

MARYLAND CHILD SUPPORT GUIDELINES:  
CASE LEVEL REVIEW  
2007 – 2010

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## EXECUTIVE SUMMARY

Federal law as well as Maryland law requires a quadrennial, case-level review of the application of quantitative child support guidelines when establishing or modifying support obligations. These reviews are meant to identify areas of policy or practice where enhancements might be needed. Most importantly, these reviews are intended to evaluate if the financial needs of children are being impartially and equitably addressed through consistent application of the guidelines. Child support is an important income source, perhaps especially for low-income families where its receipt can add as much as 20 percent to the income of single parents (Nicoli, Logan, Born, 2012). The significance of child support to the larger population and to local economies is evident from the fact that \$26.5 billion in child support was collected nationally and distributed on behalf of more than 17 million children in 2010 (OSCE, 2011).

Members of the Maryland General Assembly are well aware of the importance of child support in the lives of their constituents. They also understand the importance of the public child support program operated by the Child Support Enforcement Administration (CSEA) of the Department of Human Resources (DHR) in partnership with local child support programs, the judiciary, and local Departments of Social Services. Due to the legislature's long-standing interest in the public child support program, it requires that a written report be submitted to it describing the methodology and findings of the mandatory, periodic case review projects.

This report is in fulfillment of the required 2012 quadrennial legislative report. The report covers the calendar years of 2007 through 2010. The research described herein was carried out by the Family Welfare Research and Training Group at the University of Maryland, School of Social Work on behalf of CSEA-DHR, as have been all prior quadrennial reviews. Report findings are based on the review of court orders and their associated guidelines worksheets for a stratified, random sample of 5,340 Maryland child support cases with new or modified support orders between January 1, 2007 and December 31, 2010. Key findings are as follows:

- **The public child support program continues to serve a broad population.**

Roughly equal percentages of children included in this sample live in families (44.8%) who formerly received TCA (Temporary Cash Assistance) or in families who had no history of receiving such aid (41.2%). There are few (13.9%) families currently receiving TCA.

- **The statewide profile of child support cases remains similar to previous reviews.**

The typical case is a sole custody (95.6%) support matter involving one child (74.1%) where the non-custodial parent (NCP) is the father (91.4%), the custodian (CP) is the child's mother (90.3%), and the average per child monthly support-ordered amount is \$320. On average, the adjusted monthly gross income of the NCP is \$2,332 and \$1,955 for the CP. For the state as a whole, NCPs' share of combined family income is 58% and CPs share is about 41%, on average.

- **In most cases, the total support obligation amount equals the guidelines-recommended amount because most cases did not have additional expenses.**

By far, child care expenses were the most common add-on in 28.9% of cases, and cost about \$400 per month. When these additional expenses are present, they are added to the basic support obligation and pro-rated between both parents.

- **Most orders did not deviate from the guidelines, a finding that holds whether one includes (70.3%) or excludes (75.0%) discretionary orders from consideration.<sup>1</sup>**

Among all cases (n=1,251) where the support order amount was different than the presumptively correct guidelines amount, the deviations were much more likely to be downward (78%) than upward (22%).

- **The dollar amounts involved in downward deviation cases also tend to be larger.**

On average, the downward deviating orders were \$150 less than the guidelines-recommended amount, while, in upward deviation cases, the mean difference was \$96. The medians were smaller, but the pattern was the same.

- **Deviations were significantly more likely to be found in certain types of cases.**

Deviations were more likely to occur in cases that have never received TCA, in cases where the NCP's income was at least \$2,500 per month, in modified orders rather than newly established orders, and in cases where two or more children were covered by the order.

- **Among cases with a deviation, the reason for the deviation was determined for most cases (82.5%) from either the worksheet or the court order.**

Overwhelmingly, the single most commonly-cited reason for the deviation was that all parties agree (42.3%). No reason was recorded in 17.5% of cases examined, but it is possible that they were stated on other documents associated with the case or in the oral record.

- **Although some intra-state differences were observed, their nature and magnitude seem congruent with local socioeconomic conditions and raise no red flags.**

There was considerable commonality across the state; all parties agree, to illustrate, was among the top three deviation reasons in all 24 jurisdictions. However, differences among jurisdiction reflect the local socioeconomic condition, such as support order amounts that tend to be higher, on average, in more affluent counties.

These findings are well in line with findings documented in our reports for previous review periods, and none of them indicate any areas requiring urgent or substantive legislative or high-level managerial attention. In short, the review of more than 5,000 Maryland child support orders established or modified between 2007 and 2010 suggests that the child support guidelines continue to be carefully and consistently followed and are being used in an equitable or fair manner.

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<sup>1</sup> Discretionary orders are those where combined parental income is lower or higher than the minimum and maximum income amounts covered by the guidelines schedule.

## INTRODUCTION

To ensure that the financial needs of children are impartially and adequately addressed when one or both parents reside outside the home, federal regulations require that states establish and use quantitative guidelines to determine the amount of financial support that the parent(s) should be ordered to provide. Quadrennial reviews of the guidelines' adequacy and application is also required and, as part of this assessment, states must analyze case data on the application of and deviations from the guidelines to ensure that deviations from the guidelines are limited (45 C.F.R. § 302.56). In theory, deviations should be limited because state child support guidelines are presumptive in nature and should only be rebutted (i.e., deviated from) in cases where their application would result in a child support order that was unjust or inappropriate according to state-established criteria, as long as the best interests of the children are also considered.

Maryland law includes similar language requiring the Child Support Enforcement Administration (CSEA) of the Department of Human Resources (DHR) to "report its findings and recommendations to the General Assembly" (Family Law Article §12-202(c) (2)). Since the mid-1990s, the case-level review portion of the quadrennial reviews has been done by the Family Welfare Research & Training Group (FWG) at the University of Maryland, School of Social Work on behalf of CSEA-DHR.

Today's document is the required, written report on the case-level reviews for the most recent quadrennial cycle (January 2007 to December 2010) and the key findings from those reviews. More specifically, the report presents findings

from our review of a stratified, random sample of 5,340 Maryland IV-D child support cases in which support orders were established or modified between January 1, 2007 and December 31, 2010. The main research questions of the review are as follows:

1. What is the profile of cases with orders established or modified between 2007 and 2010, and what is the profile of custodial and non-custodial parents in those cases?
2. What is the deviation rate for orders established or modified between 2007 and 2010?
3. Does the deviation rate vary by case type, and what are the main deviation reasons?
4. Do case characteristics, deviation rates, and deviation reasons vary by jurisdiction?

This report provides valid, reliable empirical answers to these four important questions. In addition to meeting the statutory requirement for review, the findings reflected in today's report should also serve as an important baseline against which future quadrennial reviews' findings can be assessed. This is because, in October 2010, very near the end of the current study period, the Maryland child support guidelines schedule was updated for the first time since the original schedule was adopted more than 20 years ago.

To enable readers to put study findings in context, we provide some background information about child support and child support guidelines in the next chapter. A brief summary of previous Maryland case level reviews and findings is also included.

## BACKGROUND

The Child Support Enforcement (CSE) program is a federal, state, and local partnership that was established in 1975 under Title IV-D of the Social Security Act of 1935, as amended. The program's primary goal is to "enhance the well-being of children by assuring that assistance in obtaining support, including financial and medical support, is available to children through locating parents, establishing paternity and support obligations, and monitoring and enforcing those obligations" (OCSE, 2009). In federal fiscal year 2010, the Office of Child Support Enforcement (OCSE) reported that states collected and distributed nearly \$26.5 billion to nearly 16 million cases and over 17 million children, making it the single largest child welfare program in the United States (OCSE, 2011).

In order to ensure adequacy, equity, and efficiency among child support orders, child support legislation in the 1980s required each state to develop a set of numeric guidelines (sometimes referred to as a child support schedule) and adhere to them, except in cases where the application of the guidelines would be unjust or inappropriate ["Child Support Enforcement Amendments of 1984" (PL 98-378) and "Family Support Act of 1988" (PL 100-485)]. 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 their specific caseloads.

Mandatory quadrennial reviews, as required by the Family Support Act of 1988, provide an opportunity to assess the fit of the guidelines and to highlight areas where adjustments may be needed, primarily by examining the deviation rate and reasons for deviations from the guidelines. A national review of guidelines is challenging because states are afforded flexibility in both the specific design of their child support guidelines and in their deviation

criteria. One advantage of this flexibility is that states are able to examine approaches that have been adopted by other states and strengthen or modify their programs accordingly. However, this same flexibility makes it difficult to compare the results of guidelines reviews from one state to the next, unless one understands the broader context of those results. Thus, this chapter provides a brief overview of the major types of guidelines models and deviation criteria used across the country. In addition to this brief overview, we provide a summary of previous Maryland guidelines reviews as a point of comparison.

### **Guidelines Models**

In 1984, OCSE established a national Advisory Panel on Child Support Guidelines to investigate the use of guidelines across states. At that time, states were required to establish a guidelines method to set support amounts, but these guidelines were not presumptive. The Panel's findings were published in a report to OCSE three years later and provided an overview of guidelines models used in various states, as well as a more in-depth discussion of the underlying assumptions and theory of child support guidelines in general (Williams, 1987). A subsequent guidebook included an updated state-by-state analysis and an overview of the types of guidelines models used by each state (Morgan 2005).

As noted, federal regulations allow states a degree of flexibility in determining the type of guidelines model used and in specifying the factors that can be used to justify a deviation from the guidelines-calculated amount. Regulations also specify, however, that any guidelines model elected by a state must:

1. Take into consideration all earnings and income of the non-custodial parent;



2. Be based on specific descriptive and numeric criteria and result in a computation of the support obligation; and
3. Provide for the child(ren)'s health care needs, through health insurance coverage or other means (45 C.F.R. §302.56 (c)).

Although there are numerous idiosyncrasies across states with regard to such matters as whether gross or net income is used, how certain specific child expenditures are allocated between the parents, or adjustments for other children or shared parenting, there are essentially three basic guidelines models in use across the country: Percentage of Income; the Melson Formula; and Income Shares (NCSL, 2005; Morgan, 2005; Williams, 1987). Each of these models is described briefly in the sections following.

