

UNLESS THERE IS A PROVISION THAT SPECIFICALLY STATES THAT THE PROVISIONS WITH RESPECT TO SPOUSAL SUPPORT ARE NOT SUBJECT TO ANY COURT MODIFICATION.

(C) PROVISION CONCERNING ALIMONY OR SUPPORT OF SPOUSE -- CERTAIN EXCEPTIONS.

THE COURT MAY MODIFY ANY PROVISION OF A DEED, AGREEMENT, OR SETTLEMENT WITH RESPECT TO ALIMONY OR SPOUSAL SUPPORT EXECUTED ON OR AFTER APRIL 13, 1976, REGARDLESS OF HOW THE PROVISION IS STATED, UNLESS THERE IS:

(1) AN EXPRESS WAIVER OF ALIMONY OR SPOUSAL SUPPORT;  
OR

(2) A PROVISION THAT SPECIFICALLY STATES THAT THE PROVISIONS WITH RESPECT TO ALIMONY OR SPOUSAL SUPPORT ARE NOT SUBJECT TO ANY COURT MODIFICATION.

REVISOR'S NOTE: This section is new language derived without substantive change from the second and third sentences of former Article 16, § 28.

Throughout this section, the term "settlement" is new language added for consistency.

In subsection (a) of this section, the term "minor child" is substituted for the former language "infant child or children", for conciseness and to conform to the language used throughout this article.

Subsection (b) of this section is revised to reflect the scope and effective date of Ch. 849, Acts of 1975, as set out in Sections 2 and 3 of that act.

In subsections (b) and (c) of this section, the word "spousal" is substituted for the former phrases "of the husband or wife" and "by the husband or wife", for brevity.

Also in subsection (c) of this section, the phrase "executed on or after April 13, 1976" is new language added to reflect the scope and effective date of Ch. 170, Acts of 1976, as set out in Sections 2 and 3 of that act.

Defined term: "Support" § 1-101

8-104. VOLUNTARY SEPARATION AGREEMENT -- CORROBORATION OF TESTIMONY.

IN A SUIT FOR ABSOLUTE DIVORCE ON THE GROUNDS OF VOLUNTARY SEPARATION, A SEPARATION AGREEMENT IS FULL CORROBORATION OF THE PLAINTIFF'S TESTIMONY THAT THE SEPARATION WAS VOLUNTARY IF THE AGREEMENT: