



DOMESTIC VIOLENCE: WHAT IS A PROTECTIVE ORDER?

What is domestic violence?

It's one or more abusive acts between family or household members, or victims of sexual assault.

What is a protective order?

It's a court order that says one person must refrain from doing certain acts against another person. It's Maryland's version of a restraining order or stay-away order.

Can I get a protective order?

You must have a certain type of relationship with the other person to be eligible for a protective order. Your relationship qualifies if you:

- are married, divorced, or currently separated;
- are related by marriage, blood or adoption (this includes stepparents and stepchildren if they have lived with you for at least 90 days in the past year);
- have lived together in a sexual relationship for at least 90 days in the past year;
- are the parents of a child together;
- have had a sexual relationship with each other in the past year;
- are a vulnerable adult;
- were raped or sexually assaulted by the other person (including attempts) in the past six months.

What if my relationship doesn't qualify for a protective order?

A peace order is another way the court can protect you. Any relationship that does NOT qualify for a protective order is eligible for a peace order. Those relationships include neighbors, strangers, or someone with whom you have a non-sexual dating relationship. [Learn about peace orders.](#) [See a brochure on protective orders.](#)

What is an abusive act?

Before the court can grant a final protective order, you must prove that the other person committed an act of abuse. [Find help.](#) Acts of abuse include:

- assault;
- an act that places a person in fear of imminent serious bodily harm;

- an act that causes serious bodily harm;
- rape or sexual offense, or attempted rape or sexual offense;
- stalking;
- false imprisonment;
- revenge porn.

Which forms do I need for a protective order?

File a [Petition for Protection from Domestic Violence, or form CC-DC-DV-001](#). Attach a form called the [Addendum-Description of Respondent, or form CC-DC-DV-001A](#). Law enforcement uses this Addendum when serving paperwork on the other person. Find the forms online. Or, ask a court clerk or court commissioner for forms.

Can I keep my address private?

When you file court documents to open a case, law enforcement must give copies of those documents – which include your contact information – to the other person. If you’re concerned about your safety because disclosing your address puts you at risk of further harm, ask the court to keep your contact information private. Use the form called [Request to Withhold Address, or form CC-DC-DV-026](#). There is also a more permanent way to keep your address private on all documents called Safe-At-Home. [Learn more at mdcourts.gov/addressprivacy](https://mdcourts.gov/addressprivacy).

Where do I file my completed forms?

File your papers in a courthouse when they are open. If you have a current custody or divorce case with the other person, consider filing in the same courthouse where that case was heard. Courts are open from 8:30 a.m. to 4:30 p.m. most weekdays. If courts are closed, find a District Court Commissioner’s Office. Keep in mind that office ONLY accepts protective order petitions when courts are closed.

What happens after I file my petition with the court or commissioner?

If you filed your petition with a commissioner when court is closed, you will have an [immediate interim hearing](#) where you will explain the events and behaviors that you believe were abusive. If the commissioner finds that your relationship qualifies and the abuse occurred, they will issue an interim protective order which lasts about two days. Your papers will include a date and time for a [temporary hearing](#) in court. At this hearing, you explain what happened to a judge. If you filed your petition during court hours with a clerk of the court, this will be your first immediate hearing. If a judge determines your relationship qualifies and abuse occurred, they will issue a temporary order which lasts for seven days, unless the court extends it.

(see next page)





Keep in contact with the court as it schedules your final hearing. Both individuals may be at this formal hearing and offer testimony and evidence.

What are the safeguards in a protective order?

Orders granted at the beginning of your case (interim or temporary orders) provide short-term safeguards for a few days or weeks. The court can order the other person to

- stop abusing, threatening, or harassing you;
- have no contact with you;
- stay away from your home, work, or school;
- leave your home (if you are married OR if your name is on the lease or deed).

Your order might also address temporary child custody, possession of a pet, safeguards at child-care providers, and possession of firearms.

Orders granted at the end of your case (final protective orders) provide safeguards for up to a year. The court can order those safeguards listed above, plus the following additional provisions:

- use and possession of a jointly owned vehicle (your name must be on the title);
- counseling for domestic violence or substance abuse;
- a temporary child access or visitation schedule;
- emergency family maintenance or financial support. You qualify if you and the other person are married or if you have custody of children.

I was served with a protective order. What do I do?

You are identified on those papers as the Respondent. You are not being arrested or charged with a crime. Carefully read the order which explains how much contact, if any, you may have with the Petitioner. The order will include a hearing date. This is not a criminal case, so you are not entitled to a public defender. The judge will ask whether you want to agree (or consent) to the order. You may also challenge (or contest) the order. Protective orders have serious consequences. Consider speaking with a lawyer.

Can I ask the court to limit public access to a protective order case?

The court may limit access to case records under certain circumstance. [Read more about how to ask the court to keep information private.](#)

Where can I get help with domestic violence or filing a protective order?

- [House of Ruth Domestic Violence Hotline \(410\) 889-7884](#)
- [National Domestic Violence Hotline \(800\) 799-SAFE](#)
- [Maryland Network Against Domestic Violence](#)
- [Get help. A list of domestic violence service providers in Maryland](#)

What is Victim Information and Notification Everyday (VINE) – Protective Order (VPO)?

It's an automated notification system. Register your protective order case with VPO to receive notifications about whether the order has been served, expired, or dismissed. [Read more about Maryland VPO.](#) [Register a protective order case with VPO.](#) [Read more about VINE.](#)

How do I enforce, modify, or extend my protective order?

It's a crime to violate certain conditions of a protective order, such as contacting, harassing, or abusing someone. File criminal charges at a commissioner's office or call police, who may arrest someone who violates an order. If found guilty, they face up to 90 days in jail and up to \$1,000 in fines.

Another option when someone disobeys a court order is called contempt. File for contempt if a Respondent violates ANY provision of the protective order. Submit a [Petition for Contempt \(Violation of Protective Order\) or form CC-DC-DV-007](#) and ask for a hearing. There is no specific penalty if the court finds someone in contempt, but a judge may order whatever is necessary to enforce a protective order. This may include jail time.

As long as a protective order hasn't expired, you can ask the court to modify or change it. That includes asking to rescind or extend it. [Complete a Petition to Modify/Rescind/Extend \(form CC-DC-DV-006\).](#) The clerk will notify the Respondent and schedule a hearing within 30 days. There are specific rules about notification and extending a protective order. Consider talking with a lawyer.