#### **Percentage of Income Model**

In the Percentage of Income approach, the recommended child support obligation is derived from the income of the non-custodial parent only. The underlying assumption of this approach is that each parent will spend the same proportion of their income on the child, whether that is a fixed percent across all income levels or a variable rate which decreases as income increases. This percentage is determined by the number of children, and in some states, the ages of the children, and assumes that child care and medical costs will be covered by the award.

The main strength of this model is its simplicity. Of the three models, it is the easiest to learn, explain, understand, and is less prone to error (Morgan, 2005). However, this model does not take into consideration the various adjustments for child care, medical expenses, or custody arrangements, among many other things. This model is currently utilized by ten states and the Virgin Islands with one state,

Massachusetts, using a Income Shares/Percentage of Income hybrid approach (Center for Policy Research, 2008; NCSL, 2005).

#### **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 includes the assumptions that parents should be allowed to meet their own basic needs first, that children should also have their basic needs accounted for, and that parents should share increases in their income with their children. Thus, the calculation of basic support includes a calculation of minimum support per child and the inclusion of a Standard of Living Allowance for both parents before the support obligation is pro-rated according to each parent's percentage of combined income. By considering the needs of both the parents and the child, this model is perceived as the most fair and equitable of the three models. It is, however, the most complicated model, and to date is the least popular, being used by only three states: Delaware, Hawaii, and Montana (Morgan, 2005; NCSL, 2005).

#### **Income Shares Model**

The large majority of states, including Maryland, employ the Income Shares model. This approach was developed by the Institute for Court Management of the National Center for State Courts and is based on three premises:

1. The child should receive the same proportion of parental income that he or she would have received if the parents lived together;
2. In an intact household, the income of both parents is generally pooled and spent for the benefit of all household members, including any children; and

3. A child's portion of such pooled expenditures includes spending for goods used only by the child such as clothing, and also a share of goods used in common by the family such as housing, food, household furnishings, and recreation (Williams, 1987).

Accordingly, in the Income Shares model, the incomes of both parents are considered in determining the basic support obligation, as is the number of children and additional expenses such as child care and health insurance. The resulting total support obligation is then pro-rated between the parents based on their proportion of the total combined income (Dodson, 1994; Morgan, 2005).

This model also takes into account the economic assumption that the proportion of income spent on children decreases as income increases. Additionally, the model allows consideration for adjustments related to shared custody and, in some states, family development and 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. Currently, this model is utilized by 37 states, including Maryland, as well as Guam and the District of Columbia (Center for Policy Research, 2008; NCSL, 2005).

### **Deviation Criteria**

Regardless of the guidelines model employed in a state, the presumptive support order amounts resulting from the use of the model are generally grounded in economic data reflective of average family expenditures. Average expenditure data provide a sufficient basis upon which to construct guidelines models, but they are just averages and may not universally result in a just or appropriate support amount for all families. When family circumstances are unusual, there does need to be some degree of flexibility or discretion, in which federal regulations do provide to states, with

important caveats. Specifically, in cases where the recommended child support amount would be "unjust or inappropriate", states may deviate from the guidelines, provided that several conditions are met. First, the best interest of the child must be taken into consideration. Second, 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 varies from the guidelines (45 C.F.R. § 302.56(f-g)).

Just as states may choose their own guidelines models, they may also specify their own list of acceptable criteria for deviation. Some states provide considerable specificity with regard to what constitutes acceptable reasons for deviations, while others provide very little. Moreover, even among states that enumerate their deviation criteria, there is no unanimity. Morgan (2005), to illustrate, identified more than 40 different deviation factors in use across the country. On the other hand, it appears that most states' deviation criteria do reference, in some fashion, health insurance and extraordinary medical expenses, child care 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 add-ons.

In addition, approximately three-quarters of the states (38 of 50) 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 interests 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" (PL 100-485)] is especially important for those states, like Maryland, that do include a discretionary provision.

## Maryland's Child Support Guidelines

Maryland, like the majority of other states, uses an Income Shares approach as the basis for its child support guidelines. Several specifics of Maryland's model should be noted, however. First, the model uses gross income rather than net income, but provides income adjustments such as existing child support obligations actually paid, health insurance premiums paid on behalf of the child(ren), and alimony payments paid or received. Second, the model incorporates a self-support reserve and allows for a shared custody adjustment when each parent keeps the child(ren) for at least 35 percent of the overnights in a year.

Effective October 1, 2007, however, Maryland changed the way health insurance premiums were treated in the guidelines calculation and revised the child support worksheets to account for health insurance as an additional cost added to the child support obligation rather than an adjustment to a parent's income. Most significantly, Maryland's child support guidelines were updated via statute, effective October 1, 2010. The three major elements of this change are: (1) child support order amounts were updated, based on more recent economic estimates of the cost of childrearing; (2) the threshold for the low end of discretionary orders<sup>2</sup> was increased to a total family monthly income of \$1,200, up from \$850; and (3) the high-income end of the guidelines schedule was increased from a total family monthly income of \$10,000 to \$15,000.

Consistent with federal rules, Maryland, like most states, 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.

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<sup>2</sup> Discretionary orders are child support obligations in which the judge has discretion to set the order amount. Discretionary orders are allowed when the total combined income is either below or above the established schedule.

Family Law Code §12-202(a) (2) (ii)]. When making such a determination, the court may consider (1) the terms of any existing separation or property settlement agreement or court order; and (2) the presence in the household of either parent of other children to whom that parent owes a duty of support and the expenses for whom that parent is directly contributing [Md. Family Law Code §12-202(a)(2)(iii)].

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 interests 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 [Md. Family Law Code §12-202(a)(2)(v)]. The same process applies with consent orders, which may be negotiated outside of court.

This is the fifth case-level report on the application of the guidelines in Maryland's IV-D cases. There have been a few methodological changes<sup>3</sup> over time, but the main study findings have been generally stable across review periods. We have consistently found that the guidelines schedule was used in the majority of new and modified orders, as required. Similarly, deviation rates were consistently in the narrow range between 21% and 25%. Other areas of consistency over time have been that at least three-fourths of deviations have been downward, the most commonly recorded deviation reason is that all parties agreed, and, finally, that deviations were most likely to occur in non-TANF cases, cases in jurisdictions other than Baltimore City, and in cases with higher-income obligors.

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<sup>3</sup> The first review recorded amounts of \$1 different from the guidelines-recommended amount as a deviation, while all subsequent reviews record those of at least \$10 as a deviation. Additionally, only this current review and the 2008 review separate discretionary orders from deviation orders.

## METHODS

This chapter briefly describes the methodology used to carry out the current quadrennial, case-level review on the application of the Maryland child support guidelines in newly established or modified support orders during calendar years 2007 through 2010. We describe the method of sample selection, data collection methods, and analysis techniques used.

### Sample

The population of interest in this study was all Maryland IV-D cases in which a child support order was newly established or an existing support order was modified to change the current support amount between January 1, 2007 and December 31, 2010. The universe of cases that met these criteria was identified by the authors from the automated information management system, CSES (Child Support Enforcement System) of the Child Support Enforcement Administration (CSEA), Maryland Department of Human Resources (DHR). Support orders associated with these cases were included in our sampling population when the following was met: (1) a current support order amount greater than \$0 first appeared in the administrative data during the study time period (new orders); or (2) there was a change in the current support order amount from one month to the next within the study period (modifications). Orders changed to \$0 were excluded, because this usually reflects case closure or suspension.

In order to limit the study sample to orders the Maryland guidelines schedule would presumably have been used, we excluded orders for paternity only, provisional or temporary orders, and some interstate orders as well as orders for destitute adults, indigent parents, and spousal support. The small number of non-IV-D orders that were established outside the IV-D system but included in the administrative data for wage-withholding and collection only were also excluded.

With these caveats and exclusions, our final sampling population for calendar years 2007 through 2010 consisted of 68,732 new or modified child support orders. A stratified, random sample of 5,340 orders was selected for inclusion in the study sample. The large majority of sample orders were newly established ( $n=4,786$ , 89.6%) and the remainder ( $n=554$ , 10.4%) were modified during the study time frame. This sample size yields valid statewide results with a 95% confidence interval and a  $\pm 5\%$  margin of error. These are generally-accepted parameters. Their practical meaning, in the context of this study, is that if repeated random samples of support orders were drawn from the same universe, 95% of the time the sample proportions (e.g., deviation rate) would lie within  $\pm 5$  percent of the true deviation rate (i.e., the rate that would be found if every case in the universe were reviewed).

Valid statewide results are unquestionably important. However, while Maryland is a small state in size, it is very diverse and statewide findings often mask important intra-state variations. This is almost always the case in child support studies, because caseloads tend to be concentrated in state jurisdictions with large populations such as Baltimore City and the counties of Baltimore and Prince George's. As a result, statewide profiles based on valid, random statewide samples may, indeed, be an accurate reflection of the statewide picture but, nonetheless, often just portray the reality that prevails in the state's largest jurisdictions.

In consultation with state and local child support officials, it was determined that the case-level guidelines review project would have greater practical utility if it were structured to yield findings valid at the jurisdiction level, not just statewide. To achieve that, we employed a stratified random sampling approach. This means

that smaller counties were over-sampled and larger jurisdictions were under-sampled so that each of the 24 jurisdictional samples would yield valid results with a 90% confidence interval and a  $\pm 6\%$  margin of error. In order to carry out our statewide analyses, however, we used normative weighting so that the statewide sample accurately reflected the true distribution of support orders across the 24 jurisdictions. The use of weights “corrects” for the under- and over-sampling previously described and ensures that, in the statewide sample, each of Maryland’s 24 local subdivisions accounts for the same percent of orders in our sample as it does of orders in the statewide population. More precise information about the 2007 through 2010 universe of new and modified support orders by jurisdiction, as well as jurisdictional sample sizes (with and without weights) is provided in Table 1, following.

### **Data Collection**

Sample orders were randomly selected by University of Maryland research staff and lists were shared with local child support agency managers. Following

collaboratively-developed protocols that had been pilot-tested in several counties, child support personnel in the 23 counties and Baltimore City located the physical records containing the specified child support orders and their corresponding guidelines worksheets. Photocopies of these documents were made and forwarded to the university research team. Upon receipt, the orders and worksheets were reviewed and abstracted, and data were entered into a customized SQL-Server database, created specifically for use in this multi-year project. SPSS was used to analyze the data.

