

HCS HB 254 -- MAINTENANCE ORDERS

SPONSOR: Morris (140)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 8 to 3 and 1 voting present. Voted "Do Pass" by the Committee on Rules-Administrative Oversight by a voate of 6 to 1.

This bill specifies that the duration of any maintenance order shall not exceed the length of the marriage and it describes the specific conditions that a judge is to consider prior to making a maintenance award. These include the ability of the spouses to support themselves, the presence of children, standard of living, and other situational and financial factors, and "any other relevant factors."

It also identifies three types of maintenance that may be awarded in different circumstances. "Bridge-the-gap maintenance" is short-term maintenance designed to address specific short-term needs not to exceed two years, for a person leaving a marriage of less than seven years.

"Rehabilitative maintenance" may be awarded with a defined plan not to exceed four years for a person in a marriage of less than seventeen years. "Durational maintenance" is what is generally known as traditional "alimony" and may only be awarded to a person leaving a marriage of seven years or greater.

PROPONENTS: Supporters say this is needed to bring some framework and consistency to the various courts and differing opinions of judges granting, or not granting, spousal support. Right now, spousal support awards depend on the quality of your attorneys, the receptiveness of the judge, and other unpredictable factors. This will promote fairness for all parties.

Testifying for the bill were Representative Morris; John C. Snider II; Deborah J. Snider; and Lawrence Rosen.

OPPONENTS: Those who oppose the bill testified on behalf of spouses with demanding circumstances that may need lifetime support, such as special needs children, even as they become adults, or spouses who raised children and have no employment skills. They said it renders marriage valueless and ignores the contribution of women.

Testifying against the bill were Lisa Payne-Naeger and Gail Payne.