

SB 433 FAV MDHTTF + TA.pdf

Uploaded by: Amanda Rodriguez

Position: FAV



BILL NUMBER: SB 433

TITLE: Family Law - Temporary and Final Protective Orders - Duration and Relief

COMMITTEE: Judicial Proceedings

HEARING DATE: 2/10/2026

POSITION: FAV

TurnAround, Inc. is the designated rape crisis center for Baltimore City and Baltimore County and a comprehensive domestic violence service provider, offering crisis response, survivor-centered advocacy, legal referrals, trauma-informed therapy, and community education. TurnAround also serves as the Regional Navigator for Baltimore County and Howard County, providing specialized services to survivors of human trafficking, and is a member of MCASA, MNADV, and the Maryland Human Trafficking Task Force. The Maryland Human Trafficking Task Force (MDHTTF) Legislative Subcommittee brings together service providers, law enforcement, and legal advocates to improve Maryland's response to trafficking and related forms of gender-based violence. Collectively, we work with survivors every day who rely on Maryland's protective order system as a core safety mechanism when they are fleeing abuse, including intimate partner violence, sexual assault, and human trafficking-related exploitation.

Senate Bill 433 strengthens Maryland's protective order framework in two keyways. First, it extends the duration of temporary protective orders from 7 to 14 days after service and allows the corresponding final protective order hearing to be held within 14 days after service of the temporary order. Second, it explicitly authorizes courts to order respondents in final protective orders to pay certain documented losses and expenses incurred as a direct result of the abuse, including medical and mental health treatment, property damage, relocation and shelter costs, transportation, filing fees, court costs, and reasonable attorney's fees, while preserving a petitioner's right to pursue additional losses later.

For survivors of domestic violence, sexual assault, and human trafficking, the period immediately following separation from an abusive person is often the most dangerous time. Extending the effectiveness of temporary protective orders from 7 to 14 days provides a more realistic window for service, for survivors to secure safe housing, and for them to engage with counsel and advocacy services ahead of a final hearing. In practice, service delays, court closures, and the logistical complexity of relocation mean that a 7-day window can be unworkably short for many survivors. SB 433's modest extension ensures that the protections the court has already found necessary

remain in place long enough to be meaningful, while still requiring a prompt final hearing and preserving the respondent's opportunity to be heard.

Survivors frequently incur substantial, immediate costs as a direct result of abuse, including emergency medical or mental health care, changing locks or repairing damaged property, temporary shelter or hotel stays, relocation deposits, and transportation to stay ahead of an abuser or trafficker. For trafficking survivors in particular, abusers often weaponize economic instability, leaving survivors with no savings, damaged credit, and disrupted employment when they attempt to leave. SB 433 appropriately recognizes that meaningful protection must address both physical safety and economic stability by allowing courts, in final protective orders, to order respondents to pay documented losses directly caused by the abuse. This targeted relief helps survivors remain housed, access treatment, and maintain employment, thereby reducing the likelihood that they will be forced to return to an abusive or exploitative situation out of financial desperation.

Maryland has made significant investments in improving its response to sexual violence, domestic violence, and human trafficking, including through the Regional Navigator program and the multidisciplinary work of the MDHTTF. SB 433 is a logical and necessary extension of that work: it strengthens a tool survivors already use—the civil protective order—rather than creating an entirely new process, and it does so in a way that is narrowly tailored to documented needs. By explicitly listing compensable losses and clarifying that a protective-order-based monetary award does not bar later civil claims for additional or longer-term damages, SB 433 provides clarity to both courts and parties. This structure supports early, limited relief without stripping survivors of the ability to pursue more comprehensive remedies through other civil avenues when appropriate.

As a direct service provider, TurnAround routinely supports survivors in seeking protective orders in conjunction with safety planning, emergency shelter, and legal referrals. Survivors often arrive at court in crisis, having already paid out-of-pocket for hotel rooms, emergency transportation, medical care, or emergency childcare in order to escape imminent danger. The ability of the court to address these immediate, abuse-related costs in a final protective order can be the difference between a survivor maintaining safe, stable housing and being forced back into the abuser's home or into homelessness. For trafficking survivors, who may be fleeing an exploiter while navigating complex criminal and immigration systems, the economic relief authorized by SB 433 is particularly critical to sustaining safety over time.

For these reasons, TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee respectfully urge the Judicial Proceedings Committee to issue a favorable report on Senate Bill 433.

For further inquiries, please contact Amanda Rodriguez, Esq., Chief Executive Officer, TurnAround, Inc., and Chair, MDHTTF Legislative Committee, at arodriguez@turnaroundinc.org.

2026 02 06 SB 433_FLSC_FAV.pdf

Uploaded by: Brendan Madden

Position: FAV

To: Members of The Senate Judicial Proceedings Committee

From: Family Law Section Council (FLSC)

Date: February 6, 2026

Subject: Senate Bill 433
Family Law – Temporary and Final Protective Orders – Duration and Relief

Position: **FAVORABLE**

The Maryland State Bar Association (MSBA) FLSC **supports Senate Bill 433.**

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.

Senate Bill 433 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) generally provides that a “temporary protective order shall be effective for not more than 7 days after service of the order,” with the Final Protective Order hearing to be held at the conclusion of that period. SB 433 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



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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 Senate Bill 433 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 Senate Bill 433 and urges a FAVORABLE committee report.**

Should you have any questions, please contact Michelle Smith at 410-280-1700 or msmith@lawannapolis.com.

SB 0433 - Family Law - Temporary and Final Protect

Uploaded by: Catherine OMalley

Position: FAV

BILL NO: Senate Bill 0433
TITLE: Family Law – Temporary and Final Protective Orders – Duration and Relief
COMMITTEE: Judicial Proceedings
HEARING DATE: February 10, 2026
POSITION: **SUPPORT**

The Women's Law Center of Maryland is a nonprofit legal organization dedicated to protecting the physical safety, economic security, and civil rights of women and their families across Maryland. Through our legal services, policy advocacy, and education, we work to remove barriers that endanger survivors of abuse and to advance laws that promote safety, stability, and justice.

Consistent with this mission, the Women's Law Center of Maryland strongly supports SB 433, which advances critical protections for survivors of abuse by addressing both procedural barriers and the economic harm caused by violence. The bill has two primary objectives: extending the timeline between a temporary protective order (TPO) hearing and a final protective order (FPO) hearing, and authorizing courts to order restitution for financial losses suffered by a petitioner as a result of the respondent's abuse.

Maryland is one of only a few states with such a short timeframe between TPO and FPO hearings. By contrast, twenty-three states schedule final protective order hearings 14 to 15 days after the temporary order is issued. Extending this timeline will allow law enforcement additional time to effectuate service on respondents—an ongoing challenge in many counties and in Baltimore City, where service frequently takes longer than the current seven-day window. A longer interval will also give survivors much-needed time to address the many urgent and complex issues that arise when leaving an abusive relationship, including securing housing, obtaining medical care for themselves and their children, adjusting work schedules to attend court hearings, arranging transportation, and seeking legal representation.

The bill's second provision would allow a petitioner to seek restitution for financial losses directly resulting from the respondent's abuse. These losses often include medical expenses and the destruction of personal property, such as cell phones, clothing, vehicles, windows, and doors. Under current law, survivors must pursue a separate civil or criminal action to recover these costs—a process that can take months to reach court and places additional burdens on individuals already facing instability and trauma.

For these reasons, the Women's Law Center of Maryland urges a favorable report on SB 433.

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.

sb4333 testimony.pdf

Uploaded by: Crystal Vakoutis

Position: FAV

Good Afternoon. I am a TurnAround Inc client. I'd like to thank each of you for this opportunity to be heard, on behalf of the many survivors of intimate partner violence in the state of Maryland.