### **Data Analysis**

We used univariate statistics to describe the characteristics of cases, non-custodial and custodial parents, and deviations. Where we compare cases with deviations to those without, and when we compare across local subdivisions, we use Chi-square and ANOVA statistics to test if observed differences were large enough to reach standard levels of statistical significance. As discussed earlier, sample weighting is used for statewide analyses.

**Table 1. Sample Size by Jurisdiction and Order Type**

	2007-2010 Universe		2007-2010 Sample		2007-2010 Weighted Sample	
	#	% of Total	#	% of Total	Applied Weight	Weighted Sample Size
Allegany	1,466	2.13%	226	4.23%	0.504	114
Anne Arundel	4,569	6.65%	254	4.76%	1.398	355
Baltimore County	6,283	9.14%	257	4.81%	1.899	488
Calvert	1,305	1.90%	222	4.16%	0.457	101
Caroline	688	1.00%	192	3.60%	0.278	53
Carroll	1,173	1.71%	218	4.08%	0.418	91
Cecil	1,885	2.74%	233	4.36%	0.629	146
Charles	2,122	3.09%	238	4.46%	0.693	165
Dorchester	812	1.18%	201	3.76%	0.314	63
Frederick	2,710	3.94%	242	4.53%	0.870	211
Garrett	452	0.66%	168	3.15%	0.209	35
Harford	3,187	4.64%	247	4.63%	1.002	248
Howard	1,602	2.33%	229	4.29%	0.544	124
Kent	357	0.52%	149	2.79%	0.186	28
Montgomery	6,220	9.05%	259	4.85%	1.866	483
Prince George's	11,777	17.13%	262	4.91%	3.492	915
Queen Anne's	696	1.01%	194	3.63%	0.279	54
St Mary's	1,908	2.78%	237	4.44%	0.625	148
Somerset	746	1.09%	197	3.69%	0.294	58
Talbot	628	0.91%	188	3.52%	0.260	49
Washington	3,481	5.06%	249	4.66%	1.086	270
Wicomico	1,698	2.47%	230	4.31%	0.574	132
Worcester	628	0.91%	188	3.52%	0.260	49
Baltimore City	12,339	17.95%	260	4.87%	3.687	959
Maryland (Total)	<b>68,732</b>		<b>5,340</b>			<b>5,340</b>

**Note:** Due to rounding, the weighted sample size count does not sum to the total number of cases.

## FINDINGS: STATEWIDE REVIEW

There are many challenges involved in operating a compliant and high-quality public child support program. One of these is finding the appropriate balance between consistency and flexibility in the application of the mandatory, child support guidelines when establishing or modifying support orders. On the one hand, guidelines standards promote equity, predictability, and accountability in the establishment of child support obligations, regardless of parental income. On the other hand, it is not possible for a single set of unvarying standards to accommodate the full range of family circumstances seen in local child support offices and courtrooms. Thus, it is important to understand how policy interacts with practice, and to examine if there are certain characteristics that are more or less likely to be associated with a support-ordered amount that is different than the guidelines-calculated amount (i.e., a deviation).

To that end, this chapter presents findings at the statewide level about the characteristics of cases, non-custodial parents (NCPs), and custodial parents or custodians (CPs) in cases where a Maryland child support order amount was established or modified between January 1, 2007 and December 31, 2010. Information about the rate of deviations as well as the reasons for those deviations is also provided. As a reminder, the data in this chapter have been weighted to reflect the true distribution of cases across the state.

### **Case Characteristics**

Table 2, following this discussion, provides data on the characteristics of sample cases with a new or modified support order in the study period. We include variables which describe receipt of cash assistance benefits, order type (new or modified), the type of worksheet used to calculate the guidelines amount, and the number of children on the order. The table also provides information on the mean and median monthly support

order amount per case and per child, as well as by worksheet type.

The first portion of Table 2 shows that, overwhelmingly, cases with new or modified orders between 2007 and 2010 were not receiving cash assistance (i.e., TANF/TCA) at the time the case action was taken. In more than eight of every 10 (86.1%) orders, the custodian and child were not currently receiving welfare. Roughly equal proportions within this group had no history of TANF receipt in Maryland (41.2%) or had received TANF in our state at some point in the past (44.8%). Indeed, former TANF cases are the largest group within the sample and within the nationwide IV-D caseload at the present time (Green Book, 2011). Current TANF cases are the smallest cohort in our sample (13.9%). Research has shown that child support income, even if sporadically received or limited in dollar amount, plays an important role in helping women leave welfare, remain off welfare after an exit, and in reducing poverty among children and their single parents (Kakuska & Hercik, 2003; Miller, Farrell, Cancian & Meyer, 2004; Srivastava, Ovwigho & Born, 2001; Waller & Plotnick, 2001).

The next two sections (order type and worksheet type) of Table 2 indicate whether the order was newly established or a modification to an existing order and the type of worksheet used to calculate the support order amount. As shown, most (89.6%) were new orders and just about one in 10 was a modification (10.4%). The section of the table describing the worksheet type contains several important items of information. First, it shows that the overwhelming majority of sample orders represented sole custody situations (95.6%). Second, it shows how many support order amounts were calculated using the old worksheet in effect during the first nine months of the study period (January to September 2007), how many

were calculated using a new worksheet that was promulgated to reflect legislative changes effective October 2007, and how many used old and new worksheets developed by the court masters.

This new worksheet was implemented to reflect an October 1, 2007 policy change in which health insurance premiums were no longer used to adjust a parent's income, but rather the health insurance premiums are now added to the overall child support obligation and both parents are responsible for the cost of the health insurance, proportionate to their percent of the total combined income. The new worksheet was in effect during 39 of the 48 months covered by this review or 81.3% of the study period, and 78.1% (n=4,169) of all sample orders took place during those same 39 months. However, 37.0% (n=1,542) of orders established and modified during these 39 months, used the old worksheet, thereby calculating health insurance incorrectly. While the use of the old worksheet is expected between January and September 2007, nearly half (47.0%) of the sole custody cases used the old worksheet when determining the child support order, as shown in Table 3 below. It is probable that, as with any major administrative change, there was a transition period from use of the old worksheets to use of the updated worksheets.

Consistent with findings from previous reviews, three-quarters (74.1%) of all orders were for one child; about one in five (20.3%) involved two children, and a very small minority (5.6%) involved three or more children. Monthly support order amounts per case ranged from \$0<sup>4</sup> to \$2,736 with a monthly average of \$400 and a median of \$329. The mean (\$320) and median (\$267) per child monthly support order amounts were somewhat lower, as expected, and the range (\$0 to \$1,523) not as wide.

In terms of the type of worksheet used, Table 2 shows that the new worksheets (i.e. post-September 2007) yielded higher average monthly support order amounts than did the old worksheets used in sole custody cases (\$433 vs. \$365) and joint custody cases as well (\$435 vs. \$312).<sup>5</sup> Readers are cautioned that these particular findings are influenced by a number of other variables (e.g. number of children, parental incomes) and thus should be viewed as suggestive, but not definitive.

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<sup>4</sup> Only four cases had a support order amount of \$0. According to the language from the order or worksheet, this amount was determined based on the hardships among both parents.

<sup>5</sup> This was also true for the master's worksheets; the average monthly support order amount calculated using the new version was higher (\$448) than the average from the old worksheet (\$403).



**Table 2. Characteristics of Sample Cases**

	<b>Total</b> (n=5,340)
<b>Case Designation</b>	
Current Assistance	13.9% (738)
Former Assistance	44.8% (2,378)
Never Assistance	41.2% (2,187)
<b>Order Type</b>	
New	89.6% (4,786)
Modified	10.4% (554)
<b>Worksheet Type</b>	
Sole Custody (Old)	47.0% (2,510)
Sole Custody (New)	48.6% (2,593)
Joint Custody (Old)	0.8% (45)
Joint Custody (New)	1.8% (95)
Master's Worksheet (Old)	1.3% (69)
Master's Worksheet (New)	0.5% (28)
<b>Number of Children per order/worksheet</b>	
1	74.1% (3,941)
2	20.3% (1,080)
3 or more	5.6% (296)
<b>Support Order Amount per Month<sup>6</sup></b>	
Per Case	
Mean [Median]	\$400 [\$329]
Standard deviation	\$272
Range	\$0 - \$2,736
Per Child	
Mean [Median]	\$320 [\$267]
Standard deviation	\$196
Range	\$0 - \$1,523
By Worksheet (Mean)	
Sole Custody (Old)	\$365
Sole Custody (New)	\$433
Joint Custody (Old)	\$312
Joint Custody (New)	\$435
Master's Worksheet (Old)	\$403
Master's Worksheet (New)	\$448

**Note:** Data have been weighted to account for sample stratification. The 2010 database did not distinguish between old and new worksheets; as a result, only 2007 to 2009 orders can be documented as using old worksheets. Due to missing data for some variables, counts may not sum to the total number of cases. Valid percentages are reported.

<sup>6</sup> We do not distinguish between support orders calculated with the guidelines schedule before the October 2010 update and those after the update, as this change was only relevant for 3 of the total 48 months our sample study period.

## Characteristics of Non-Custodial Parents and Custodians

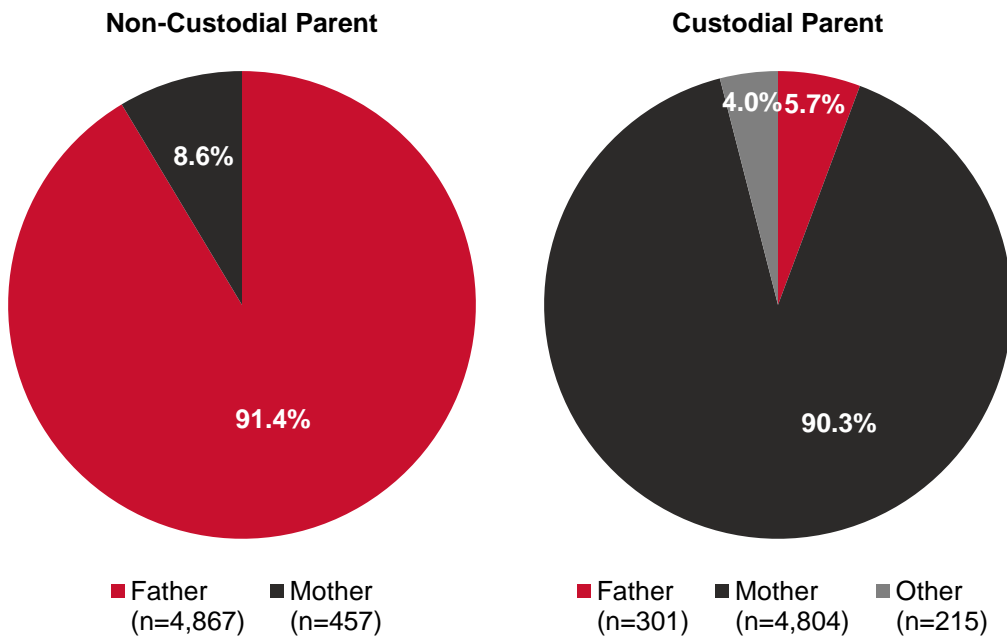
The number of children involved in a support order and whether the situation involves sole or joint custody are important factors in determining a financial support obligation. In states like Maryland which use an income shares approach, however, other driving factors are the total family monthly income and the percent of that income accounted for by each parent.

### Relationship to Child

We examine incomes and income shares in this section of the report, but first provide information about the parental relationships of the non-custodial parents (NCPs) and

custodial parents/custodians (CPs) to the children involved in sample cases. This information appears in Figure 1, below. Not surprisingly, it shows that the overwhelming majority of NCPs are the children's fathers (91.4%) and that, also by an overwhelming margin, CPs are the mothers of the children (90.3%). Fewer than one in 10 NCPs (8.6%) were mothers, although the proportion is slightly higher than in the prior review period (7.7%). Fathers were a very small percentage (5.7%) of all custodians, but this represented a slight uptick from the prior review period (4.8%). In four percent of all cases, the custodian was someone other than the child's mother or father, a figure virtually unchanged from our last quadrennial review (3.9%).

**Figure 1. Non-custodial Parent and Custodial Relationship to Child**



**Note:** Due to missing data for some variables, counts may not sum to the total number of cases.

## **Income, Deductions, and Adjusted Gross Income**

Table 3, following this discussion, provides information about the monthly incomes of the non-custodial and custodial parents associated with the support orders examined in this study, the parents' combined monthly income, and the relative shares of that income accounted for by each parent. We begin by discussing gross monthly income which is the basis for child support calculations in Maryland. As shown, NCP gross monthly income is greater than CP gross monthly income by a few hundred dollars, regardless of whether the mean (\$2,429 vs. \$1,970) or median (\$1,831 vs. \$1,559) is considered.

Gross monthly incomes for both parties vary widely, indicating that the public child support program does serve a very economically diverse population. However, the mean and median gross monthly income amounts also make it clear that, typically, both parents tend to have incomes at the lower end of the income distribution. Multiplying CPs' average gross monthly income (\$1,970) by 12, to illustrate, yields an average annual income of \$23,640. This is a crude estimate only, of course, but does make the point that child support is an important addition to the income for the typical family served by the IV-D program.

A small percentage of NCPs (7.7%) and CPs (7.4%) were calculated to have gross monthly incomes equivalent to full-time work at minimum wage.<sup>7</sup> We caution, however, that these particular statistics are not subject to easy or necessarily accurate interpretation due to the phenomenon of income imputation. No doubt some of the parents in study cases were working full-

time and did earn minimum wage. It is also a near certainty, however, that income was imputed in other cases (i.e., that parental income was based on assumed potential income, at minimum wage, and not on actual earnings known at the time of order establishment or modification). Income imputation is permissible in Maryland under certain specified circumstances, but anecdotal 'evidence' strongly suggests that income imputation practices vary widely across the state. The income imputation topic is complex and requires a discussion of state statutes and policies, local customs, and case outcomes; therefore, this discussion is beyond the scope of this report.

The fundamental starting point in Maryland's child support model, as noted, is the gross monthly income of both parents. Beyond that, the model does make provision for either or both parents' incomes to be adjusted, based on their documented expenditures in a few areas. Prior to October 2007, the model (and the "old" worksheet) provided for three adjustments to gross income: (1) pre-existing child support obligations actually paid; (2) alimony or maintenance obligations actually paid or awarded during the proceedings; and (3) the actual cost of providing health insurance for a child for whom the parents are jointly responsible. As noted previously, in 2007, state legislation required that health insurance expenses be handled in a different manner. Rather than be treated as an income deduction, they henceforth were to be treated as an addition to the basic support obligation, with responsibility shared by both parents. This policy change, in turn, required that a "new" guidelines worksheet be developed for statewide use as of the statute's October 1, 2007 effective date.

The legislative change and the resulting switch to the new worksheet and method of handling health insurance premiums (as an addition, rather than a deduction) occurred during this quadrennial review cycle. This

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<sup>7</sup> These percentages were derived by multiplying the minimum hourly wage by 40 hours by 4.33 weeks. The minimum wage was updated several times during our study period (January 2007, July 2007, and July 2008); these changes are taken into account in our calculations.

added complexity to data analysis and makes it impossible to present a unitary finding about the number of cases in which health insurance premiums were a factor. Instead, it is necessary to present findings separately for cases in which there was a deduction to gross income for health insurance premiums paid (the “old” way) and for cases in which health premiums are treated as an addition to the basic support obligation (the “new” way). The practical effect of the change is that the old approach reduces monthly gross income whereas the new approach does not.

With these caveats in mind, Table 3 shows that relatively few NCPs (5.5%) or CPs (6.1%) had an income adjustment (i.e., deduction) for child-related health insurance premiums paid. The mean amount of such deductions was also quite similar for both parents: \$169 for NCPs and \$174 for CPs.

Table 3 also shows the extent of adjustments to either parent’s gross monthly income for pre-existing child support obligations actually paid.<sup>8</sup> This deduction was not uncommon among NCPs, but was rare among CPs. Slightly more than one in five (21.5%) NCPs had this adjustment to gross monthly income, compared to only 1.7% of CPs; both rates are marginally lower than the rates observed in the prior quadrennial review (22.7% and 3.0%, respectively). The mean and median monthly income adjustment amounts among NCPs were \$400 and \$334, respectively.<sup>9</sup> The mean in this current review is slightly

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<sup>8</sup> The legislation effective October 1, 2007 did not change the method for handling pre-existing support obligations; these were an adjustment to gross income in the “old” method and remained so under the “new” approach. Also unchanged was the income adjustment approach to alimony paid or awarded; none of the cases in our sample had an alimony-related deduction.

<sup>9</sup> Among the very small number of CPs with child support adjustments to gross monthly income, the mean (\$330) and median (\$276) amounts were smaller than they were for NCPs.

higher than the mean (\$361) and median (\$300) observed in the preceding review cycle.<sup>10</sup>

After accounting for these deductions, the calculation of child support uses this new, adjusted income. This information is presented in the last section of Table 3. As shown, NCPs average was \$2,332 per month with a median of \$1,733. Among CPs, the comparable figures were \$1,955 and \$1,538.<sup>11</sup> In general, the adjusted monthly gross income data suggest that, all else equal, both NCPs and CPs involved in the public child support program are more likely to cluster at the low end of the socioeconomic spectrum. More than one of every two (56.8%) NCPs, to illustrate, had adjusted monthly gross incomes of less than \$2,000, as did three-fifths (61.4%) of CPs.

Maryland’s Income Shares model is based on the premise that both parents are responsible to financially support the children they have in common, and further that each parent’s share of monetary support should be equivalent to his or her share of the combined monthly adjusted gross income. Thus, the final element needed to complete the income picture for the orders in our sample is information about each parent’s share of the total adjusted family monthly gross income. As shown in the bottom row of Table 3, NCPs account for just under three-fifths (58.4%) of total parental monthly income and CPs account for about two-fifths (40.9%), on average.

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<sup>10</sup> The mean and median deduction amounts for CPs are also higher than they were in the last review cycle when the mean was \$276 and the median was \$233.

<sup>11</sup> Table 3 also shows that 16.8% of CPs are recorded as having zero income, compared to less than one-half of one percent (0.3%) of CPs. Most of the CP zero income cases can be attributed to the fact that cash assistance benefits (i.e., TCA) are not included as income in the calculation of child support.

**Table 3. Income, Deductions, & Adjusted Gross Income**

	<b>Non-Custodial Parents (n=5,340)</b>	<b>Custodial Parents (n=5,340)</b>
<b>Gross Monthly Income</b>		
Mean [Median]	\$2,429 [\$1,831]	\$1,970 [\$1,559]
Standard Deviation	\$1,745	\$1,715
Range	\$0 - \$29,500	\$0 - \$18,402
Full-time Minimum Wage <sup>12</sup>	7.7% (409)	7.4% (396)
<b>Deductions to Gross Income</b>		
Deduction for Pre-existing Child Support	21.5% (1,150)	1.7% (93)
Mean [Median]	\$400 [\$334]	\$330 [\$276]
Standard Deviation	\$293	\$272
Range	\$20 - \$2,931	\$33 - \$1,578
Deduction for Child-related Health Insurance Premiums	5.5% (295)	6.1% (325)
Mean [Median]	\$169 [\$145]	\$174 [\$137]
Standard Deviation	\$116	\$140
Range	\$3 - \$888	\$6 - \$797
<b>Adjusted Monthly Income</b>		
\$0	0.3% (15)	16.8% (895)
\$1 to \$1,500	41.8% (2,234)	32.4% (1,729)
\$1,500 to \$1,999	14.7% (783)	12.2% (649)
\$2,000 to \$2,499	9.7% (521)	10.5% (560)
\$2,500 to \$2,999	9.0% (481)	8.5% (455)
\$3,000 or more	24.4% (1,306)	19.7% (1,053)
Mean [Median]	\$2,332 [\$1,733]	\$1,955 [\$1,538]
Standard Deviation	\$1,711	\$1,699
Range	\$0 - \$28,750	\$0 - \$16,940
<b>Mean Percent of Adjusted Family Income</b>	58.35%	40.92%

**Note:** Data have been weighted to account for sample stratification. Valid percentages are reported.

<sup>12</sup> The monthly full-time minimum wage was calculated by multiplying Maryland's full-time minimum wage by 40 hours by 4.33 weeks. The Maryland minimum wage was updated several times during our study period (January 2007, \$6.15; July 2007, \$6.55; and July 2008, \$7.25). All changes to the minimum wage were accounted for in the calculation of full-time minimum wage earnings.

