Circuit Court for Montgomery County
Case No. C-15-FM-22-2132

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1593

September Term, 2024

SHAOSHAN FENG

v.

SHAOMIN CHEN

Friedman,
Shaw,
Kehoe, Christopher B.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Friedman, J.

Filed: July 7, 2026

*This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for persuasive value only if the citation conforms to MD. RULE 1-104(a)(2)(B).

In this appeal, appellant Shaoshan Feng (Mother) raises one issue, challenging that the Circuit Court for Montgomery County erred in not applying the self-support reserve to her child support obligation. For the reasons that follow, we affirm the circuit court's ruling.

DISCUSSION

The parties divorced in February 2023. Appellee Shaomin Chen (Father) was awarded primary physical and sole legal custody of the parties' three children: Sweena, born February 2006; Ayden, born July 2009; and Javen, born November 2015. Mother was granted weekly supervised visitation with Ayden and Javen, and ordered to pay $672 per month in child support for all three children.

In April 2024, Mother filed a petition to modify child support on the grounds that Sweena had turned 18. Following a hearing, the magistrate recommended that Mother's petition be granted, that her child support obligation as to Sweena be terminated, and that she be ordered to pay child support in the amount of $431 per month for Ayden and Javen. The circuit court adopted the magistrate's recommendations. Mother filed exceptions to the child support order, arguing that the amount was not in accordance with Maryland child support guidelines because the court failed to reduce her child support obligation by the "self-support reserve" set forth in MD. CODE, FAMILY LAW ("FL") § 12-201(n). The circuit court denied Mother's exceptions on the ground that her income did not qualify for the statutory self-support reserve. On appeal, Mother now raises the same issue.

The Family Law article defines the "self-support reserve" as "the adjustment to a basic child support obligation ensuring that a child support obligor maintains a minimum amount of monthly income, after payment of child support, federal and state income taxes, and Federal Insurance Contribution Act taxes, of at least 110% of the 2019 federal poverty level for an individual." FL § 12-201(n). The basic child support obligation to which the provision refers is determined by the statutory schedule, found at FL § 12-204(e), "using the combined adjusted actual incomes of *both parents*." FL § 12-201(e) (emphasis added). Whether the self-support reserve applies is predetermined by the statutory schedule, which explicitly identifies with an asterisk (*) when the self-support reserve has been applied. FL §12-204(e).

Mother's child support obligation was determined in accordance with these provisions. The combined adjusted actual income of Mother and Father is $5443. Referring to the statutory schedule, the basic child support obligation for two children is $1446. There is no asterisk identifying this amount as being subject to the self-support reserve, and thus, the self-support reserve does not apply to Mother's child support obligation.

There is a rebuttable presumption that a child support award pursuant to the statutory guidelines is correct. FL § 12-202(a)(2)(i). As a result, when a "trial court uses the guidelines to award child support, that determination will not be disturbed but for a clear abuse of discretion." *Matter of Marriage of Houser*, 490 Md. 592, 605 (2025) (citing *Gladis v. Gladisova*, 382 Md. 654, 665 (2004)). Here, it is clear that the trial court used the guidelines to calculate Mother's child support obligation, and under the guidelines, Mother does not qualify for the self-support reserve.[1] There was no abuse of discretion.

JUDGMENT OF THE CIRCUIT COURT FOR MONTGOMERY COUNTY AFFIRMED. COSTS TO BE PAID BY APPELLANT.

[1] Although Mother has argued that the trial court erred in not applying the guidelines correctly, the record shows that the trial court followed the guidelines precisely. Rather, what Mother seeks is a deviation from the guidelines—a determination that, in this particular case, the self-support reserve should be applied based on her individual income. This type of calculation would be contrary to the statutory scheme, which relies on the combined adjusted *actual* incomes (*pre-tax*) of both parents, not the individual *net* income (*post-tax*) of either parent. FL § 12-201(e). Nonetheless, the trial court reviewed Mother's argument and determined that even if Mother's individual income was used as the basis for calculating the applicability of the self-support reserve, her income still would not qualify. The court explained that when Mother's child support obligation is deducted from her actual income, as required by FL § 12-201(b), she is $48 over the threshold for the self-support reserve. We see no error in the trial court's calculation, and no abuse of discretion in the trial court's decision to not deviate from the child support guidelines. Although we appreciate Mother's preference for a calculation based on her net, post-tax income, the determination of the proper income measure is a policy choice entrusted to the General Assembly, and it is not for this Court to revise that legislative judgment.