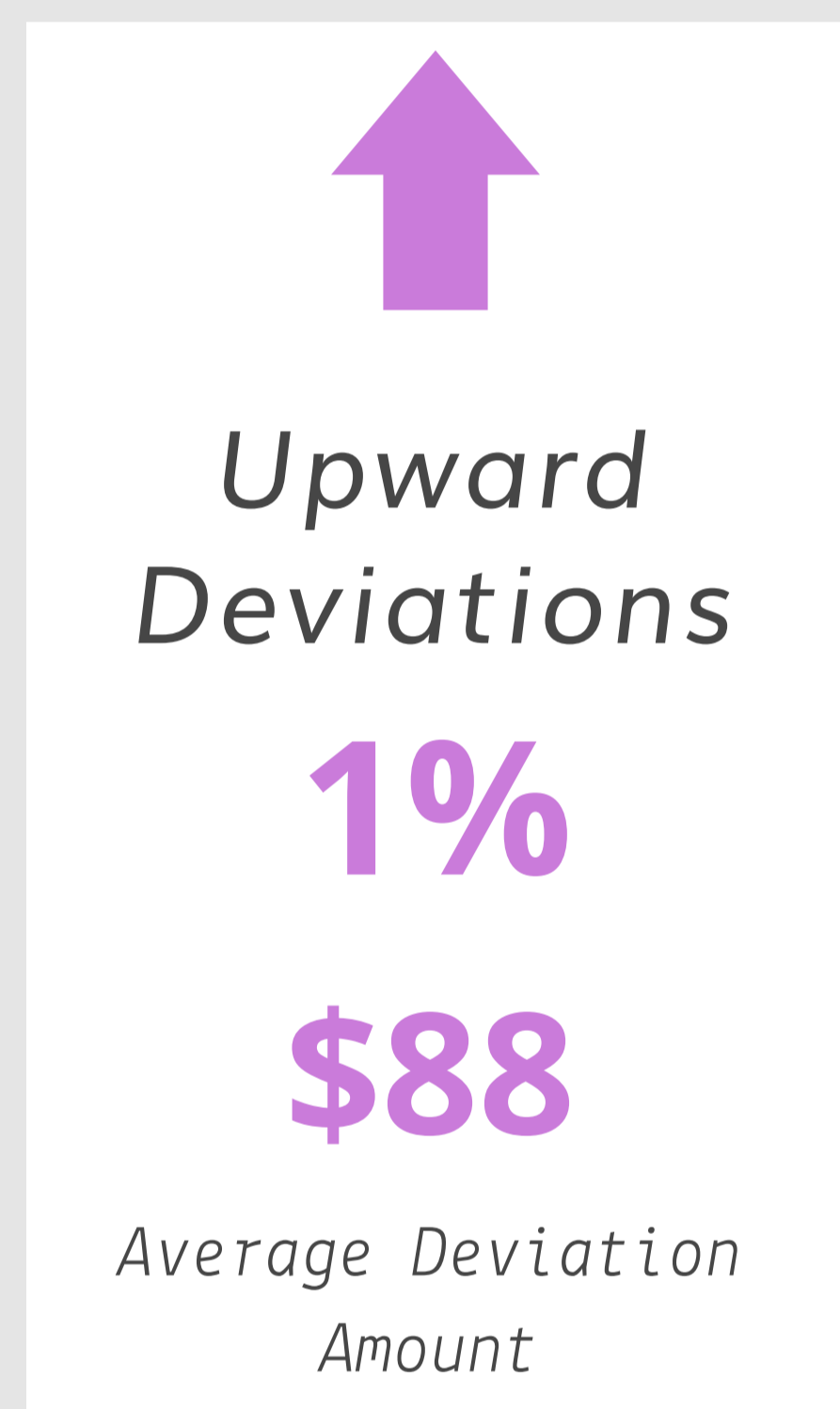
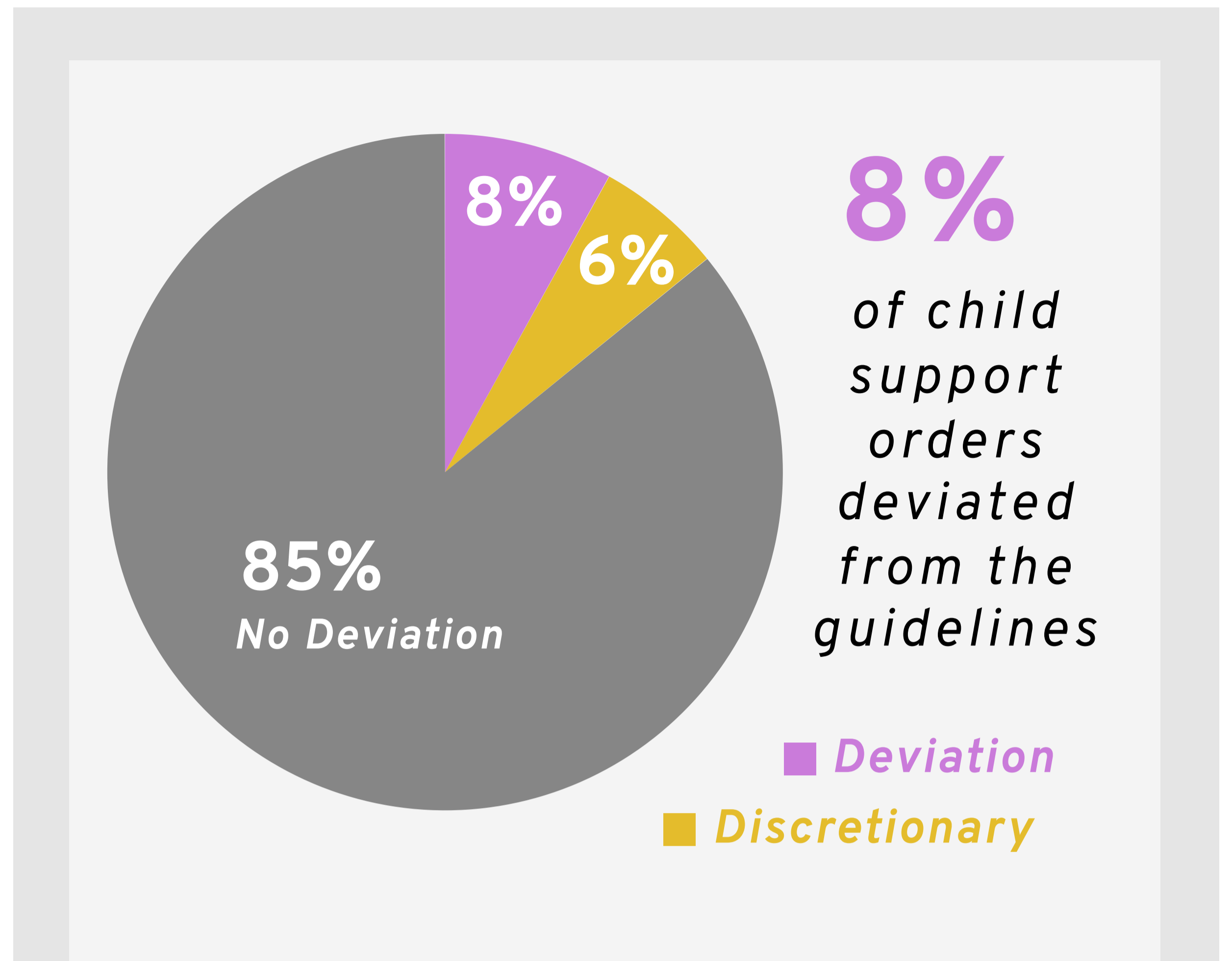
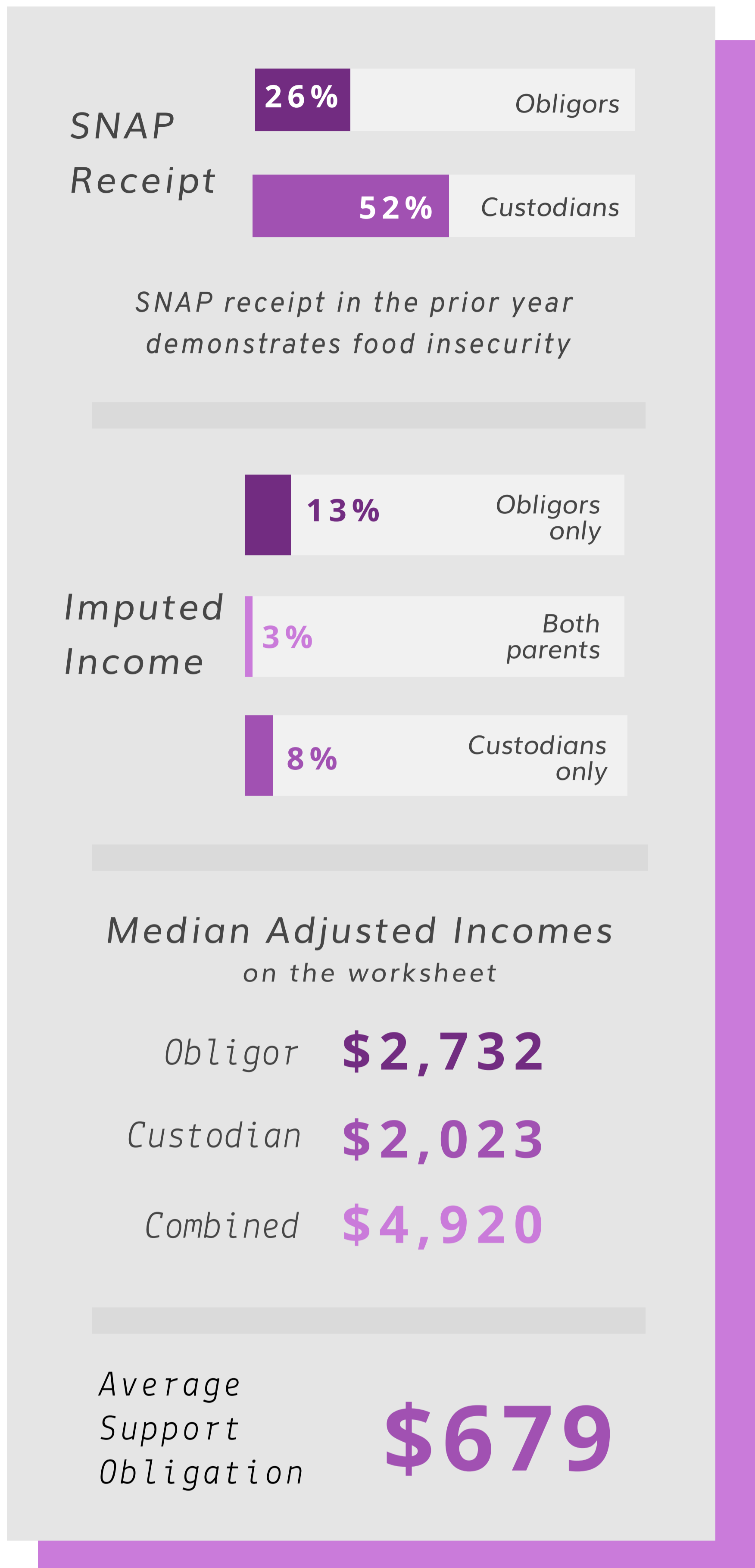
Payment Compliance Three-year Average



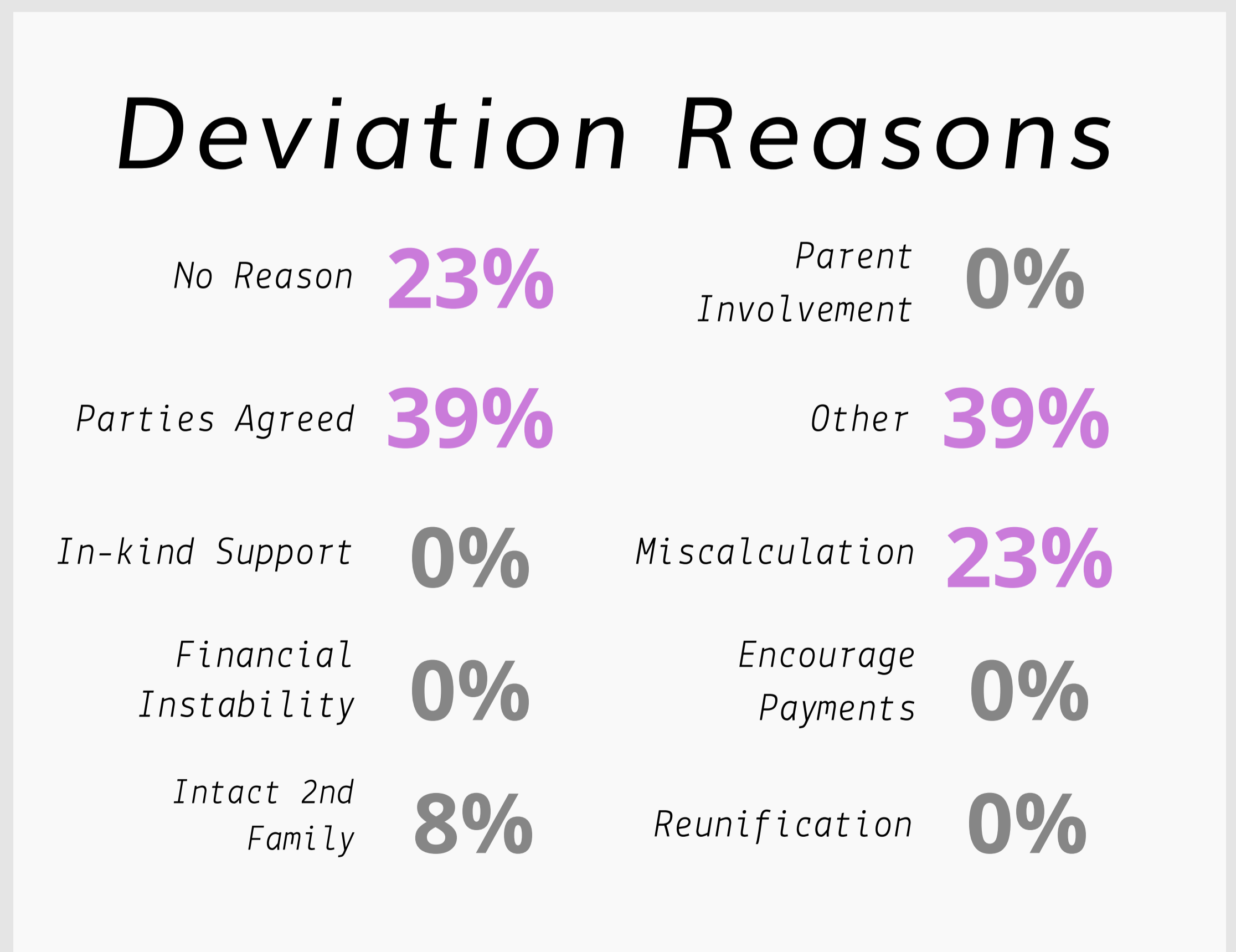
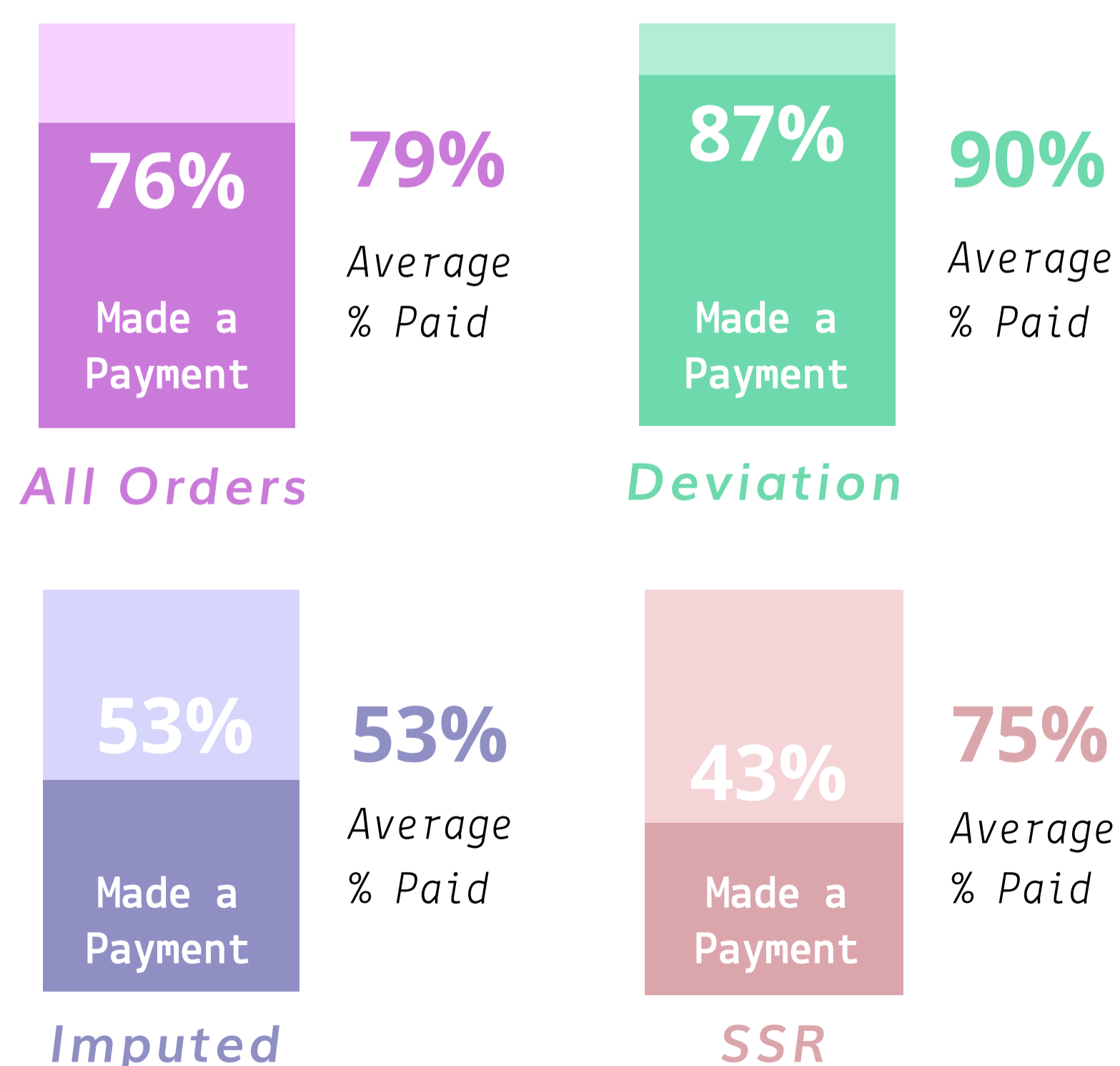
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

