

HOUSE BILL 497
Family Law - Temporary and Final Protective Orders - Duration and Relief
In the House Judiciary Committee
Hearing on February 12, 2026
Position: FAVORABLE

Maryland Legal Aid submits its testimony on HB 497 at the request of its sponsor, Delegate Karen Simpson.

Maryland Legal Aid asks that the Committee report **favorably** on HB 497, which improves Maryland’s domestic violence protective order process in two ways: (1) by increasing the duration of Temporary Protective Orders (TPOs) from 7 days to 14 days, and (2) by allowing survivors to request and receive, as part of their Final Protective Orders (FPOs), compensation from their abusers for any expenses or financial losses incurred as a result of their abuse. Maryland Legal Aid is the state’s largest private, civil nonprofit law firm, providing a variety of free legal services to thousands of indigent Maryland residents each year. Maryland Legal Aid represents survivors of domestic violence in custody and divorce proceedings throughout the state. Additionally, through our Victims Assistance Project (VAP), we handle protective order cases on behalf of survivors of domestic violence, sexual assault, and stalking. The experiences of our attorneys and clients in FPO cases have shown us how Maryland’s domestic violence laws fall short in several key ways that HB 497 seeks to address.

1. HB 497 changes Maryland’s TPO period from 7 days to 14 days, making service of process more feasible for law enforcement, giving parties more time to prepare for court, and bringing Maryland in line with TPO durations in most other states.

When a survivor of abuse files a petition for a protective order in Maryland, they have an opportunity to ask the court to enter a 7-day TPO that will remain in effect until the next court date, at which point the court will determine whether there is a legal basis to grant the petitioner a yearlong FPO against the respondent.¹ The short 7-day statutory period between the entry of a TPO and the hearing on the request for an FPO creates several of barriers to the fair, safe, and efficient resolution of protective order cases, and it makes Maryland an outlier among states.

A. Insufficient time for service

Before an FPO hearing can move forward, law enforcement must serve the respondent in the case. Based on Maryland Legal Aid’s observations and conversations with law enforcement, we know that 7 days is often too short a time for officers to locate and properly serve paperwork on respondents, especially if they are transient, uncooperative, or residing outside the issuing court’s jurisdiction.

¹ MD Family Law Code § 4-505(c)(1); MD Family Law Code § 4-506(b)(1)(ii).

Our attorneys have represented survivors in too many cases that have been postponed repeatedly because law enforcement has not been able to complete service within the statutory 7-day timeframe, resulting in delay, disruption, and danger to our clients.² One of our clients in Baltimore City got so frustrated with having to put her life on hold to return to court week after week only to learn that service had not been completed within the 7 day period that she ended up dismissing her protective order case against her abuser. Shortly thereafter, her abuser unexpectedly showed up to an event at her child's school and stabbed our client's new partner. Had our client been able to move forward with her protective order case more swiftly, this tragedy may not have occurred.

By doubling the timeframe for law enforcement to complete service, HB 497 will increase the likelihood of cases being able to move forward on their initial FPO court date, thus reducing number of times our clients have to come to court. This will also serve judicial economy, as fewer postponements means faster resolution of court cases.

B. Inadequate preparation time for hearings

The 7-day period between the entry of the TPO and the FPO hearing date routinely leaves petitioners *and* respondents with insufficient time to prepare for court. At FPO hearings, if the parties cannot reach an agreement, the court can immediately proceed to trial to determine whether there are grounds to enter an FPO. 7 days is hardly enough time for *either* party to secure legal counsel³, gather witnesses, or obtain evidence for a full trial. 7 days is also usually not enough time to arrange childcare, get approved for time off from work, or reschedule appointments so that parties can attend their court date. Additionally, after fleeing from abusive environments, survivors frequently need more than 7 days to stabilize their living arrangements, access emergency services, and coordinate safety planning. Being forced to return to court to confront their abusers before this critical work is done puts survivors at risk for further harm and instability.

Thus, Maryland's current TPO duration of 7 days is unrealistic, unfair, and unhelpful all around. By giving *both* parties more time to prepare and rearrange their lives before their FPO court date, HB 497 will improve access to justice and lead to fairer outcomes in FPO cases.

