

District Court of Maryland

District Eleven – Frederick and Washington Counties

Case Management Plan – Special Proceedings Cases

Table of Contents

Comparison of Peace and Protective Orders.....	3
Track 1 – Protective Orders	7
Interim Protective Order Hearing.....	9
Temporary Protective Order Hearing.....	9
Final Protective Order Hearing.....	9
Court Opens Late on the Day the Hearing is to be Held.....	9
Court Closed on the Day the Hearing is to be Held	9
Postponements	10
Track 2 – Peace Orders.....	14
Interim Peace Order Hearing.....	16
Temporary Peace Order Hearing	16
Final Peace Order Hearing.....	16
Court Opens Late on the Day the Hearing is to be Held.....	16
Court Closed on the Day the Hearing is to be Held	17
Postponements	17
Track 3 – Emergency Evaluations	19
Postponements	20
Track 4 – Constructive Contempt	21
Postponements	21
Track 5 – Return of Seized Animals	22
Postponements	22
Track 5 – Forfeiture of Contraband Money	22
Postponements	25
Personal Identifiers	25
Do You Need a Court Interpreter or Other Special Accommodation?	25
Washington County District Court and the Community.....	26
Frederick County District Court and the Community.....	26
Forms.....	27

Special Proceeding Cases

Cases classified as Special Proceeding are comprised of the following types of cases separated into the following tracks.

- Track 1 – Protective Orders
- Track 2 – Peace Orders
- Track 3 – Emergency Evaluations
- Track 4 – Constructive Contempt
- Track 5 – Return of Seized Animals
- Track 6 – Forfeiture of Contraband Money

Peace and Protective Orders are civil orders issued by a judge that order one person to refrain from committing certain acts against others. The relationship between the respondent (person alleged to have committed the prohibited act) and the petitioner (person seeking protection) determines the Petition to be filed. Protective Orders generally apply to people in domestic relationships. Peace Orders apply to other persons. The petitioner cannot qualify for both.

Comparison of Peace and Protective Orders

	Peace Order Courts & Judicial Proceedings Article §§ 3-1501 to 3-1510	Protective Order Family Law Article §§ 4-501 to 4-512
What is it?	Provides protection to people experiencing certain kinds of abuse who are not eligible for Protective Orders.	Allows certain victims of domestic violence to receive protection and some kinds of relief.
How do the orders compare?	Procedurally, they are the same. However, Peace Orders include additional types of abuse.	Procedurally, they are the same. However, Protective Orders offer additional types of relief.
Which courts have jurisdiction?	Only the District Court	District and Circuit Courts
Who is eligible?	Anyone who is not eligible for a protective order, but who is a victim of abuse.	If you are filing the Petition for <u>yourself</u> : <ul style="list-style-type: none"> • You are the current or former spouse of the respondent. • You have had a sexual relationship with the respondent and have resided together for a period of at least 90 days within the last year. • You are related to the respondent by blood, marriage or adoption. • You are the parent, stepparent, child, or stepchild of the respondent and you have resided with the respondent for 90 days during the past year. • You have a child in common with the respondent.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