QUEEN ANNE'S COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



Payment Compliance Three-year Average

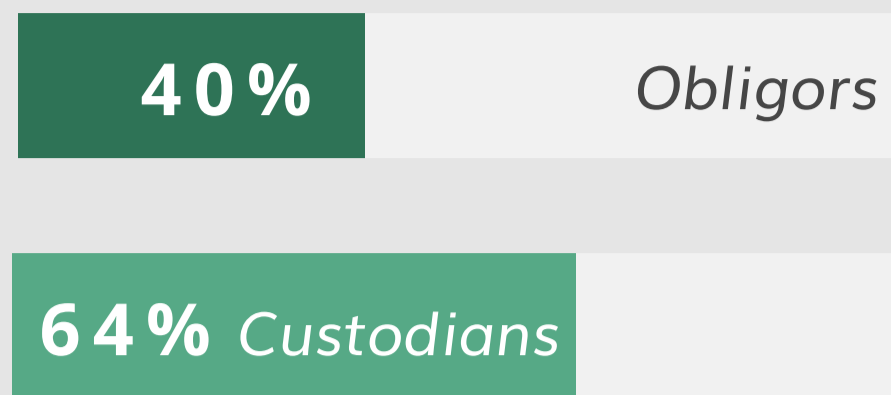


Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

ST. MARY'S COUNTY

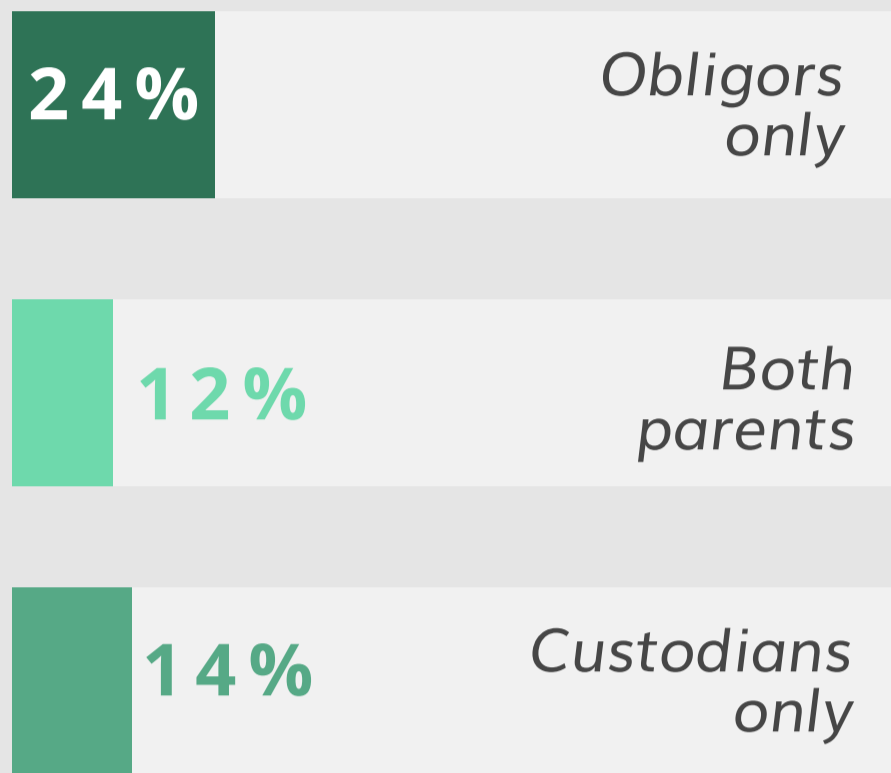
Child Support Guidelines Case-Level Review: 2015 to 2018