### Adjusted Family Income per Month

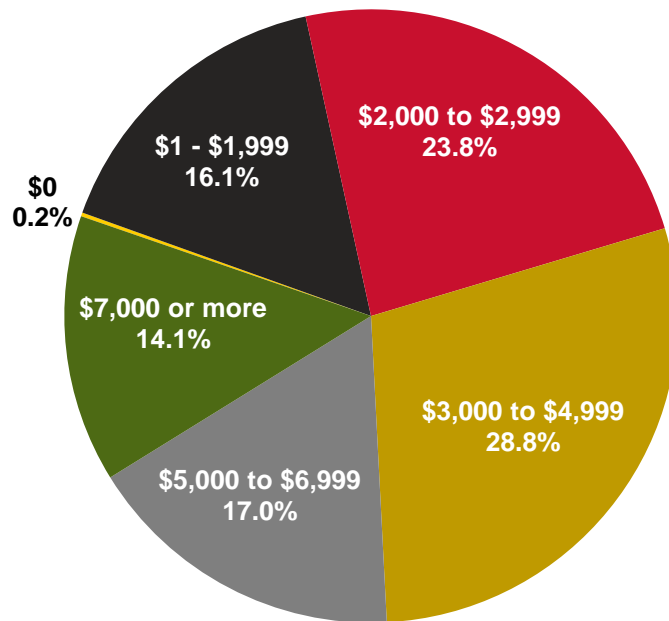
As discussed previously, the fundamental tenet undergirding Maryland's income shares model is that both parents are responsible for monetarily supporting their children in common. Operationally then, both parents' incomes are considered in arriving at the total monthly support obligation, and responsibility for that obligation is pro-rated between the parents based on their respective shares of the total combined income. In the preceding table we presented parents' income information separately; in Figure 2, following, we provide information about their family adjusted income per month.

About (52.6%) of cases in our sample have combined monthly incomes in the range

between \$2,000 and \$4,999. Most prevalent are cases where the family monthly income is between \$3,000 and \$4,999 (28.8%). Next most common are cases with family incomes between \$2,000 and \$2,999, a situation which characterizes 23.8% of all sample cases. Third in order of occurrence are cases with monthly family incomes between \$5,000 and \$6,999 (17.0%). About one in six (16.1%) of all cases could be considered to have relatively low combined incomes (\$1 to \$1,999), slightly higher than the rate (14.1%) of cases where the combined monthly income is relatively high (\$7,000 or more).<sup>13</sup>

<sup>13</sup> Less than one-half of one percent of cases (0.2%, n=12) were reported as having combined monthly incomes of \$0.

Figure 2. Adjusted Family Gross Income per Month



## **Additions to Child Support Obligations**

Table 4, following this discussion, provides information about additional child-related expenses that, when paid by either or both parents in a case, are added to the basic child support obligation. This step in the support calculation process is done after any applicable income deductions have been made to either parent's gross monthly income, after each parent's proportion of total family income has been determined, and after the basic child support obligation amount has been calculated using the guidelines schedule. In other words, when one or more of the specified child-related expenses are present in a case, their dollar amount is added to the basic support obligation to arrive at the total child support obligation amount. It is the dollar amount of this total support obligation that is then prorated between the parents according to their share of total combined income.

The expenses that can be used as add-ons to the basic support obligation are: child care expenses; health insurance premiums (since October 2007); extraordinary medical expenses; cash medical support; and additional expenses [Md. Family Law Code §12-204(g-h)]. In the majority of study cases, there were no add-ons for these expenses. This means that, in most Maryland IV-D cases in which a support order amount was newly established or modified between January 2007 and December 2010, the basic support obligation amount and the total support obligation amount were one and the same.

Among cases with add-ons, child care expenses were most common, being added to the basic support obligation amount in 28.9% of all cases. Child-related health

insurance, formerly an adjustment to gross income, was an add-on in 17.4% of cases. The other two add-ons were infrequent among sample cases: extraordinary medical expenses were present in only 3.1% of cases, while additional expenses were included in 6.1% of cases.

In cases with one (or more) of the four add-ons, Table 4 shows that the average dollar amounts added to the basic support obligation amount varied considerably, depending on the nature of the add-on expense. It is no surprise to see that the largest mean dollar amount is for child care at \$425. The median monthly child care expense was only slightly lower (\$390), indicating that the actual monthly cost in these families does truly hover around the \$400 mark. This is not an insignificant sum, of course, given the average and median monthly incomes of the men and women associated with these cases. On the other hand and reflecting both the diversity of the IV-D caseload and the broad array of formal and informal child-care arrangements, the per month dollar amounts of the child care add-ons vary greatly, from a low of \$10 to a high of \$2,100.

Among the nearly one in five (17.4%) cases with a child-related health insurance premium add-on, the average monthly amount was \$159 and the median was \$125. The range here was also considerable (\$6 to \$1,133). As reported previously, few cases (3.1%) had add-ons for extraordinary medical expenses or additional expenses (6.1%). However, when these add-ons were present the average monthly amounts were \$278 and \$161, respectively.

**Table 4. Additions to the Basic Child Support Obligation (n=5,340)**

<b>Child-related Health Insurance</b>	17.4% (928)
Mean [Median]	\$159 [\$125]
Standard Deviation	\$124
Range	\$6 - \$1,133
<b>Child Care Expenses</b>	28.9% (1,542)
Mean [Median]	\$425 [\$390]
Standard Deviation	\$271
Range	\$10 - \$2,100
<b>Extraordinary Medical Expenses</b>	3.1% (167)
Mean [Median]	\$278 [\$142]
Standard Deviation	\$412
Range	\$15 - \$2,363
<b>Any Additional Expenses</b>	6.1% (328)
Mean [Median]	\$161 [\$124]
Standard Deviation	\$147
Range	\$5 - \$1,401

### Deviations

The second main topic of this quadrennial, case-level review is whether, as required by statute, the guidelines were used to set monthly support order amounts. Table 5 provides the reasons for the deviation as well as the direction of the deviation in cases in which the support-ordered amount is different than (i.e., deviates from) the guidelines-calculated amount. For purposes of this review, we operationally define a deviation as a difference of at least \$10 between the monthly support obligation as calculated from the guidelines schedule and the monthly support obligation reflected in the court order.

Most orders did not deviate from the guidelines. This finding holds whether one excludes (75.0%) or includes (70.3%) discretionary orders (i.e., cases where parental income is lower than the minimum or higher than the maximum incomes

reflected on the guidelines schedule<sup>14</sup>). In other words, among cases with incomes covered by the guidelines schedule, one in four (25.0%) had a deviation from the guidelines-recommended amount, but three-fourths of all such cases had support order amounts identical to the amounts resulting from the guidelines calculations. This rate is in line with findings from prior review periods. In fact, the statewide deviation rate has been quite stable over time, fluctuating in a fairly narrow range between 21% and 25% (Saunders, Young, Ovwigho, & Born, 2008; Ovwigho, Born, & Saunders, 2004; Welfare and Child Support Research and Training Group, 2000).

<sup>14</sup> The importance of excluding discretionary cases is that their incomes are neither above nor below the maximum and minimum incomes covered by the guidelines schedule. In that sense, there can be no deviation in these cases because there is no guidelines-calculated support order amount.



Also consistent with prior reviews is the finding that downward deviations, those in which the support-ordered amount is lower than the amount calculated from the guidelines, are far more numerous than upward deviations. Looking at all orders, just under one in five (18.3%, n=977/5,340) have a downward deviation and the rate is not much different when discretionary orders are excluded from consideration (19.5%, n=977/5,004). However, among all cases with a deviation (n=1,251), more than three-quarters (78%) are of the downward type and just over one in five (22%) are upward deviations.

In addition to being more prevalent, cases with downward deviations also tend to involve larger dollar amounts than upward deviations. That is, in downward deviation cases, the discrepancy between the (lower) support-ordered amount and the (higher) guidelines-calculated support amount tends to be much larger than it is in upward deviation cases where the support order amount is higher than the guidelines-recommended amount. The mean downward deviation amount, to illustrate, is -\$150 while the mean upward deviation amount is less than +\$100 (+\$96). The median deviation amounts are lower for both types of deviations, but the same pattern is observed: the median is higher in downward deviation cases (-\$116) than in upward deviation cases (+\$52). Although the actual dollar amounts differ, these findings are the same as those observed in prior review periods.

The bottom portion of Table 5 provides information about the stated reasons for

these deviations. As a matter of law, the support amount resulting from application of the guidelines is presumed to be the correct amount, but this presumption may be rebutted by evidence that the guidelines-calculated amount would be 'unjust or inappropriate' in a particular case. However, there must be a written finding, on the record, stating the reason for deviating from the guidelines.

Based on the review of guidelines worksheets and court orders, the vast majority (82.5%) of all deviation cases had a stated reason for the deviation. This is slightly lower than the rate in the preceding review (85.3%), but markedly better than the rate in earlier time periods (68.4%). In truth, little meaning should be attached to these particular rates, however, because it is possible, perhaps even likely, that deviation reasons are documented only in the oral case record. We report the rates here only to make it clear that the information reported in Table 5 about the frequency with which specific deviation reasons are used is based data for the large majority of all cases in which a deviation was present.

By a nearly two-to-one margin, the single most common deviation reason was that all parties agree. This was the stated reason in two-fifths (42.3%) of all deviation cases. The next most common reason was other reason, documented in 23.7% of all deviation cases. As noted above, the third most common situation, characteristic of 17.5% of deviation cases, was that no specific reason for the deviation could be discerned from documents we reviewed.

