

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 887
Domestic Violence – Protective Orders – Status Hearings
DATE: February 16, 2022
(2/24)
POSITION: Oppose

The Judiciary opposes House Bill 887. This bill would give the person eligible for relief under a final protective order the right to request a status review hearing during the term of the final protective order which the court must promptly schedule after providing notice to the respondent.

This bill is unnecessary as under current law a person eligible for relief under a protective order may file a petition to modify or rescind the protective order under FL § 4-507. They may also file a petition for contempt against the respondent. Either way, a petition would result in a hearing at which the judge could grant the petitioner the same relief as provided under this bill. In addition, courts may already set in status conferences when appropriate.

This bill also assumes the respondent has not been compliant and imposes on the court to determine whether further intervention is needed, which potentially puts the judge in the position of giving advice. Further, the Judiciary is concerned that the bill sets no limit on how many requests for status conferences a party eligible for relief may file.

cc. Hon. Sandy Bartlett
Judicial Council
Legislative Committee
Kelley O'Connor