SNAP Receipt



SNAP receipt in the prior year demonstrates food insecurity

Imputed Income

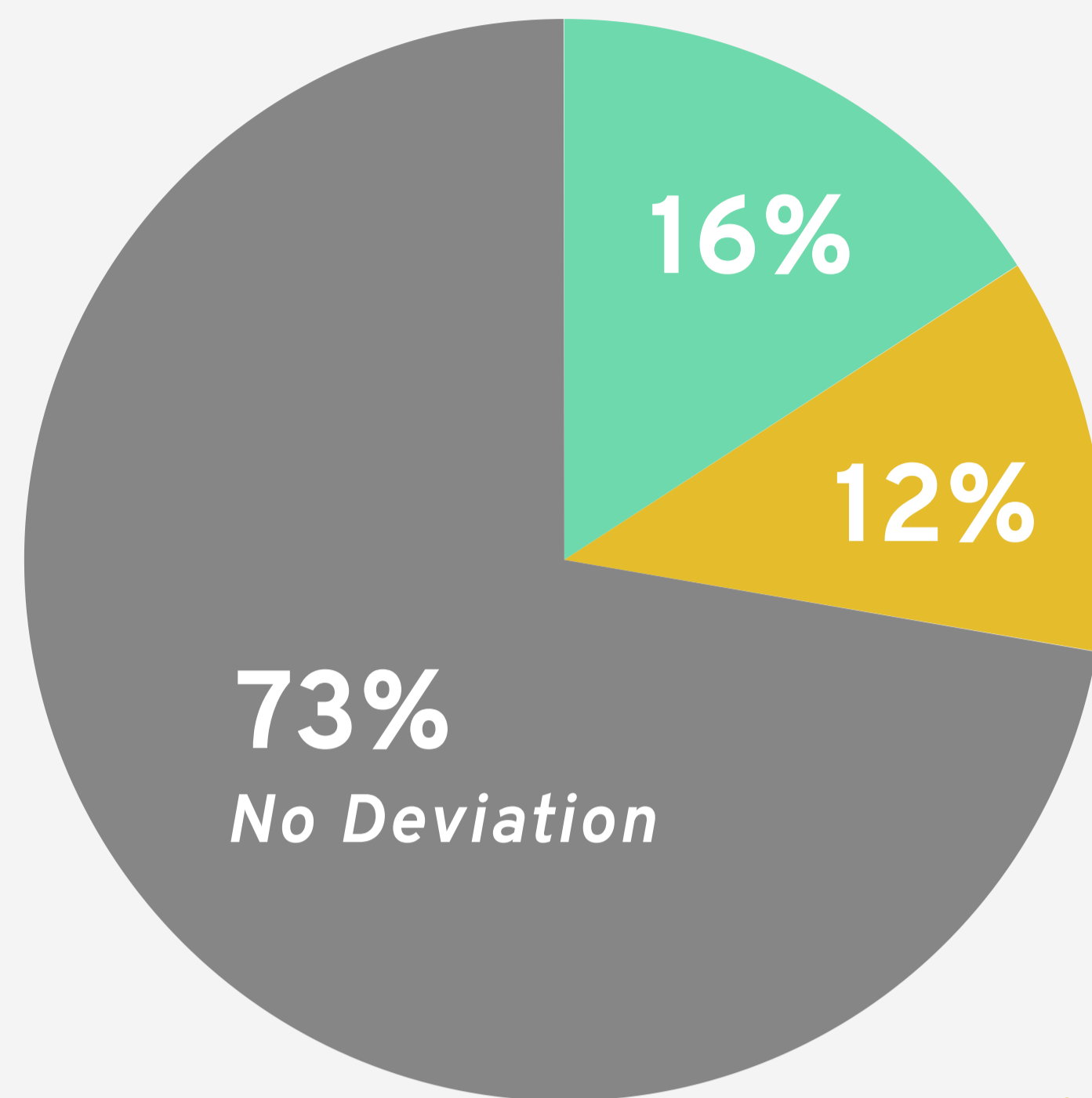


Median Adjusted Incomes on the worksheet

Obligor **\$1,603**
 Custodian **\$1,517**
 Combined **\$3,566**

Average Support Obligation

\$437



16% of child support orders deviated from the guidelines

■ Deviation
 ■ Discretionary



Upward Deviations

1%

\$173

Average Deviation Amount



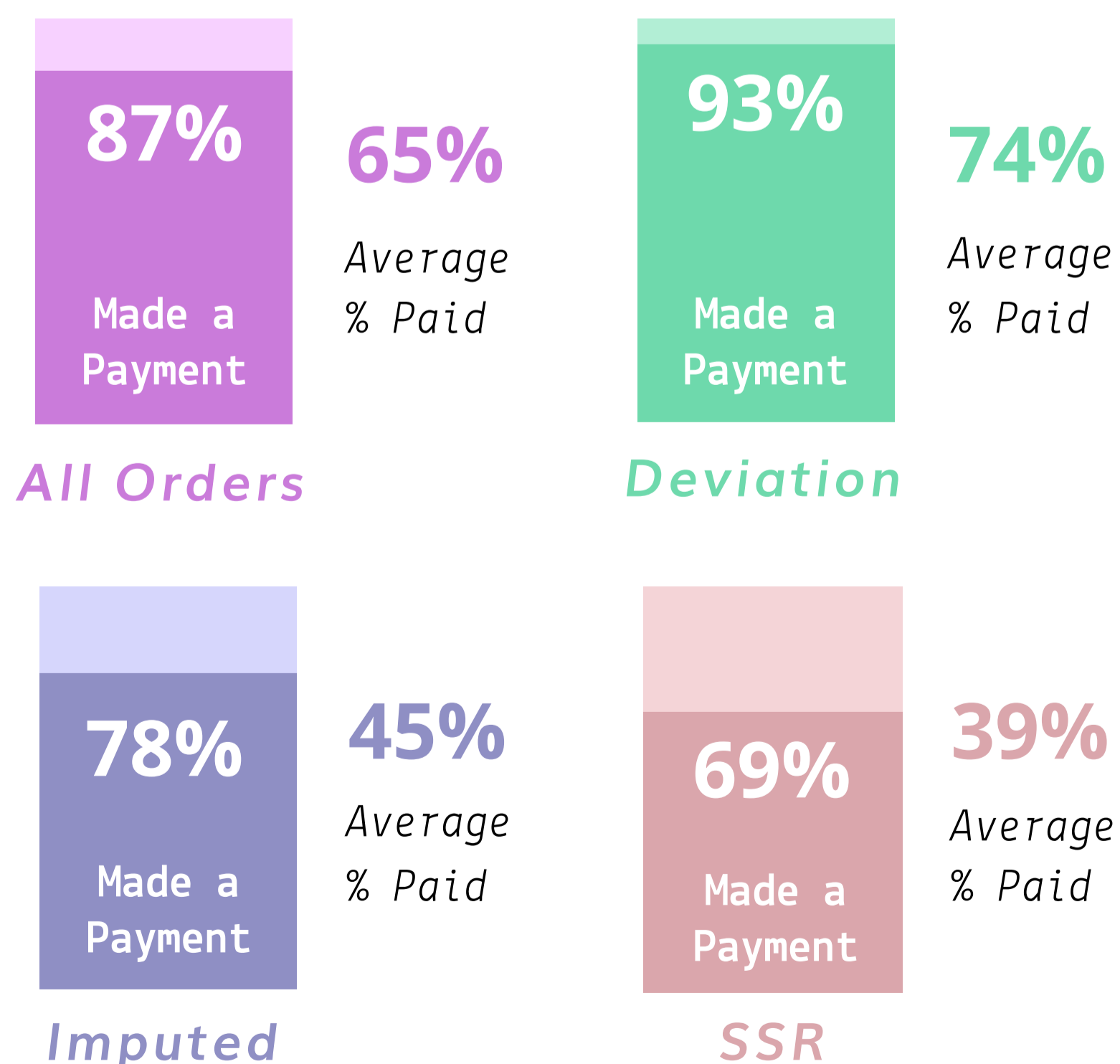
Downward Deviations

14%

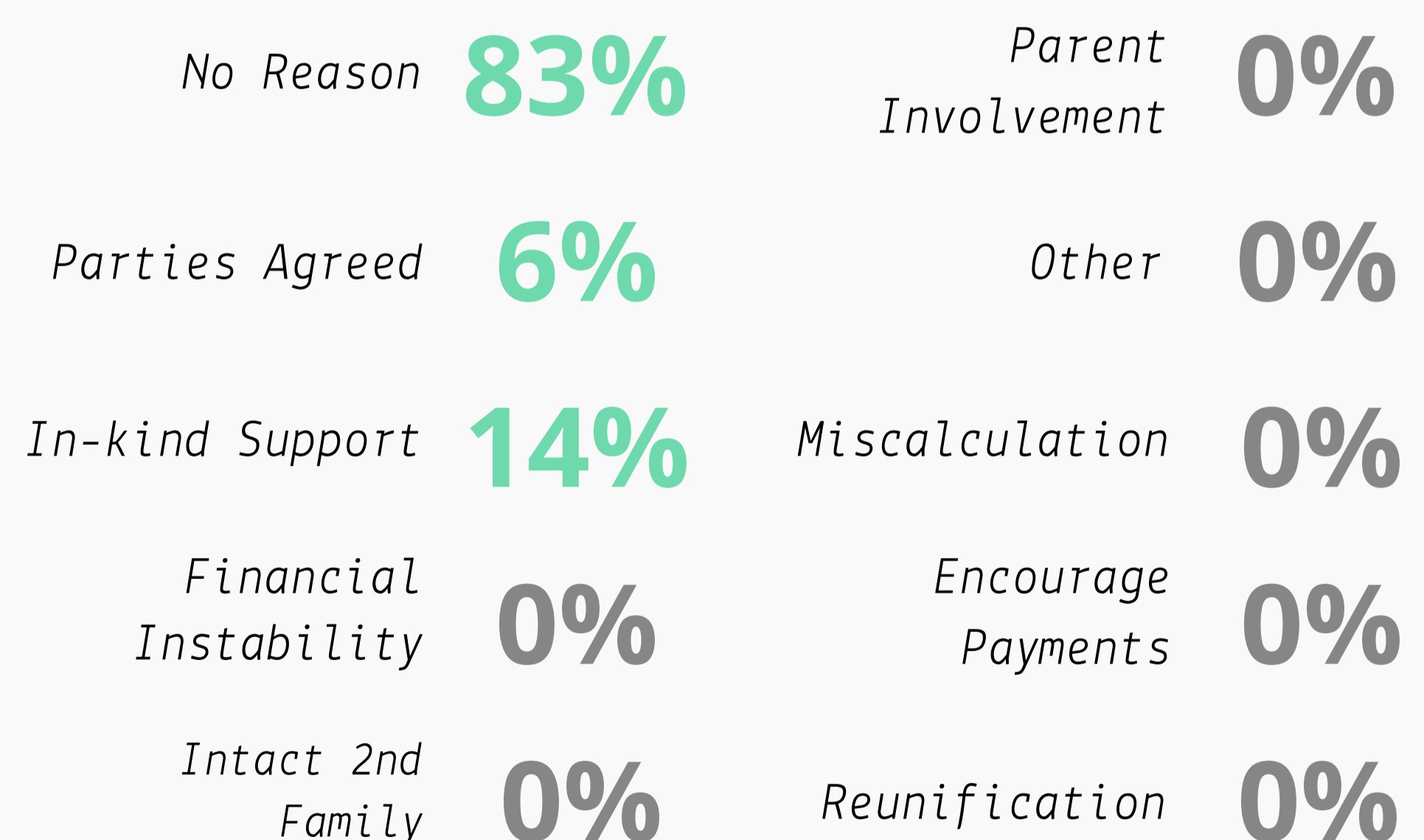
\$222

Average Deviation Amount

Payment Compliance Three-year Average



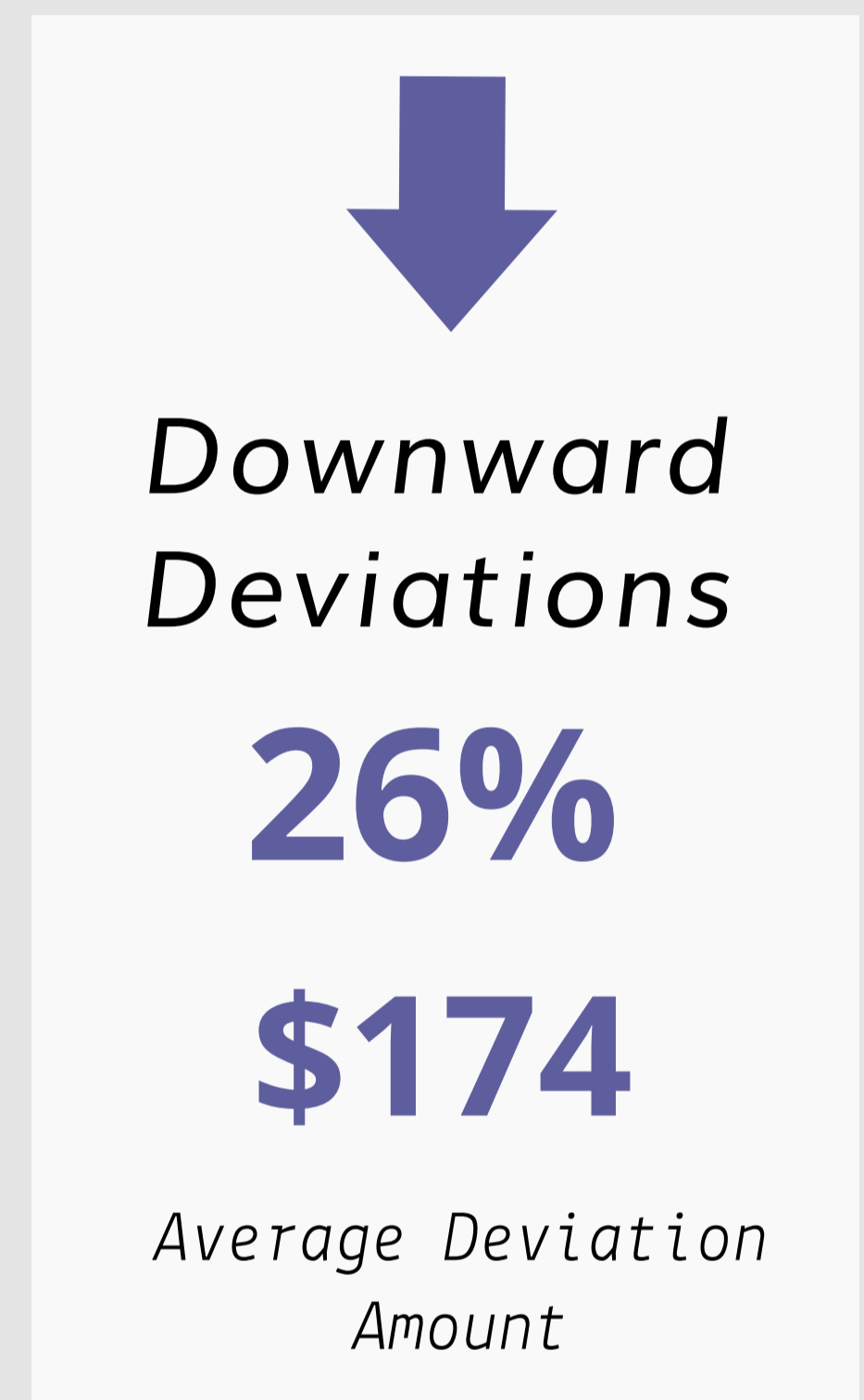
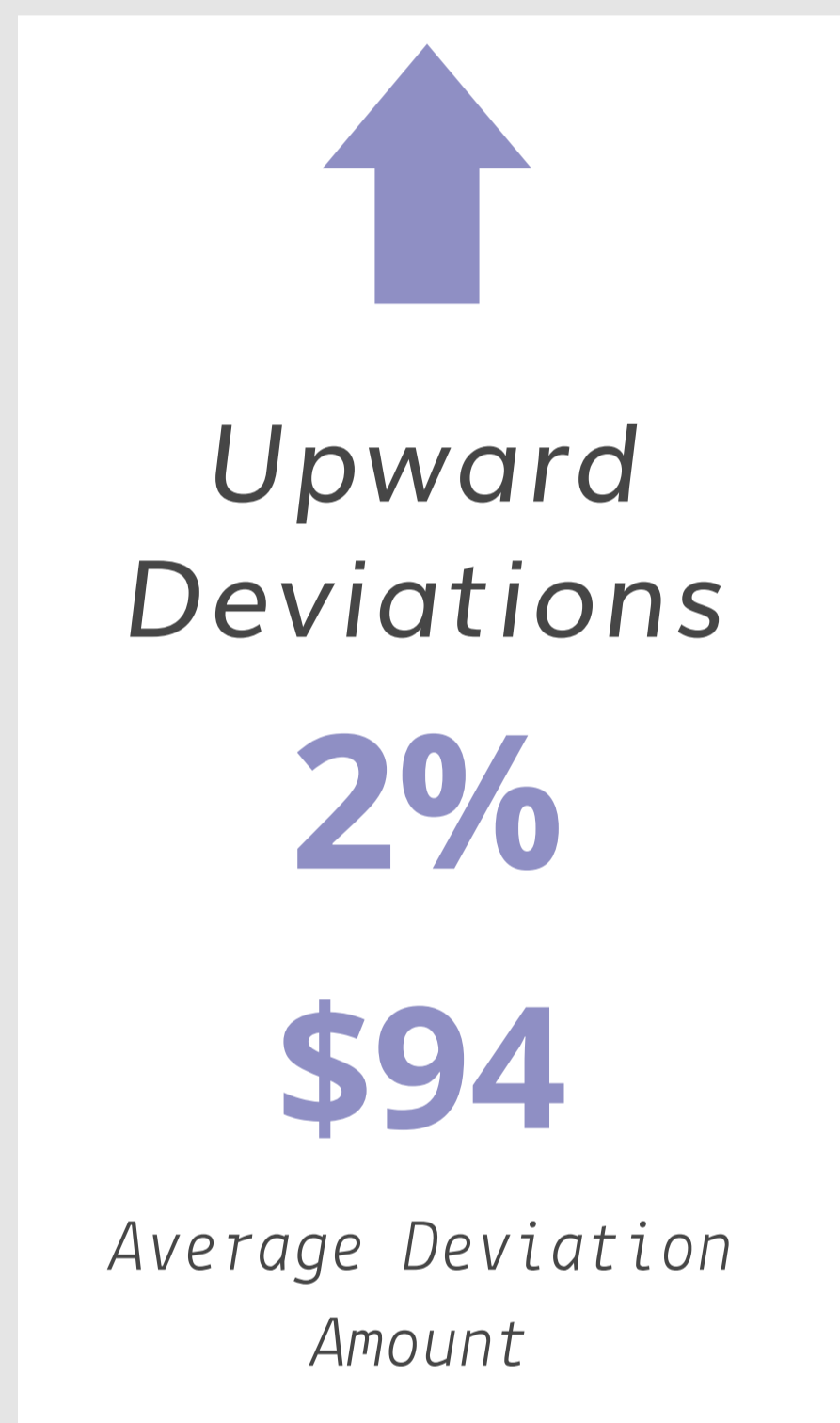
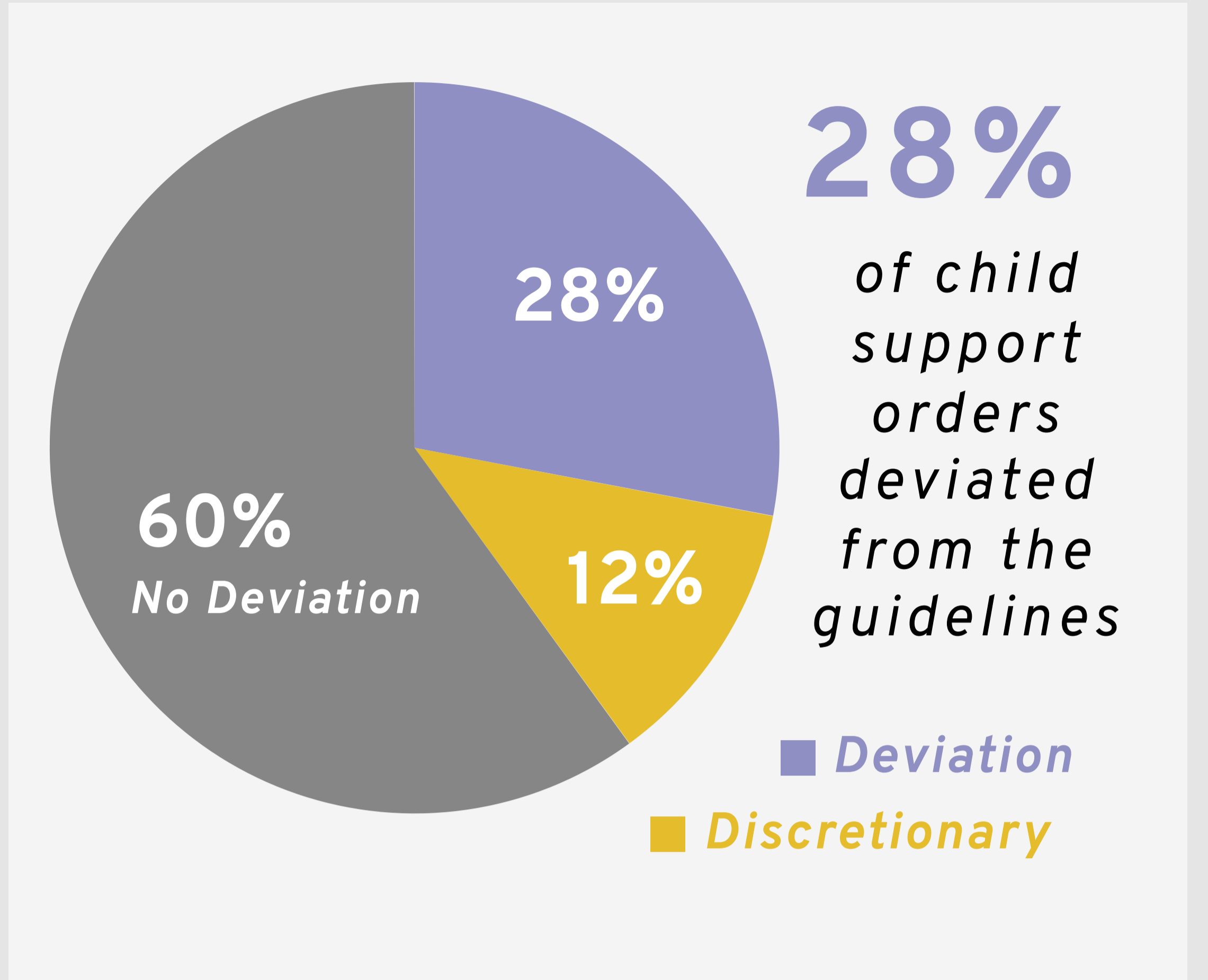
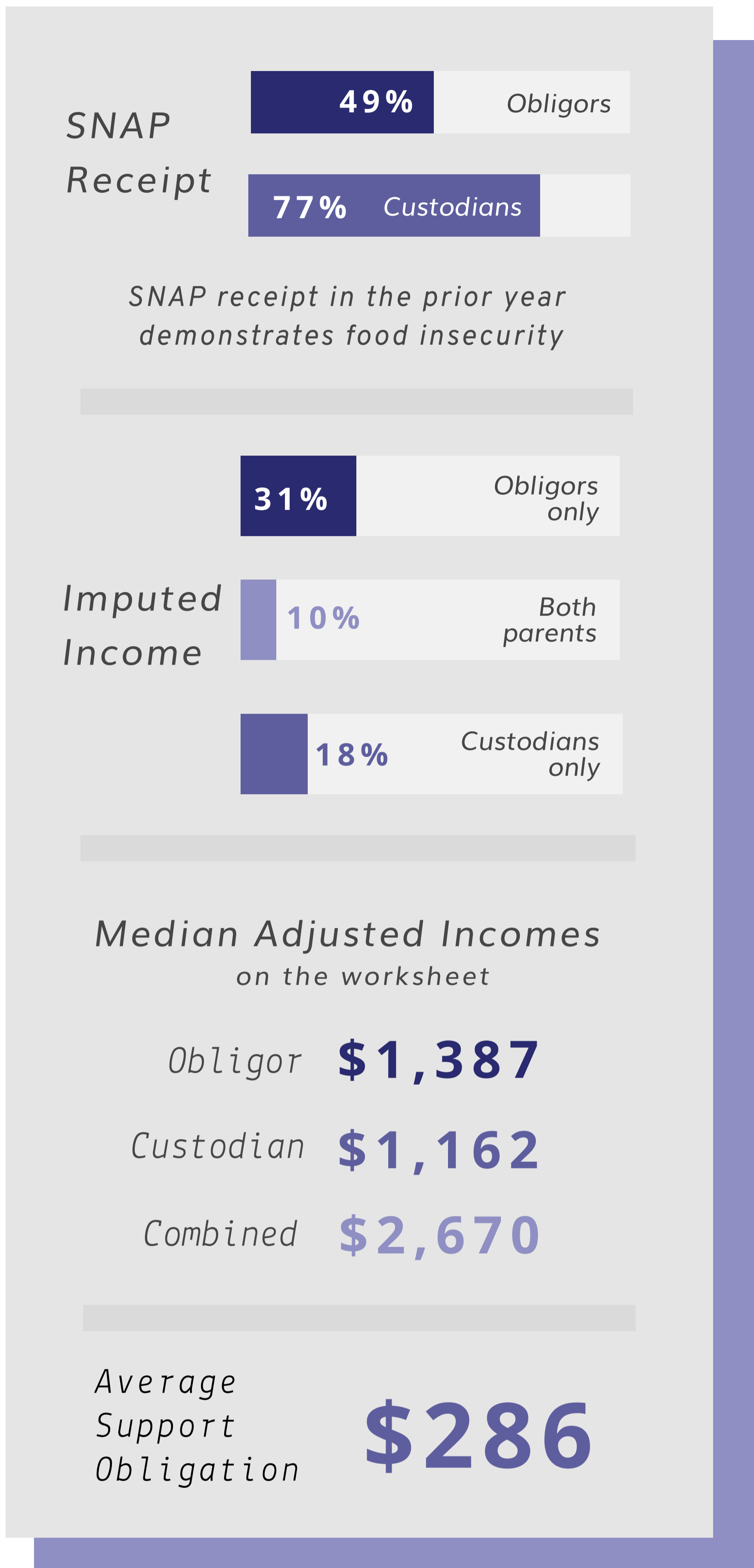
Deviation Reasons



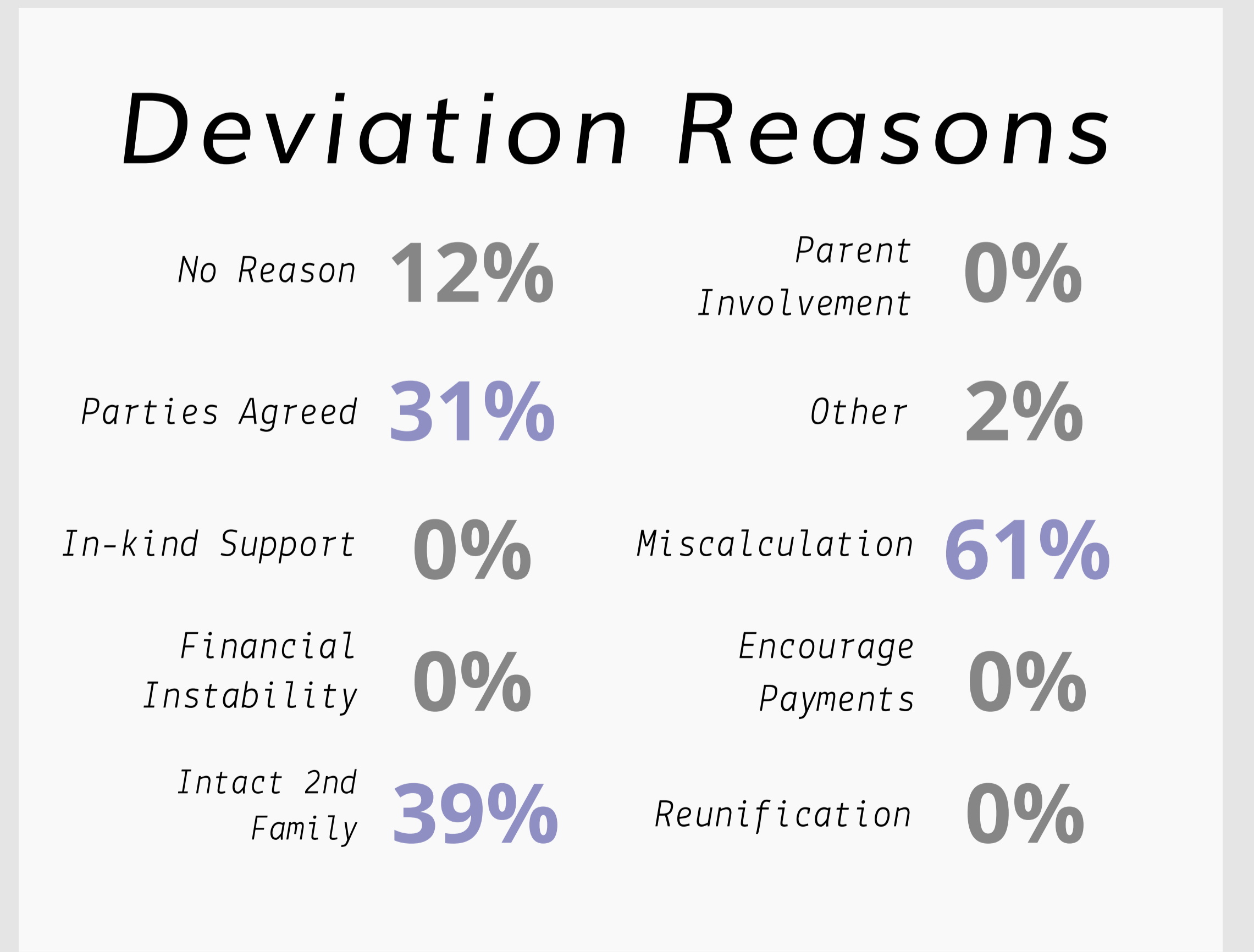
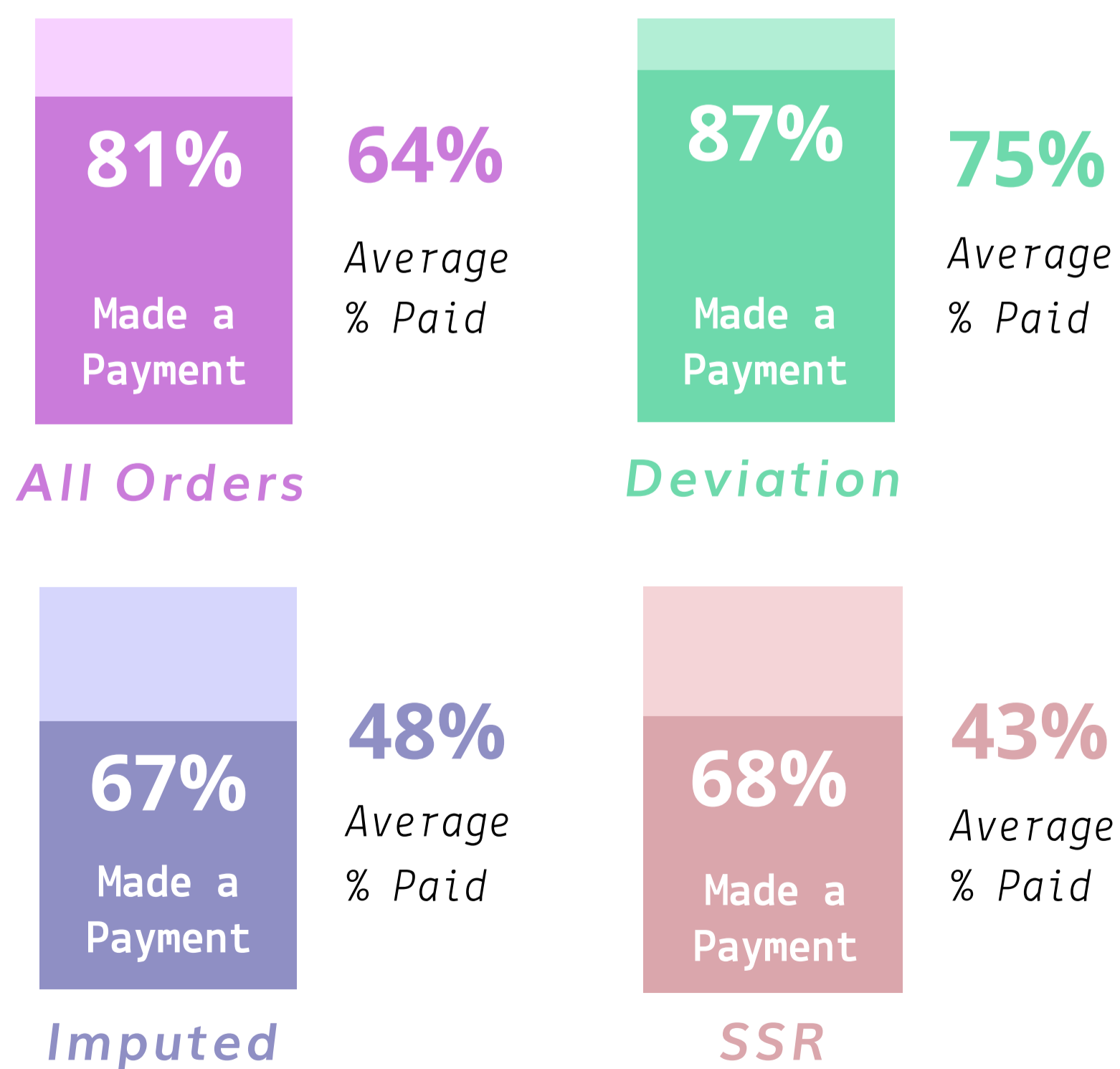
Note: Analyses are based on a sample of 4,928 child support orders. Refer to the methods section for information on exclusions. Orders may deviate for more than one reason, so deviation reasons may not total 100%. Additional percentages may not total 100% due to rounding. **SNAP** refers to the Supplemental Nutrition Assistance Program. The payment compliance category **Imputed** refers to orders in which only obligor income was imputed; the category **SSR** refers to orders benefitting from the Self-Support Reserve.

