

TIP 55

Domestic Violence 4: Did You Get Served with a Protective Order?

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. Read the order closely and do what it says. **Learn more about the process at mdcourts.gov/dv or call a Maryland Court Help Center at 410-260-1392.**

Temporary Order

- Law enforcement will serve you a copy of the order.
- On the order you are identified as the Respondent. The person who asked for the order is the Petitioner. The order will contain a description of what the Petitioner says happened between you.
- The order directs how much contact, if any, you may have with the Petitioner. Read it carefully and follow the instructions. If you do not follow the terms of the Order, you may be arrested and charged with a crime.

Know Your Rights

- Make note of your hearing date and consider getting help from a lawyer ahead of time.
- Protective orders can have serious consequences. This is not a criminal case, so you are not entitled to a public defender. You may have a lawyer can explain your rights or represent you in court.
- Speak to a lawyer for free at the Maryland Court Help Center at 410-260-1392. Those lawyers can't represent you, but they can give you legal advice and direct you to lawyer referral services.

What Happens at the Hearing?

- When it's your turn, be sure to let the judge know if you have criminal charges pending as a result of the allegations against you. If you do have pending charges, consider talking to a lawyer before your court date.
- At the beginning of your hearing, the judge will ask whether you want to agree to the order. The judge will probably use the word "consent." You may also choose to challenge the order. Look for the judge to use the word "contest."
- If you consent, or agree, to the entry of the protective order, you do not admit fault. There will be no trial. No one will testify. The final protective order will be entered against you for up to one year.

Watch the Video



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- You must follow all terms of the protective order, including limited to no contact with the Petitioner and surrendering firearms. When the protective order ends, you may ask the court to have the records kept private. Find a brochure about limiting access to protective order records at mdcourts.gov/dv.

Contest/Challenge

- If you contest or challenge the order, it means you will have a trial with a chance to tell your side of the story. The Petitioner will present their case first. They will testify about the events that led to them filing for protection. They may call witnesses and present evidence.
- When the Petitioner is done, you, the Respondent, will have a chance to testify, call witnesses, and present evidence, too. You both are expected to follow court rules and know the law.
- At the end of the hearing, the judge will decide whether to grant or deny the protective order. If the judge grants the order, it may last for up to one year. In some unusual cases, an order may be in place for two years or permanently.
- If the judge grants an order, you will be limited in your efforts to keep court records private after the order expires.



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