

Domestic Violence Programs in Maryland

ALLEGANY COUNTY

Hotline: 301-759-9244

TTY: 301-759-9244

Family Crisis Resource Center:
301-759-9246

ANNE ARUNDEL COUNTY

Hotline: 410-222-6800

YWCA Domestic Violence Services:
410-626-7800 (Annapolis)
410-974-0084 (Baltimore)

BALTIMORE CITY

Hotline: 410-889-7884

TTY: 410-889-0047

House of Ruth Maryland:
410-889-0840

Hotline: 410-828-6390

TurnAround, Inc.: 410-837-7000

BALTIMORE COUNTY

Hotline: 410-828-6390

Family and Children's Services
of Central MD:
410-281-1334

Family Crisis Center of

Baltimore County, Inc.:

410-285-4357

410-285-7496 (Shelter)

TurnAround, Inc.: 410-377-8111

CALVERT COUNTY

Hotline: 410-535-1121

Metro Hotline: 301-855-1075
Crisis Intervention Center

CARROLL COUNTY

Hotline: 410-857-0077

Family and Children's Services
of Central MD:
410-876-1233

CAROLINE, KENT, DORCHESTER, QUEEN ANNE'S, AND TALBOT COUNTIES

Hotline: 1-800-927-4673

Mid-Shore Council

on Family Violence:

410-479-1149

CECIL COUNTY

Hotline: 410-996-0333

Cecil Co. Domestic Violence/
Rape Crisis Center

CHARLES COUNTY

Hotline: 301-645-3336

Metro Hotline: 301-843-1110

Center for Abused Persons:
301-645-8994

FREDERICK COUNTY

Hotline: 301-662-8800

TTY: 301-662-1565

Heartly House

GARRETT COUNTY

Hotline: 301-334-9000

The Dove Center - Oakland:

301-334-6255

The Dove Center - Grantsville:

301-895-4300

HARFORD COUNTY

Hotline: 410-836-8430

Sexual Assault/Spouse

Abuse Resource Ctr.:

410-836-8431

410-879-3486 (Baltimore)

HOWARD COUNTY

Hotline: 800-752-0191

410-997-2272

Domestic Violence Center:

410-997-0304

MONTGOMERY COUNTY

Hotline: 240-777-4195 (days)

240-777-4673 (evenings &
weekends)

TTY: 240-777-4850

Abused Persons Program:

240-777-4210

PRINCE GEORGE'S COUNTY

Hotline: 1-866-382-7474

Family Crisis Center, Inc.:

301-779-2100

House of Ruth MD:

(Legal & Counseling Services)

240-450-3270

ST. MARY'S COUNTY

Hotline: 301-863-6661

Walden/Sierra, Inc.:

301-997-1300

Southern Maryland Center
for Family Advocacy:

301-373-4141 (Legal Services)

SOMERSET, WICOMICO & WORCESTER COUNTIES

Hotline: 410-749-4357

410-641-4357

Life Crisis Center:

410-749-0771

WASHINGTON COUNTY

Hotline: 301-739-8975

TTY: 301-739-1012

Citizens Assisting and

Sheltering the Abused (CASA):

301-739-4990

SPECIALIZED PROGRAMS

Adelante Familia

(Hispanic/Latina)

(Baltimore City/County):

410-732-2176

CHANA (Jewish)

Hotline: 800-991-0023

Asian/Pacific Islander

Domestic Violence

Resource Project

202-464-4477



1-800-MD HELPS

(1-800-634-3577)

(Statewide Helpline)

www.mnadv.org

What
to do
when
your home
isn't **SAFE**

Obtaining
Protective Orders
and Peace Orders

Maryland Network
Against Domestic Violence

No One Has the Right to Harm You

Are you being abused by a loved one? Millions of people are abused by a spouse, partner or relative each year. Many do not realize they are being abused. They may feel helpless, ashamed, or too scared of their abuser to get help. The first step is recognizing the **signs and signals of abuse**.

Has your spouse, partner, or relative done any of these things:

- ▲ physically injured you in any way?
- ▲ threatened to hurt you, him/herself, your children, or others?
- ▲ controlled where you go or who you can see?
- ▲ touched or threatened to touch you sexually in a way you didn't like or allow?
- ▲ repeatedly humiliated you or put you down?
- ▲ harmed or threatened to harm your pet?
- ▲ destroyed property in a way that made you fear for your safety or the safety of others?
- ▲ held you somewhere against your will?

If you can answer yes to any of these questions, you may be in a domestic violence situation. You are not alone. Domestic violence affects people in every community regardless of income, race, ethnicity, marital status, age, gender, physical ability, or sexual orientation.

It is important to know that abuse often becomes more severe and frequent over time. Batterers do not change on their own.