SOMERSET COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



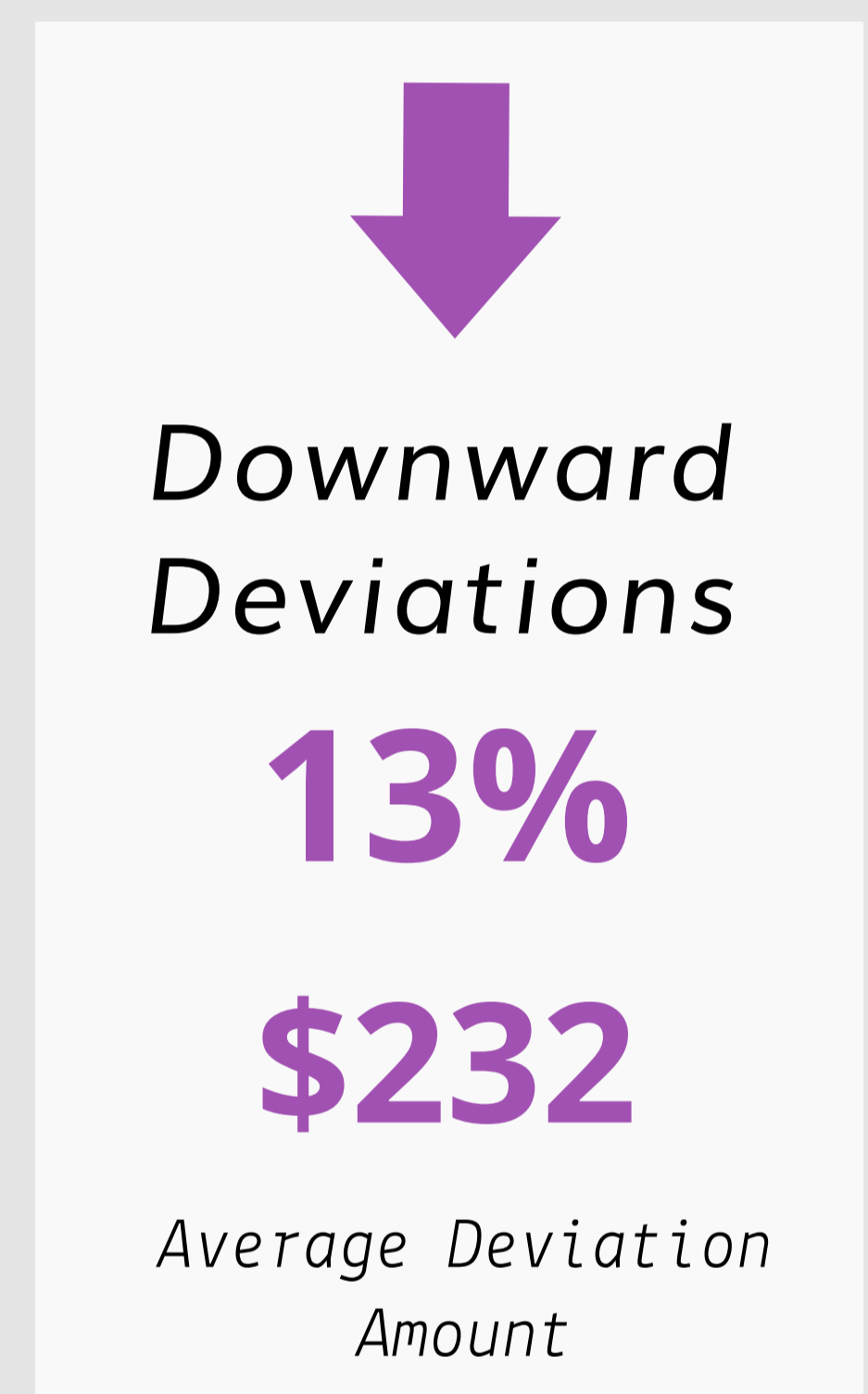
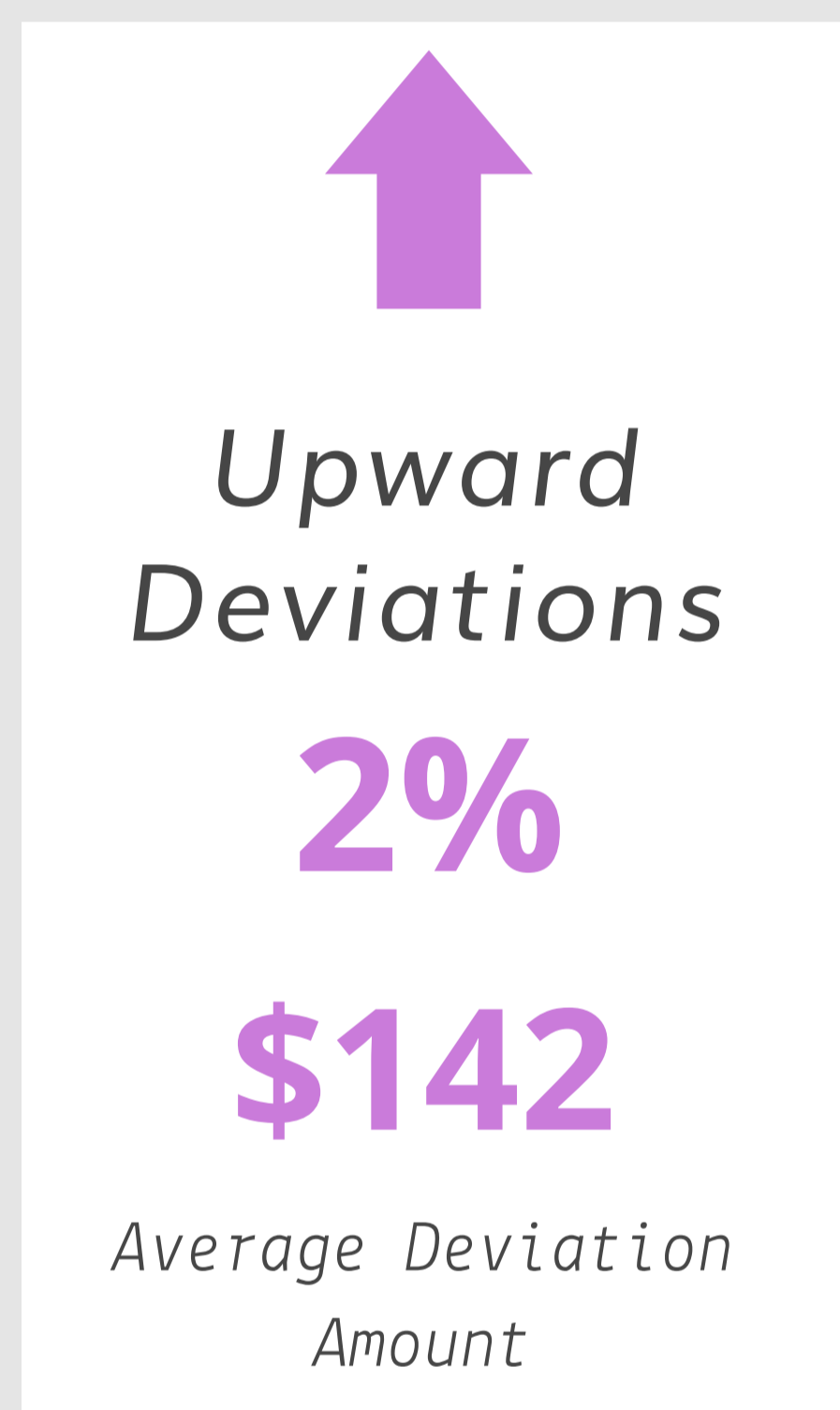
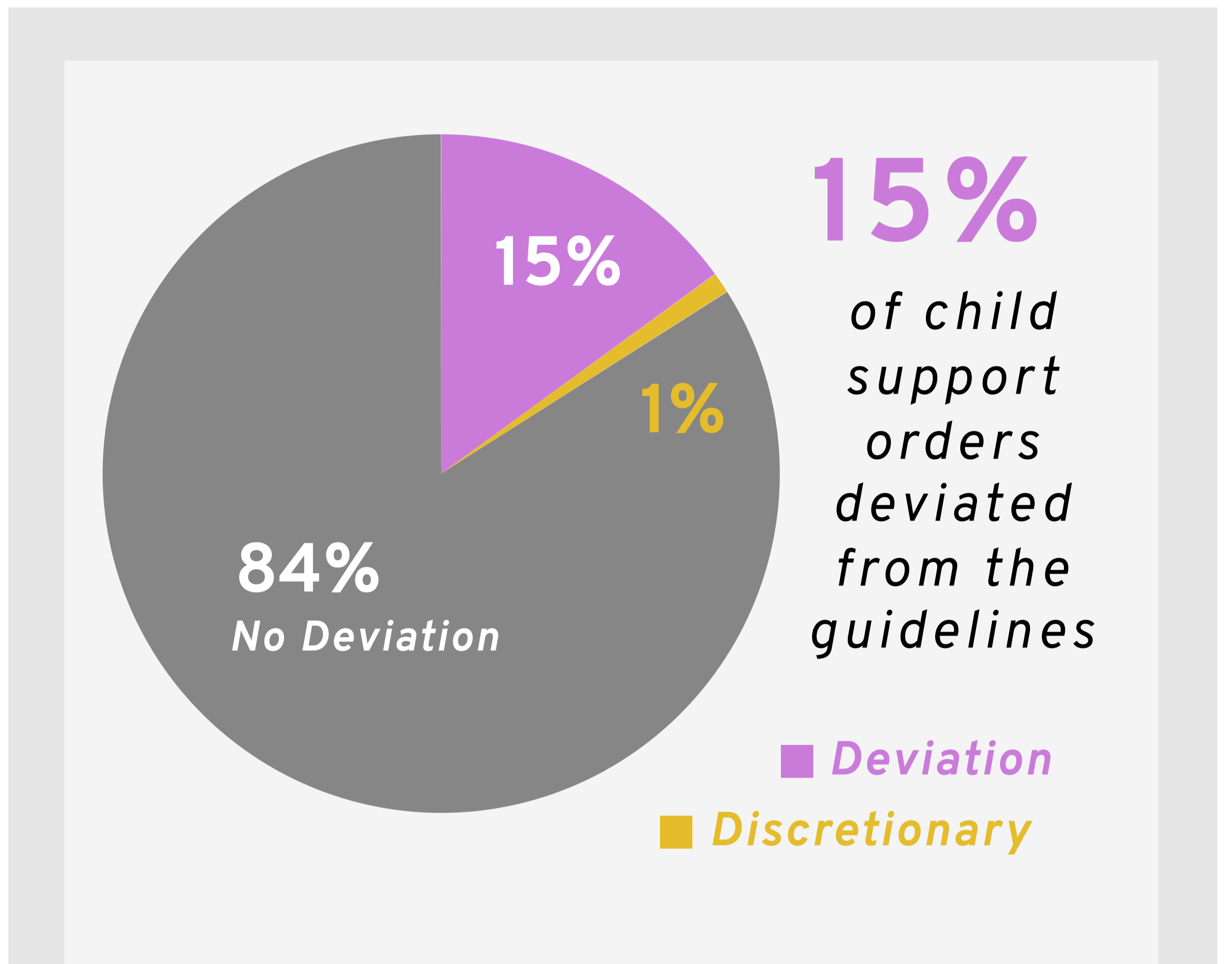
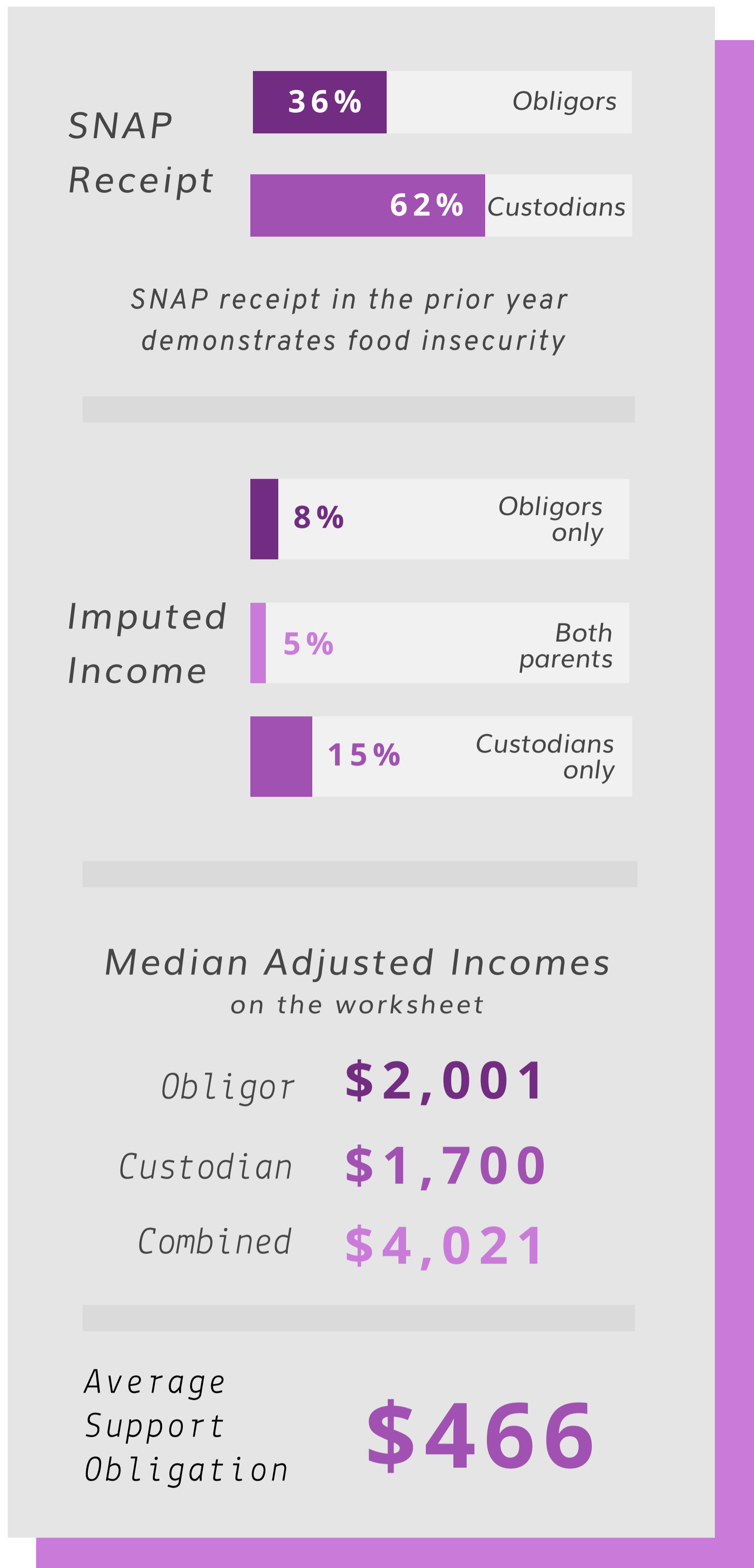
Payment Compliance Three-year Average