² When cases are postponed because law enforcement could not accomplish service in the 7 day period, the postpone does *not* give law enforcement *additional* time to complete service; instead, when a case is postponed, an entirely *new* service packet (with a new TPO) is generated by the court and transmitted to law enforcement, who then has to complete service of that new packet before the next court date in 7 days. Thus, court postponements are not an efficient solution to the service problem because they do not *extend* the time for service; they merely re-set the clock and give law enforcement another 7 day chance to complete service.

³ Each week, Maryland Legal Aid regrettably turns away some applicants for representation in protective order cases because they sought our services less than 72 hours before their court date, leaving our lawyers without enough time to prepare for a potential trial. HB 497 will give both parties more time to seek legal counsel, making attorney representation more common at FPO hearings than it is now.

C. *Maryland's current TPO period is shorter than that of most states*

In most states, the statutory period between obtaining a temporary protective order and returning to court for a hearing on the request for a final protective order is longer than 7 days. According to Maryland Legal Aid's research, around 40 states give parties at least 10 days between the entry of a TPO and the final protective order hearing, and in 31 of those states, that period is at least 14 days.

Days between protective order application and final hearing	Number of States
Below 10 Days	2 (MD, WY)
10 Days	9 (WV, PA, NC, NM, NJ, MS, MA, GA, AL)
14-15 Days	19 (WI, WA, VA, VT, TX, TN, SC, OK, ND, MO, KY, IL, ID, HA, FL, DC, DE, CT, CO)
20-21 Days	8 (UT, RI, MT, ME, LA, KS, CA, AK)
30 + Days	4 (AR, NV, NH, SD)
Final hearing only on request	6 (AZ, IN, NE, MI, MN, OR)
Other	3 (IA: 5-15 days, OH: 7 or 10, NY: Unspecified)

The only state with a shorter timeframe than Maryland's 7-day TPO period is Wyoming, where hearings on requests for a final protective order must occur within 72 hours after a TPO is granted.⁴

By mandating a two-week period between TPO and FPO hearings, HB 497 will bring Maryland into alignment with the approach taken in most states. Because Maryland Legal Aid has witnessed how our current 7-day TPO duration too often leaves survivors unprotected and courts unable to fulfill their role in administering justice effectively, we believe this reform is crucial and overdue.

2. **HB 497 allows survivors to ask the court to hold their abusers accountable for the financial repercussions of their abusive behavior.**

Maryland Legal Aid knows that domestic violence results not only in physical and emotional harm, but in a variety of financial costs as well. Researchers estimate that the average direct and indirect lifetime financial burden of domestic violence is \$103,767 per female victim and \$23,414 per male victim.⁵ Our attorneys have directly observed the fiscal impact of abuse; in countless cases, abusers have broken our clients' cell phones, punched holes in the walls of their apartments, shattered their windows, slashed their car tires, or injured them so badly that they need

⁴ WY Stat § 35-21-104 (a)(iii).

⁵ Peterson, Cora. "Lifetime Economic Burden of Intimate Partner Violence Among U.S. Adults." *Am J Prev Med* 55(4):433-444 (2018), available at <https://pubmed.ncbi.nlm.nih.gov/30166082/>

expensive medical care. We have handled cases where abuse results in our clients missing work, paying out-of-pocket for mental health therapy to cope with their trauma, or struggling to pay moving expenses to vacate a home that no longer feels safe.

“The purpose of [Maryland’s] domestic abuse statute is to protect and aid victims of domestic abuse by providing an immediate and effective remedy.”⁶ Yet, there is currently no mechanism within Maryland’s protective order laws that allows victims to request, as a remedy ordered by the court, that their abusers compensate them for the economic losses and expenses they have incurred as a direct consequence of their abusers’ actions.⁷

HB 497 addresses this gap in relief by allowing Maryland courts to order, as a provision of an FPO, that a respondent pay the petitioner for certain costs and expenses attributable to the incident of abuse that is the basis for the FPO. These costs could include medical, dental, and mental health treatment expenses, payment for property damage, emergency relocation expenses, and compensation for legal costs. Many other states allow petitioners to seek financial relief from their abusers within their protective orders: protective order statutes in at least sixteen states (Alaska, Delaware, Illinois, Indiana, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Mexico, New York, Pennsylvania, and West Virginia) explicitly allow petitioners to request and recover monetary payments for financial losses stemming from abuse.

