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**To:** Members of The House Judiciary Committee

**From:** Family Law Section Council (FLSC)

**Date:** February 10, 2026

**Subject:** House Bill 497:  
Family Law- Temporary and Final Protective Order – Duration and Relief

**Position:** **FAVORABLE**

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The Maryland State Bar Association (MSBA) FLSC **supports House Bill 497.**

This testimony is submitted on behalf of the Family Law Section Council (“FJLSC”) of the Maryland State Bar Association (“MSBA”). The FLSC is the formal representative of the Family Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family law and, at the same time, tries to bring together the members of the MSBA who are concerned with family laws and in reforms and improvements in such laws through legislation or otherwise. The FLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,100 attorney members.

House Bill 497 would lengthen the time between a temporary order of protection hearing and the final protection order hearing and it would add reimbursement for financial loss, incurred by the petitioner due to the respondent’s acts, to the possible relief a court can grant in a final order of protection.

Under current law, Md. Code Ann. FL §4-505 (c)(1) “ (c) (1) Except as otherwise provided in this subsection, the temporary protective order shall be effective for not more than 7 days after service of the order .” House Bill 497 would lengthen that time from 7 days to 14 days. Maryland is out of step with almost every other state and jurisdiction, with 19 states setting the final hearing between 14-15 days.

Members of our Section have expressed that some attorneys have a blanket policy to not represent parties to Temporary Protective Orders due to the very short timeline and the frequent lack of ability to prepare adequately to responsibly represent those in these cases. This is true for those representing petitioners (both private attorneys as well as legal service organization

lawyers) as well as respondents. The increased time between the temporary order and final protective order hearing would increase the opportunities for both parties to obtain representation and to present a more organized and complete case to the Judge at the Final Hearing. Both parties are experiencing a major life change in the days after the issuance of a Temporary Protective Order, and are often addressing pressing concerns related to alternative housing and/or medical issues. As such, it would be a benefit to both parties to have additional time to prepare for the final hearing. Moreover, it would give the Department of Social Services more time to properly investigate any allegations of abuse or neglect of the children involved in these matters.

The Family Law Section does support the aspect of House Bill 497 which would add specific types of restitution for damages and other expenses caused by the respondent to the relief that can be ordered by the court if a final order of protection is granted. Having the authority explicitly in the statute will give the courts impetus to order this type of remuneration to the victim. The Family Law Section does make a friendly suggestion that the term “Monetary Award” be amended to some other terminology that does not mirror the provision in the Family Law Divorce context so there is no confusion as to the separate and distinct legal concepts in the Protective Order legal arena and the Divorce legal arena.

For the reason(s) stated above, the MSBA FLSC **supports House Bill 497 and urges a FAVORABLE committee report.**

Should you have any questions, please contact Michelle Smith at 410-280-1700 or [msmith@lawannapolis.com](mailto:msmith@lawannapolis.com) or Brendan Madden at [bmadden@rghlawyers.com](mailto:bmadden@rghlawyers.com).