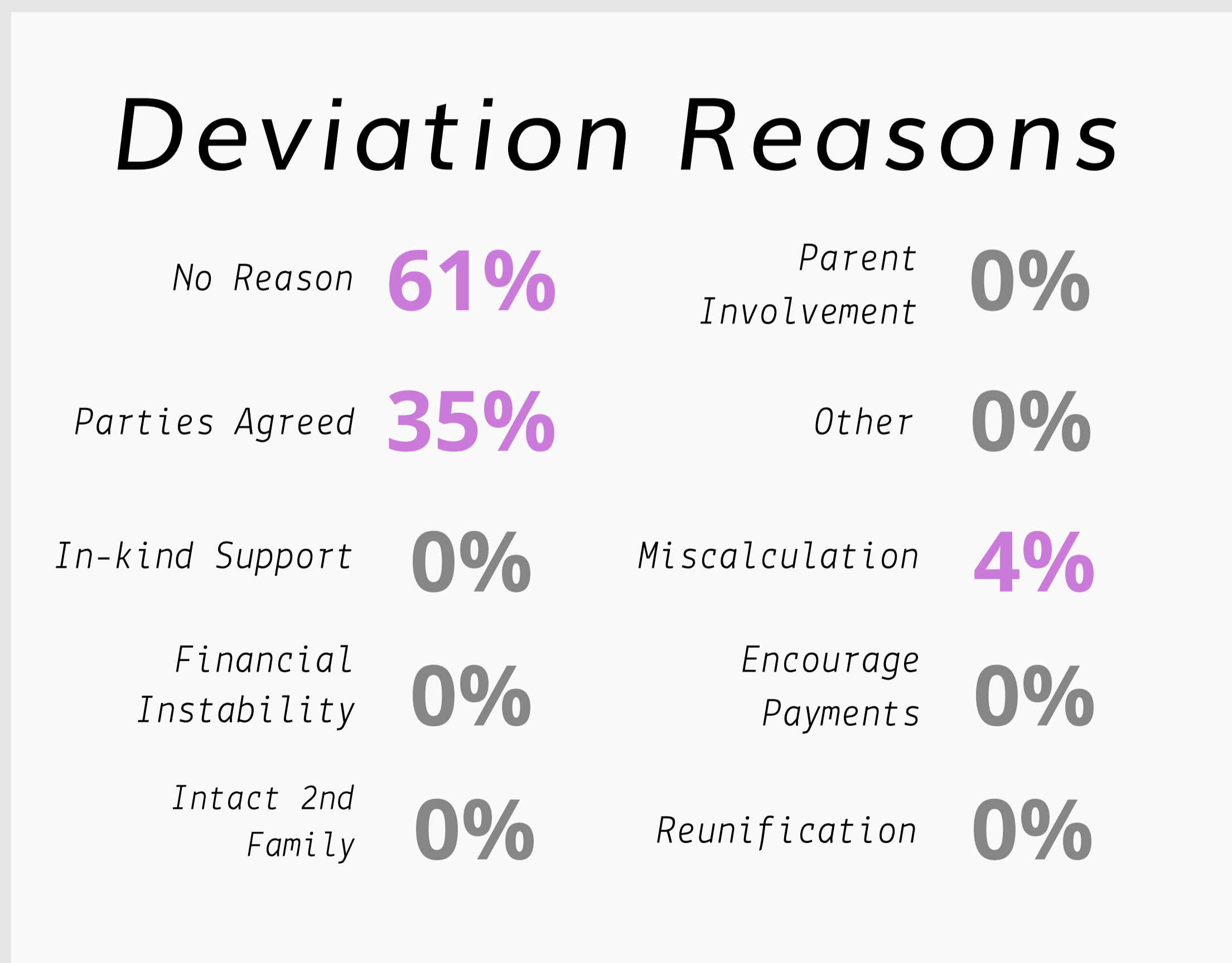
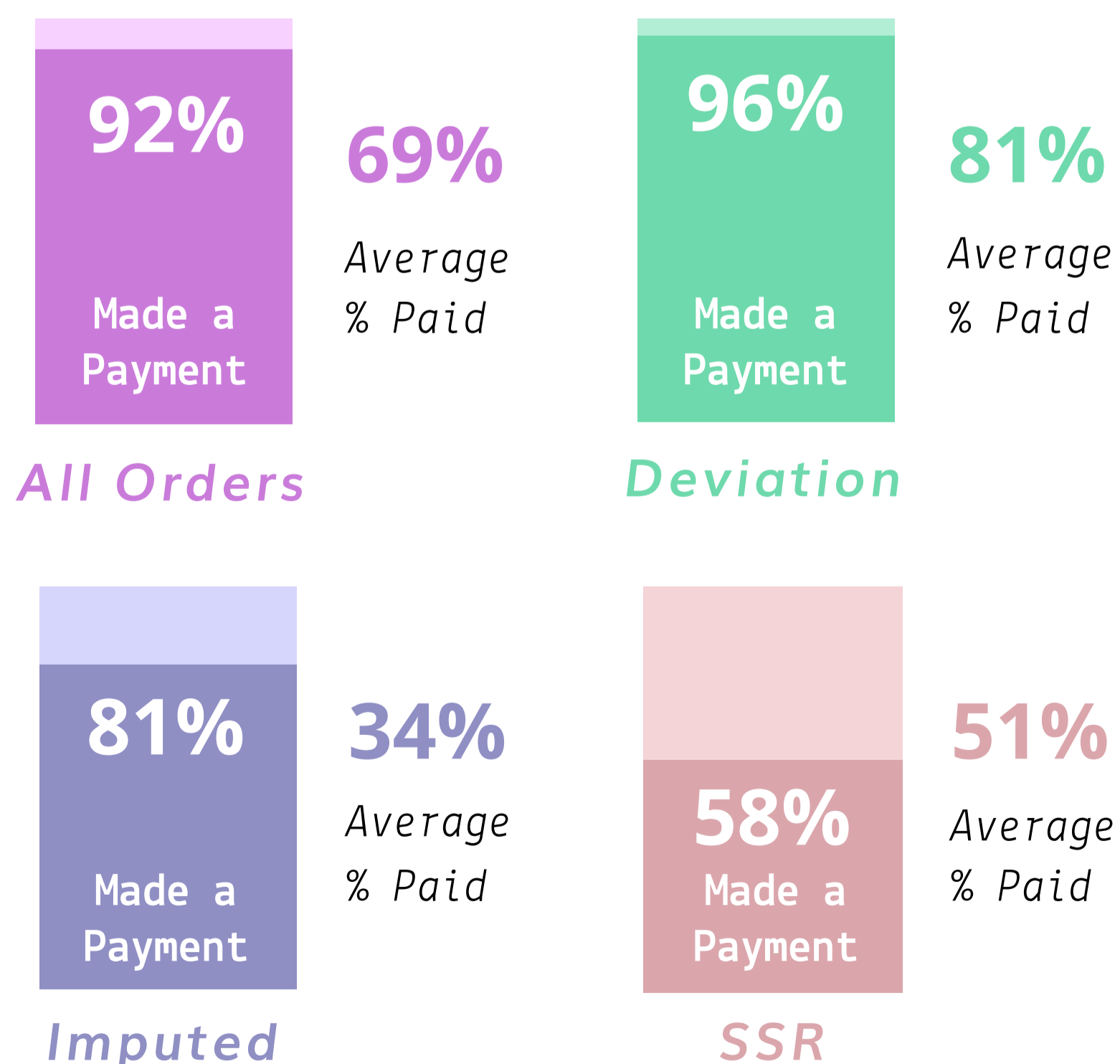
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TALBOT COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



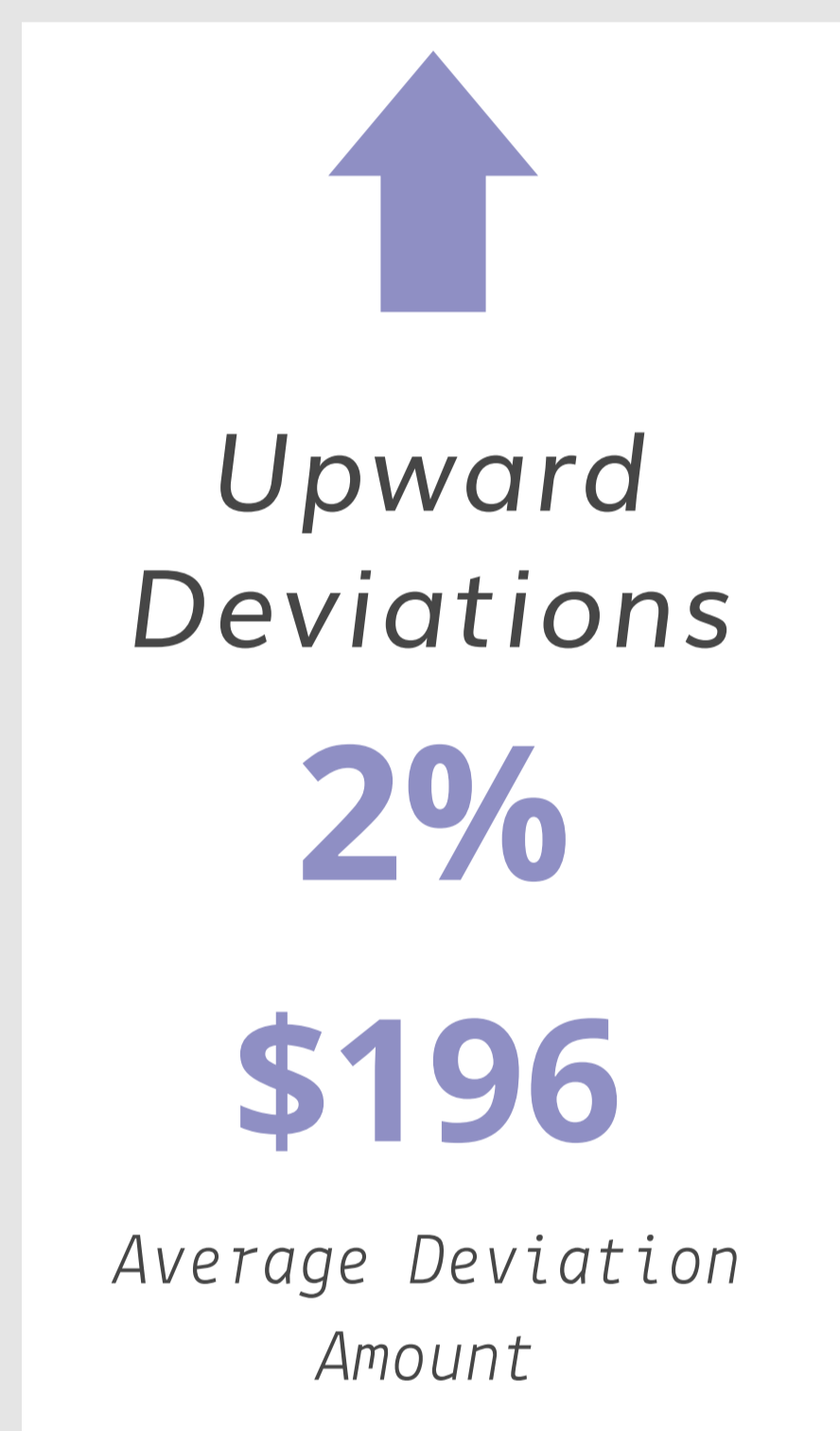
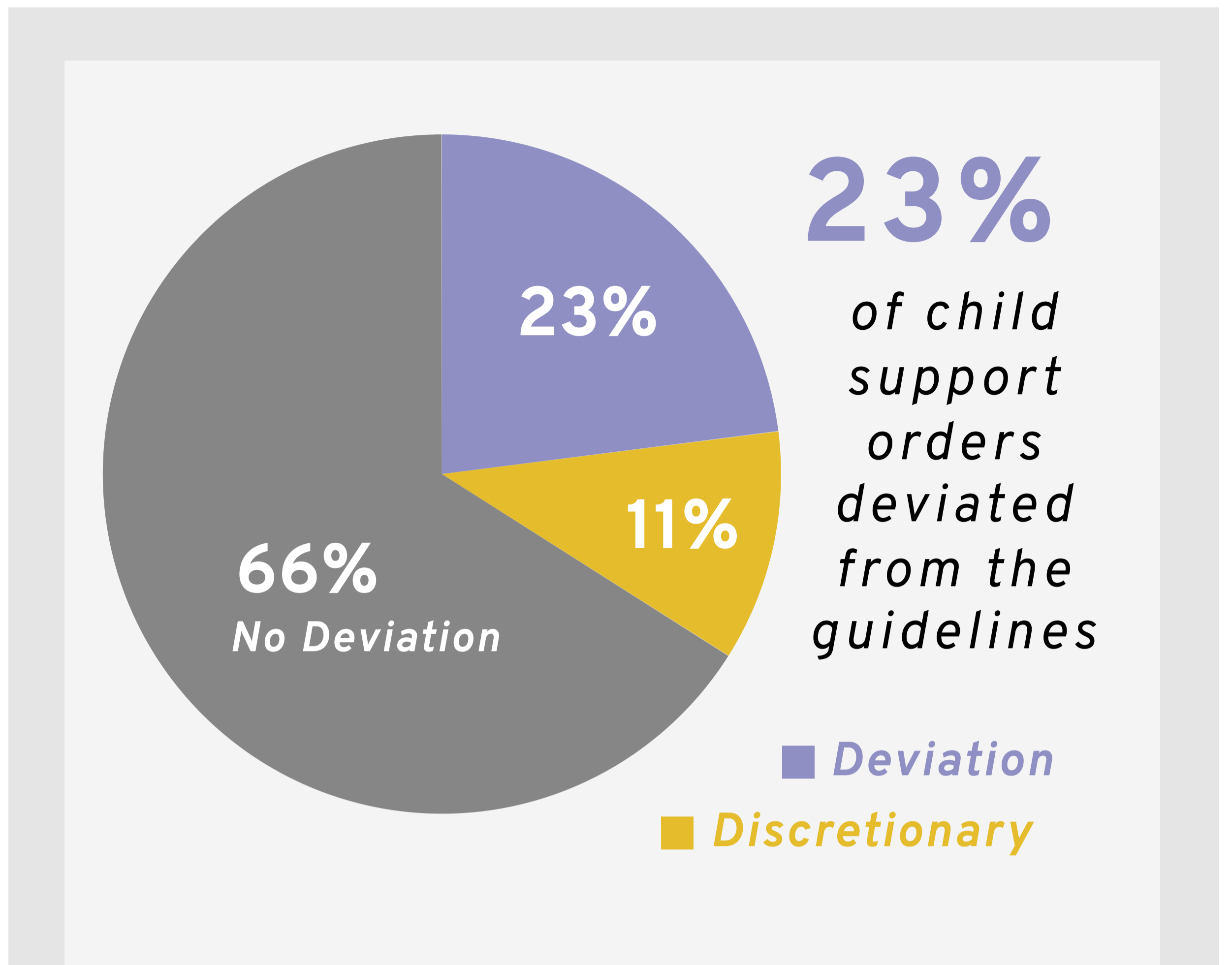
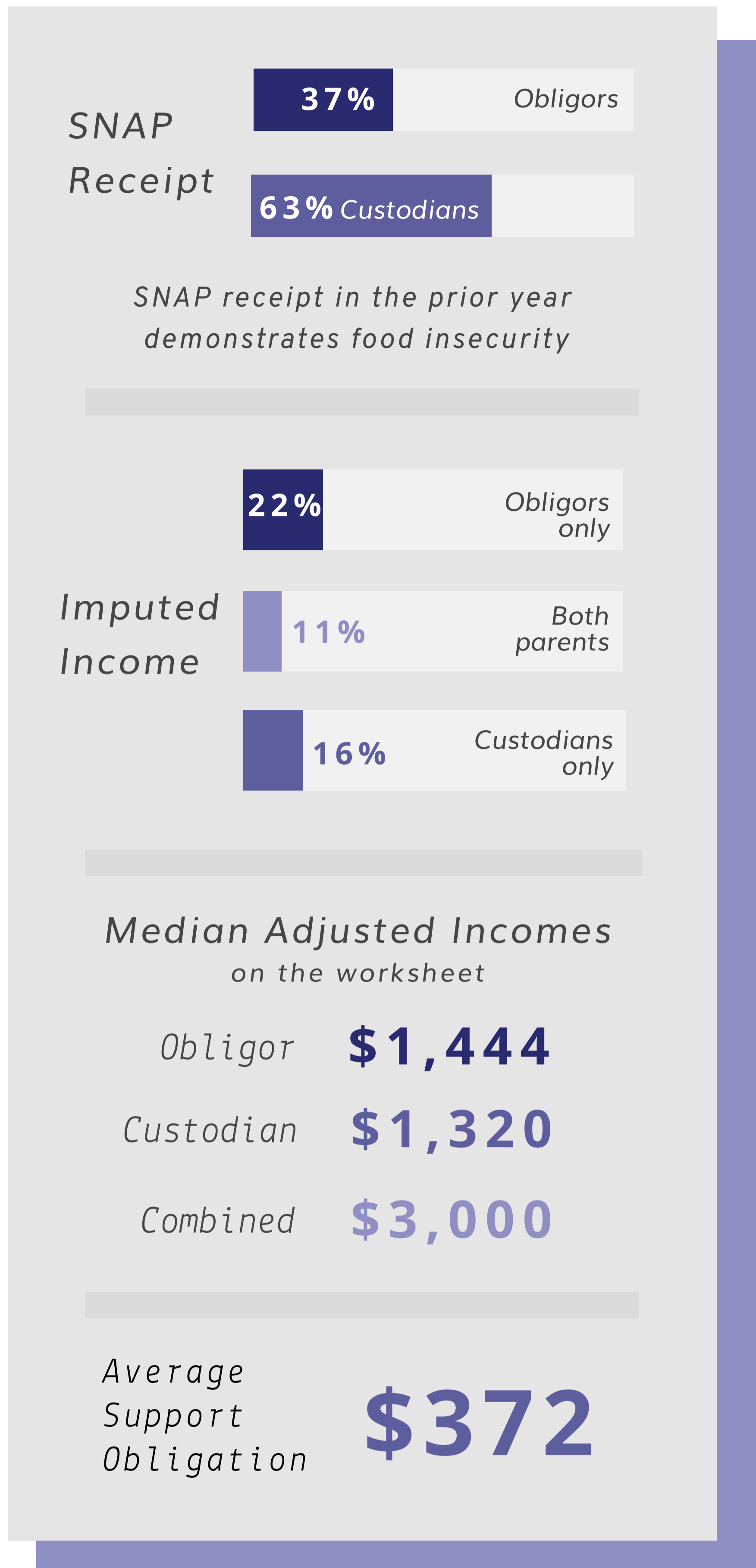
Payment Compliance Three-year Average