	Peace Order Courts & Judicial Proceedings Article §§ 3-1501 to 3-1510	Protective Order Family Law Article §§ 4-501 to 4-512
		<ul style="list-style-type: none"> • You have had a sexual relationship with the respondent within one year before filing the petition. <p>If you are filing the Petition for a <u>minor child</u> or <u>vulnerable adult</u>:</p> <ul style="list-style-type: none"> • Minor child/vulnerable adult is the current or former spouse of the respondent. • Minor child/vulnerable adult has had a sexual relationship with the respondent and has resided with the respondent in the home for a period of at least 90 days within the last year. • Minor child/vulnerable adult is related to the respondent by blood, marriage or adoption. • Minor child/vulnerable adult is the stepparent, child or stepchild of the respondent and has resided with the respondent for 90 days during the past year. • Minor child/vulnerable adult has a child in common with the respondent. • Minor child/vulnerable adult has had a sexual relationship with the respondent within one year before filing the petition.
<p>How is abuse defined?</p>	<ul style="list-style-type: none"> • An act that causes serious bodily harm; • An act that places the petitioner in fear of imminent serious bodily harm; • Assault in any degree; • Rape or sexual offense or attempted rape or sexual offense in any degree; • False imprisonment; • Harassment; • Stalking; • Trespass; • Malicious destruction of property; • Misuse of telephone facilities and equipment; • Misuse of electronic communication or interactive computer service; • Revenge porn; or • Visual surveillance. 	<ul style="list-style-type: none"> • An act that causes serious bodily harm; • An act that places a person eligible for relief in fear of imminent serious bodily harm; • Assault in any degree; • Rape or sexual offense or attempted rape or sexual offense in any degree; • False imprisonment; or • Stalking.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

	Peace Order Courts & Judicial Proceedings Article §§ 3-1501 to 3-1510	Protective Order Family Law Article §§ 4-501 to 4-512
Do I need an attorney?	An attorney may be helpful in advising you about your case and representing you in court. However, you are not required to have an attorney.	
How soon after the act must the petitioner file for an order of protection?	The act must have occurred within 30 days of the filing of the Petition.	Any time after the act
Are there any other requirements?	The petitioner must show that the act occurred and that it is likely to occur again.	No
Is there a filing fee?	There is a filing fee and a service fee UNLESS the petitioner qualifies under the VAWA. See definition in Track 1. The court can waive the filing fee for indigent petitioners, but not the service fee. Filing and service fees may be assessed against a respondent, as part of a Final Peace Order.	No
What is the penalty for filing a false petition?	Any individual who knowingly provides false information in a Petition is guilty of a misdemeanor and could be subject to penalties of perjury.	
What is the standard of proof for getting this order?	Interim and Temporary Orders: Reasonable grounds to believe that the respondent has committed, and is likely to commit in the future, an act of abuse. Final Orders: If the judge finds by a preponderance of the evidence that the respondent has committed, and is likely to commit in the future, an act of abuse. Or, if the respondent consents to the entry of an order, the court may issue a final order to protect the petitioner.	
How long is the order in effect?	Interim Orders: the order is in effect until the end of the second business day the court is open. Temporary Orders: the order shall be effective for not more than 7 days after service of the order. The judge may extend the temporary order as needed, but not to exceed 30 days, to effectuate service of the order where necessary to provide protection or for other good cause.	Interim Orders: the order is in effect until the end of the second business day the court is open. Temporary Orders: the order shall be effective for not more than 7 days after service of the order. The judge may extend the temporary order as needed, but not to exceed 6 months, to effectuate service of the order where necessary to provide protection or for other good cause.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

	Peace Order Courts & Judicial Proceedings Article §§ 3-1501 to 3-1510	Protective Order Family Law Article §§ 4-501 to 4-512
	Final Orders: The final order shall be effective for the period stated in the order, not to exceed 6 months.	Final Orders: The final order shall be effective for the period stated in the order, not to exceed 1 year or, under certain circumstances, 2 years or even a Permanent Protective Order.
What types of relief are available under the order?	<p>Peace Orders are intended to provide protection for the petitioner named in the order. The respondent may be ordered to:</p> <ul style="list-style-type: none"> • Stop threatening or committing abuse; • Stay away from the petitioner’s home, place of employment or school; • Have no contact with the petitioner; • Final Order only; order the parties attend mediation; and • Final Order only; order the respondent to pay filing and service fees. 	<p>Protective Orders are intended to provide protection for the petitioner and others named in the order. The respondent may be ordered to:</p> <ul style="list-style-type: none"> • Stop threatening or committing abuse; • Stay away from the petitioner’s home, place of employment or school; and • Have no contact with the petitioner or others. <p>The court may also:</p> <ul style="list-style-type: none"> • Award temporary use and possession of the home to the petitioner; • Award temporary custody of children to the petitioner; • Award temporary financial support; • Require the respondent to surrender all firearms and refrain from possession of firearms during the duration of the order; • Award temporary possession of any pet; and • Final Order only; order any other relief that the judge determines is necessary to protect the petitioner or others.
What can the petitioner do if the order is violated by the respondent?	Violation of a Peace Order may be a crime or contempt of court or both, and could result in criminal prosecution and imprisonment or fine or both.	A violation of a Final Protective Order is a crime and law enforcement shall arrest the Respondent, with or without a warrant, and take the Respondent into custody if the officer has probable cause to believe that the Respondent has violated any provision of the Interim, Temporary, or Final Protective Order. Violation of this Order may result in criminal prosecution, imprisonment or fine or both, or a finding of contempt.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