**Table 5. Deviations from the Guidelines**

	<b>Total Orders (n=5,340)</b>
<b>Overall Deviation Rate</b>	
No Deviation	70.3% (3,753)
Any Deviation	23.4% (1,251)
Discretionary	6.3% (336)
<b>Discretionary Orders</b>	
Income Below Guidelines	1.6% (84)
Income Above Guidelines	4.7% (252)
<b>Downward Deviations</b>	18.3% (977)
Mean [Median]	-\$150 [-\$116]
Standard Deviation	-\$129
Range	-\$10 to -\$1,185
<b>Upward Deviations</b>	5.1% (274)
Mean [Median]	\$96 [\$52]
Standard Deviation	\$121
Range	\$10 to \$1,198
<b>Reason for Deviations</b>	
All Parties Agree	42.3% (530)
Intact Second Family	4.8% (61)
In-Kind Support	1.8% (22)
Miscalculation of Guidelines	1.9% (24)
Health Issue	0.3% (4)
Separation	0.3% (3)
Other	23.7% (297)
Multiple Reasons	7.3% (91)
No Reason Given	17.5% (219)

**Note:** Valid percentages are reported.

### Characteristics of Cases with and without Deviations

The principal reason presumptive guidelines were mandated was to help ensure equitable treatment in the determination of parental financial child support obligations. Thus, a final topic addressed in this chapter is whether deviations are more likely to occur in certain types of cases than in others. The specific, empirical answers to this question can be found in Table 6, which follows this discussion.

There are a few statistically significant differences between cases with a deviation and those where the support-ordered amount matched the amount calculated via the guidelines. Deviations are significantly more likely to occur in cases that have never received TANF; in cases where the non-custodial parent's income is at least \$2,500 per month; and in cases where two or more children are covered by the order. Cases involving a modification are also more likely to have a deviation than are cases where the order is newly established. These findings are all consistent with results documented from previous reviews.

**Table 6. Comparison of Cases with Deviations**

	<b>Deviation (n=1,251)</b>	<b>No Deviation (n=3,753)</b>
<b>Order Type**</b>		
Establishment	24.4% (1,096)	75.6% (3,403)
Modification	30.7% (155)	69.3% (350)
<b>Case Designation*</b>		
Current TANF	21.4% (147)	78.6% (543)
Former TANF	25.1% (577)	74.9% (1,718)
Never TANF	26.3% (522)	73.7% (1,462)
<b>NCP Adjusted Income***</b>		
Zero	21.9% (1)	78.1% (3)
Less than \$1,500	17.6% (379)	82.4% (1,781)
\$1,500 to \$ 1,999	18.6% (145)	81.4% (637)
\$ 2,000 to \$ 2,499	34.1% (175)	65.9% (338)
\$ 2,500 to \$ 2,999	35.9% (172)	64.1% (307)
\$ 3,000 or more	35.6% (379)	64.4% (687)
<b>Non-Custodial Parent Relationship to Child</b>		
Mother	23.8% (99)	76.2% (316)
Father	25.2% (1,152)	74.8% (3,423)
<b>Number of Children on Case***</b>		
1	22.8% (847)	77.2% (2,862)
2	31.1% (311)	68.9% (688)
3 or more	31.1% (86)	68.9% (191)

**Note:** Data have been weighted to account for sample stratification. Due to missing data for some variables, counts may not sum to the total number of cases. Valid percentages are reported. \*p<.05, \*\*<.01, \*\*\*<.001

## FINDINGS: JURISDICTIONAL REVIEW

Maryland is a small state, but encompasses great diversity across its 24 jurisdictions in terms of population size, demographics, poverty, and unemployment, as well as child support program organization, operation, and caseload size. Statewide statistics often obscure important intra-state variation. For this reason it is useful to take a look at jurisdiction-level data in order to better understand if and how deviation rates may vary across the state. To understand local deviation rates in context, this chapter discusses the local-level information about monthly income, support order amounts, and the type of and reasons for deviations. Readers are reminded that our sample was constructed so that these jurisdiction-specific findings are valid at the 90% confidence level with a  $\pm 6\%$  error margin.

Tables 7 and 8 following this discussion, present findings separately for each of the 23 counties and Baltimore City. Both new establishments and order modifications are represented in the local samples, but as shown in Table 7, new establishments comprise the large majority of cases, from 74.8% to 99.2%, in all 24 locales.

### **Income and Support Obligations**

#### **Income**

To reiterate, the cornerstone upon which a financial child support obligation rests in an Income Shares model, as Maryland implements, is the total combined and adjusted monthly income of the parents. Statewide, for orders established or modified between 2007 and 2010, the mean adjusted family income per month was \$4,287 with a median of \$3,554. However, as one would anticipate, these income amounts varied widely across the state and in ways that one would expect. That is, these incomes were highest in relatively affluent counties and lowest in counties where poverty and unemployment rates tend to be high. In seven counties the

average combined parental income was at least \$4,500 per month: Anne Arundel (\$4,859); Baltimore (\$4,933); Charles (\$5,855); Howard (\$5,448); Montgomery (\$4,777); Prince George's (\$5,702); and Queen Anne's (\$4,684). At the other extreme, combined parental income averaged less than \$3,000 per month in four jurisdictions: Baltimore City (\$2,740) and the Eastern Shore counties of Dorchester (\$2,543); Somerset (\$2,539); and Worcester (\$2,791). Averages in the other 13 counties lie between these two extremes, and among these mid-range jurisdictions, the two westernmost counties (Allegany and Garrett) and three Eastern Shore counties (Caroline, Kent, Wicomico) had the lowest averages of total adjusted family income.

#### **Discretionary Orders**

Information on one other income-related variable, discretionary orders, is also presented in Table 7. As discussed previously, these are cases in which the monthly family income is either very low or very high, thus precluding calculation from the guidelines schedule. During all but three months of this review period, the combined monthly income schedule started at \$850 and topped out at \$10,000<sup>15</sup>. Thus, order amounts issued in cases where the income figures were below or above those thresholds are considered discretionary. The percentage of discretionary orders in any given jurisdiction is a crude indicator of how high or low the incomes are of families served by the public child support program.

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<sup>15</sup> In October 2010, the guidelines were updated to reflect more recent data on child-rearing costs, and notably, also raised the upper bound of the income schedule from \$10,000 to \$15,000. In theory, this should reduce the number of cases requiring discretionary orders at the high end of schedule. This change also raised the low end of discretionary orders from \$850 to \$1,200. In this review, we do not take the October 2010 changes into account because they only affect three of the 48 months in our study period.

The statewide percentage of discretionary orders was 6.3%, and in the middle of Table 7, we report the rate for each jurisdiction. In five counties there were no discretionary orders (Worcester) or virtually none (Caroline, Dorchester, Garrett, and Wicomico; 1% each). In contrast, more than one out of every 10 orders were discretionary in the counties of Howard (14.0%), Charles (12.6%), and Prince George's (11.5%). It is a near certainty that most of the discretionary orders in these latter counties involved cases where the combined income exceeded \$10,000 per month because 75% of all discretionary orders at the state level were high-income cases (Table 5) and these three counties are relatively affluent as can be seen by their average adjusted family incomes in Table 7.

### **Support Order Amounts**

Child support order amounts also vary by jurisdiction, as one might surmise from the local level income findings just described. For the state as a whole, the average monthly support order amount was \$400 per case and \$320 per child, but again there is wide variation across jurisdictions. The range, to illustrate, was from a high of \$503 in Baltimore County to a low of \$247 in Dorchester County.

Mean monthly support order amounts of at least \$450 were observed in six counties: Anne Arundel (\$450); Baltimore (\$503); Calvert (\$450); Charles (\$485); Howard (\$491); and Prince George's (\$488). One other jurisdiction, Montgomery County, was just under an average of \$450 at \$447. On the other hand, five jurisdictions had average monthly support order amounts of less than \$300. These included four Eastern Shore counties: Caroline (\$291); Dorchester (\$247); Somerset (\$264); Worcester (\$284); and Baltimore City (\$272). Two other counties, one in far western Maryland (Allegany) and another on the Eastern Shore (Wicomico) had average monthly support order amounts hovering around the

\$300 mark; their averages were \$304 and \$305, respectively.

### **Deviations**

The frequency with which support order amounts deviated from the guidelines-calculated amounts also varied across the state, as shown in Table 7. Statewide, the deviation rate was 23.4%. The spread among jurisdictions, however, was from 7.7% in Queen Anne's County and 8.5% in Dorchester County to 36.4% in Harford County and 33.7% in Washington County. In Frederick (30.2%) and Montgomery (32.4%) counties, three out of every 10 order amounts deviated from the guidelines. In 17 of the 24 jurisdictions, however, deviation rates were lower than the statewide average.

Table 7 also provides the direction of deviations, that is, whether the support-ordered amount was higher or lower than the amount recommended from the guidelines. Similar to previous reviews and as expected, jurisdictions differed on this measure as well. About one in 20 cases statewide (5.1%) had an upward deviation, but at the local level, the upward deviation rate ranged from 0.4% (Washington County) to 15.2% (Baltimore County). Most jurisdictions (17 of 24) had upward deviation rates less than five percent. The dollar amounts involved in upward deviation cases also varied considerably, as one would expect. The average amounts ranged from a low of \$19 in Kent County to a high of \$381 in Queen Anne's County, while the state average was \$96. Fourteen of the 24 jurisdictions had an average upward deviation amount that was below the state average.

There was also considerable variability in the percent of local orders with support amounts lower than the guidelines-recommended amounts. Downward deviation rates were lowest in the counties of Queen Anne's (5.7%), Garrett (7.1%), and Howard (7.4%) and highest in Washington (33.3%), Prince George's (26.7%), and Montgomery (25.1%) counties. The statewide rate, by way of comparison, was 18.3%, and as Table 7 shows, more than half of the jurisdictions (14 of 24) did have downward deviation rates lower than the state rate. The average downward deviation amounts ranged from -\$94 (Howard County) to -\$239 (Cecil County) compared to the statewide average of -\$150.

Finally, as was true for the state considered as a whole, most jurisdictions had more downward deviations than upward deviations. There were two exceptions, however, in two high-income counties with relatively high average support order amounts. In Baltimore County, upward deviations accounted for a slightly larger share of all deviations (52.8%) than did downward ones (47.2%), and in Howard County, there was a 50-50 split between upward and downward deviations.