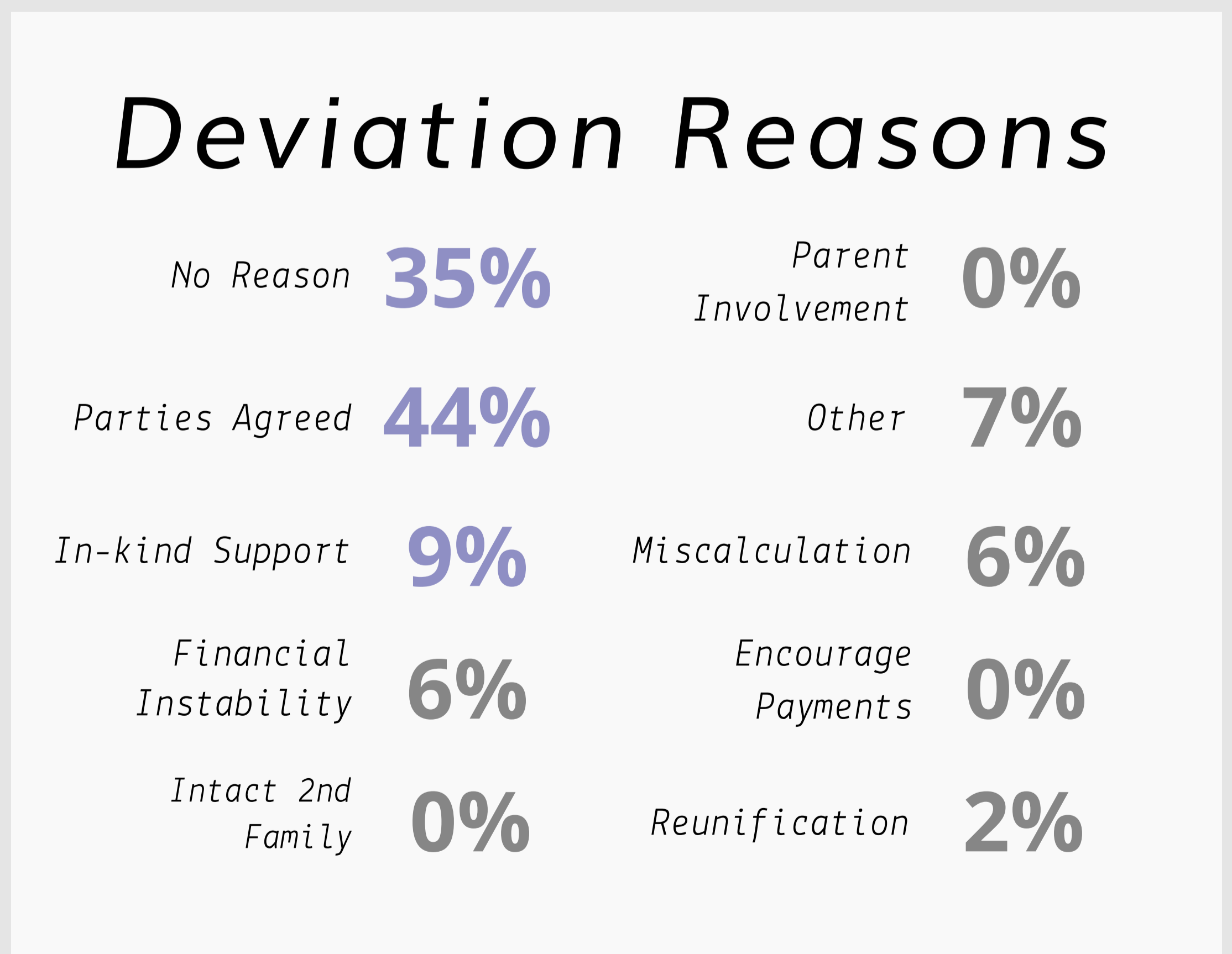
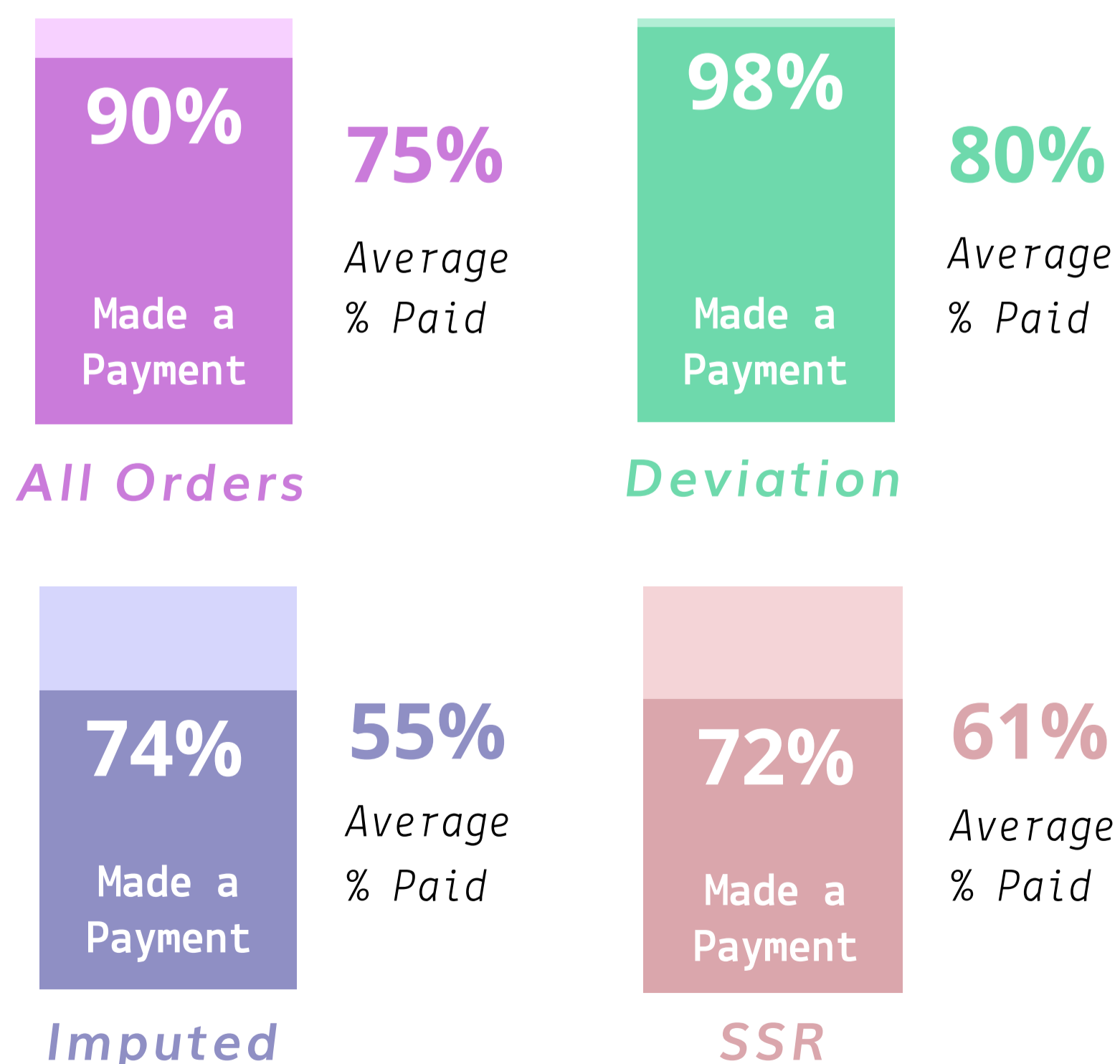
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WASHINGTON COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



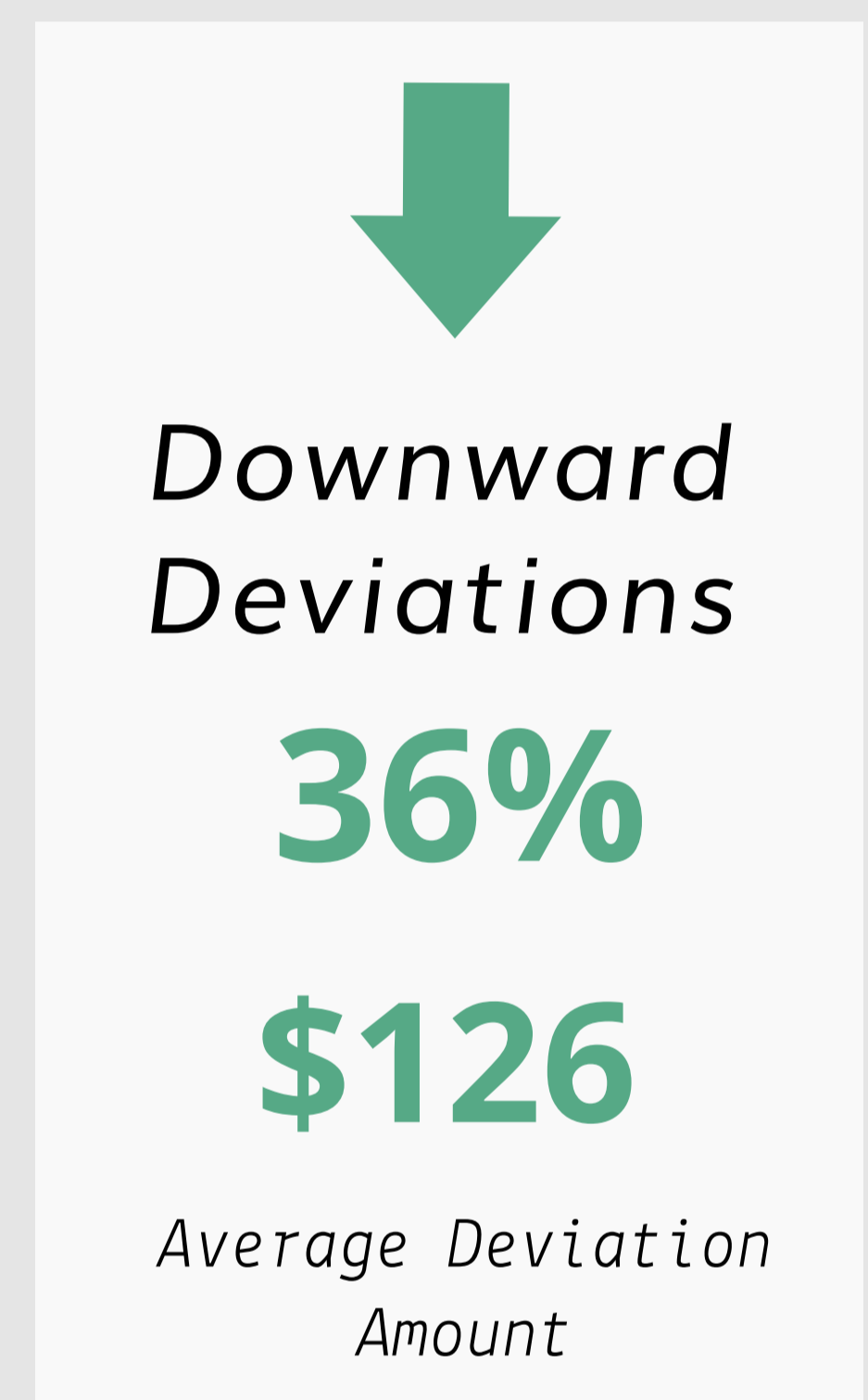
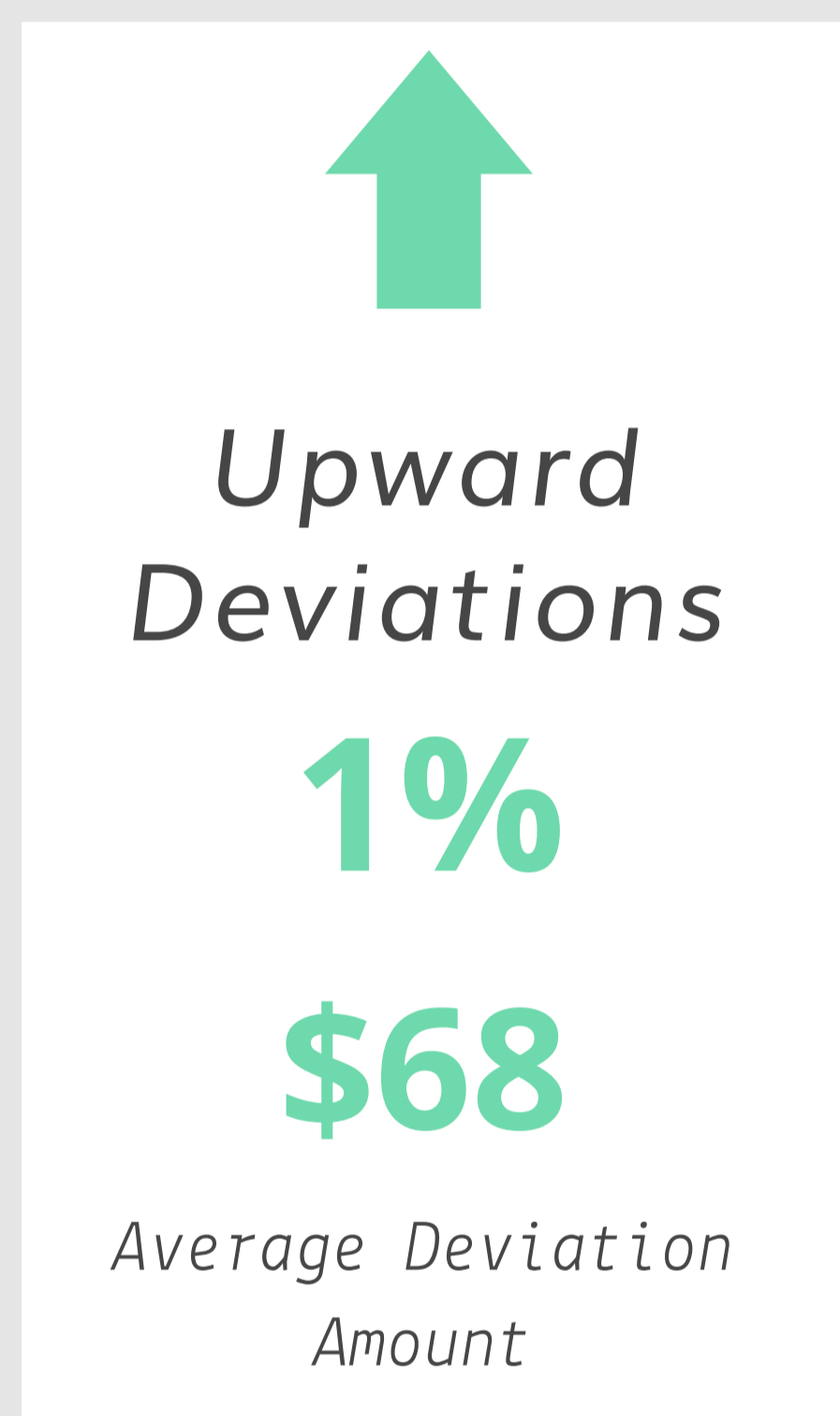
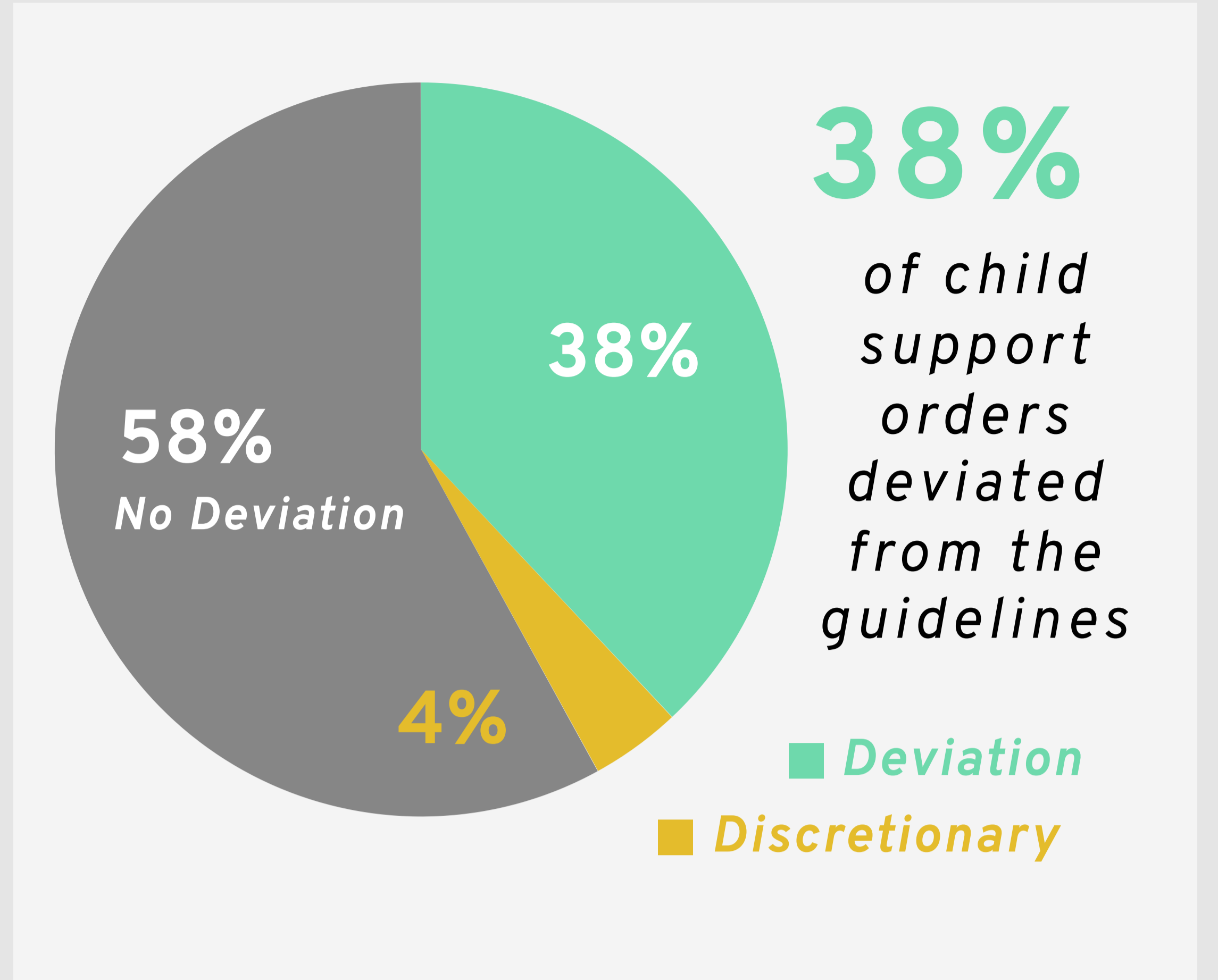
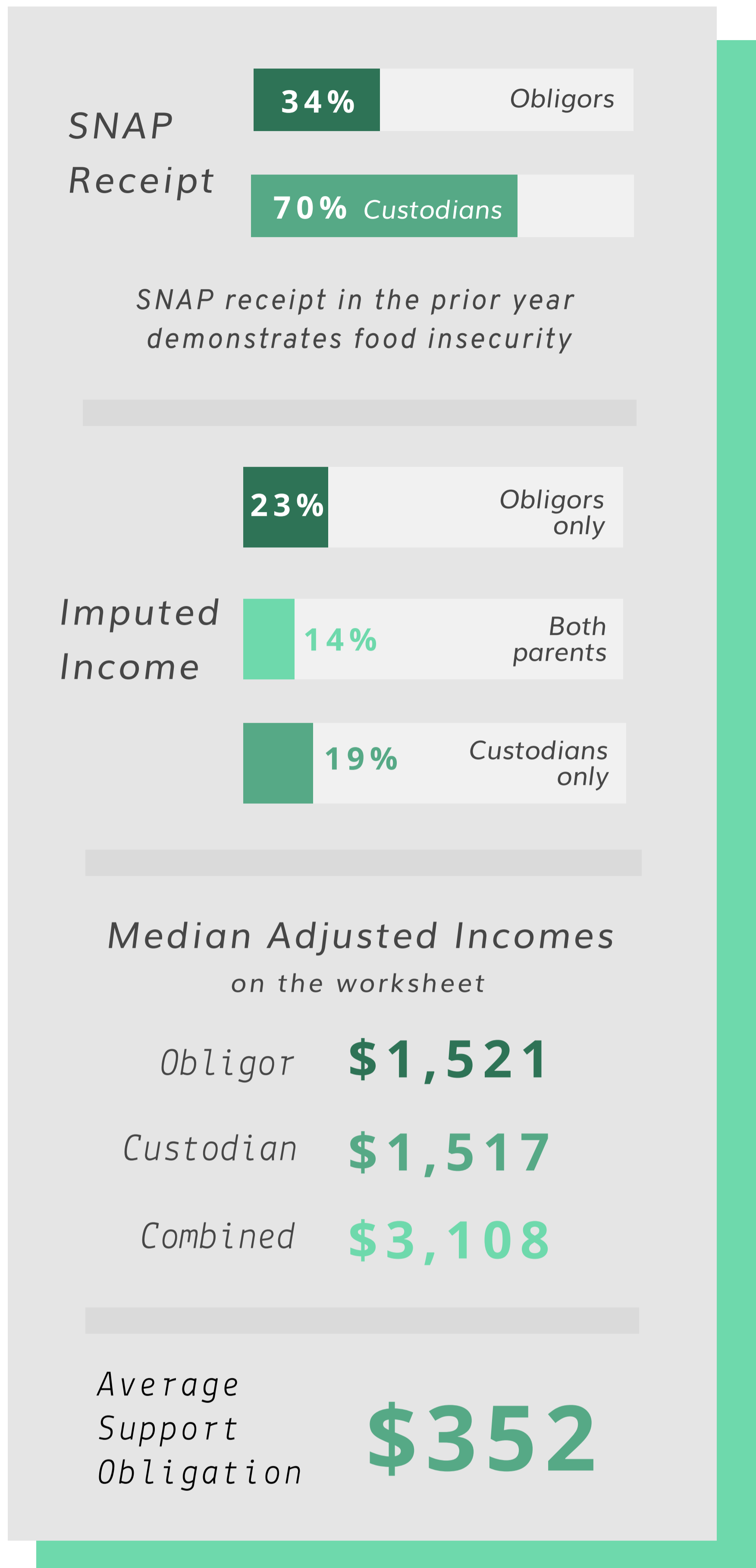
Payment Compliance Three-year Average