	Peace Order Courts & Judicial Proceedings Article §§ 3-1501 to 3-1510	Protective Order Family Law Article §§ 4-501 to 4-512
Can the order be modified or rescinded?	A petition to modify or rescind can be filed where the order was issued.	
Can the issuance or denial of the order be appealed?	A Peace or Protective Order may be appealed to circuit court within 30 days from the date the order was issued or denied.	

Definition of Terms

(Family Law Article § 4-501 and Courts and Judicial Proceedings Article § 3-1501)

For a description of the Peace and Protective Order terms discussed in this plan, you can refer to the [Definition of Terms \(CC-DC-DV-001B\)](#).

Court Opens Late on the Day the Hearing is to be Held

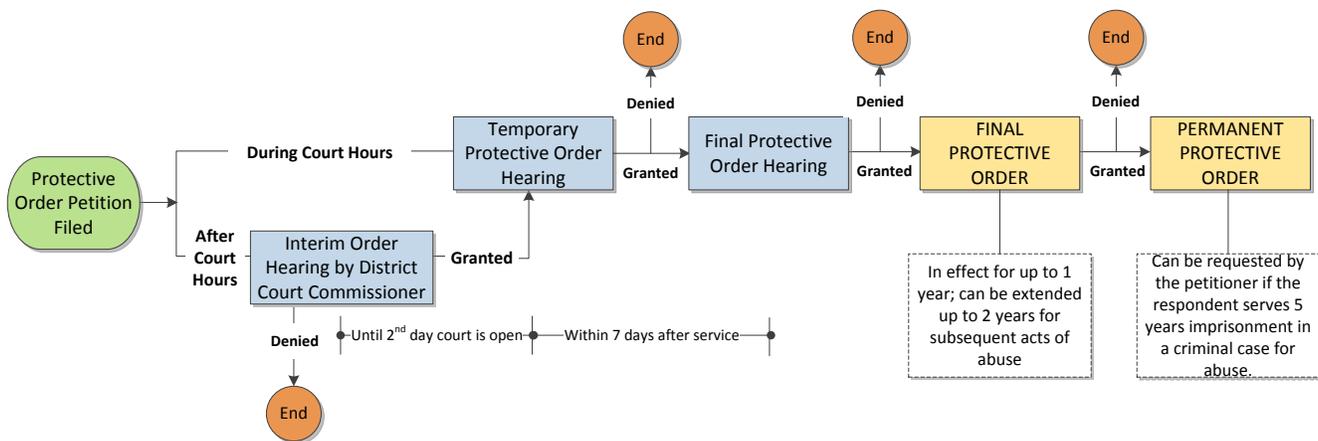
If the court opens late, after the scheduled hearing time, your hearing will be held at 1:00 p.m.

Court Closed on the Day the Hearing is to be Held

If the court is closed on the day on which the interim order is due to expire, the interim order shall be effective until the next day on which the court is open, at which time the court shall hold a temporary order hearing (Courts and Judicial Proceedings Article § 3-1503.1(g) and Family Law Article § 4-504.1(h)).