When survivors are forced to absorb the financial fallout of their own abuse, the legal system unintentionally reinforces their victimization. Allowing compensation within the protective order process helps victims stabilize and rebuild their lives while reinforcing a key principle of our justice system: those who cause harm should bear the cost of that harm. Financial accountability is a powerful deterrent and an essential component of justice. By allowing domestic violence courts to issue FPOs ordering respondents to reimburse petitioners for abuse-related financial losses, HB 497 will help ensure that Maryland protective orders address the *full* scope of harm caused by domestic violence.

For these reasons, Maryland Legal Aid urges a favorable report on HB 497. If you have any questions about this testimony, please contact Ameer Vora, Advocacy Director for Family Law, at avora@mldlab.org.

⁶ *Katsenelenbogen v. Katsenelenbogen*, 365 Md. 122, 134 (2001).

⁷ In 2024, Maryland passed the Victims Compensation Reform Act, which modified procedures for applying for relief from the Maryland’s Criminal Injuries Compensation Board (CICB). The CICB, however, is not a sufficient substitute for obtaining compensation through the protective order process. Accessing CICB funds requires victims to file and track a separate application and claims process at a time when they are already navigating trauma, safety planning, and court proceedings. Moreover, CICB compensation is paid by the government—not by the person who caused the harm. Forcing survivors to rely solely on the CICB for financial relief in the aftermath of abuse allows abusers to avoid financial accountability, shifting the economic cost of domestic violence from perpetrators onto victims and taxpayers.

