



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.**