

Child support regulations depend on the State who issues the child support order. This factsheet explains child support, how to obtain an order, and how to modify an existing order in the State of Maryland. Please note that this information is not legal advice. It is important that an attorney be consulted for legal advice and representation.

What is Child Support?

- Every parent has a financial obligation to support their child. When parents do not live together, child support may be established to ensure both parents are meeting the financial needs of their child(ren). Child support is based on a proportion of each parent's gross income and which parent is the custodial vs. the non-custodial parent.

How to Obtain Child Support

- A child support case may be opened either through the appropriate court or child support enforcement agency. To file an original child support order, the person seeking support must file a complaint for child support with the court and include the proper financial form and domestic case report form. Your local child support enforcement agency can also open a child support case or assist in enforcing an existing child support order. Child support can also be requested and obtained as a part of a divorce or child custody case. The person seeking child support should consult the court's family law self-help center if self-represented (pro se) or should seek the advice of an attorney prior to filing a complaint. The forms below can assist you in filing your claim with the court.
 - Domestic Case Report Form (Form: CC-DCB-001) - ccdcm001.pdf (state.md.us).
 - Complaint for Child Support (Form CC-DR-001) ccdr001.pdf (mdcourts.gov).
 - Financial Statement (Child Support Guidelines) - ccdr030.pdf (state.md.us).
 - Child Support Administration Calculator - myDHR | Maryland Department of Human Services (state.md.us).

How to Modify an Existing Child Support Order

To modify an existing child support order, the party seeking a modification must issue a written request to the court. Either parent can may ask the court to change the order while the child is under the age of 18. Whether or not an existing order is modifiable is based on the following:

- Has there been a material change in circumstance since the prior ruling?
 - Has either parent's income significantly changed (new job, job loss, increased salary)?
 - Has the person paying child support become unemployed, incarcerated, or disabled? **Parents cannot avoid child support obligations by not making enough money on purpose.**
 - Have the expenses for the child(ren) significantly increased or decreased?
 - Has the child(ren)'s living arrangement changed, whereby the child is now living more with the paying parent, or the parents are sharing their time equally since the previous order?
- Where did the existing order originate?
 - Maryland Court – if from a Maryland court, either parent can file a motion to modify at any time, provided there is a material change in circumstances to support the modification.
 - Maryland Child Support Administration – if from the Maryland Child Support Administration, **once every 3 years**, either parent may ask the Office of Child Support Enforcement to review the child support order for possible modification.

This is not legal advice. Please consult an attorney about your specific situation. To get free legal help visit:

WWW.MVLSLAW.COM/FREE-LEGAL-HELP/

or call intake between 9 a.m. and 12 p.m. on Monday through Thursday at 1(800) 510-0050 or (410) 547-65377

How to File for a Child Support Modification

- Contact a private attorney, or, if self-represented, the Family Law Hotline at or the court family law self-help center for assistance.
- Complete the forms. Below are some links to forms and the child support calculator to determine what amount impact a modification may have on your current child support obligation.
 - Domestic Case Report Form (Form: CC-DCB-001) - ccdcm001.pdf (state.md.us).
 - Petition/Motion to Modify Child Support Instructions for Completing CC-DR-006 - D:\JOBS\Ken\MDCOURTS 2A\Dom Rel Forms\DRIN 06.PDF
 - Petition/Motion to Modify Child Support (Form CC-DR-006) - ccdr006.pdf (mdcourts.gov).
 - Financial Statement (Child Support Guidelines) - ccdr030.pdf (state.md.us).

Keep in mind that when filing a petition for child support or to modify an existing order, the parent filing the petition must serve all documents as listed above on the other parent. The following requirements are:

- An accurate mailing address for the other parent. The filing parent must have the proper address of the other parent to move the case forward within the courts.
 - Certified mail can be utilized but may not be the best option if the other parent refuses to accept or fails to regularly check the mail.
 - The Sheriff in the court where the case will be heard is available to hand deliver the documents with an associated fee. It is important that you contact the court regarding the current fee.
 - Personal service is another option by which a family member or friend over the age of 18 can personally hand deliver the documents to the other parent (free), or one can use a personal process server (can be costly) to hand deliver the documents.
- The court may charge a filing fee to file the documents. Again, it is important to contact the court regarding the current fee. If a parent is unable to pay any court fees, the parent may file for a waiver of prepaid costs with the court. At the of the case, if there any outstanding fees remaining, one can file for final waiver of open costs.
 - Request for Waiver of Prepaid Costs (Form – CC-DC-089) ccdc089.pdf (mdcourts.gov).
 - Request for Final Waiver of Open Costs (Form – CC-DC-090) ccdc090.pdf (mdcourts.gov)

Once served the other parent has 30 days to respond to the petition if living in the state, 60 days if living outside the state, and 90 days if living outside the country. If the other parent fails to respond there are other options available such as asking the court for an Order for Default. The court will schedule a hearing if the other parent answers or if a parent files for a Default Order. Again, it is important to contact an attorney to assist with filing the petition and other filings and issues that may arise throughout the course of the case.

- To speak to an attorney about your situation, call the Family Law Hotline at 1(800) 845-8550.
- To view the court forms pertaining to child support, custody, and visitation, visit Family Law Court Forms | Maryland Courts (state.md.us).
- To learn more, visit the legal self-help website, www.peoples-law.org/cat/family-law/.

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