

(I) IT HAS ACCEPTED AN ASSIGNMENT OF SUPPORT UNDER ARTICLE 88A, § 50(B)(2) OF THE CODE; OR

(II) THE CHILD HAS BEEN PLACED IN THE CARE AND CUSTODY OF THE STATE.

(D) "TRIBUNAL" HAS THE MEANING STATED IN § 10-301(X) OF THIS TITLE.

10-1A-02.

(A) (1) AN AFFIDAVIT OF SUPPORT MAY BE EXECUTED IN THE MANNER PROVIDED UNDER THIS SECTION IF:

(I) A PARTY IS RECEIVING CHILD SUPPORT ENFORCEMENT SERVICES UNDER TITLE IV, PART D, OF THE SOCIAL SECURITY ACT;

(II) PATERNITY OF THE CHILD HAS BEEN ESTABLISHED;

(III) A SUPPORT CONFERENCE HAS BEEN CONDUCTED IN WHICH THE ADMINISTRATION DETERMINED THE AMOUNT OF SUPPORT IN ACCORDANCE WITH THE CHILD SUPPORT GUIDELINES PROVIDED IN TITLE 12, SUBTITLE 2 OF THIS ARTICLE; AND

(IV) THE SUPPORT CONFERENCE RESULTED IN AN AGREEMENT BY THE PARTIES.

(2) (I) THE ADMINISTRATION SHALL SET THE AMOUNT OF THE SUPPORT OBLIGATION IN ACCORDANCE WITH THE GUIDELINES.

(II) UNLESS THE ADMINISTRATION DETERMINES THAT APPLICATION OF THE GUIDELINES WOULD BE UNJUST OR INAPPROPRIATE IN A PARTICULAR CASE, THE AMOUNT SPECIFIED IN THE GUIDELINES SHALL APPLY.

(III) IN DETERMINING WHETHER APPLICATION OF THE GUIDELINES IS UNJUST OR INAPPROPRIATE, THE ADMINISTRATION MAY CONSIDER THE FACTORS STATED IN § 12-202 OF THIS ARTICLE.

(IV) IF THE ADMINISTRATION FINDS THAT APPLICATION OF THE GUIDELINES IS UNJUST OR INAPPROPRIATE IN A PARTICULAR CASE, THE ADMINISTRATION SHALL MAKE A WRITTEN FINDING ON THE RECORD STATING THE REASONS FOR DEPARTING FROM THE GUIDELINES.

(V) THE ADMINISTRATION'S FINDING SHALL STATE:

1. THE AMOUNT OF CHILD SUPPORT THAT WOULD HAVE BEEN REQUIRED UNDER THE GUIDELINES;

2. HOW THE AFFIDAVIT OF SUPPORT VARIES FROM THE GUIDELINES;

3. HOW THE FINDING SERVES THE BEST INTERESTS OF THE CHILD; AND