### **Deviation Reasons**

The last topic examined at the jurisdiction level is the stated reason for the deviation from the guidelines-recommended amount. As previously referenced, deviations are permissible when the presumed amount would be 'unjust or inappropriate', provided that the best interests of the child(ren) are considered and the deviation reason is stated on the record. Statewide, in this review and in previous reviews, the single most common reason documented for deviations is that all parties agree. In the current review cycle, this was the recorded reason in more than two of every five (42.3%) deviation cases statewide.

Not surprisingly, there is a degree of variation across jurisdictions in deviation reasons, as shown in Table 8, following, but consistency is more common. Despite the income and other areas of great diversity across Maryland, all parties agree is among the three most common deviation reasons cited in all 24 jurisdictions. This reason was the single most common one in 13 counties; number two in five jurisdictions; and it ranked third in the remaining six. In four counties (Baltimore, Frederick, Montgomery, and St. Mary's) it was the stated reason in more than half of all deviation cases, and in seven other counties (Calvert, Charles, Garrett, Harford, Prince George's, Talbot, and Washington), it was the deviation reason in one-third or more of cases with deviations.

There are other similarities as well. One is that, in the large majority of jurisdictions, specific deviation reasons such as intact second family, in-kind support, separation, and health issue are not often cited, with a few notable exceptions. Intact second family, for example, was cited as the deviation reason in at least one in 10 cases in the counties of Anne Arundel (19.2%), Caroline (10.8%), Harford (10.0%), Somerset (9.5%), and Worcester (12.2%) as well as Baltimore City (12.5%). Another similarity is that, after the reason all parties agree, two other reasons predominated. First, in all 24 jurisdictions, other reasons were among the most common three deviation reasons, and in fact, ranked first or second in 19 jurisdictions. Also quite common, in this study sample, as in previous reviews, was that no deviation reason was stated on the two documents we reviewed—the guidelines worksheet or the support order itself. As noted in our discussion of statewide deviation reasons, this does not necessarily mean that there is no reason on the record, but merely that the reason was not written on the worksheet or incorporated into the language of the support order.

Judicial and, perhaps, local support agency practice no doubt affects the incidence of no reason being listed. There is almost certainly more to the explanation, because the within-jurisdiction patterns are not consistent. That is, with the exception of Baltimore County where a deviation reason was always listed, every other jurisdiction had some cases where the deviation reason was not on the worksheet or in the order.

The highest occurrence of deviation cases with no reason stated on the worksheet or in the court order was in Howard County (50%). Perhaps not coincidentally, a master's worksheet, rather than the standard guidelines worksheet was used in fully three-fifths (60.6%, n=139/229) of all sample orders from that jurisdiction.<sup>16</sup> The only other jurisdiction with a plurality of deviation cases lacking rationales was Queen Anne's County where 46.7% of deviations cases did not state the deviation reason. Aside from these outliers, the prevailing situation is that most cases, in most jurisdictions, do have a deviation reason readily apparent from either the guidelines worksheet or the language of the court order.

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<sup>16</sup> Master's worksheets were also used in just about one in five cases in Carroll County (22.7%). There were two such cases in Harford County and one each in Charles and Frederick counties. Three-fourths of all cases involving the use of a master's worksheet, however, were in Howard County.

**Table 7. Selected Order Characteristics and Deviation Rates by Jurisdiction**

	<b>Allegany (n=226)</b>	<b>Anne Arundel (n=254)</b>	<b>Baltimore County (n=257)</b>	<b>Calvert (n=222)</b>	<b>Caroline (n=192)</b>
<b>Order Type***</b>					
New	83.2%	89.4%	94.6%	87.4%	93.8%
Modified	16.8%	10.6%	5.4%	12.6%	6.3%
<b>Monthly Support Order Amount Per Case</b>					
Mean***	\$304	\$450	\$503	\$450	\$291
Median	\$262	\$400	\$437	\$366	\$239
Standard deviation	\$1834	\$274	\$305	\$273	\$168
Range	\$20 - \$1,248	\$89 - \$1,881	\$100 - \$2,141	\$0 - \$1,421	\$25 - \$1,241
<b>Total Adjusted Family Income</b>					
Mean***	\$3,076	\$4,859	\$4,934	\$4,321	\$3,131
Median	\$2,716	\$4,411	\$4,328	\$3,555	\$2,621
Standard Deviation	\$1,771	\$2,732	\$2,786	\$2,882	\$1,672
Range	\$500 - \$10,607	\$1,066 - \$18,500	\$582 - \$17,027	\$851 - \$17,585	\$1,065 - \$13,057
<b>Discretionary Orders***</b>	4.0%	5.9%	7.0%	5.4%	1.0%
<b>Deviation from the Guidelines</b>					
<b>Overall Deviation Rate***</b>	15.9%	20.5%	28.8%	23.0%	19.3%
90% Confidence Interval	13.49% - 18.36%	17.94% - 23.00%	25.97% - 31.62%	20.15% - 25.80%	16.42% - 22.12%
<b>Upward Deviation**</b>	2.7%	5.1%	15.2%	4.1%	0.5%
Mean***	\$28	\$155	\$83	\$152	\$67
Median	\$27	\$103	\$54	\$69	\$67
Standard Deviation	\$14	\$149	\$74	\$163	-
<b>Downward Deviation***</b>	13.3%	15.4%	13.6%	18.9%	18.8%
Mean****	-\$161	-\$106	-\$129	-\$124	-\$129
Median	-\$169	-\$68	-\$114	-\$88	-\$111
Standard Deviation	-\$80	-\$134	-\$79	-\$94	-\$102

**Note:** Valid percentages are reported. \*p<.05, \*\*<.01, \*\*\*<.001



**Table 7. Selected Order Characteristics and Deviation Rate by Jurisdiction (continued)**

	<b>Carroll (n=218)</b>	<b>Cecil (n=233)</b>	<b>Charles (n=238)</b>	<b>Dorchester (n=201)</b>	<b>Frederick (n=242)</b>
<b>Order Type***</b>					
New	84.9%	87.1%	74.8%	98.0%	80.2%
Modified	15.1%	12.9%	25.2%	2.0%	19.8%
<b>Monthly Support Order Amount Per Case</b>					
Mean***	\$391	\$384	\$485	\$247	\$396
Median	\$345	\$331	\$397	\$219	\$330
Standard deviation	\$249	\$236	\$281	\$112	\$280
Range	\$5 - \$1,816	\$10 - \$1,396	\$90 - \$1,867	\$39 - \$683	\$10 - \$1,517
<b>Total Adjusted Family Income</b>					
Mean***	\$4,340	\$3,921	\$5,855	\$2,543	\$3,955
Median	\$3,802	\$3,298	\$5,147	\$2,269	\$3,687
Standard Deviation	\$2,948	\$2,242	\$3,410	\$1,331	\$2,251
Range	\$480 - \$22,074	\$866 - \$14,143	\$973 - \$18,091	\$646 - \$9,349	\$191 - \$14,028
<b>Discretionary Orders***</b>	6.9%	2.1%	12.6%	1.0%	4.5%
<b>Deviation from the Guidelines</b>					
<b>Overall Deviation Rate***</b>	22.5%	14.2%	13.0%	8.5%	30.2%
90% Confidence Interval	19.65% - 25.30%	11.88% - 16.45%	10.84% - 15.21%	6.50% - 10.42%	27.21% - 33.12%
<b>Upward Deviation**</b>	4.6%	3.0%	4.6%	0.5%	8.7%
Mean***	\$193	\$282	\$191	\$62	\$111
Median	\$112	\$132	\$107	\$62	\$48
Standard Deviation	\$234	\$418	\$208	-	\$118
<b>Downward Deviation***</b>	17.9%	11.2%	8.4%	8.0%	21.5%
Mean****	-\$154	-\$239	-\$164	-\$184	-\$151
Median	-\$112	-\$177	-\$151	-\$144	-\$120
Standard Deviation	-\$140	-\$177	-\$109	-\$116	-\$151

**Note:** Valid percentages are reported. \*p<.05, \*\*<.01, \*\*\*<.001

**Table 7. Selected Order Characteristics and Deviation Rate by Jurisdiction (continued)**

	<b>Garrett (n=168)</b>	<b>Harford (n=247)</b>	<b>Howard (n=229)</b>	<b>Kent (n=149)</b>	<b>Montgomery (n=259)</b>
<b>Order Type***</b>					
New	88.7%	88.7%	89.1%	84.6%	85.3%
Modified	11.3%	11.3%	10.9%	15.4%	14.7%
<b>Monthly Support Order Amount Per Case</b>					
Mean***	\$382	\$410	\$491	\$375	\$447
Median	\$327	\$332	\$406	\$299	\$376
Standard deviation	\$207	\$264	\$340	\$225	\$304
Range	\$0 - \$1,444	\$20 - \$1,606	\$50 - \$2,576	\$42 - \$1,259	\$25 - \$2,705
<b>Total Adjusted Family Income</b>					
Mean***	\$3,230	\$4,283	\$5,448	\$3,496	\$4,777
Median	\$2,663	\$3,771	\$4,004	\$2,805	\$4,062
Standard Deviation	\$2,017	\$2,455	\$4,454	\$2,190	\$3,150
Range	\$813 - \$11,637	\$396 - \$15,408	\$0 - \$29,874	\$676 - \$12,647	\$525 - \$21,153
<b>Discretionary Orders***</b>	1.2%	4.0%	14.0%	2.7%	9.7%
<b>Deviation from the Guidelines</b>					
<b>Overall Deviation Rate***</b>	10.7%	36.4%	14.8%	10.7%	32.4%
90%Confidence Interval	8.33% - 13.10%	33.38% - 39.50%	12.50% - 17.20%	8.20% - 13.27%	29.52% - 35.34%
<b>Upward Deviation**</b>	3.6%	13.4%	7.4%	1.3%	7.3%
Mean***	\$50	\$96	\$91	\$19	\$96
Median	\$43	\$58	\$48	\$19	\$58
Standard Deviation	\$32	\$102	\$89	\$9	\$118
<b>Downward Deviation***</b>	7.1%	23.1%	7.4%	9.4%	25.1%
Mean****	-\$158	-\$150	-\$94	-\$120	-\$158
Median	-\$108	-\$105	-\$64	-\$127	-\$116
Standard Deviation	-\$247	-\$160	-\$89	-\$67	-\$161

