

February 18, 2025

Judicial Proceedings Committee
Maryland General Assembly
2 East Miller Senate Office Building
Annapolis, Maryland 21401

Re: Senate Bill 721- Family Law – Permanent Protective Orders – Consent

Dear Chairman Smith, Vice Chair Waldstreicher and members of the committee,

I write to support Senate Bill 721, which would add “consent” as a ground for a judge in Maryland to enter a Permanent Protective Order under the Family Law article.

I am an attorney and a partner in the law firm of Ethridge, Quinn, Kemp, Rowan & Hartinger. I have been a trial attorney in the State of Maryland for over 30 years. I practice primarily criminal defense and family law. However, I also occasionally represent victims in cases, generally those involving child abuse or sexual assault. In 2024, I represented the victim in the case of the *State of Maryland v. Brandon Trask*, which was pending in the Frederick County Circuit Court. My client was the wife of Mr. Trask.

As the victim’s attorney in that matter, I worked closely with the Frederick County State’s Attorney’s office to ensure that a resolution was reached that represented the interests of my client. The facts alleged against the defendant were horrific. Mr. Trask eventually entered a plea of guilty to first degree assault, a felony, and a sentence that contemplated a period of incarceration to be followed by 5 years of probation.

At the time the criminal charges were pending against Mr. Trask, my client had filed and received a final protective order against Mr. Trask. With the assistance of Assistant State’s Attorney Erin Pearl, I advocated for my client to receive a permanent protective order as part of the plea agreement. The defendant agreed to this term. However, as Md. Annotated Code, Family Law § 4-506 is currently written, my client has to wait until Mr. Trask has ‘served at least 12 months of the sentence’ in order for her to petition for relief. This is a confusing deadline because although Mr. Trask has been in custody since May 3, 2024, he waived pre-trial credits as part of his plea agreement. As such, I have to time this very specifically because the protective order is non-modifiable once it has expired.

Currently, Md. Annotated Code, Family Law § 4-506 does not provide “consent” as one of the grounds for a petitioner to receive a permanent protective order. SB 721 would correct this and allow victims to negotiate for permanent protective orders. I would urge the committee to give SB 721 a favorable report.

Sincerely,



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