6911 Laurel Bowie Road, Suite 309

Bowie, Maryland 20715

301-352-4574

Fax: 301-809-0422

E-mail: info@mnadv.org

1-800-MD HELPS

(1-800-634-3577)

(Statewide Helpline)

www.mnadv.org

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Keep these in a safe place where your abuser won't find them in case you need to leave in a hurry.

▲ **Get medical attention** if you think you have been injured. Medical records may also be helpful in documenting your case if it goes to court.

▲ **Get a Protective Order or a Peace Order.** These are court orders you can get without the help of a lawyer, which restrict the abuser's behavior, and may grant certain rights to you, to make you safer. Someone who violates a Protective Order or a Peace Order may be arrested or found in contempt of court.

The rest of this booklet explains how you can get a Protective Order or a Peace Order. But remember that while these orders are useful tools, they cannot guarantee your safety. It is important to work out a safety plan for you and your children. Your local domestic violence program can help (see the list of programs on the back of this brochure).

PROTECTIVE ORDERS

1 Who can get a Protective Order?

You are eligible to file for a Protective Order if you are being hurt or threatened by:

- ▲ a current or former **spouse**,
- ▲ someone with whom you have a **child in common**,
- ▲ a **cohabitant** – someone you have lived with as a sexual partner for at least 90

4 What is the process for getting a Peace Order?

The process for obtaining a Peace Order is similar to that for a Protective Order: you file a petition, and are granted a 7-day Temporary Peace Order, at which time a Final Peace Order hearing is scheduled. When court is closed, you may file for an Interim Peace Order, which is valid until the time of the scheduled Temporary Hearing.

The main differences between Peace Orders and Protective Orders are:

- ▲ the Peace Order petition must be filed in District Court,
- ▲ the act must have occurred within 30 days before filing the petition,
- ▲ there is a fee for filing and serving a Peace Order petition (the fee is usually \$30 to \$50, and part or all of it may sometimes be waived),
- ▲ the order lasts a maximum of 6 months,
- ▲ a Peace Order may be filed against a juvenile by first contacting the local Department of Juvenile Justice, and
- ▲ a Peace Order does not restrict rights to firearms.

5 What happens if a Peace Order is violated?

If your abuser violates orders to attend counseling or pay fees, he or she may be charged with contempt by the court. If the respondent violates any other orders, he or she can be arrested and faces up to 90 days in jail and/or a \$1,000 fine.

PEACE ORDERS

Peace Orders are very similar to Protective Orders. But they have some important differences:

1 Who can get a Peace Order?

Anyone who is NOT eligible for a Protective Order may petition for a Peace Order.

2 What acts must have been committed against me?

To petition for a Peace Order, you must have been a victim of Abuse (*see part 2 of the Protective Order section above*), or Harassment, Stalking, Trespass, or Malicious Destruction of Property (*as defined in the Criminal Code*).

3 What protections can I get with a Peace Order?

The judge can order your abuser to:

- ▲ stop committing or threatening to commit the acts you indicated were committed against you,
- ▲ refrain from contacting, attempting to contact, or harassing you,
- ▲ stay away from your work, school, or residence,
- ▲ attend professional counseling, and/or
- ▲ pay filing fees and costs.

days out of the past year (this includes homosexual and heterosexual relationships),

- ▲ a parent, stepparent, child, or stepchild you have lived with for at least 90 days within the past year, or
- ▲ any person to whom you are related by **blood, marriage, or adoption**.

If your relationship is not included on this list, such as a boyfriend or girlfriend whom you did not live with, you may file for a PEACE ORDER. See the Peace Order section on Page 11.



If the person being abused

is a child or vulnerable adult, then the State's Attorney, the Department of Social Services, a person related by blood, marriage, or adoption, or an adult who resides in the home may file on their behalf.

2 What actions must have been committed against me?

The person who applies for a Protective Order (*called the "petitioner"*) must have been a victim of **abuse**. The law defines abuse as:

- ▲ an act that caused physical harm,
- ▲ an act that placed the person in fear of serious bodily harm,
- ▲ assault in any degree,
- ▲ rape or sexual assault, or attempted rape or sexual assault,
- ▲ stalking, or
- ▲ false imprisonment – keeping someone in a place against his or her will.

3 What is the process for getting a Protective Order?

Getting a Temporary Protective Order

To begin the process of getting a Protective Order, you file a **Petition for Protection**. During normal business hours, you can obtain and file a petition at the Civil Clerk's desk in either the District or Circuit Court, in the county where you live or where your abuser lives. Your local domestic violence program can help you find the nearest court and guide you through this process (*see the list of programs on the back of this brochure*). There is no fee for filing a Petition for Protection.

On the Petition for Protection, you will give information about your abuser and the abuse you received. Once you complete the form, you will see a judge the same day in a **"Temporary Protective Order" hearing**. As long as the judge has reasonable grounds to believe the abuse occurred, he or she will issue a Temporary Order.

