

Modification of Family Law Orders in Maryland

Family law orders are entered based on the circumstances that exist at the time a case is decided. As time passes, family and financial situations look different than they did when the order was entered. A parent's income may increase or decrease, a child may develop different needs, or a parenting schedule isn't practical. When that happens, Maryland law may allow a party to ask the court to review an existing order and determine whether a change is appropriate.

Can Family Law Orders Be Modified in Maryland?

Yes, Maryland courts may modify certain family law orders after they are entered. Courts do not automatically grant modification requests, and the legal standard varies depending on the issue before the court.

What Does It Mean to Modify a Family Law Order in Maryland?

A modification is asking the court to change an existing family law order. Rather than starting a new case, a party asks the court to review an existing order and determine if it should be revised.

Types of Family Law Orders That Can Be Modified in Maryland

Not every family law order can be changed. However, Maryland courts may revisit several common types of orders when circumstances require review. The most common involve alimony, child custody, child support, visitation, and certain provisions contained in divorce orders or settlement agreements.

Child Custody Modifications

A [child custody order](#) may be modified when a material change in circumstances has occurred since the entry of the existing order and modifying custody would serve the child's best interests. Common reasons include concerns about a child's welfare, developments affecting the child's educational or medical needs, changes in a parent's availability, or relocation. Learn more about [Child Custody Modifications](#) on our dedicated service page.

Visitation and Parenting Time Changes

[Visitation schedules](#) sometimes require change as children grow older. Changes in work schedules, transportation, extracurricular activities, or living situations may make an existing parenting schedule difficult to maintain. Relocation, substantial scheduling conflicts, or changes affecting a child's needs may support a request for modification.

Child Support Modifications

[Child support orders](#) may be modified when a material change in circumstances affects a parent's financial situation or the child's needs. Changes in childcare expenses, healthcare costs, income, or custody arrangements can all affect support obligations.

Alimony Modifications

Whether [alimony](#) can be modified depends on the terms of the original order or agreement and the nature of the change being

requested. Material changes involving income, employment, disability, retirement, or financial need may justify modification in some circumstances.

Divorce Decrees and Separation Agreements

While some provisions, particularly those involving child custody, visitation, or support, remain subject to modification by statute, whether a specific provision can be changed depends on the language of the order and the type of issue involved.

When Can a Family Law Order Be Modified in Maryland?

Maryland courts require more than just a disagreement before they will revisit an existing order. The person requesting the modification must show that a material change in circumstance has occurred since the court issued the existing order. The type of change required depends on the issue involved and the nature of the order.

Material Change in Circumstances Requirement

For modification requests, the court requires proof of a material change in circumstances.

Best Interests of the Child Standard

When custody or visitation is involved, the court's primary consideration is the child's best interests. Even if circumstances have changed, the court will evaluate whether the proposed modification benefits the child.

Courts may consider factors such as parental fitness, safety, schooling, stability, and each parent's ability to meet the child's needs. The child's relationship with each parent, adjustment to home and community, and overall well-being may also factor into the court's decision.

Financial Changes That May Justify Support Modifications

Financial circumstances are one of the most common reasons people seek modifications. Changes in expenses, disability, job loss, retirement, or a significant increase in income may affect an existing support order. Courts may also consider changes involving childcare costs, healthcare expenses, or other financial obligations that were not present when the original order was entered.

Common Reasons People Seek Modification of Family Law Orders

Modification requests often develop from facts that affect an existing custody, support, or visitation arrangement. Changes involving finances, parenting schedules, or a child's educational, extracurricular, or medical needs may be a reason a party seeks court review.

Relocation is another common reason parties return to court. A move may affect custody arrangements, school attendance, transportation responsibilities, or visitation schedules. Parents may also seek modifications due to concerns about a child's welfare or significant changes affecting the other parent.

How to Modify a Family Law Order in Maryland

The process begins by filing a request with the court and identifying the specific changes. The filing should explain the basis of the request and why the existing order should be reviewed.

After the request is filed, the other party has an opportunity to respond. Depending on the issues involved, the court may schedule hearings, conferences, mediation, or other proceedings before making a decision. Both parties may be required to provide financial records, supporting documentation, or other evidence relevant to the request.

If the matter proceeds to a hearing, the court will review the evidence and determine whether the legal standard for modification has been met. If so, the judge may enter a new order reflecting the approved changes.

How Long Does a Family Law Modification Take in Maryland?

There is no single timeline for a family law modification. Some uncontested requests can be resolved quickly, while contested matters may take several months or longer. The complexity of the issues, the court's schedule, the need for discovery, and whether the parties can reach an agreement all affect how long the process may take.

Do You Need a Lawyer to Modify a Family Law Order in Maryland?

Maryland law does not require you to hire an attorney to seek a modification. However, the party requesting the change generally has the burden of proving why the existing order should be revised. That often requires evidence, financial records, witness testimony, or other documentation.

An experienced [family law attorney](#) can evaluate whether a modification is likely to succeed, prepare the necessary filings, and present the strongest possible case to the court. This can be particularly important in contested matters involving child custody, child support, or alimony.

Contact Joseph Greenwald & Laake for Family Law Modifications

Whether you are looking to modify an existing order or responding to a request filed by the other party, it is important to understand the legal standards that apply to your situation. Decisions involving custody, support, and other family law issues can have long-term effects on both parents and children.

Joseph, Greenwald & Laake represents clients throughout Maryland in a wide range of family law matters, including custody disputes, divorce, support issues, and post-judgment modifications.

If you have questions about modifying a family law order, [contact our office](#) to schedule a consultation.

First name*

Last name*

Email*

Phone number*

*

Geographic location

☐

Maryland

☐

District of Columbia

☐

Virginia

☐

Other

Briefly discuss your issue

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