In my experience as a survivor of intimate partner violence, this bill would have positively impacted my safety by giving me more time of protection from my abuser. By giving me more time, this bill would have made me feel more protected and supported by the judicial system.

During the process of filing protection orders against my abuser I faced many difficulties. While attempting to cooperate with systems meant to protect and support victims, I faced more barriers, such as experiencing violations of the protection orders and experiencing victim blaming from the system. Due to the financial abuse I experienced during the relationship, I lost access to financial stability when exiting. In my case, because I did not meet certain criteria for financial relief I was exposed to the vulnerability of insecurity of my financial security and wellness. While my situation has allowed me to exit my abuse and be free from my abuser, many survivors will not be able to experience the same outcome without this bill's success.

By supporting this piece of legislation you would be impacting victims and survivors to be free of the terror many face as a result of shorter windows of protection orders and length of time between requesting a protection order and the final hearing. The relief order would eliminate existing barriers for survivors to access services, engage in recovery and healing, and find stability beyond their traumas. I respectfully request a favorable report on Senate Bill 433.

SB 433 - FAV - House of Ruth.pdf

Uploaded by: Deena Hausner

Position: FAV



House of Ruth Maryland

Domestic Violence Legal Clinic

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Bill No.: Senate Bill 433
Bill Title: Family Law – Temporary and Final Protective Orders – Duration and Relief
Committee: Judicial Proceedings
Hearing Date: February 10, 2026
Position: **FAV**

House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George’s County, and Montgomery County. Senate Bill 433 would extend the time during which a temporary protective order can remain in effect from seven to fourteen days and would authorize the court to order a respondent to pay for certain expenses incurred as a result of abuse. **We urge the Senate Judicial Proceedings Committee to favorably report on Senate Bill 433.**

Under current law, a final protective order hearing must be scheduled within seven days of issuance of a temporary protective order. Senate Bill 433 would lengthen this time to fourteen days, affording both petitioners and respondents who are served more time in which to find legal representation. The additional time would also create more opportunity for law enforcement to locate respondents and effectuate service.

SB 433 would also add to the forms of relief in a final protective order that courts can order respondents to pay for certain losses or expenses incurred as a result of the abuse, including, but not limited to, medical costs, repairs to damaged property, relocation costs, transportation costs, and attorney’s fees. Inability to pay for these types of expenses is a barrier to many victims achieving safety even with a final protective order in place. Adding these forms of reimbursement to the types of relief available in a final protective order will serve to enhance the safety of domestic violence survivors and their children.

The House of Ruth urges the Senate Judicial Proceedings Committee to report favorably on Senate Bill 433.

SB433-Temporary and Final Protective Orders - Dura

Uploaded by: Jessica Morgan

Position: FAV



Bill No: SB433
Title: Family Law - Temporary and Final Protective Orders - Duration and Relief
Committee: Judicial Proceedings
Hearing: February 10, 2026
Position: FAVORABLE

The Maryland Legislative Agenda for Women (MLAW) is a statewide coalition of women's groups and individuals formed to provide a non-partisan, independent voice for Maryland women and families. MLAW's purpose is to advocate for legislation affecting women and families. To accomplish this goal, MLAW creates an annual legislative agenda with issues voted on by MLAW members and endorsed by organizations and individuals from all over Maryland. **SB433 - Family Law - Temporary and Final Protective Orders - Duration and Relief** is a priority on the [2026 Legislative Agenda](#) and we urge your support.

SB433 - Family Law - Temporary and Final Protective Orders - Duration and Relief would put Maryland in line with the majority of states which have longer than our current seven (7) days between temporary protection order hearings and final protection order hearings, as well as adding repayment of financial loss to the relief that can be ordered in a protection order.

Key obstacles to a short timeline between a temporary protective order (TPO) hearing and a final protective order (FPO) hearing include the requirement to serve the respondent, court delays, and the time needed for all parties to prepare. In Maryland, a temporary order typically lasts for seven days after the respondent has been served, which is a tight window for all procedural requirements to be met. Forty-eight (48) states have a longer timeline than Maryland. Survivors are often managing many things in the immediate aftermath of assault or other form of domestic violence that can qualify them for an Order of Protection - immediate physical or mental health issue, help for traumatized children, relocation for safety reasons, seeking advocacy and other assistance. This was the most requested legislative effort asked for of lawyers and other advocates at a Maryland conference in spring of 2025.

The other often-mentioned request was to provide that judge can order repayment for financial loss, such as replacing a cell phone, paying for health services, fixing a broken door, etc. Judges often think they are not allowed to order any relief other than what is in the statute, and our effort to add "any other form of relief" other than relief that a judge determines to be necessary to protect the petitioner's safety," which is limiting language, and may not cover some of the expenses incurred due to the violence.

Each year, approximately 500,000 women are physically assaulted or raped by an intimate partner. Three out of 10 women at some point are stalked, physically assaulted, or raped by an intimate partner. This bill would lengthen the time between the temporary protection order hearing and the final protection order hearing from 7 days to 14 days, allowing the petitioner to address immediate health, housing or other needs, as well as other issues for the final hearing, e.g., gathering evidence such as police reports, medical records, photographs, and text messages. It may also include securing legal counsel in time for the lawyer to prepare for the hearing, and time to arrange for witnesses to be able to appear. It will also give law enforcement more time to serve the respondent, which is one of the most frequent reasons to have to reschedule the final hearing.

Adding the ability for the courts to order repayment for financial loss caused by the respondent will assist survivors to achieve economic independence from their abuser.

For these reasons, MLAW strongly urges the passage of SB433.

MLAW 2026 Supporting Organizations

The following organizations have signed on in support of our 2026 Legislative Agenda*:

AAUW Anne Arundel County
AAUW Kensington-Rockville Branch
AAUW Maryland
AAUW Garrett Branch
American Association of University Women Howard County Branch
Baltimore County Commission for Women
Bound for Better, advocates for Domestic Violence and Sexual Abuse
Campaign for Eneshal Galloway at Large Candidacy
Carroll County Chapter NOW
Crabs On The Shore
Jack and Jill of America Western Maryland Chapter
Maryland Coalition Against Sexual Assault (MCASA)
Maryland Network Against Domestic Violence (MNADV)
Maryland NOW
Montgomery County Business and Professional Women
Montgomery County Commission for Women
Montgomery County Chapter, National Organization for Women
National Association of University Women, Prince George's County
NAUW
Postpartum Support International, Maryland
Prince George's County Alumnae Chapter of Delta Sigma Theta Sorority Inc.
Self-Reflections: Social-Emotional, Behavioral and Advocacy Services, LLC
Stella's Girls, Incorporated
SUB&S LLC
The Heart Nest
The Rest Of A Life (TROAL)
Top Ladies of Distinction, Incorporated, Patuxent River Chapter
Unrooted Culture
Women's Commission for Baltimore City
Women's Equity Center and Action Network
Women's Law Center of Maryland
Zonta Club of Annapolis

**As of 2/2/2026*

Montgomery Cnty CFW Support for SB0433.2 6.26.pdf

Uploaded by: Jodi Danis

Position: FAV



**COMMISSION FOR WOMEN
COMMUNITY ENGAGEMENT CLUSTER**

February 6, 2026

Senator William C. Smith, Jr.
Chair, Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB0433 (HB0497) Family Law - Temporary and Final Protective Orders - Duration and Relief Timing

Position: **SUPPORT**

Dear Chairperson Smith and Members of the Senate Judicial Proceedings Committee,

On behalf of the Montgomery County Commission for Women, I request your support for SB0433 (Family Law - Temporary and Final Protective Orders - Duration and Relief Timing). We support this bill because it will help solve one of the most significant barriers women escaping from intimate partner abuse face as they seek crisis housing and medical treatment while simultaneously navigating the legal system's rigorous requirements to secure a Final Protective Order ("FPO") — a lack of sufficient time to do so. SB0433 also makes clear to judges that they may order an abuser to repay the financial losses from destruction of a victim's property, ameliorating the economic burdens that make a victim financially dependent on their abuser.

