

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410)260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1366
Family Law – Final Protective Orders - Duration
DATE: March 4, 2026
(3/12)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 1366.

The bill constrains judicial discretion by mandating the duration of relief based on a respondent's probationary status rather than a judge's individualized assessment. The bill will hinder a judge's ability to tailor the length of protective order relief to the facts, risk level, or rehabilitative progress of the respondent. The statutory language ("may not terminate before the probation expires") functions as a de facto automatic extension mechanism, even when a judge might otherwise find continued relief unnecessary or excessive. Judges will be required to administer a statutory formula rather than exercise informed judgment.

Moreover, the bill appears to require that the court extend an order even if the probation occurs after the initial order is issued. This retroactive extension would require courts to track the probation status of respondents long after a protective order is issued and establish a mechanism for service of the order. Courts will need new procedures to monitor probation expiration, early termination, or extension. The bill, therefore, makes both probation and protective orders more administratively complex and burdensome.

Furthermore, the bill creates a risk of indefinite and/or disproportional orders. Probation terms can be lengthy, extended, or reinstated due to technical violations unrelated to victim safety. The bill also appears to relate to criminal cases, which may be unrelated to the underlying action for which the protective order was granted. A protective order originally intended to last months could remain in force for years, attendant to other criminal cases. Under the bill, judges are prevented from reassessing whether the continued civil restrictions remain necessary or constitutionally proportional. Judges may be compelled to enforce relief that no longer reflects current risk or circumstances.

cc. Hon. LaToya Nkongolo
Judicial Council
Legislative Committee
Kelley O'Connor