

How to Get a Peace Order?

Hello. I'm here to teach you how to ask a Maryland court for a peace order.

I'll tell you about the forms you'll need and where to submit them once you've completed them. I'll also explain three different hearings you might have. Finally, I'll go over the safeguards the court can order if a peace order is granted.

Before we start, make sure you know that you need a peace order, and NOT a protective order. If you haven't yet determined which type of order you need, then watch part 1 of this series, *Can I Get a Peace Order?*

Now let's take a look at those forms.

Start by completing a Petition for Peace Order, or form DC-PO-001. This is where you describe the behaviors that made you come to court for a peace order. Be sure you file your petition within 30 days of the acts you describe on the form.

There are two other forms you must complete -- a Peace Order Addendum or form CC-DC-PO-001A. And a Peace Order Supplement, or form DC-PO-1S. All these forms are online at mdcourts.gov/peaceorders. You can also ask a court clerk or commissioner for blank forms.

If courts are open, file your papers with the clerk in a District Court. Do not go to a circuit court. It's really easy to mix that up. Circuit courts do not have authority to issue peace orders.

If courts are closed, find a District Court Commissioner's office and submit your papers there. The Commissioner's office is open 24 hours a day. That doesn't mean you can file peace order forms there any time. If courts are open -- hours of operation are generally 8:30 to 4:30 Monday through Friday -- you MUST submit your papers at the courthouse.

One last thing about the forms. You will also have the right to keep your address private. Law enforcement must serve copies of your papers -- which include your contact information -- on the other person. If you think disclosing your address puts you at risk of further harm, ask the court to keep it private. You can learn more about this process at mdcourts.gov/addressprivacy.

So, what's next? Let's talk about peace order hearings.

There are three types of hearings and orders -- interim, temporary, and final.

If you filed your petition with a commissioner when courts are closed, you will have an interim hearing immediately. This is where you 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 peace order. An interim order lasts about two days after the courts reopen. The District Court commissioner will give you that date.

Your interim order will have a court date for your temporary hearing. At this hearing, you appear before a judge to explain what happened. If you filed your petition during court hours, you will have a temporary hearing right away. This will be your first hearing. If a judge determines your relationship qualifies and abuse occurred, they will issue a temporary peace order. This type of order lasts for seven days, unless the court extends it.

Once you have a temporary order, it's important that you keep in touch with the court as it schedules your final hearing. Dates and times may change. While you are waiting for your court date, law enforcement will attempt to serve copies of your petition on the other person. The court will not hold a final hearing until that person is served.

You and the Respondent – that's what the other person is called -- may be at this final hearing. Both sides can offer testimony and evidence under oath. At the end, the judge will decide whether to grant a final peace order. This final order is in place for up to six months. The court can extend the order for another six months.

Now it's time we look at the safeguards in a peace order.

Orders granted at the beginning of your case – an interim or temporary order -- can direct the other person to stop certain abusive acts. That includes physical or emotional abuse, threats, harassment, and other behaviors. The orders can also say that the other person can't contact you, and that they must stay away from your home, work, or school.

Orders granted at the end of your case -- final peace orders – can have the same protections as the interim or temporary order. The final order may also have a few more, such as requiring a party to go to counseling or mediation. At the final hearing, a judge may also order the Respondent to pay fees and court costs.

And that is the peace order process in Maryland.

A reminder: You need to complete three forms and submit them at a district court or a commissioner's office. There are three types of hearings and orders – interim, temporary, and final. Finally, safeguards available in a peace order include no contact.

I hope this helps. After you're finished here, please visit mdcourts.gov/peaceorders. That's where you'll find forms, answers to your questions, and information about your local family court help center.