SB0433 would lengthen the unreasonably short seven-day window between a Temporary Protective Order ("TPO") and an FPO hearing to 14 days, affording petitioners a more realistic chance to meet all procedural requirements to seek a final order while also meeting their needs for crisis assistance. Adding a week will help petitioners address immediate health, housing, and other needs (which may include helping traumatized children), as well as legal needs for the final hearing. Those legal needs include gathering evidence such as police reports, medical records, photographs, and text messages. It may also include securing legal counsel in time for the lawyer to prepare for the hearing and arrange for witnesses to appear. Lengthening this window will also give law enforcement more time to serve the respondent, which is one of the most frequent reasons to reschedule the final hearing. By adding "any form of relief" to the provision that allows judges to order relief necessary to protect the petitioner's safety, the bill will ensure judges can address the true costs of domestic violence that often make survivors more economically vulnerable and dependent on an abuser.

Passing this bill will ensure that survivors of intimate partner violence can meet their needs for legal, physical, emotional, and financial protection on a realistic timeline. Maryland is lagging behind almost every other state in this regard: 48 states currently provide more time than Maryland does between a TPO hearing and an FPO hearing. Women are predominantly the victims of violence by an intimate partner, with 30% of women and 10% of men experiencing stalking, physical assault, or rape by an intimate partner at some point

in their lives. The Maryland Network Against Domestic Violence (MNADV) also supports this bill because it addresses the most frequently cited obstacle that lawyers and advocates raised at a Spring 2025 conference. Economic vulnerability and dependence on an abuser can make the difference between a survivor (and affected children) relocating away from an abuser versus returning to the abuser and experiencing additional violence. Ensuring that judges know they can order a respondent to pay for the real financial costs of violence as part of protecting a petitioner's safety is important to ensuring women can maintain independence from their abusers.

Support for SB0156 will **benefit underserved communities** by:

- Allowing low-income victims of abuse who need to seek free or low-cost crisis housing and emergency health services for themselves and their children to focus on those efforts without the untenable pressure of trying to simultaneously secure the documentation and witnesses necessary to obtain an FPO.
- Giving both petitioners and respondents who cannot afford to pay for private attorneys time to secure legal services that may be needed to prepare for an FPO hearing.
- Ensuring that victims of abuse with few financial resources are not forced to return to their abusers due to unsustainable financial losses from the destruction of property, such as a car or cell phone.

Support for SB0156 **will benefit all Marylanders** by:

- Ensuring that Maryland's laws and judicial processes protect its residents from intimate partner violence to the same extent as the 48 states that currently provide more time than Maryland does between a TPO hearing and FPO hearing.
- Ensuring that judges know they can hold respondents in FPO proceedings responsible for the true financial costs of violence, helping to ensure victims can maintain independence from their abusers and reducing incentives for abusers to destroy property.

The Commission's strategic priorities include advocating for laws that promote physical and financial safety for women, and particularly benefit low-income women in underserved communities. This bill furthers our goals, and we urge this Committee's support for SB0433.

Respectfully,



Jodi Danis
Commissioner
Montgomery County Commission for Women

Letter in Support SB 433.pdf

Uploaded by: Laura Wilt

Position: FAV



Maryland Crime Victims' Resource Center, Inc.

Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

☎ 877-VICTIM-1 (877-842-8461) ✉ mail@mdcrimevictims.org 🌐 mdcrimevictims.org

LETTER IN SUPPORT OF SENATE BILL 433:

Family Law- Temporary & Final Protective Orders- Duration and Relief

Headquarters

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877-842-8461 (toll free)
240-929-0526 (fax)

February 6, 2026

On behalf of the Maryland Crime Victims' Resource Center (MCVRC), I write to express strong support for Senate Bill 433. MCVRC provides legal services to crime victims statewide and is the nation's largest nonprofit of its kind. We represent many clients devastated by domestic violence.

Baltimore

1 North Charles Street
Suite 700
Baltimore, MD 21201

SB 433 directly addresses two critical problems for victims of interpersonal violence: the temporary protective order hearing is set far too close in time to the final hearing, and victims currently lack an avenue to request emergency financial assistance.

Carroll, Howard, & Baltimore Counties

Oakland Manor
5430 Vantage Point Road
Columbia, MD 21044
240-335-4032

Under Family Law 4-505 and 4-506 a victim of domestic violence may petition the court for protection. Senate Bill 433 does not change the burden or method of proof required for the petitioner to obtain the initial Temporary Protective Order but extends its maximum duration from seven to 14 days before the Final Protective Order hearing is held. This current seven-day window is unwieldy and impractical: Victims often hesitate to file- or skip filing altogether- due to inadequate notice to their employers and job insecurity. When they file, they often miss a full day's work to participate in the hearing only to face another abrupt absence the following week.

Eastern Shore

240-335-4012

A 14-day temporary order provides breathing room for both petitioner and respondent to secure counsel if desired, gather documents and evidence, and make vital decisions about children, living arrangements, costs, and separation. This measured timeframe fosters well-considered choices, equipping courts with robust evidence to issue enduring final protective orders with lasting impact.

Frederick & Montgomery Counties

240-335-4021

Senate Bill 433 not only extends the timeline but also confronts a harsh reality: many domestic violence victims remain trapped in abusive homes because they feel utterly without options. Countless individuals never seek protection or escape due to a lack of income, funds for temporary food or shelter, transportation, or insurance.

Southern Maryland

301-952-0063

Western Maryland

59 Prospect Square
Suite 6
Cumberland, MD 21502
240-335-4013

Senate Bill 433 will allow the Court to consider whether "as a direct result of the abuse" the respondent is responsible for health treatment costs, damaged property, food, temporary shelter, relocation costs, transportation costs, filing fees or reasonable attorney's fees. The Court is not required to make these financial awards, but SB 433 gives the Court the specific power to do so during the Final Protective Order hearing.

Maryland's protective order process provides victims one of the few pathways to rapid court protection in their most vulnerable moments. SB 433 enhances this vital framework—without overhauling it—by establishing a more reasonable timeline for final hearings, enabling participants to prepare thoroughly without risking employment to attend, as well as empowering courts to consider emergency financial assistance.

SB 433 is an opportunity to enact a law that acknowledges the dire peril domestic violence victims face when contemplating escape from abuse. Article 47 of Maryland's Constitution mandates that victims are treated with dignity, respect and sensitivity- and SB 433 delivers precisely that.

Thank you for considering a favorable report on SB 433 and your commitment to all Marylanders.

Sincerely,



Laura Corbett Wilt, Senior Supervising Attorney

240-335-4004; lwilt@mdcrimevictims.org

Joined by: Joanna Mupanduki, Deputy Director & Kurt Wolfgang, Executive Director

SB 433 - MNADV - FAV.pdf

Uploaded by: Laure Ruth

Position: FAV



BILL NO: Senate Bill 433
TITLE: **Family Law - Temporary and Final Protective Orders - Duration and Relief**
COMMITTEE: Judicial Proceedings
HEARING DATE: February 10, 2026
POSITION: **FAVORABLE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that works to lead diverse community partners toward the common purpose of reducing the occurrence and impact of intimate partner violence. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 433.**

Senate Bill 433 would do two things. First, it would lengthen the time between a temporary order of protection hearing and the final protection order hearing. Second, 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.

