

CHAPTER 187

(Senate Bill 383)

AN ACT concerning

Protective Orders - Abuse by Household Members

FOR the purpose of clarifying that any household member named, in an ex parte order, as an abuser may be heard on issuance of a protective order; enabling a court to continue an ex parte order, for a certain time, if the alleged abuser is not served with the order and does not appear; and enabling a court to proceed with a protective order hearing and to grant the order whenever the court has personal jurisdiction over the alleged abuser.

BY repealing and reenacting, with amendments,

Article - Family Law
Section 4-506
Annotated Code of Maryland
(1984 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Family Law

4-506.

(a) A household member [served with] NAMED AS AN ABUSER IN a temporary ex parte order under § 4-505 of this subtitle shall have an opportunity to be heard on the question of whether the court should issue a protective order.

(b) (1) The temporary ex parte order shall state the date and time of the protective order hearing.

(2) The protective order hearing shall be held no later than 5 days after the temporary ex parte order is served on the household member named as an abuser in the temporary ex parte order.

(c) If the household member named as an abuser in the temporary ex parte order is NOT served the temporary ex parte order and [fails to] DOES NOT appear for the protective order hearing, the court may continue the temporary ex parte order for not more than 15 days.

(d) If the household member named as an abuser in the temporary ex parte order appears for the protective order hearing OR THE COURT OTHERWISE HAS PERSONAL JURISDICTION OVER THAT HOUSEHOLD MEMBER, THE COURT: