



Domestic Violence 5: Protective Order Hearings

Protective Orders are court orders that require one person to refrain from doing certain acts against another person. It's Maryland's version of a restraining order or stay-away order. The protective order process can be a dangerous time for a victim of domestic violence. **Stay alert and find help at mdcourts.gov/dv or call a Maryland Court Help Center at 410-260-1392.**



Interim Hearing

- When Courts are closed you may apply for a protective order at a [District Court Commissioner's Office](#). These offices are open 24/7.
- Once you submit your [Petition for Protection from Domestic Violence \(CC-DC-DV-001\)](#), the commissioner will ask you to explain the events and behaviors that you believe were abusive.
- If the commissioner finds that the abuse occurred, they will issue an interim protective order which lasts no longer than two business days. Your interim order will include a date and time for a temporary hearing.

Temporary Hearing

- Maryland courthouses are open 8:30 a.m. to 4:30 p.m. most weekdays. If a commissioner issued an interim protective order, you will go to court for a temporary hearing during these times.
- If you decide to wait until court is open to start your case, submit your Petition to the clerk. They will direct you to a courtroom for an immediate temporary hearing as soon as a judge is available.
- This is your chance to explain to the judge why you need a protective order. You will need to describe the abuse. Be specific. Describe what part of the other person's body touched what part of your body.
- If the judge determines that abuse occurred, they will issue a temporary protective order. That order lasts for seven days, unless the court extends it.
- During that week or so, law enforcement will attempt to serve the other person copies of your temporary order. Law enforcement must complete this critical step before the court can hold a final protective order hearing.

Final Hearing

- A final protective order hearing is the last step in obtaining an order, which may last for up to one year.



Maryland Court Help

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TIP 56

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- Both individuals may be at this formal hearing. If the Respondent, or alleged abuser, was served and doesn't show up, the judge will ask you to testify about what happened before deciding whether to grant a final protective order.
- If both individuals are present, the judge will ask the Respondent if they want to consent, or agree, to the entry of a protective order. The other option is for the Respondent to contest the protective order.
- If the Respondent does not consent, the judge will hold a contested trial. Both individuals will testify and submit evidence. Evidence may include photos, documents, or written communications. If possible, print out evidence before court. Both individuals may also present and cross-examine witnesses.
- At the end of the trial, the judge will decide whether to grant a final protective order. They will also review the terms of the final order, including stay-away provisions and child custody or financial terms.



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