Currently, in Maryland's civil protection order law, if a court grants a temporary order of protection (TPO) it must set the final protection order (FPO) hearing 7 days later. Under SB 433, that time would be set at 14 days. Our colleagues at Maryland Legal Aid compiled a chart that indicates what the other states do timing wise for these hearings, and *Maryland is woefully out of step with the rest of the country*. The summary is as follows:

Length b/t hearings	No. of states	States
Per Request	6	(AZ, IN, NE, MI, MN, OR)
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+	4	(AR, NV, NH, SD)
Other	3	(IA: 5-15, OH: 7-10, NY: Unspecified)

The time just after a survivor gets a TPO can be very busy, including possibly looking for new housing, getting medical care, physical or mental, for themselves or any children, beginning the process of applying for public benefits, or seeking and finding legal representation for the FPO hearing. The survivor may be working a full-time job. All of this is on top of experiencing trauma,

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the breakup of a relationship, possibly filing criminal charges, telling family members about what has occurred, and other difficult and challenging things to manage.

Direct legal service providers can confirm that often a petitioner has so much happening that they can't get around to seeking legal services for their hearing until perhaps a day or maybe two prior to the hearing. This does not give the lawyers who do this work adequate time to prepare, gather evidence, and otherwise be ready for the hearing. Additionally, many cases end up getting postponed due to lack of service. While it is not the primary reason for this proposed change, it would allow law enforcement more time to effectively improve service and reduce postponements due to lack of service. And if service is effectuated quickly, the Respondent would benefit from having extra time to seek an attorney and prepare for court should they wish to do so.

Second, SB 433 would also add to the possible relief a court can order if it grants an FPO. Domestic violence service providers and programs know, and have testified before you over the years, that courts and judges feel they are constrained from granting any relief that is not specified in the Maryland Code. Many, many states provide that a court can order payment for financial loss. By adding this form of relief to our law it will allow survivors to make repairs, buy a new phone (this is a particularly frequent form of damage in these cases), and have the respondent pay for it when the cost is incurred, rather than waiting perhaps more than a year for a divorce hearing, or having to sue the respondent in small claims court, which is burdensome for a survivor.

The genesis of this bill was a May 2025 Partners for Justice conference. At a panel about domestic violence attended by legal service providers, lawyers and advocates, when the 50 or so attendees were asked what they would change in our protection order law to be more responsive to the needs of victims/survivors, these were the two things raised overwhelmingly more than any other ideas.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 433.**

SB 433 - CLS Support - Extend TPO to 14 Days.pdf

Uploaded by: Lisa Sarro

Position: FAV



Jessica A. Quincosa, Esq.
Executive Director

Kayla Williams-Campbell, Esq.
Deputy Director

Lisa Sarro, Esq.
Director of Litigation &
Advocacy

SB 433 – Family Law – Temporary and Final Protective Orders – Duration and Relief

**Hearing Before the Judicial Proceedings Committee
February 10, 2026**

Position: FAVORABLE

To the Honorable Members of the Judicial Proceedings Committee:

[Community Legal Services](#) (CLS) supports Senate Bill 433. CLS provides free legal services to income-eligible Marylanders, with a goal of ensuring that everyone, regardless of income, has access to justice. We provide legal advice and representation to thousands of individuals and families every year. We strive to help our clients obtain and maintain family, housing, social and economic stability.

As part of our practice, we provide legal assistance and representation to survivors of domestic violence, including in Protective Order cases. In our experience, extending the duration of a Temporary Protective Order (TPO) from the current period to 14 days would be a practical and meaningful improvement that would strengthen access to protection while reducing unnecessary burdens on survivors and the courts.

First, extending the TPO to 14 days provides critical additional time for service of process. In counties with high case volumes, as well as in jurisdictions with smaller law enforcement units, timely service can be challenging. The additional time will improve the likelihood that respondents are properly served before the final hearing, allowing cases to proceed as scheduled.

Second, the extension meaningfully assists with cross-jurisdictional service. Many survivors reside or work across county lines, and respondents may be located in neighboring jurisdictions, including the District of Columbia, Virginia, Delaware, or Pennsylvania. Inter-county and interstate service frequently requires additional coordination. A 14-day TPO better reflects these logistical realities and supports effective enforcement and reduces the likelihood that survivors must return to court solely because service was not completed in time. Requiring survivors to make multiple court appearances due to service delays can be destabilizing, retraumatizing, and financially burdensome, particularly for those balancing employment and childcare.

Third, protective order proceedings often coincide with significant life transitions; extended time between hearings would offer survivors critical time to make practical arrangements related to housing, childcare, employment, and safety. If they filed the petition for TPO on their own, the additional time contemplated by this bill would also allow survivors a more realistic opportunity to secure legal counsel for the hearing on the Final Protective Order.

With respect to the bill's damages provision, courts are already familiar with awarding financial relief to petitioners through Emergency Family Maintenance, so this provision of the bill would add complexity to the process for the courts hearing these cases. Also, allowing compensation for actual damages resulting from abusive conduct may provide meaningful relief to survivors, helping address medical expenses, moving costs, or lock changes, and other expenses that frequently arise in the aftermath of abuse.

Extending the Temporary Protective Order to 14 days better aligns the law with the realities faced by survivors and offers a practical, survivor-centered adjustment to the Protective Order process that promotes fairness, judicial efficiency, and access to justice.

For these reasons, Community Legal Services respectfully urges the Economic Matters Committee to **issue a FAVORABLE report on Senate Bill 433**. Please feel free to contact Lisa Sarro, Esq., at Sarro@clspgc.org or Jessica Quincosa, Esq., at Quincosa@clspgc.org with any questions.

PO - length of TPO and financial costs - 2026 - MC

Uploaded by: Lisae C Jordan

Position: FAV



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 433
Jodi A. Cavanaugh, Esquire
Legal Services Director, Sexual Assault Legal Institute
Lisae C. Jordan, Executive Director & Counsel
February 10, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 433.

Senate Bill 433

Length of Temporary Protective Orders and Financial Losses or Expenses

Senate Bill 433 would do two things in protective order proceedings. First, it would lengthen the time between a temporary order of protection hearing and the final protection order hearing. Second, 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. The bill also clarifies that any financial award does not preclude future tort or other recovery.

Currently, in Maryland's civil protection order law, if a court grants a temporary order of protection (TPO) it must set the final protection order (FPO) hearing 7 days later. Under SB433, that time would be set at 14 days, bringing Maryland into current best practices elsewhere in the country (a chart is provided in testimony by the Maryland Network Against Domestic Violence). This is a very practical and important change for petitioners and reflects what often happens in court anyway – courts are routinely postponing cases a week (or more) after the initial hearing date to permit parties to seek counsel, negotiate settlements, effectuate service, or otherwise prepare for litigation.

At MCASA, attorneys at our legal services program, the Sexual Assault Legal Institute (SALI), and member agencies such as Heartly House, Life Crisis Center, and CASA of Washington County, confirm that often a petitioner is not able to connect with counsel until shortly before the hearing. This does not give the lawyers who do this work adequate time to prepare, gather evidence, and otherwise be ready for litigation. Similarly, respondents frequently need more time

prior to the final hearing. The current system imposes unnecessary financial costs and time for all involved. SB433 would ameliorate a current flaw in the system.