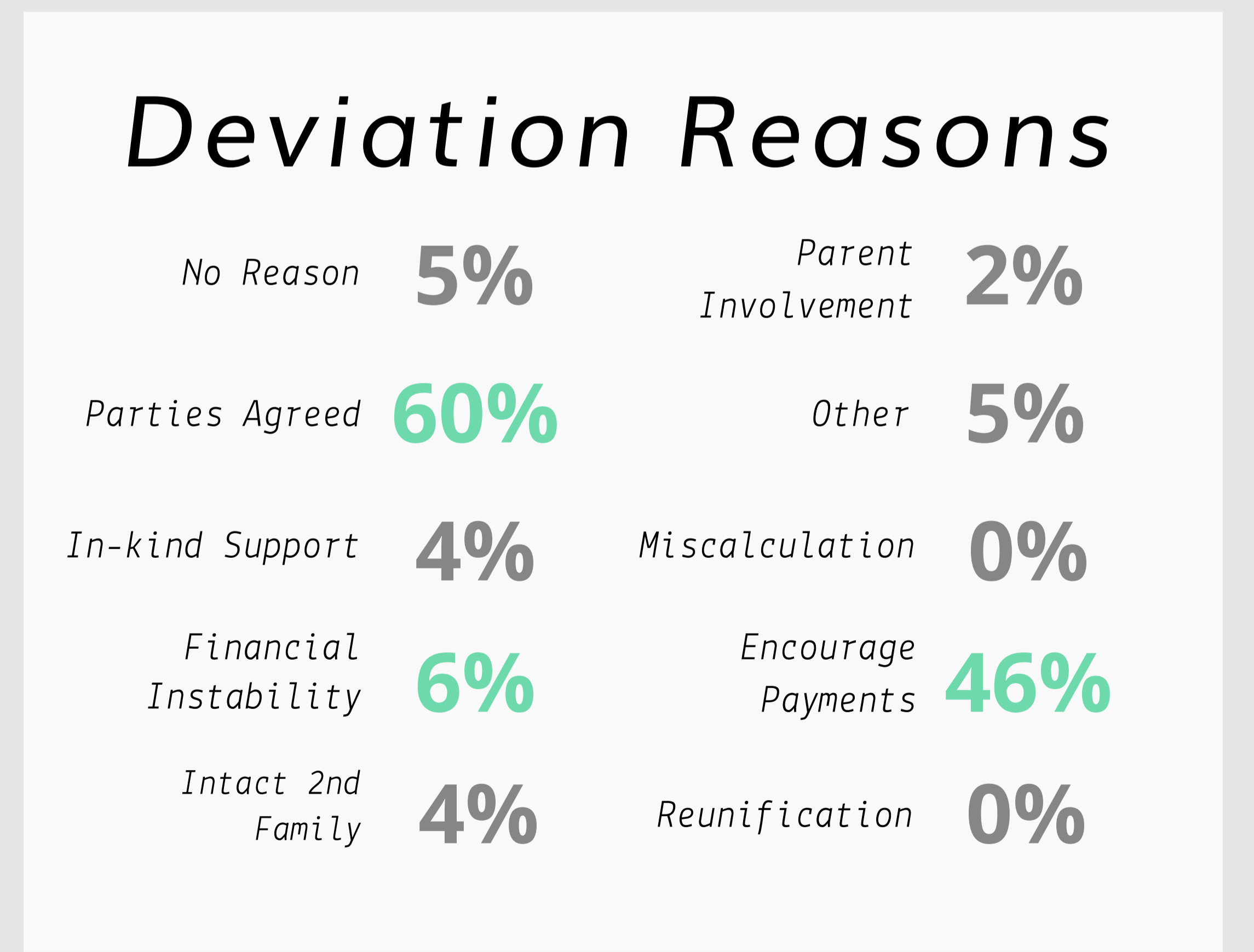
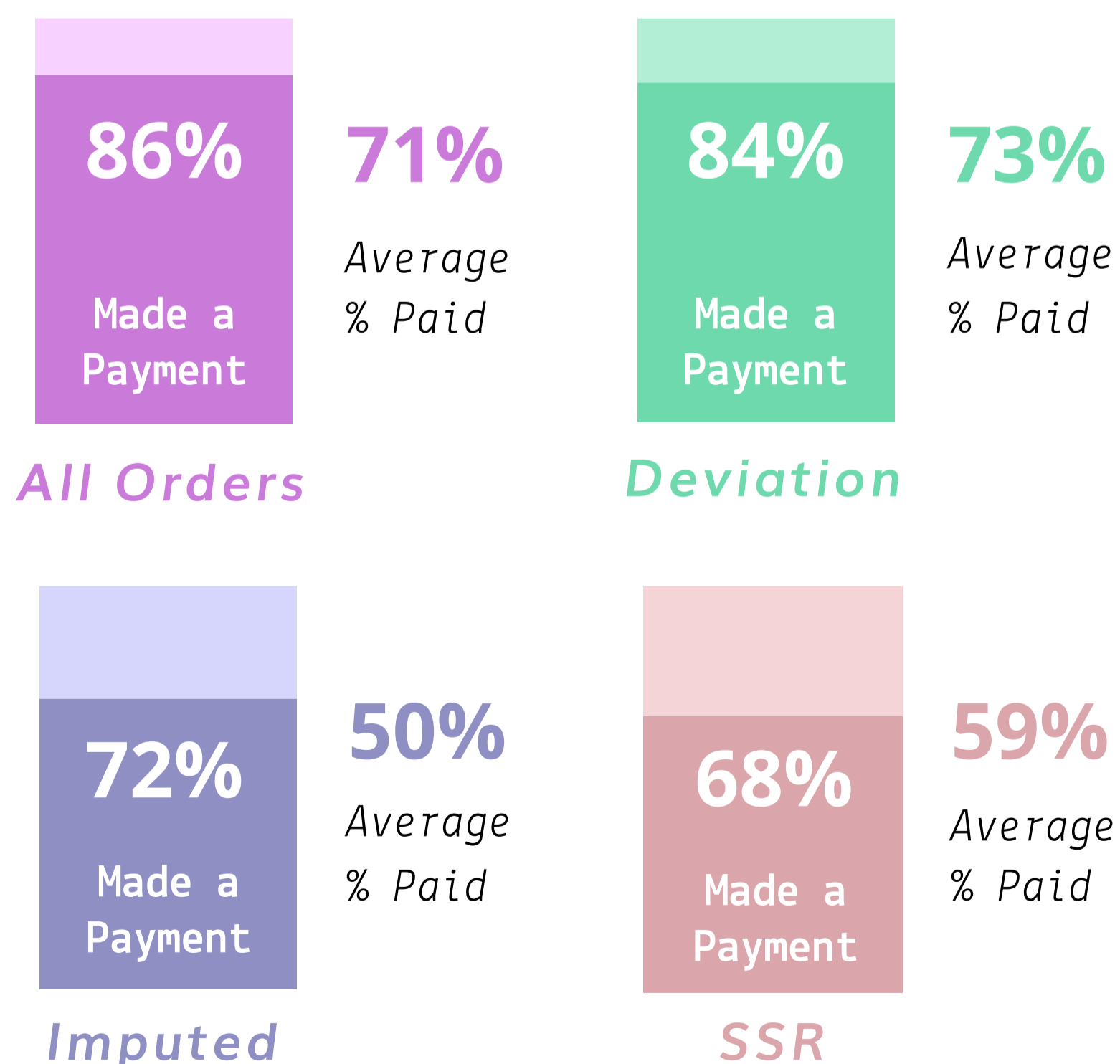
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WICOMICO COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