The **Temporary Order** takes effect as soon as it is given to your abuser – "served" – by a law enforcement officer. Before you return home or to a place where your abuser might be, you should make sure that the order has been served and your abuser has left the house or apartment. You can find out whether the Protective Order has been served by contacting your local sheriff's office.

5 What happens if a Protective Order is violated?

If your abuser violates any part of an Interim, Temporary or Final Protective Order, call 911 immediately. Police are **required to arrest** your abuser for violating the "no-contact" or "stay-away" provisions, which order the abuser to:

- ▲ stop abusing or threatening to abuse you,
- ▲ stop contacting, attempting to contact, or harassing you,
- ▲ move out of the home where you live, or
- ▲ stay away from your work, school, or residence.

The first conviction for violation of a protective order may bring up to 90 days in jail and/or a \$1,000 fine. Second and subsequent convictions may bring up to 1 year in jail and/or a \$2,500 fine.

If your abuser violates other orders – those about child custody, visitation, financial support, temporary use of a car, counseling, firearms, or staying away from the child care provider – he or she may be cited for contempt of court.

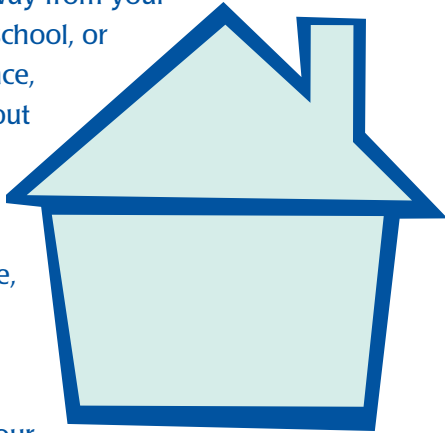


4

What protections can I get?

In an **Interim or Temporary Order**, the judge can grant “stay-away” or “no contact” orders that order the abuser to:

- ▲ stop abusing or threatening to abuse you,
- ▲ stop contacting, attempting to contact, or harassing you,
- ▲ stay away from your work, school, or residence,
- ▲ move out of the home where you live, and/or
- ▲ stay away from your child care provider.



The judge can also:

- ▲ grant you temporary custody of your children, and
- ▲ grant you temporary use and possession of the home, if you live with your abuser.

In the **Final Protective Order**, the judge can add orders concerning:

- ▲ surrender of firearms to law enforcement,
- ▲ professional counseling,
- ▲ financial support, and/or
- ▲ temporary use and possession of a vehicle.

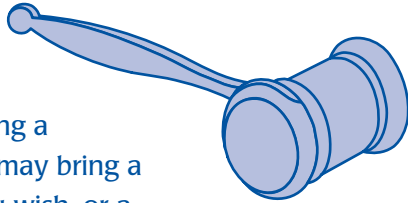


The Temporary Order will list the date for your Final Protective Order Hearing in about 7 days. The Temporary Order is in effect only until the date of the Final Protective Order Hearing.

Remember that a Protective Order will not necessarily stop your abuser from coming near you or harming you. But it gives the police greater ability to respond if he or she does so. You may still need to go to a shelter or other safe place even if you have a Protective Order.

The Final Protective Order Hearing

Within 7 days after the Temporary Order is issued, the **Final Protective Order hearing** is held before a judge. The victim must attend this hearing; the abuser will usually be at this hearing, and may bring a lawyer. You may bring a lawyer if you wish, or a court companion from your local domestic violence program.



The judge will grant a **Final Protective Order** if the abuser consents to the Order, or if the judge finds by “clear and convincing evidence” that abuse has occurred. In other words, you will need more and better evidence than when you got the Temporary Order. Be sure to bring any evidence you have, such as witnesses, photographs, medical and police reports, objects used to injure you, etc. If the abuser does not appear, the judge may grant the Final Protective Order by default.

The Final Protective Order takes effect immediately. A Final Protective Order lasts up to 12 months, with a possibility of a 6-month extension beyond that.

Once you receive a Protective Order, keep a copy with you at all times. Tell your neighbors, people at work, and people at your child’s school or day care that you have an order but may still be in danger. Leave copies of the Protective Order at work and at the school.

When Court is Closed: The Interim Protective Order

A new law allows victims to file for Interim Protective Orders when courts are closed (at night, and on weekends and holidays). An Interim Order is issued by a District Court Commissioner rather than a judge. A follow-up hearing with a judge for a Temporary Order will be scheduled within two days after court reopens. An Interim Order is valid until the time of the scheduled Temporary Hearing. Once an Interim Order is served, it has the same level of protection and carries the same penalties as a Temporary Protective Order.

Be aware that if there has been an Interim Protective Order, at the time of the follow-up Temporary Order Hearing, the judge may skip the Temporary



Hearing and proceed with the Final Protective Order Hearing only if the abuser was served with the Interim Order, the abuser is

present at the hearing, and both the abuser and the victim agree to proceed with the Final Hearing at that time.