Second, SB433 would also add to the possible relief a court can order if it grants a final protective order by explicitly allowing an award for “ANY LOSSES OR EXPENSES INCURRED AS A DIRECT RESULT OF THE ABUSE”. While courts arguably have authority to award financial compensation now, they are consistently resistant to doing so. By adding this form of relief to our law, it will allow survivors to make repairs, buy a new phone, fix a lock, or pay other expenses that are directly caused by the respondent’s abuse. These expenses are often immediate and cannot wait for actions in tort or family law or small claims. SB433 preserves these options for future litigation while meeting the immediate needs of survivors.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 433**

Testimony.ChangestoPO.2.6.26.pdf

Uploaded by: Lydia Watts

Position: FAV

BILL NO: Senate Bill 433
TITLE: **Family Law - Temporary and Final Protective Orders - Duration and Relief**
COMMITTEE: Judicial Proceedings
HEARING DATE: February 10, 2026
POSITION: **FAVORABLE**

My name is Lydia Watts. I am the Executive Director of the Rebuild, Overcome, and Rise (ROAR) Center at the University of Maryland, Baltimore. I submit this written testimony in support of **SB 433, Family Law – Temporary and Final Protective Orders – Duration and Relief**. The views expressed herein are my own, offered in my professional capacity, and do not represent the views of the University of Maryland, Baltimore.

ROAR provides comprehensive, wrap-around services to victims of crime in Baltimore City. Since beginning operations in June 2019, ROAR has served more than 900 individuals—each a survivor of crime, including homicide, non-fatal shootings, sexual assault, intimate partner violence, and other serious harms. I have been a licensed attorney in the District of Columbia, Maryland, and Massachusetts for nearly 30 years, and for the vast majority of that time I have represented survivors of violence in both civil and criminal matters.

Senate Bill 433 would make two important and commonsense changes to Maryland’s civil protective order law. First, it would extend the time between a temporary protective order (TPO) hearing and a final protective order (FPO) hearing. Second, it would authorize courts to order reimbursement for financial losses incurred by a petitioner as a result of the respondent’s acts as part of the relief available in a final protective order.

Under current law, when a court grants a TPO, it must schedule the FPO hearing within seven days. SB 433 would extend that timeframe to fourteen days. As MNADV has demonstrated through comparative data, Maryland is significantly out of step with other states in requiring such a short interval between hearings.

The seven days immediately following a survivor’s decision to seek a TPO are often consumed by urgent and destabilizing demands: locating safe housing, caring for children without a partner’s support, addressing the trauma that precipitated the filing, and attempting to secure legal representation. This timeframe is especially unrealistic given that intake processes at free legal service providers commonly take two to seven business days. As a result, survivors frequently appear at FPO hearings without counsel, or attorneys must request continuances simply to allow adequate preparation.

Additionally, many cases are postponed due to lack of service on the respondent. Survivors are then required to repeatedly return to court to extend the TPO while service is attempted—often every seven days for weeks at a time. This cycle imposes a significant burden, particularly on survivors who must miss work, arrange childcare, pay for transportation, and endure long court

waits. The cumulative cost and disruption can lead survivors to abandon their cases altogether. Extending the hearing window to fourteen days would reduce these burdens, allow law enforcement more time to effectuate service, and improve judicial efficiency. It would also afford respondents additional time to retain counsel and prepare, should they choose to do so.

SB 433 would also expand the relief available in a final protective order to include reimbursement for financial losses caused by the respondent's conduct. Domestic violence service providers have repeatedly observed—and judges have acknowledged—that courts often feel constrained to order only relief explicitly enumerated in statute. Many states already authorize courts to order compensation for financial loss in protective order proceedings. This relief is critical: survivors often need funds to repair damaged property, replace destroyed phones (a common tactic of control), or cover other immediate losses. Without this option, survivors may be forced to wait months or years for a divorce proceeding or initiate separate small-claims litigation—processes that are often inaccessible and burdensome.

Financial harm and instability, particularly following separation, are among the primary reasons survivors return to abusive relationships. Allowing courts to address these losses directly through a final protective order can help survivors achieve the financial stability necessary to remain safely separated from an abusive partner.

I practiced law in Washington, D.C. for nearly 25 years and in Massachusetts for six years (currently inactive). Both jurisdictions provide longer TPO-to-FPO timeframes and authorize financial relief. Although I sat for the Maryland Bar in 1996, I did not begin practicing in Maryland until many years later, and I was surprised to learn that Maryland lacked these widely accepted protections. SB 433 would align Maryland law with common practices nationwide, benefiting survivors, courts, and the justice system as a whole.

For these reasons, I respectfully urge the Senate Judicial Proceedings Committee **to issue a favorable report on SB 433.**

Sincerely,

A handwritten signature in cursive script that reads "Lydia Watts". The signature is written in dark ink and is positioned to the left of the typed name and title.

Lydia C. Watts, Esq., MPH
Executive Director
The Rebuild, Overcome, and Rise (ROAR) Center at the
University of Maryland, Baltimore

Additional Information about Race and the Criminal Justice System That Would be Exacerbated by the Passage of SB 604

Dating back to 1993, Kimberle Crenshaw wrote: “Women of color [in work cited, the author is referring to survivors of intimate partner violence] are often reluctant to call the police, a hesitancy likely due to a general unwillingness among people of color to subject their private lives to the scrutiny and control of a police force that is frequently hostile. There is also a more generalized community ethic against public intervention, the product of a desire to create a private world free from the diverse assaults on the public lives of racially subordinated people.”¹ “[F]or some people subjected to abuse, the criminal justice system – indeed, any state system – is not a safe and comfortable place within which to seek justice. People of color, who are already overrepresented in the criminal justice system, may have concerns about approaching the state for assistance, fearing that the state will intervene punitively against their partners or against them.”² And their fears are often warranted. Sometimes calling the police results in homelessness for victims of intimate partner violence,³ or in their own arrest. These same fears are present – perhaps even heightened – for survivors of gun and other forms of community violence.

Black men are over-represented among those accused of and convicted of violent crime though there is no evidence to suggest that men of color are more prone to violence than white men,⁴ though the media certainly portrays otherwise.⁵ The perception of men – particularly young men – of color as inherently more violent has inexorably and negatively shaped lives, communities, history, and political landscapes.⁶ Not only are young men of color disproportionately

¹ Kimberle Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241, 1257 (1993).

² Leigh Goodmark, “*Law and Justice are Not Always the Same*”: *Creating Community-Based Justice Forums for People Subjected to Intimate Partner Abuse*”, Florida State University Law Review Vol. 42:707, 720 (year?).

³ There have been many housing authorities across the country who were exposed in the early 2000s for evicting domestic violence victims for violating the policy that no illegal activity could take place on public housing property, and since she called the police for help, the housing authority was alerted that a crime had occurred – an assault against the victim who is now getting evicted as a result. This practice is still occurring today on privately owned properties. See Jenny Kutner, “Domestic Violence Victims can be Evicted for Calling the Police”, July 14, 2016, <https://mic.com/articles/148484/domestic-violence-victims-can-be-evicted-for-calling-police-here-s-why#.oJfYfDbSK>.

⁴ Kim Farbota, *Black Crime Rates: What Happens When Numbers Aren't Neutral*, January 19, 2016, http://www.huffingtonpost.com/kim-farbota/black-crime-rates-your-st_b_8078586.html.

⁵ In *Tough Guise: Violence, Media and the Crisis in Masculinity*, Jackson Katz and Jeremy Earp argue that the media provide an important perspective on social attitudes – and that while the media are not the cause of violent behavior in men and boys, they do portray male violence as a normal expression of masculinity. Earp, Jeremy and Jackson Katz. *Tough Guise: Violence, Media & the Crisis in Masculinity* (study guide). Media Education Foundation, 1999. In 1999, Children Now, a California-based organization that examines the impact of media on children and youth, released a report entitled *Boys to Men: Media Messages About Masculinity*. The report observes that... non-white male characters are more likely to experience personal problems and are more likely to use physical aggression or violence to solve those problems. *Boys to Men: Media Messages About Masculinity*. Children Now, 1999. <http://mediasmarts.ca/gender-representation/men-and-masculinity/how-media-define-masculinity>, last visited 8.23.16.