If the court is closed on the day on which the temporary order is due to expire, the temporary order shall be effective until the second day on which the court is open, by which time the court shall hold a final order hearing (Courts and Judicial Proceedings Article § 3-1504(c) and Family Law Article § 4-505(c)).

Track 1 – Protective Orders



File a Case

The following four (a-d) documents are required to file a case:

- (a) **File a petition**, using the [Petition for Protection](#) (CC-DC-DV-001). You must list the reasons why you are seeking protection from abuse. It is important to list every example of physical abuse and threats; the history of abuse; all pending or previous court actions between the parties; and the relief you are seeking. Only write on the front side of the Petition. If necessary, you may also write on an additional sheet of paper or use the [Continuation Sheet](#) (DC-DV-PO-1C) and attach it to the Petition. If the abuser is responsible for providing financial support to you or to a person eligible for relief, you must request Emergency Family Maintenance on the Petition and at the Temporary hearing. Emergency Family Maintenance is usually not granted at the Temporary hearing. You will need to submit a financial statement to the judge at the Final hearing. You can use the [Financial Statement](#) (CC-DC-DV-4) form.
- (b) **File the addendum**, using the [Protective Order Addendum](#) (CC-DC-DV-001A). You must provide a physical description of the respondent, yourself and any other persons you wish to be protected. List as much information as possible on the respondent to make it helpful for the law enforcement officer when they attempt to serve the respondent.
- (c) **File the definitions**, using the [Definition of Terms](#) (CC-DC-DV-001B). This document provides a description of the terms used in the Petition and Order. This document becomes a part of the Petition so that each party can understand the terms used.
- (d) **File the emergency contact/confidential address form**, using the [Emergency Contact/Confidential form](#). You must list an emergency contact person. You can also use this document to list any addresses that you wish to remain confidential. A copy of this document is given to the law enforcement officer.
- (e) **There is no filing or service fee.**
- (f) **Notify the respondent.** Immediately upon receipt of the Petition and Interim or Temporary Order, the law enforcement officer is to serve the document on the respondent named in the order (Family Law Article § 4-504.1(g)).
- (g) **Proof of Service.** Immediately after service, the law enforcement office is to make a return of service to the commissioner's office or, if the Office of the District Court Clerk is open for business, to the clerk.

Respondent is a Minor

Although the law provides that a victim can file for a Protective Order against a minor respondent (Courts & Judicial Proceedings Article § 3-8A-10), our policy is to direct the petitioner to file the complaint with the Department of Juvenile Services, 44 N. Potomac Street, Suite 300, Hagerstown (in Washington County) or 801 N. East Street, Suite 3, Frederick, MD 21701 (in Frederick County).

Violence Against Women Act (VAWA)

VAWA, passed in 1994, created the first U.S. federal legislation acknowledging domestic violence and sexual assault as crimes, and provided federal resources to encourage community-coordinated

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

responses to combating violence. This landmark federal legislation’s comprehensive approach to violence against women combine tough provisions to hold offenders accountable with programs to provide services for the victims of such violence.

VAWA prohibits courts from charging the petitioner court costs or service fees (42 U.S.C. §§ 3796gg-5(a)(1) and 3796hh(c)(4)).

Interim Protective Order Hearing

When courts are closed, a victim of domestic violence may file the Petition with the District Court Commissioner’s office. Commissioner’s offices are open and available 24 hours a day, 7 days a week around the state. The commissioner will issue Interim Protective Orders to last until a judge holds a temporary hearing on the second business day the court is open.

An interim order goes into effect when the respondent is served by a law enforcement officer.

Temporary Protective Order Hearing

When you appear before a judge, you will be required to answer questions under oath. If the judge finds reasonable grounds to believe that the respondent committed the acts alleged in the petition, a temporary order is granted.

The order goes into effect when a law enforcement officer serves the respondent and generally lasts for seven days unless extended by a judge.

If the respondent was served with an Interim Protective Order, your Temporary Protective Order goes into effect when the judge signs the Temporary Order even if the respondent is not present for the hearing.

