

ENTER A TEMPORARY ORDER TO PROTECT THE PETITIONER OR ANOTHER HOUSEHOLD MEMBER FROM ABUSE.

(2) THE TEMPORARY EX PARTE ORDER MAY:

(I) ORDER THE ALLEGED ABUSER TO REFRAIN FROM ABUSING HOUSEHOLD MEMBERS;

(II) ORDER THE ALLEGED ABUSER TO VACATE THE FAMILY HOME IMMEDIATELY AND GRANT TEMPORARY POSSESSION OF THE FAMILY HOME TO THE PETITIONER FOR NOT MORE THAN 5 DAYS AFTER SERVICE OF THE EX PARTE ORDER;

(III) AWARD TEMPORARY CUSTODY OF A MINOR HOUSEHOLD MEMBER;

(IV) DIRECT ANY OR ALL OF THE HOUSEHOLD MEMBERS TO PARTICIPATE IN A PROFESSIONALLY SUPERVISED COUNSELING PROGRAM; AND

(V) ORDER ANY OTHER RELIEF AS NECESSARY.

(B) SERVICE.

A LAW ENFORCEMENT OFFICER IMMEDIATELY SHALL SERVE THE TEMPORARY EX PARTE ORDER ON THE HOUSEHOLD MEMBER NAMED AS AN ABUSER IN THE PETITION UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence and the first clause of the second sentence of former CJ § 4-503(a)(1) and (b), except the first sentence of (b) and the second sentence of (b)(2).

In subsection (a)(1) of this section, the phrase "that a household member has been abused" is substituted for the former phrase "an abuse of a household member", for clarity.

In subsection (b) of this section, the phrase "as an abuser", which modifies "named", is new language added for clarity.

The Commission to Revise the Annotated Code calls the attention of the General Assembly to the revision of this section. As revised, the relief provided for in former CJ § 4-503(b) is expressly made available ex parte under this section as well as following a hearing under § 4-506 of this subtitle. Legislative intent appears to have been to permit the same relief ex parte as is permitted after a full hearing and this revision gives effect to that intent. In practice, former CJ § 4-503 has been construed by the District Court in a manner consistent with this revision.