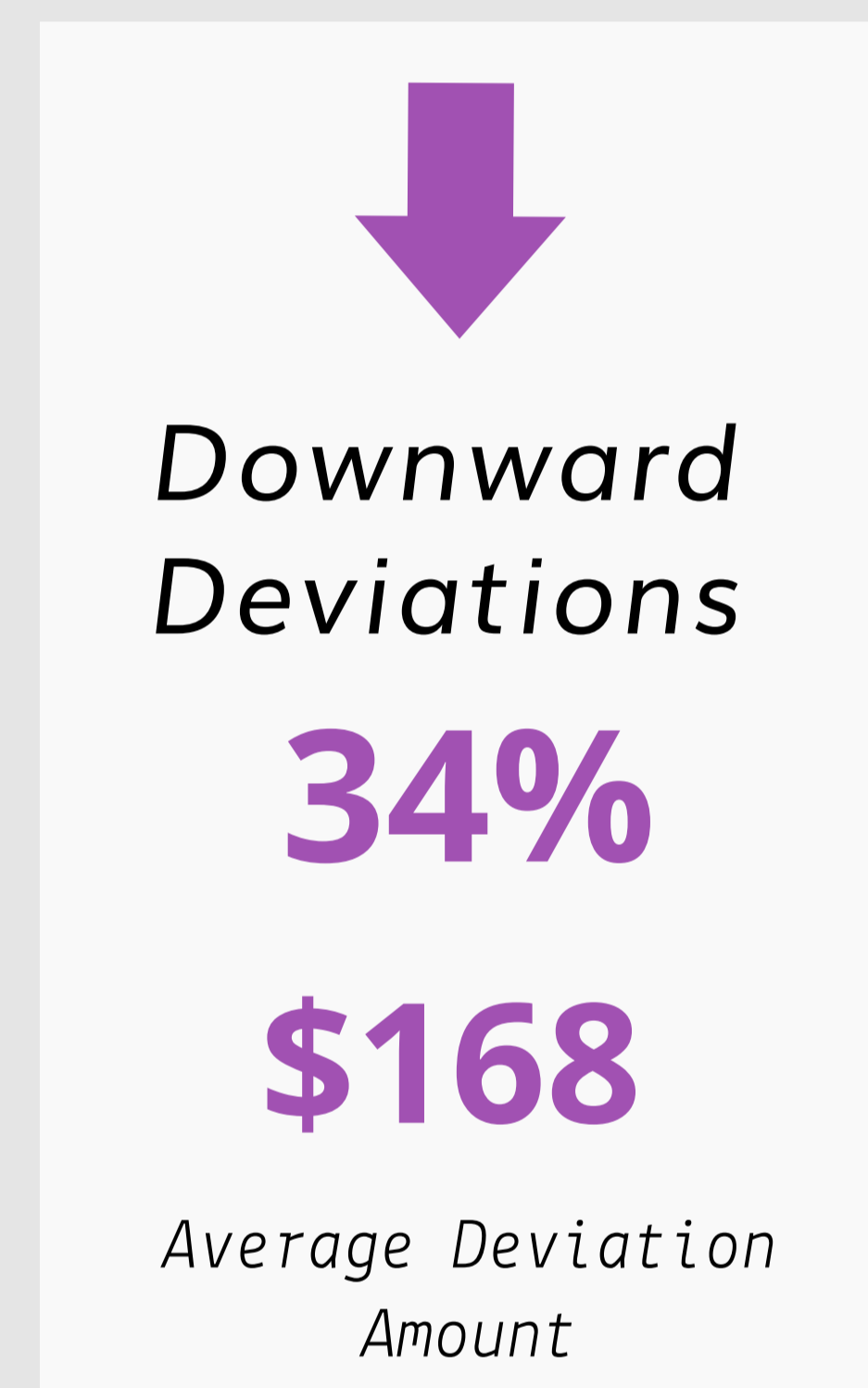
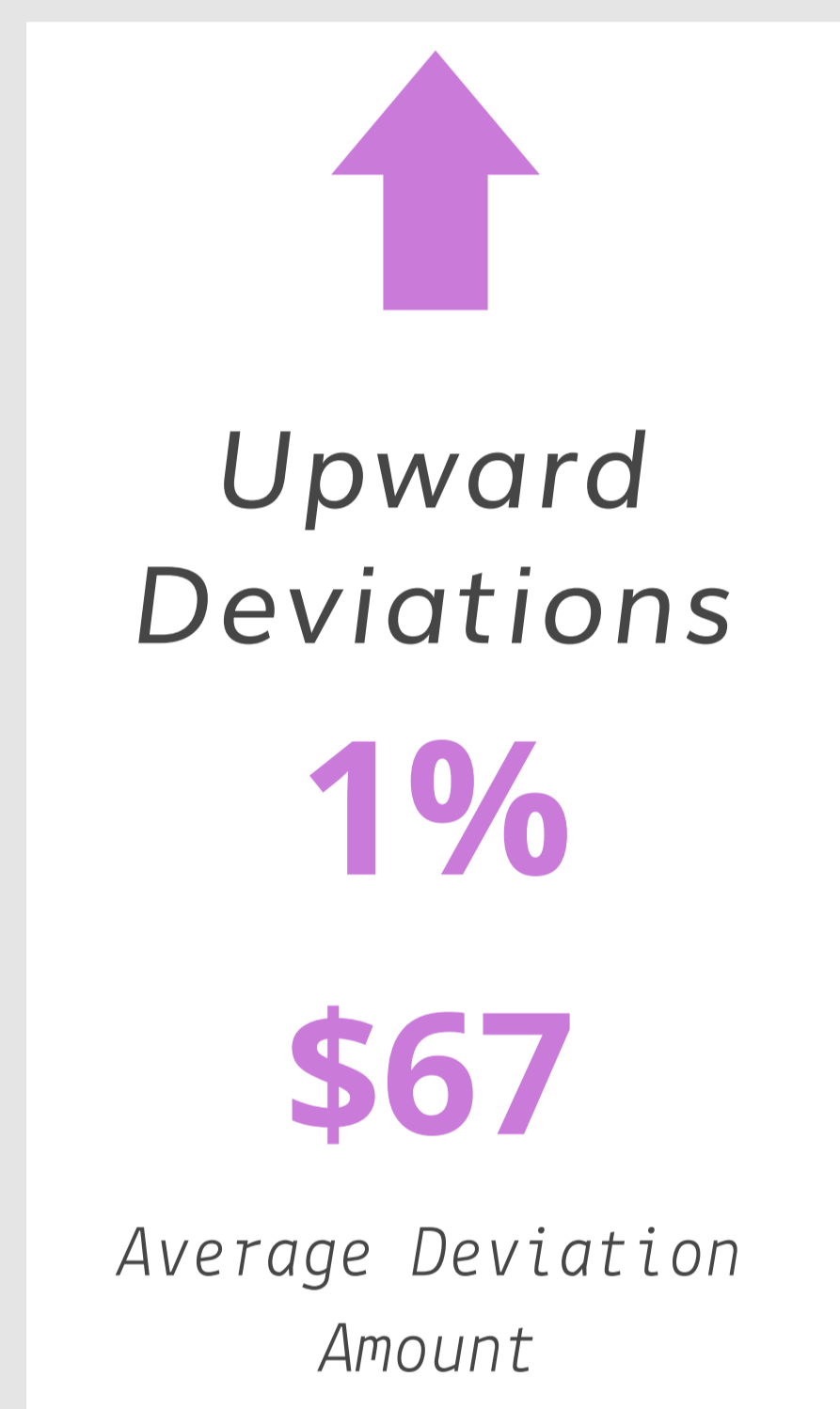
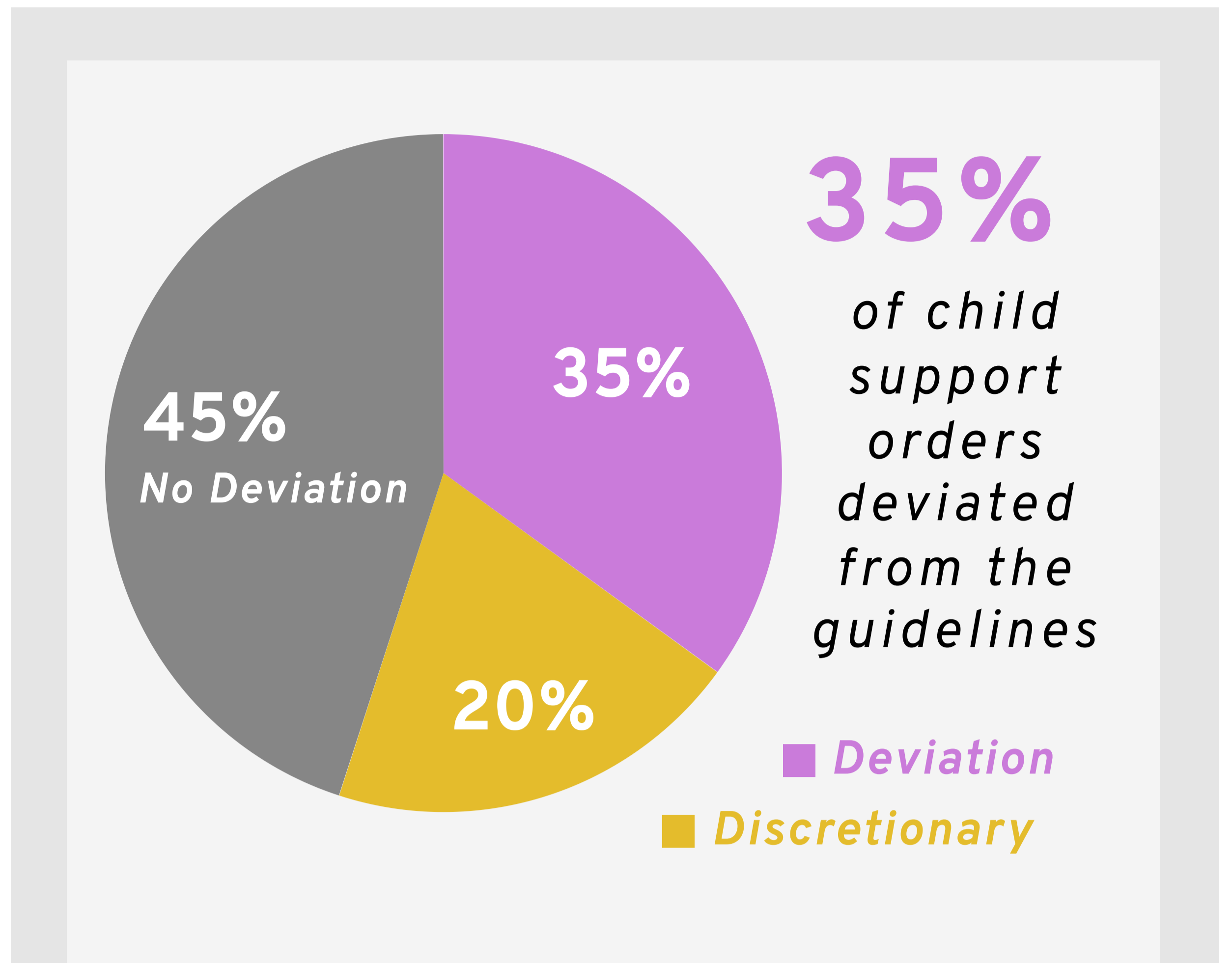
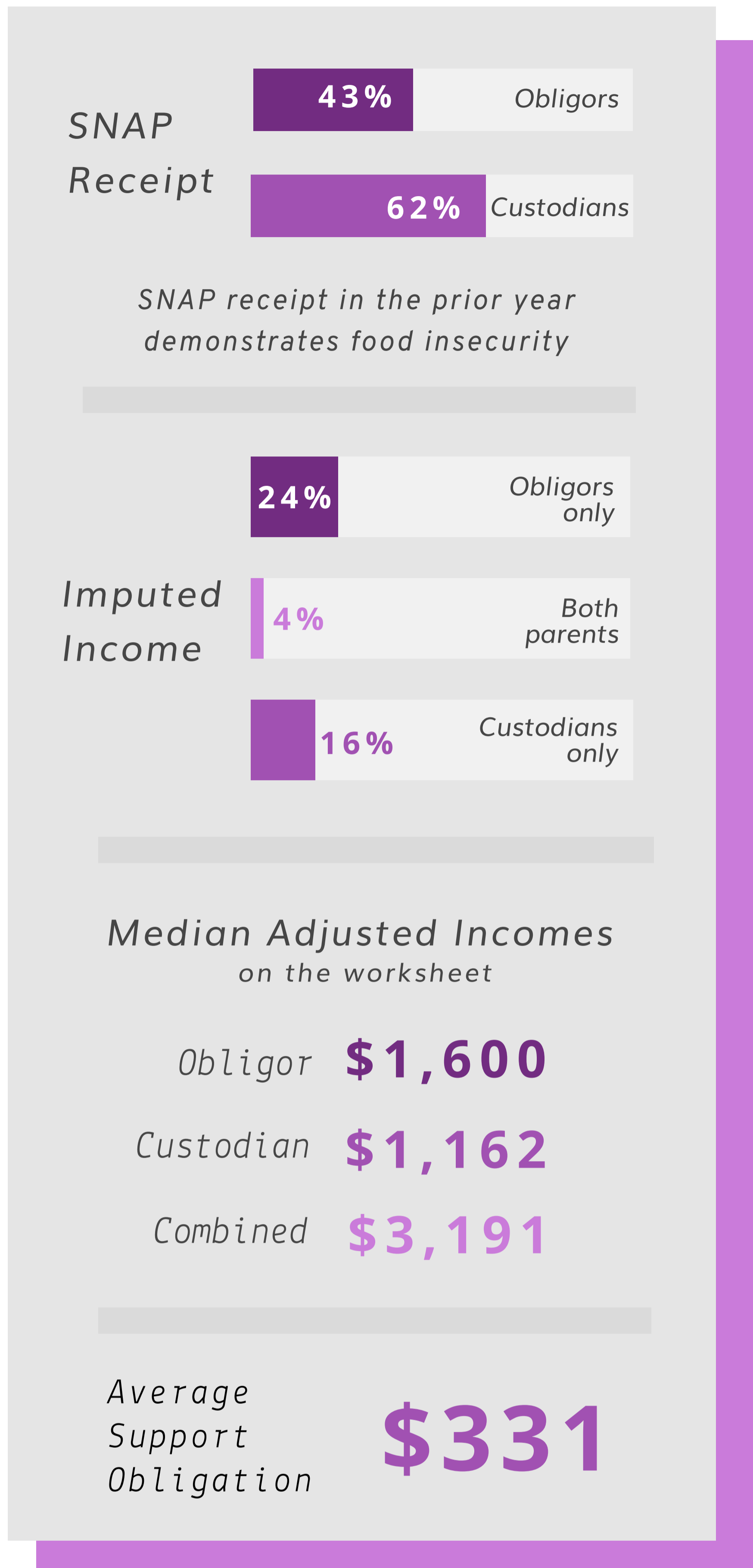
Payment Compliance Three-year Average



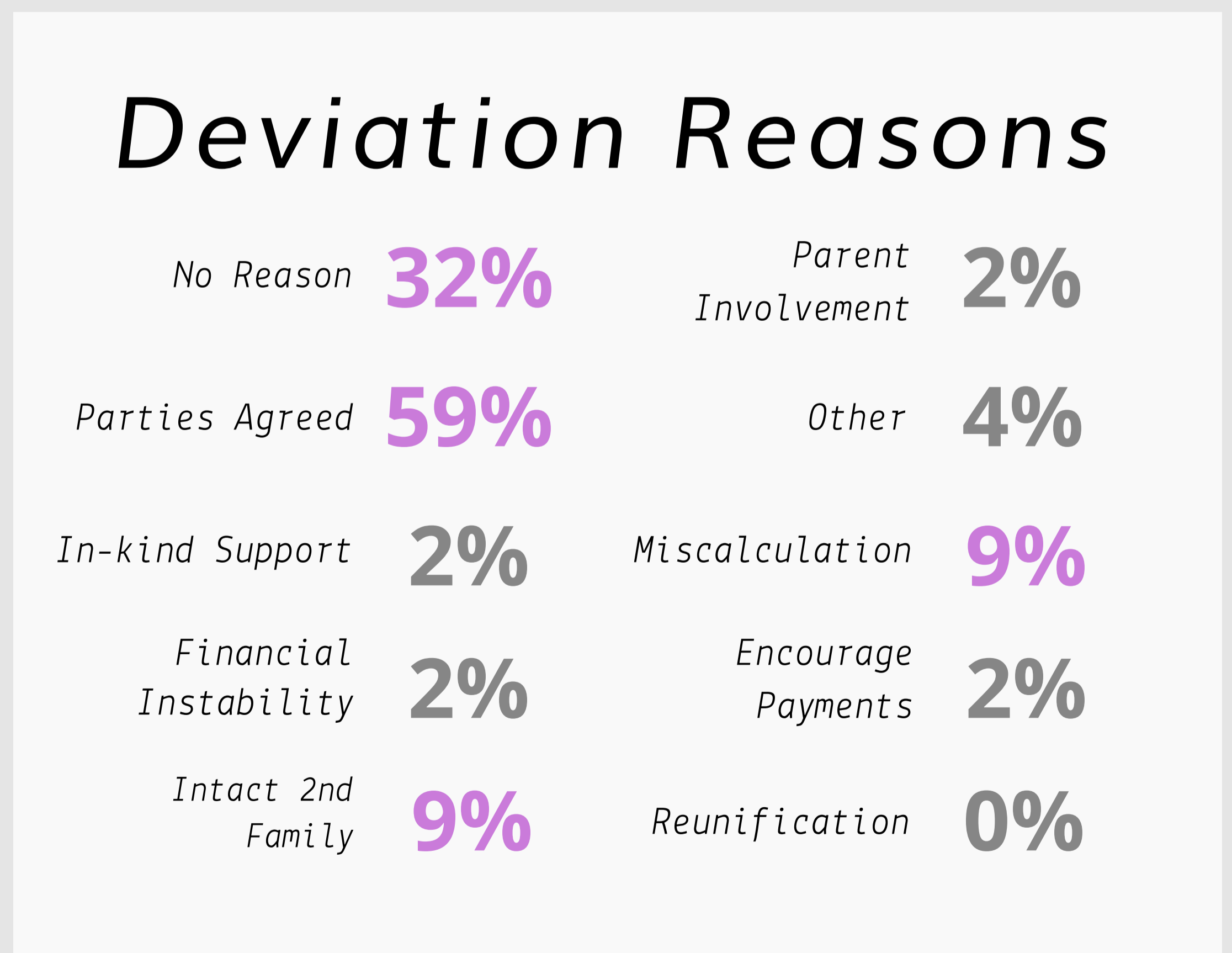
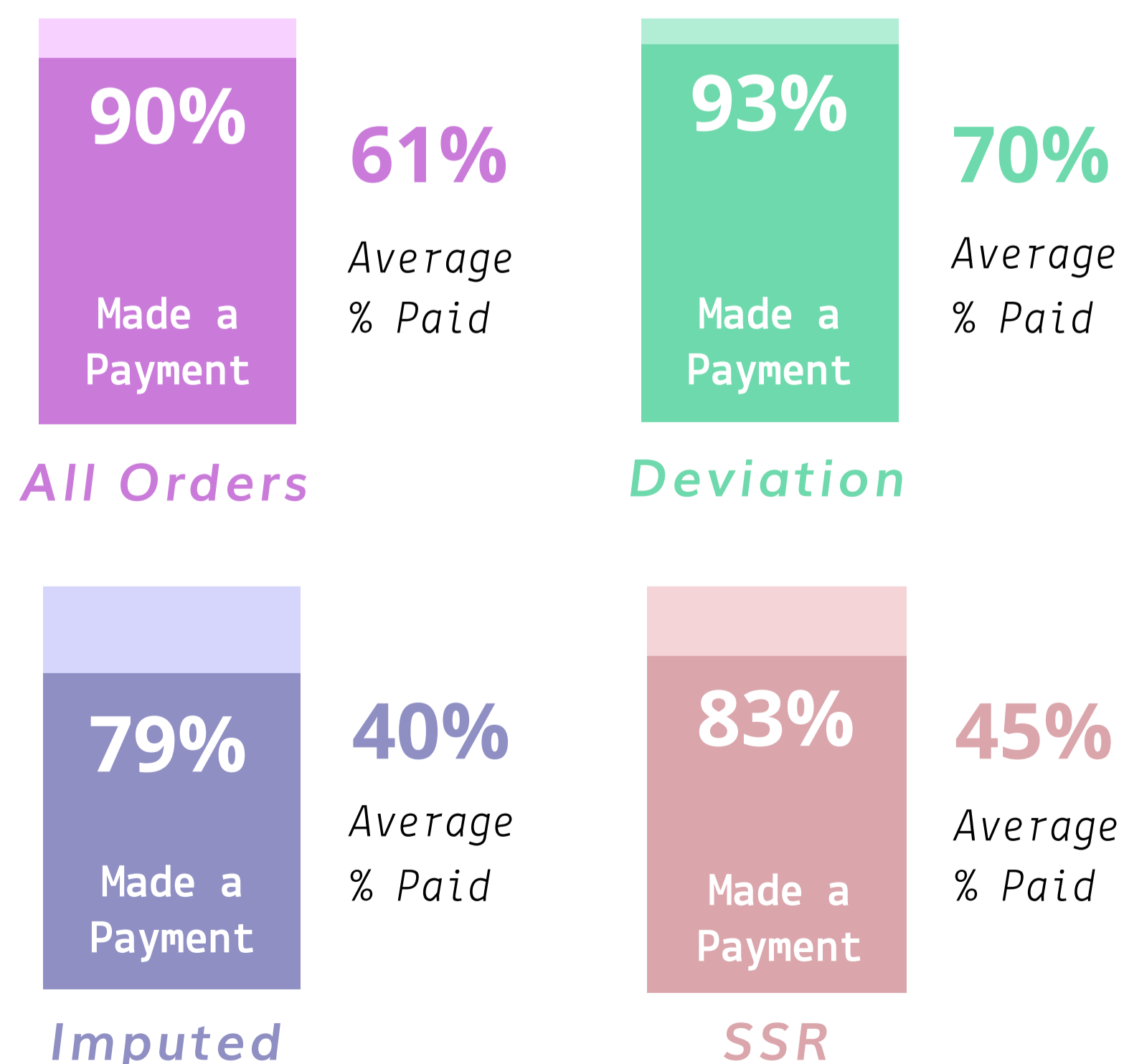
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WORCESTER COUNTY

Child Support Guidelines Case-Level Review: 2015 to 2018



Payment Compliance Three-year Average



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