Final Protective Order Hearing

At the hearing, both parties may present evidence. However, if the respondent does not attend, the judge may still grant a final order if at the trial the judge finds a preponderance of the evidence that the respondent committed the alleged act against the petitioner, as defined under the law. Instead of a trial, the respondent may consent to the entry of a final order.

The order goes into effect when the judge signs the Final Order even if the respondent is not present for the hearing.

Court Opens Late on the Day the Hearing is to be Held

If the court opens late, after the scheduled hearing time, your hearing will be held at 1:00 p.m.

Court Closed on the Day the Hearing is to be Held

If the court is closed on the day on which the interim order is due to expire, the interim order shall be effective until the next day on which the court is open, at which time the court shall hold a temporary order hearing (Family Law Article § 4-504.1(h)).

If the court is closed on the day on which the temporary order is due to expire, the temporary order shall be effective until the second day on which the court is open, by which time the court shall hold a final order hearing (Family Law Article § 4-505(c)).

Waiver of Petitioner's Appearance

To be eligible for waiver of the petitioner's presence at any future Final Protective Order hearings before the respondent is served, the petitioner must appear at the first scheduled hearing to consider a Final Protective Order. At that hearing or any other time prior to service on the respondent, the petitioner may request a [Waiver of Appearance](#) (CC-DC-DV-019) at any Final Protective Order hearing scheduled for a date prior to the respondent being served. The request shall be on a form prepared by the Administrative Office of the Courts and available in the clerks' offices and on the judiciary website. The court shall grant a properly filed request for waiver. The petitioner is required to register with the VINE Protective Order Service Program (Md. Rules § 9-306).

Review of Record

Before granting, denying, or modifying a Final Order, the court shall review all open and shielded court records involving the petitioner and the respondent, including records of proceedings under the Criminal Law Article, Title 3; Courts and Judicial Proceedings Article, Title 3, Subtitle 15; and the Family Law Article § 4-506(e).

Domestic Violence Central Repository

The Domestic Violence Central Repository (DVCR) is a statewide civil peace and protective order database. It contains all civil peace and protective orders including juvenile peace orders issued by Circuit and District Court Judges and Commissioners in any Maryland jurisdiction. This includes all interim, temporary and final orders. The DVCR is a secure near real-time web accessible database. The Maryland Protective/Peace Order Application (MPPA) is the interface used to access the DVCR orders section. The DVCR also produces reports from information contained in peace and protective orders. The DVCR facilitated Maryland's first experience with electronic orders. It allows Court personnel to perform quick, comprehensive searches, which improve communication and eliminate conflicting or simultaneous orders between District and circuit courts that share concurrent jurisdiction over domestic violence cases. Access to the MPPA allows Maryland courts and law enforcement agencies access to order data and imaged copies of the actual order itself. The adobe or PDF of the order may be viewed and printed for official use. The use of this Judiciary system is for Court and Law Enforcement purposes only (Family Law Article § 4-512.1).

Postponements

A Temporary Hearing cannot be postponed because the hearing must be held before a judge on the second business day after the Interim Hearing.

A postponement for any additional hearings will only be granted for good cause shown or by consent of the parties and scheduled on the next earliest available date. A postponement can be requested using the [Motion for Postponement](#) (CC-DC-070).

Duration of Orders

Interim Protective Order: The order lasts no longer than the end of the second business day after it is issued.

Temporary Protective Order: The order may last until the Final Protective Order hearing, but not beyond six (6) months.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

Final Protective Order: The order may last for as long as one (1) year. The Court for good cause may extend the term of the Final Protective Order for an additional six (6) months after a further hearing.

Child Abuse or Vulnerable Adult Abuse

When the judge finds reasonable grounds to believe that the respondent has abused a child or vulnerable adult in a Protective Order case, the judge must forward a copy of the Petition and Temporary Protective Order to the local Department of Social Services (DSS) (Family Law Article § 4-505(e)).

When DSS receives the Petition and Temporary Protective Order they must investigate the alleged abuse as provided in Family Law Article §§ 5-706 and 14-303. DSS is then required to send a copy of the report of the investigation to the court by the date of the Final Protective Order hearing. The report will remain confidential and may only be viewed by the parties at the final hearing.

Surrender Firearms

The Temporary Protective Order shall order the respondent to surrender to law enforcement authorities any firearm in the respondent's possession, and to refrain from possession of any firearm, for the duration of the temporary protective order (Family Law Article § 4-505(a)).

The Final Protective Order shall order the respondent to surrender to law enforcement authorities any firearm in the respondent's possession, and to refrain from possession of any firearm, for the duration of the protective order (Family Law Article § 4-506(f)).

Venue and Transfer

After entering a Temporary Protective Order, the District Court, on a motion or its own initiative, may transfer the action to the Circuit Court for the Final Protective Order hearing if, after inquiry, the District Court finds there is an action in the Circuit Court involving one or more of the parties in which there is an existing order or request for relief similar to that being sought in the District Court and it is in the interests of justice that the case be heard in the Circuit Court (Md. Rule § 3-326(c)).

Subsequent Acts of Abuse

All relief granted in a Final Protective Order shall be effective for the period stated in the order, not to exceed 2 years if: (i) the court issues a Final Protective Order under this section against a respondent on behalf of a person eligible for relief for an act of abuse committed within 1 year after the date that a prior Final Protective Order issued against the same respondent on behalf of the same person eligible for relief expires; and (ii) the prior Final Protective order was issued for a period of at least 6 months (Family Law Article § 4-506(j)).

Permanent Final Protective Order

A Permanent Final Protective Order may be issued by a judge, if requested by the person eligible for relief in the original protective order against an individual who was a respondent in a previously issued Final Protective Order and that, for the same act of abuse that led to the issuance of the original final protection order, that respondent was convicted and sentenced to serve a term of imprisonment of at least five (5) years for specified violations of the Criminal Law Article or for conspiracy or solicitation to commit murder and the Respondent has served at least 12 months of the sentence (Family Law Article § 4-506(k)).

Mediation

The courts may not enter an order of referral to Alternative Dispute Resolution (ADR) in a protective order action (Md. Rules § 17-302(b)).

Counseling and Therapeutic Services

If the Protective Order includes a stay away provision, the order will NOT require the parties to participate in joint counseling, couple's counseling, marriage counseling or family counseling together as that could increase the likelihood of a chance meeting. Requiring an abuser and victim to meet or interact can place the victim or others at risk of harm.

Contempt

The court may hold a petitioner or respondent in civil or criminal contempt for failing to follow a Protective Order. This remedy may be necessary to enforce those provisions which, if violated, trigger no criminal penalty.

Constructive Civil Contempt: The purpose of civil contempt is to preserve and enforce the rights of private parties to a suit. It is remedial in nature and is intended to compel obedience to orders primarily made to benefit private parties. There must exist an ability to meet a purge requirement before civil contempt can be imposed (Md. Rules §§ 15-206 and 15-207).

Use the following form to file constructive civil contempt [Petition for Contempt](#) (CC-DC-DV-007).

Constructive Criminal Contempt: The purpose of criminal contempt is to address conduct that is directed against the dignity and authority of the court, or a judge; it is an act which obstructs the administration of justice and which tends to bring the court into disrepute or disrespect. It is used to punish the respondent for past misconduct, which may not necessarily be capable of remedy and requires proof beyond a reasonable doubt. Due process requirements apply (Md. Rules §§ 15-205 and 15-207).

To file constructive criminal contempt you must see a commissioner to file criminal charges.

Appeals

If a District Court judge grants or denies protective order relief, a petitioner or a respondent may appeal the matter within 30 days to the circuit court in the jurisdiction where the District Court is located (Family Law Article § 4-507(b)(1)).

There are no fees to file an appeal.

Appeals to the circuit court are heard *de novo*.