**Note:** Valid percentages are reported. \*p<.05, \*\*<.01, \*\*\*<.001

**Table 7. Selected Order Characteristics and Deviation Rate by Jurisdiction (continued)**

	<b>Prince George's (n=262)</b>	<b>Queen Anne's (n=194)</b>	<b>Somerset (n=237)</b>	<b>St Mary's (n=197)</b>	<b>Talbot (n=188)</b>
<b>Order Type***</b>					
New	89.7%	88.7%	81.4%	98.0%	81.9%
Modified	10.3%	11.3%	18.6%	2.0%	18.1%
<b>Monthly Support Order Amount Per Case</b>					
Mean***	\$488	\$437	\$264	\$421	\$372
Median	\$400	\$360	\$219	\$371	\$301
Standard deviation	\$311	\$281	\$152	\$258	\$297
Range	\$50 - \$2,521	\$43 - \$1,870	\$5 - \$1,023	\$5 - \$1,586	\$25 - \$2,736
<b>Total Adjusted Family Income</b>					
Mean***	\$5,702	\$4,684	\$2,539	\$4,244	\$3,824
Median	\$5,355	\$4,035	\$2,435	\$3,212	\$3,087
Standard Deviation	\$3,240	\$3,063	\$1,123	\$3,118	\$3,121
Range	\$283 - \$17,416	\$721 - \$18,491	\$248 - \$6,864	\$523 - \$20,044	\$704 - \$31,250
<b>Discretionary Orders***</b>	11.5%	6.2%	5.1%	6.3%	3.2%
<b>Deviation from the Guidelines</b>					
<b>Overall Deviation Rate***</b>	28.6%	7.7%	10.7%	13.1%	25.5%
90% Confidence Interval	25.83% - 31.42%	5.81% - 9.65%	8.46% - 12.86%	10.89% - 15.27%	22.35% - 28.71%
<b>Upward Deviation**</b>	1.9%	2.1%	1.5%	2.5%	5.3%
Mean***	\$72	\$381	\$153	\$97	\$102
Median	\$47	\$275	\$136	\$94	\$69
Standard Deviation	\$84	\$276	\$149	\$39	\$109
<b>Downward Deviation***</b>	26.7%	5.7%	9.1%	10.5%	20.2%
Mean****	-\$138	-\$234	-\$132	-\$153	-\$118
Median	-\$112	-\$192	-\$112	-\$127	-\$103
Standard Deviation	-\$103	-\$182	-\$108	-\$105	-\$80

**Note:** Valid percentages are reported. \*p<.05, \*\*<.01, \*\*\*<.001

**Table 7. Selected Order Characteristics and Deviation Rate by Jurisdiction (continued)**

	<b>Washington (n=249)</b>	<b>Wicomico (n=230)</b>	<b>Worcester (n=188)</b>	<b>Baltimore City (n=260)</b>
<b>Order Type***</b>				
New	81.9%	88.3%	85.6%	99.2%
Modified	18.1%	11.7%	14.4%	0.8%
<b>Monthly Support Order Amount Per Case</b>				
Mean***	\$331	\$305	\$284	\$272
Median	\$296	\$250	\$239	\$226
Standard deviation	\$208	\$200	\$147	\$151
Range	\$0 - \$1,269	\$50 - \$1,348	\$59 - \$1,080	\$0 - 988
<b>Total Adjusted Family Income</b>				
Mean***	\$3,655	\$3,277	\$2,791	\$2,740
Median	\$3,203	\$2,695	\$2,514	\$2,514
Standard Deviation	\$1,902	\$1,741	\$1,401	\$1,526
Range	\$239 - \$11,794	\$121 - \$13,117	\$891 - \$8,055	\$0 - \$11,010
<b>Discretionary Orders***</b>	3.2%	1.3%	0.0%	2.3%
<b>Deviation from the Guidelines</b>				
<b>Overall Deviation Rate***</b>	33.7%	22.2%	21.8%	15.4%
90% Confidence Interval	30.74% - 36.73%	19.43% - 24.91%	18.80% - 24.82%	13.15% - 17.62%
<b>Upward Deviation**</b>	0.4%	2.2%	2.1%	3.1%
Mean***	\$62	\$73	\$29	\$34
Median	\$62	\$33	\$26	\$28
Standard Deviation	-	\$91	\$11	\$18
<b>Downward Deviation***</b>	33.3%	20.0%	19.7%	12.3%
Mean****	-\$129	-\$221	-\$212	-\$188
Median	-\$81	-\$138	-\$133	-\$183
Standard Deviation	-\$110	-\$219	-\$845	-\$111

**Note:** Valid percentages are reported. \*p<.05, \*\*<.01, \*\*\*<.001

**Table 8. Deviation Reasons by Jurisdiction\*\*\***

	Overall Deviation Rate	All Parties Agree	Intact Second Family	In-kind Support	Mis-calculation of Guidelines	Health Issue	Separation	Other	Multiple Reasons	No Reason Given
Allegany	15.9%	16.7%	.0%	.0%	.0%	.0%	.0%	69.4%	5.6%	8.3%
Anne Arundel	20.5%	30.8%	19.2%	3.8%	.0%	.0%	.0%	19.2%	.0%	26.9%
Baltimore County	28.8%	56.8%	.0%	2.7%	.0%	.0%	.0%	21.6%	18.9%	.0%
Calvert	23.0%	33.3%	59%	2.0%	2.0%	.0%	.0%	33.3%	11.8%	11.8%
Caroline	19.3%	27.0%	10.8%	10.8%	2.7%	2.7%	.0%	27.0%	5.4%	13.5%
Carroll	22.5%	30.6%	2.0%	.0%	.0%	.0%	.0%	34.7%	8.2%	24.5%
Cecil	14.2%	21.2%	.0%	.0%	3.0%	.0%	.0%	30.3%	.0%	45.5%
Charles	13.0%	48.4%	.0%	3.2%	.0%	.0%	6.5%	19.4%	6.5%	16.1%
Dorchester	8.5%	11.8%	.0%	.0%	.0%	.0%	.0%	70.6%	5.9%	11.8%
Frederick	30.2%	53.4%	.0%	.0%	2.7%	1.4%	.0%	26.0%	2.7%	13.7%
Garrett	10.7%	33.3%	.0%	5.6%	.0%	.0%	.0%	33.3%	.0%	27.8%
Harford	36.4%	40.0%	10.0%	2.2%	5.6%	1.1%	1.1%	15.6%	4.4%	20.0%
Howard	14.8%	2.9%	.0%	2.9%	.0%	.0%	.0%	44.1%	.0%	50.0%
Kent	10.7%	18.8%	6.3%	.0%	.0%	.0%	.0%	50.0%	.0%	25.0%
Montgomery	32.4%	69.0%	3.6%	.0%	.0%	.0%	.0%	7.1%	7.1%	13.1%
Prince George's	28.6%	48.0%	1.3%	1.3%	.0%	.0%	.0%	14.7%	6.7%	28.0%
Queen Anne's	7.7%	20.0%	.0%	6.7%	.0%	.0%	.0%	26.7%	.0%	46.7%
St. Mary's	10.7%	58.1%	.0%	9.7%	.0%	.0%	.0%	12.9%	3.2%	16.1%
Somerset	13.1%	19.0%	9.5%	.0%	.0%	.0%	.0%	28.6%	4.8%	38.1%
Talbot	25.5%	37.5%	6.3%	2.1%	2.1%	.0%	.0%	33.3%	2.1%	16.7%
Washington	33.7%	32.1%	3.6%	3.6%	1.2%	1.2%	1.2%	26.2%	20.2%	10.7%
Wicomico	22.2%	13.7%	3.9%	3.9%	.0%	2.0%	.0%	54.9%	5.9%	15.7%
Worcester	21.8%	17.1%	12.2%	.0%	.0%	.0%	.0%	46.3%	9.8%	14.6%
Baltimore City	15.4%	22.5%	12.5%	.0%	10.0%	.0%	.0%	42.5%	.0%	12.5%

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

## CONCLUSIONS

Federal and state laws require periodic, case-level review of the application of quantitative child support guidelines for the establishment and modification of orders. These reviews are meant to identify any areas of policy or practice where review and modification might be prudent. Most importantly, these reviews are intended to evaluate if the financial needs of children are being impartially and equitably addressed through consistent application of the guidelines in setting child support order amounts.

This report covers calendar years 2007 through 2010, and its findings are based on a review of court orders and their associated guidelines worksheets for a stratified, random sample of 5,340 Maryland child support cases with new or modified support orders. Sample cases were selected by the authors to provide statewide findings valid at the 95% confidence level with a  $\pm 5\%$  margin of error, and 90% with  $\pm 6\%$  margin of error for jurisdiction-level results. We have carried out these case-level reviews for the state since 1996 and have independently prepared the required legislative reports for each review cycle as well.

Based on our experience and results from earlier review periods, there are not any red flags or areas requiring urgent attention—legislative, administrative, or otherwise—in the statewide or local level findings presented in today's report. All key findings are within a fairly narrow range of comparability with prior reviews, and in areas where intra-state differences exist, they seem consistent with known variations in local socioeconomic conditions and child

support program organization and operations. In short, the study suggests that the child support guidelines are followed carefully and consistently in Maryland, and that they are not being used in an inequitable or unfair manner.

We would offer only two areas for possible consideration at this time. First, there was some sluggishness in transitioning to the revised guidelines worksheet reflecting legislative changes effective October 1, 2007. This means that that old worksheet (which addressed health insurance premiums as a deduction from income) continued to be used in some cases, rather than the new worksheet, which consistent with the legislative change, handled health insurance premiums as an additional expense to the basic support obligation, pro-rated between the parents. We are unable to determine why there was this lag, but it might be prudent now for the central child support office, local child support program managers, and local Directors of Social Services to work together to make certain that this situation does not arise in the future.

Second, some thought should also be given as to the desirability or permissibility of non-standard (i.e., master's) worksheets being used in lieu of the standard worksheet to calculate support order amounts. This practice is not widespread, but it is the norm, not the exception, in one jurisdiction. This may or may not be a problem, but a review and assessment of this practice by the central office seems prudent to ensure that child support obligations are equitable and fair.

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