

## Did you Know that New Maryland Child Support Guidelines are in Effect on October 1, 2010?

October 1, 2010 marks the adoption of new child support guidelines for the State of Maryland. I want to make sure that everyone reading this knows the implications that this change will have on current and future child support awards and that change may affect you.

First, for those seeking a Modification to their current child support payment, the Maryland legislature has done away with the provision that the adoption of new Guidelines *in and of itself* can be a “material change in circumstances.” The Maryland rule has always been, and continues to be, that the one requesting a change to the amount of child support must first show a “material change in circumstances.” Courts have found this material change can stem from many things, like the loss of a job, medical issues, retirement, or education issues. What has changed is the rule that the adoption of new guidelines by the State of Maryland is a “material change in circumstances” if running the new Guidelines results in a 25% change in the amount of the child support award. Individuals attempting to modify a child support award must show a “material change in circumstances,” regardless of how much the new guidelines change the award.

Second, the child support guidelines have been changed to create a rebuttable presumption of the amount of child support in all cases where the combined actual income of both parties is up to \$15,000 per month. Prior to the new guidelines, the calculation only created this presumption for parties with a combined actual income of \$10,000. The Guidelines now cover many more child support cases than before.

Lastly, the Guidelines will apply to all child support requests and modifications filed after October 1, 2010. However, even if you filed prior to October 1, 2010, one may still be able to rebut the presumption of the use of the old guidelines. It is within the sound discretion of each Judge on what to award, and like many issues dealing with children, the Judge will based on interests of the child(ren).

-- Peter Casciano, Attorney

For an attorney to represent you on your Child Support or to answer any questions, please contact Peter Casciano directly at [pcasciano@a-f.net](mailto:pcasciano@a-f.net), or the Firm generally at [andalmanflynn@a-f.net](mailto:andalmanflynn@a-f.net)