⁶ “This far-reaching form of stereotyping and oppression—what Toni Morrison and others call the “white gaze”—has shaped individual lives and collective histories within communities of color.” David J. Knight, *Beyond the Stereotypical Image of Young Men of Color*, The Atlantic, January 5, 2015. <http://www.theatlantic.com/education/archive/2015/01/beyond-the-stereotypical-image-of-young-men-of-color/384194/>

represented among those accused of using violence, but also of being victims of violence.⁷ Yet, their needs as victims of crime, and the commensurate trauma that often comes with victimization, are largely ignored, thereby exacerbating the devastating impact of the continued assault of structural racism.

Since men of color are *perceived* as more prone to be violent, it is likely that they will adopt behaviors to support that perception or assumption. Michelle Alexander in The New Jim Crow poses the question, “Are we willing to demonize a population, declare a war against them, and then stand back and heap shame and contempt upon them for failing to behave like model citizens while under attack?”⁸ She goes on to say “[t]here is nothing abnormal or surprising about a severely stigmatized group embracing their stigma... Indeed, the act of embracing one’s stigma ...is a political act – an act of resistance and defiance in a society that seeks to demean a group based on an inalterable trait... [E]mbracing the stigma of criminality is an act of rebellion – an attempt to carve out a positive identity in a society that offers them little more than scorn, contempt, and constant surveillance.”⁹ The “dance” - or “minstrel show” as Alexander calls it¹⁰ - of men of color acting “ghetto”, violent, posturing to gain some sense of respect and control, plays perfectly into stereotypes and implicit racism that men of color are in fact more violent.

It is important to note, that rates of incarceration have skyrocketed for women during this same time period, at even greater and more astonishing rates.¹¹ “There are 14 times more women in jail in this country today than there were in the 1970s... [And] women typically become incarcerated after experiencing gender-based trauma throughout their lives. About eight in ten [incarcerated women] have experienced domestic partner abuse. A large majority has survived sexual violence.”¹² Again, women of color are disproportionately represented among the incarcerated. Many of these women are in jail or prison because a violent partner forced them into illegal activity, most typically assisting in some portion of a drug exchange, but also in sex work.¹³ Other times, women may engage in illegal activity to survive in an environment that does not support poor mothers well, if at all. Over the past 20 years, public benefits have been dramatically cut, affordable housing stock has plummeted, and childcare costs and other costs of living have soared. Livable wages are almost non-existent for those working in certain sectors of

⁷ Danielle Sered, *Young Men of Color and the Other Side of Harm*, Vera Institute of Justice, December 2014. <http://archive.vera.org/sites/default/files/resources/downloads/young-men-color-disparities-responses-violence.pdf>

⁸ Michelle Alexander, The New Jim Crow: Mass Incarceration in the Age of Colorblindness (2010), p. 170.

⁹ Id at p. 171.

¹⁰ Alexander writes about how the media portrays men of color as caricatures of “racial stereotypes and images associated with the era of mass incarceration – an era in which black people are criminalized and portrayed as out-of-control, shameless, violent, over-sexed and generally underserving.” Id at pg. 173.

¹¹ Coker & Macquoid, *Opposing Hyper-Incarceration*, *supra* note 15 at 588 (2015).

¹² Micelle Chen, *Why Are There So Many Women in Jail? The number of women in jails has skyrocketed over the past four decades*, <https://www.thenation.com/article/why-are-there-so-many-women-in-jail/>, August 22, 2016.

¹³ “Survivors who were forced into criminal activity by abusive partners could also be eligible for alternative sentencing under the legislation [Domestic Violence Survivors Justice Act, passed in May 2016 in New York state]. Advocates stress that abusers often use violence to coerce survivors into committing crimes like robbery or drug trafficking.” Melissa Jeltsen, *Should Domestic Violence Victims go to Prison for Killing Their Abusers?*, May 26, 2016, http://www.huffingtonpost.com/entry/domestic-violence-prison-legislation_us_573deaa3e4b0ace7b8e94236.

our economy. Working in illegal economies may literally feel like the only choice to financially support oneself and a family.¹⁴

All of this is true also for those selling and buying street-drugs through the State of Maryland. To criminalize those caught in this matrix of racism and poverty will only compound the harm.

¹⁴ “Particularly for women, their interactions with the justice system are often the result of survival efforts,” said Liz Swavola of the Vera Institute of Justice, one of the report’s principal authors. “They are predominantly women of color, and they are overwhelmingly poor.” Rebecca McCray, *There are More Women in U.S. Jails Than Ever Before*, August 17, 2016, <http://www.takepart.com/article/2016/08/16/women-jails?cmpid=tp-twtr>. “Women often become involved with the justice system as a result of efforts to cope with life challenges such as poverty, unemployment, and significant physical or behavioral health struggles.” Vera Institute of Justice, *Overlooked: Women and Jails in an Era of Reform*, August 2016.

SB0433_VolunteerLegalAdvocates_Swanson.pdf

Uploaded by: Robyn Swanson

Position: FAV



Ending the cycle of violence for survivors and children through pro bono legal aid

BILL NO: Senate Bill 433

TITLE: Family Law - Temporary and Final Protective Orders - Duration and Relief

COMMITTEE: Judicial Proceedings

HEARING DATE: February 10, 2026

POSITION: FAVORABLE

Volunteer Legal Advocates, formerly DC Volunteer Lawyers Project, was founded in 2008 to provide high quality, pro bono legal services to survivors of domestic violence, immigrant survivors of gender-based violence, and vulnerable children. We use an innovative volunteer lawyer model where we train and supervise pro bono lawyers to broaden our impact. In 2025, over 600 lawyers volunteered with us, contributing \$23M in free legal services. Together we provided legal assistance and support to over 3,000 adults and children.

In January 2023 we expanded our domestic violence services into Montgomery County, where our team of three lawyers, one client advocate, and one program coordinator operates out of the Family Justice Center in Rockville. We have a weekly domestic violence walk-in clinic at the Rockville Memorial Library each Wednesday afternoon, and after conversations with the Self-Help Center and Family Justice Center about their capacity issues, we have started a twice-monthly clinic where we help unrepresented domestic violence survivors complete forms in family law cases. Since we opened our Maryland office has served 726 clients in family law and domestic violence matters, with the help of 82 volunteer attorneys, and we've handled 151 protective order cases.

Volunteer Legal Advocates urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 433.

Senate Bill 433 would do two things. First, it would lengthen the time between a temporary order of protection (TPO) hearing and the final protective order (FPO) hearing. Second, 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. This testimony will focus on the relief issue.

Volunteer Legal Advocates strongly supports spelling out in the statute the possible relief a court can order if it grants an FPO. We know that some courts and judges feel they are constrained from granting any relief that is not specified in the Maryland Code. Many states explicitly provide that a court can order payment for financial loss. By adding this form of relief to Maryland law it will allow survivors to make repairs, buy a

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new phone (this is a particularly frequent form of damage in these cases), and have the respondent pay for it when the cost is incurred, rather than waiting perhaps more than a year for a divorce hearing, or having to sue the respondent in small claims court, which is burdensome for a survivor. And while Maryland provides compensation to crime victims in other ways, the process can take a long time. The ability to obtain funds quickly can be particularly crucial for low-income survivors who have immediate needs, like replacing a damaged phone.

Spelling out the available forms of relief for domestic violence survivors directly in statute is particularly helpful for *pro se* litigants because it increases clarity, accessibility, and fairness in a system where many survivors appear in court without legal representation. Clear statutory language provides notice. *Pro se* litigants often do not know what relief the court is authorized to grant or what they are permitted to request. When forms of relief are explicitly listed in the statute, survivors can more readily understand the full scope of protections available to them. This reduces the risk that critical safety-related relief goes unrequested simply because the survivor was unaware it existed.