State	Duration Between Issuance of Temporary Protection Order and Final Hearing	Legal Citation		
Alabama	Court must grant or deny a TPO request within 3 days of filing the request. TPO remains in effect until the final hearing, and the final hearing must occur within 10 days of service on the respondent.	AL Code § 30-5-6		10
Alaska	TPOs last for 20 days; Respondent must be served with petition and notice of hearing <i>at least</i> 10 days before the final protective order hearing occurs.	Sec. 18.66.110; Sec. 18.66.100		20
Arizona	Interim (emergency, filed outside court hours) orders last 7 days. If petition for protection order is filed during normal hours, court can immediately hold an ex parte hearing on petitioner's request for a final (2 year) protective order. If protective order is granted, respondent has the right to request one hearing to dismiss/modify at <i>any</i> time during the 2 year period, and hearing must be held within 10 days of the respondent's request.	A.R.S. § 13-3624; A.R.S. § 13-3602	Based on R request	
Arkansas	TPO lasts until FPO hearing. FPO hearing must occur within 30 days of filing the petition. Respondent must be served at least 5 days before hearing	Ark. Code § 9-15-204; Ark. Code § 9-15-206		30
California	FPO hearing must occur within 21 days of grant or denial of TPO. Respondent must be served at least 5 days before the hearing	Cal.Fam.Code § 242, 243		21
Colorado	FPO hearing must occur within 14 days of granting of TPO.	CO Rev Stat § 13-14-104.5		14
Connecticut	FPO hearing must occur within 14 days of filing of petition. Respondent must be served within 3 days of FPO hearing.	CT ST § 46b-15		14
Delaware	FPO hearing must occur within 15 days of the granting of TPO . TPO can be extend as needed to last up to 30 days	10 DE Code § 1043(d)		15
District of Columbia	TPO lasts for 14 days, extended in increments of 14 days or 28 days for good cause, until final hearing.	D.C. Code § 16-1004(e)		14
Florida	TPO lasts for 15 days, ending at final hearing.	Fla. Stat. § 741.30(5)(c)		15
Georgia	TPO lasts until the final hearing. Final hearing must "within ten [10] days of the filing of the petition under this article or as soon as practical thereafter, but not later than 30 days after."	O.C.G.A. § 19-13-3(c)		10
Hawaii	Final hearing must occur no later than 15 days after TPO is issued.	HRS § 586-5		15
Idaho	TPO lasts for 14 days, ending in final hearing.	ID Code § 18-7908		14
Illinois	TPO lasts at least 14 days, no more than 21 days.	750 ILCS 60/220(a)(1)		14
Indiana	TPO lasts until/unless Court schedules a hearing date. After ex-parte order (TPO) is granted, court only holds a hearing (within 30 days) IF requested by either party, OR if petitioner has sought relief beyond stay away/no contact.	IN Code § 34-26-5-9; IN Code § 34-26-5-10	Per request/based on relief	
Iowa	TPO lasts until date of final hearing, which must be held not less than 5 but no more than 15 days after filing the petition.	Iowa Code § 236.4(1)	5 to 15	
Kansas	TPO lasts until final hearing. Final hearing must occur within 21 days after filing petition.	Kan. Stat. § 60-3106		21
Kentucky	TPO lasts until final hearing. Final hearing must occur within 14 days after filing petition.	KRS § 403.730(1)(a)		14
Louisiana	If TPO is granted, final hearing must occur within 21 days, and respondent must be served within 24 hours after TPO is issued. If TPO is not granted, final hearing must occur within 10 days of respondent being served with petition.	RS:46-2135 B.		21
Maine	TPO lasts until final hearing. Final hearing must occur with 21 days after filing petition.	19-A M.R.S. §4109(1)		21
Maryland	TPO "shall be effective for not more than 7 days after service of the order."	MD Code, Fam. Law § 4-505(a)		7
Massachusetts	Final hearing must occur with 10 days of granting the TPO.	M.G.L.A. 209A § 4		10
Michigan	Final hearing is only held if respondent requests a hearing within 14 days of being served with TPO. If respondent requests a hearing, a hearing must be held within 14 days of the request.	MCL § 600.2950(14)	Per request (14)	
Minnesota	If TPO is granted, there is no final hearing unless requested by respondent, in which case a hearing must be set within 10 days of receipt fo request. If TPO is denied, a final hearing must be scheduled within 14 days after petition is filed.	Minn. Stat. § 518B.01	Per request	
Mississippi	TPO can last up to 30 days, but final hearing must occur within 10 days after petition is filed.	MS Code § 93-21-15(1)(b); MS Code § 93-21-11		10
Missouri	TPO lasts until final hearing, which must occur within 15 days after petition is filed.	MO ST § 455.040; MO ST § 455.035		15
Montana	TPO lasts for 20 days; final hearing must occur within 20 days after TPO is granted.	MCA 40-15-202		20
Nebraska	If TPO is granted, respondent may request a hearing within 10 days of service, and a hearing will be held within 30 days of the request. If a TPO is granted, the Court has the discretion to sua sponte set a final hearing even if respondent does not request one. If a TPO is not granted, a final hearing will be held in 14 days of filing of petition.	NE Code § 42-925	Hearing per request	
Nevada	Final hearing must occur within 45 days of filing of petition. TPO lasts until final hearing.	N.R.S. § 33.020(4)		45
New Hampshire	Court "shall hold a hearing within 30 days of the filing of a petition . . . or within 10 days of service of process upon the [respondent], whichever occurs later." If TPO is granted ex-parte, respondent can request a hearing on the TPO, which must be held between 3 to 5 days after request is received; this hearing may constitute a "final hearing."	NH Rev Stat § 173-B:3; NH Rev Stat § 173-B:4		30
New Jersey	TPO lasts until final hearing. Final hearing must occur within 10 days of filing petition.	NJ Rev Stat § 2C:25-28; NJ Rev Stat § 2C:25-29		10
New Mexico	If TPO is granted, court must hold hearing within 10 days of granting the TPO. If TPO is denied, court must hold hearing within 72 hours after filing petition.	NM Stat § 40-13-4		10
New York	TPO lasts until final hearing; no specified time requirements for when final hearing must occur.	New York Consolidated Laws, Family Court Act - FCT § 828.		
North Carolina	Final hearing must be held within 10 days of issuance of TPO, or within 7 days of service on on respondent, whichever is later.	N.C. Gen. Stat. § 50B-2(c)(5)		10
North Dakota	Final hearing must be held within 14 days of the issuance of the TPO.	ND Cent. Code 14-07.7-07		14