A District Court order remains in effect on appeal until superseded by a circuit court judgment and unless the circuit court orders otherwise, modification or enforcement of the District Court order shall be by the District Court (Family Law Article § 4-507(b)(3)).

A party cannot appeal a Protective Order issued by a District Court to the circuit court if the party consented the entry of the order in the District Court. (Case law *Suter v. Stuckey*)

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

Use the [Civil Appeal](#) (DC-CV-037) form.

Modification, Rescind or Extend Protective Orders

The court may modify, rescind or extend a Protective Order so long as the following occur:

1. Notice to all affected persons eligible for relief (petitioner) and the respondent; AND
2. A hearing.

Notice must be provided first before a hearing can be set on the request for a modification, rescission or extension. The court may not grant a modification or rescission as emergency or *ex parte* relief (Family Law Article § 4-507(a)).

Use the [Petition to Modify/Rescind/Extend](#) (CC-DC-DV-006) form.

Shielding of Denied, Dismissed or Consented to Protective Orders

If a petition was denied or dismissed at any proceeding for a Protective Order the petitioner or respondent may file a written request to shield all court records related to the proceeding (Family Law Article § 4-512(b)). A request to shield may also be filed after the expiration date of the final protective order if the order was consented to by the respondent.

The [Request to Shield Denied/Dismissed](#) (CC-DC-DV-021A) or [Request to Shield Consented](#) (CC-DC-DV-021B) cannot be filed within 3 years of the denial, dismissal or consent unless a [Waiver](#) (CC-DC-077) of tort claims is filed with the petition.

Upon filing the Petition, a hearing shall be scheduled and notice of the hearing must be given by the court to the other party or the other party's counsel of record.

At the hearing, subject to certain exceptions, the court shall shield the records if it finds:

1. Petition was denied, dismissed or consented to at the final hearing.
2. No previous protective or peace order has been issued against the respondent in a proceeding between the petitioner and respondent.
3. The respondent has not been found guilty of a crime arising from abuse against the petitioner.
4. No pending interim or temporary protective or peace order exists against the respondent in a proceeding between the petitioner and respondent.
5. That no pending criminal charges exist against the respondent from alleged abuse against the petitioner.

The court on its own motion or on the objection of the other party may deny the shielding for good cause. In determining whether there is good cause the court shall balance the privacy of the petitioner or the respondent and potential danger of adverse consequences to the petitioner or the respondent against the potential risk of future harm and danger to the petitioner and community.

Out-of-State Protective Orders

Orders of protection issued by a court of another state or Native American tribe must be accorded full faith and credit by Maryland courts (Family Law Article § 4-508.1(b)).

An out-of-state *ex parte* order is enforceable only to the extent that the order affords relief permitted under Family Law Article § 4-505. An out-of-state order of protection is enforceable only

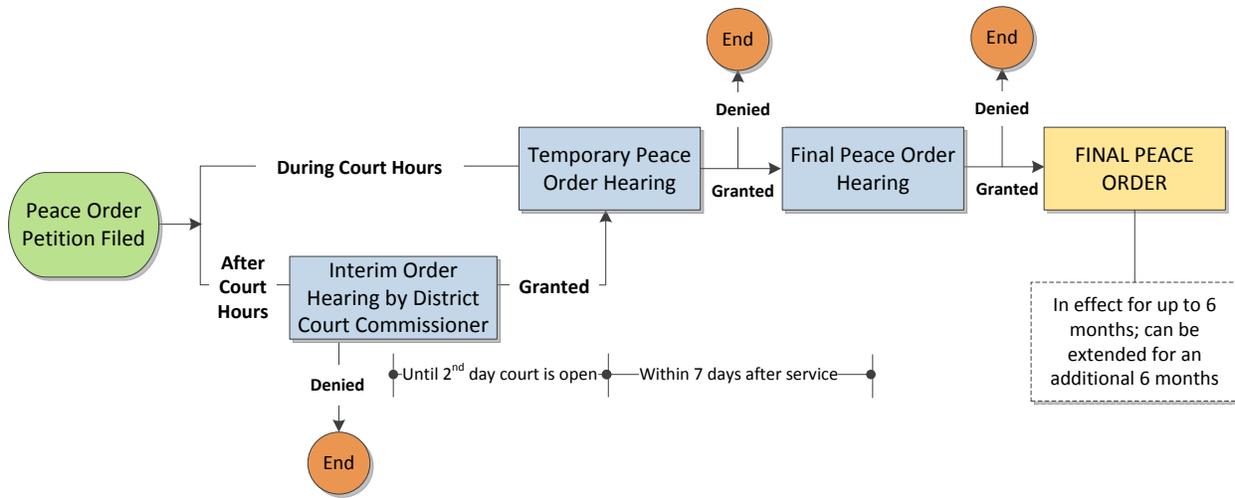
District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