Enumerated relief also promotes meaningful access to justice. Survivors navigating the legal system without counsel must rely heavily on plain statutory language, court forms, and limited guidance from court staff. When relief options are clearly articulated in the statute, survivors are better able to prepare their cases, complete forms accurately, and articulate their needs to the court. This helps level the playing field between represented and unrepresented parties.

Finally, clearly defined relief supports trauma-informed proceedings. Survivors experiencing trauma may have difficulty identifying or articulating all of the protections they need in the moment. When the statute itself identifies common and appropriate forms of relief, it helps survivors recognize and request protections that directly address their safety, housing stability, and family needs, even if those needs are not immediately obvious to them.

For these reasons, **Volunteer Legal Advocates urges a favorable report on SB 433.**

SB 433 - TPO - wttm Love.pdf

Uploaded by: Sara Love

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**SB 433 – Family Law – Temporary and Final Protective Orders
– Duration and Relief**

Chair Smith, VC Waldstreicher, Members of JPR:

Thank you for considering SB 433. This bill has two parts to it. First, it moves the time between a Temporary Protective Order (TPO) and a Final Protective Order (FPO) from 7 to 14 days, which better aligns us with the rest of the country. Second, it provides financial relief to the petitioner for expenses that they incurred as a direct result of the abuse.

Right now our law provides that a TPO lasts for seven days,¹ which means a hearing is scheduled for seven days later for the final protective order. During that seven-day period, the respondent is to be served a copy of the TPO.

That seven-day period between the TPO and the FPO is too short. During that time period, a victim often has to find a safe place to live, ensure care for their children, get medical care, and get an attorney. Having to do those things within 7 days is extremely difficult – especially when one is juggling a job and child care. Respondents also need the additional time, including time to find a lawyer.

The problems are compounded when service is not made during those seven days. While TPOs are generally served within 24-48 hours, sometimes the respondent cannot be found. The petitioner has to go to court seven days later anyway. They will go in and the judge will continue the case because the respondent has not been served. Then the petitioner will have to go back at a date that the judge orders, and likely yet another time, after the defendant has been served. In addition to all the things I mentioned earlier, moving from 7 days to 14 days will give more time for service.

Maryland is only one of two states in the entire country with less than 10 days between the TPO and the FPO. It is us and Wyoming.

¹ Family Law, § 4-505

Moving to the second part of the bill. The bill provides that a Final Protective Order may include ordering the respondent to pay for losses or expenses incurred as a direct result of the abuse. Think about that broken tooth that happened when he hit her so hard she slammed into the floor. Or the door he broke when he smashed his fist through it. Or the rent she had to pay to move herself and the kids out of the house to stay safe. Right now, the victim has to pay for the damage the abuser did. It is not fair and it is not right. The cost should be paid by the one who caused it.

I respectfully request a favorable report on SB 433.

SB0433_VolunteerLegalAdvocates_Tennen.pdf

Uploaded by: Sara Tennen

Position: FAV



Ending the cycle of violence for survivors and children through pro bono legal aid

BILL NO: Senate Bill 433

TITLE: Family Law - Temporary and Final Protective Orders - Duration and Relief

COMMITTEE: Judicial Proceedings

HEARING DATE: February 10, 2026

POSITION: FAVORABLE

Volunteer Legal Advocates, formerly DC Volunteer Lawyers Project, was founded in 2008 to provide high quality, pro bono legal services to survivors of domestic violence, immigrant survivors of gender-based violence, and vulnerable children. We use an innovative volunteer lawyer model where we train and supervise pro bono lawyers to broaden our impact. In 2025, over 600 lawyers volunteered with us, contributing \$23M in free legal services. Together we provided legal assistance and support to over 3,000 adults and children.

In January 2023 we expanded our domestic violence services into Montgomery County, where our team of three lawyers, one client advocate, and one program coordinator operates out of the Family Justice Center in Rockville. We have a weekly domestic violence walk-in clinic at the Rockville Memorial Library each Wednesday afternoon, and after conversations with the Self-Help Center and Family Justice Center about their capacity issues, we have started a twice-monthly clinic where we help unrepresented domestic violence survivors complete forms in family law cases. Since we opened our Maryland office has served 726 clients in family law and domestic violence matters, with the help of 82 volunteer attorneys, and we've handled 151 protective order cases.

Volunteer Legal Advocates urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 433.

Senate Bill 433 would do two things. First, it would lengthen the time between a temporary order of protection (TPO) hearing and the final protective order (FPO) hearing. Second, 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. This written testimony will focus on increasing TPO duration.

Currently, in Maryland's civil protective order law, if a court grants a TPO, it must set the FPO hearing 7 days later. Under SB 433, that time would be set at 14 days – which is consistent with the timing in Washington D.C. This is still significantly less than the time provided in some other states, such as New Hampshire, where the FPO must be held within 30 days of the date the petition was filed or ten days from the date the

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respondent was served. We feel strongly, based on our experience working on protective order cases in Washington D.C. and now in Maryland, that having more time between the issuance of a TPO and the final hearing will improve outcomes for our survivor clients.

First, additional time allows survivors to stabilize their immediate circumstances. The period following a TPO is often marked by crisis. Survivors may be securing safe housing, arranging childcare, addressing urgent medical or mental health needs, and taking steps to ensure their own safety and that of their children. Allowing more time before the final hearing reduces the pressure on survivors to navigate complex legal proceedings while still in acute crisis and enables them to participate more fully and effectively in the court process.

Second, increased time improves access to legal representation. Survivors frequently face logistical, financial, and emotional barriers to promptly securing counsel. When the interval between the TPO and the final hearing is too short, many survivors appear unrepresented or obtain counsel only days or hours before the hearing. Additional time increases the likelihood that survivors can connect with legal services, particularly nonprofit or pro bono providers, resulting in better-prepared cases and more informed advocacy before the court.

Third, more time enables meaningful case preparation, particularly where the attorney is a volunteer who may not have extensive experience with protective order cases. This is critical for organizations like ours that rely on volunteers to expand the number of clients we are able to serve. In our Washington D.C. practice, having 14 days to prepare for trial is part of what makes our volunteer model so successful. In our Maryland practice, many of our volunteers are assigned to protective order cases just days before the trial date. This tight timeframe can be challenging.

When an attorney agrees to take a case, they must first review all court filings, confirm service of process, and assess the legal basis for the request under Maryland's domestic violence statutes. Counsel must then work with the survivor to identify, obtain, and organize relevant evidence. This may include police reports, medical records, photographs of injuries or property damage, communications such as text messages or voicemails, and documentation reflecting a pattern of abuse or harassment. Attorneys must ensure that this evidence is properly prepared for court, including making required copies and complying with evidentiary and procedural rules.

Equally important is the preparation of client testimony. Attorneys spend significant time helping survivors organize their experiences into clear, coherent, and legally relevant testimony, while also preparing them for the emotional difficulty of recounting traumatic events in a courtroom setting. Where appropriate, attorneys may also identify and prepare witnesses and take steps to secure their attendance at the hearing. When translation services are needed to communicate with a client – as is the case with many of our protective order cases – the process takes even longer.

Relatedly, we know that increased preparation time supports trauma-informed proceedings. Survivors who have more time to prepare are better able to understand the process, anticipate what will be asked of them, and emotionally prepare to testify about traumatic experiences. This can reduce retraumatization, improve the quality of testimony, and assist the court in making well-informed findings of fact.

Finally, we believe extending the time between the TPO and the final hearing will lead to greater court efficiency and more durable outcomes. Better-prepared cases are less likely to be continued, less likely to result in incomplete records, and more likely to produce final orders that accurately reflect the evidence and the safety needs of the survivor. This benefits not only survivors, but also respondents, the courts, and law enforcement.

For these reasons, **Volunteer Legal Advocates urges a favorable report on SB 433.**

SB 433-TPO Duration and FPO Relief - MLA-FAVORABLE

Uploaded by: Sophia Barilone

Position: FAV

SENATE BILL 433
Family Law - Temporary and Final Protective Orders - Duration and Relief
In the Senate Judicial Proceedings Committee
Hearing on February 10, 2026
Position: FAVORABLE

Maryland Legal Aid submits its testimony on SB 433 at the request of its sponsor, Senator Sara Love.

Maryland Legal Aid asks that the Committee report **favorably** on SB 433, 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 SB 433 seeks to address.

1. SB 433 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, SB 433 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, SB 433 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. SB 433 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, SB 433 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. **SB 433 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

SB 433 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, SB 433 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 SB 433. If you have any questions about this testimony, please contact Ameer Vora, Advocacy Director for Family Law, at avora@mdlal.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

Center for Hope-DOVE FAV SB433 Family Law-Temporar

Uploaded by: Yuvelqui Rattigan

Position: FAV



Date: February 10, 2026

To: Senate Judicial Proceedings Committee

Reference: Senate Bill 433 Family Law-Temporary and Final Protective Orders-Duration and Relief

Position: Favorable

Dear Chair Smith and Committee Members,

On behalf of the Center for Hope and the Dove Program at Northwest Hospital, we respectfully submit this testimony in strong support of Senate Bill 433. The Center for Hope and the Dove Program provide comprehensive services to survivors of domestic violence, sexual assault, and intimate partner violence, including medical care, advocacy, counseling, and coordination with legal and community-based partners. We work closely with survivors during some of the most dangerous and destabilizing moments of their lives, including when they are seeking civil protection orders. Senate Bill 433 reflects the lived realities of survivors and would make Maryland's protection order process more effective, equitable, and trauma informed.

Senate Bill 433 would extend the time between a Temporary Order of Protection (TPO) hearing and the Final Protection Order (FPO) hearing from 7 days to 14 days. Maryland is currently out of step with much of the country in requiring such a compressed timeframe, and the proposed change would better align our law with practices in other states. The period immediately following the issuance of a TPO is often overwhelming for survivors. During this time, survivors may be:

- Seeking emergency or longer-term housing
- Obtaining medical care for themselves or their children, including treatment for physical injuries or mental health needs
- Applying for public benefits or emergency assistance
- Attempting to secure legal representation
- Maintaining employment or caring for children
- Managing trauma and the emotional impacts of disclosing abuse to family members or employers
- Engaging in safety planning,
- Navigating parallel criminal proceedings, when applicable

Expecting survivors to fully prepare for a contested court hearing within seven days, often without legal representation, is unrealistic and may place them at a disadvantage. Direct legal service providers consistently report that petitioners commonly seek legal assistance only days before their FPO hearing, leaving insufficient time for attorneys to gather evidence, interview witnesses, and prepare effective advocacy. As a result, survivors may be significantly compromised in court or forced to proceed unrepresented. Additionally, many FPO hearings are postponed due to delays in service of process.

While not the primary intent of this legislation, extending the hearing timeframe would allow law enforcement additional time to complete service and reduce unnecessary postponements. Importantly, if service is completed quickly, respondents would also benefit from having additional time to consult with counsel and prepare for court,



supporting fairness for all parties. Senate Bill 433 would also expand the relief available in a Final Protection Order by expressly authorizing courts to order reimbursement for financial losses incurred as a result of the respondent's acts.

Domestic violence service providers have repeatedly heard from judges that they feel constrained to order only the relief explicitly listed in statute. Many other states allow courts to order compensation for financial loss in protection orders, and Maryland should do the same. Survivors often incur immediate, tangible costs as a result of abuse, including:

- Damage to personal property
- Costs to repair or replace phones, which are frequently destroyed to isolate survivors
- Expenses related to safety, transportation, or emergency needs

Without this authority, survivors may be forced to wait months or years for relief through divorce proceedings or pursue small claims actions against their abuser, an option that is often unsafe, retraumatizing, and practically inaccessible. Allowing courts to address financial loss at the time of the FPO promotes accountability, supports survivor stability, and reduces unnecessary legal burdens.

The genesis of Senate Bill 433 underscores its importance. At a May 2025 Partners for Justice conference attended by legal service providers, attorneys, and advocates from across Maryland, participants were asked what changes would make the protection order system more responsive to survivors' needs.

This legislation directly reflects the consensus of professionals who work daily with survivors and understand the practical gaps in current law. Senate Bill 433 represents a thoughtful, survivor-centered improvement to Maryland's civil protection order statute. It acknowledges the complexity of survivors' lives, promotes fairness and preparedness in court proceedings, and provides meaningful relief that can support safety and stability.

For these reasons, the Center for Hope and the Dove Program at Northwest Hospital respectfully urge a **favorable report** on Senate Bill 433. Thank you for your consideration and for your continued commitment to protecting survivors of domestic violence.

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Uploaded by: Will Vormelker

Position: UNF

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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 433
Family Law – Temporary and Final Protective Orders – Duration
and Relief
DATE: February 4, 2026
(2/10)
POSITION: Oppose, as drafted

The Judiciary has no position on the policy aims of this legislation, nor does it oppose the extension of the effective date of the temporary protective order from 7 to 14 days. However, as drafted, lines 26 on page 2 through 10 on page 3, cause the below-noted concerns.

The bill provides that a protective order may order the respondent to pay a person eligible for relief, by a date fixed by the court, any losses or expenses incurred as a direct result of the abuse, including medical, dental, mental health treatment, repair or replacement costs for damage property, food, temporary shelter, or relocation costs, transportation costs; and reasonable attorney's fees. The Judiciary understands the coercive and controlling nature of domestic violence, as well as the financial control and abuses attendant thereto. Affording an avenue of redress for such harm is understandable. The Judiciary would take no position on the legislative prerogative to create a new civil cause of action for persons to seek redress for the above-listed damages in a separate suit. As drafted, however, this bill provides for that separate damages hearing within the context of a protective order hearing, which is ill-designed for such purposes.

Protective order proceedings are designed to occur quickly, given the emergent need for safety and protection. A person seeking a protective order appears, ex parte, and petitions the court for a temporary protective order based on allegations of abuse. If granted, the final hearing is scheduled within 7 days or, under this legislation, within 14 days. As such, unlike in civil actions, there is insufficient time to engage in discovery and no discovery is afforded to the parties. Parties do not have the opportunity to obtain estimates, repair bills, or treatment provider bills and records. Neither does the opposing party have the opportunity to review same. Without evidence and a meaningful opportunity to produce and review that evidence, the bill's relief may be illusory.

The current statute balances the emergent nature of the proceeding, with the financial concerns of persons eligible for relief, by providing for emergency family maintenance. An award of emergency family maintenance allows a court to order child and/or spousal support to directly benefit the person eligible for relief and their children. This legislation would dilute those emergent awards, including those benefitting the parties' children, with potential awards for court costs, filing fees, and attorney's fees, among others. Such consideration would be better addressed in a different forum. Moreover, emergency family maintenance, like child support and spousal support, allows for consideration of a party's ability to pay. This bill does not afford such consideration. In light of the penalty for violating a protective order, which includes incarceration, such consideration is warranted.

Finally, addressing this issue in the protective order forum could result in continual, heightened conflict. The penultimate purpose of a protective order is to provide safety to a person eligible for relief by court-ordering separation. This legislation contemplates continuing consideration of "subsequent claim[s] for additional losses," which would require bringing the parties back together during what may be the most dangerous period for a domestic violence victim, when that person breaks with their abuser and seeks intervention.

cc. Hon. Sara Love
Judicial Council
Legislative Committee
Kelley O'Connor