to the extent that the order affords relief permitted under Family Law Article § 4-506. In other words, foreign orders are enforceable only insofar as they provide for relief permitted in Maryland.

Some states may provide for forms of relief that are not available in Maryland. The provisions of those orders that correspond to relief available in Maryland should be enforced.

Use the [Request to Register Out-of-State Order](#) (CC-DC-DV-016) form.

Track 2 – Peace Orders



File a Case

The following four (a-d) documents are required to file a case:

- File a petition**, using the [Petition for Peace Order](#) (DC-PO-001). You must list the reasons why you are seeking protection. It is important to list every example of physical abuse and threats; the history of harm or harassment caused by the respondent; any previous or pending court actions between the parties; and the relief you are seeking. Only write on the front side of the Petition. If necessary, you may also write on an additional sheet of paper or use the [Continuation Sheet](#) (DC-DV-PO-1C) and attach it to the Petition.
- File the addendum**, using the [Peace Order Addendum](#) (CC-DC-PO-001A). You must provide a physical description of the respondent and yourself. List as much information as possible on the respondent to make it helpful for the law enforcement officer when he or she attempts to serve the respondent.
- File the supplement**, using the [Peace Order Supplement](#) (DC-PO-1S). This form is used to determine VAWA eligibility. At the hearing, a commissioner or a judge will make the determination if the petitioner meets the qualifications of VAWA.
- File the Fee Notice**. In Frederick County, when filing with the commissioner you must complete a Fee Notice-Peace Order (DC-PO-020 link not available). This form is used to inform you of the possible filing and service fee at the time of the temporary hearing.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

OR

File the Peace Order Service Notice, using [Service Notice form](#). In Washington County, this document informs you about the required service fee.

Under Federal law (VAWA), the Maryland Peace Order when issued to intimate partners is a “protection order” and fees or costs must not be assessed to the petitioner.

- (e) **File the confidential address form, if applicable**, using the [Emergency Contact/Confidential form](#). You will use this document to list any addresses that you wish to remain confidential.
- (f) **Pay the filing fee and service fee, if applicable**. Check the [District Court’s Cost Schedule](#) (DCA 109) for fees.

The petitioner will pay the filing fee by check or money order to the Clerk’s office. The check or money order should be made payable to District Court. If the filing fee is paid in person, payment by credit/debit card or cash is available.

The Sheriff’s fee must be paid via money order or certified check and cannot be waived unless the petitioner qualifies under VAWA. In Washington County, the money order or certified check should be made payable to the Washington County Sheriff’s Department. Additionally, the sheriff’s fee may be paid directly to the Washington County Sheriff’s Department by cash. In Frederick County, the service fee may be paid by cash (exact cash), debit/credit (Visa, MasterCard or Discover including a 2.5% fee) or check/money order payable to the Frederick County Sheriff’s Department.

Filing fees may be waived by the court, based on the following conditions:

- ✓ Filing by the plaintiff of the [Request for Waiver of Prepaid Costs](#) (CC-DC-089); and/or
- ✓ Representation by a civil legal aid lawyer; [Statement in Support of Waiver of Prepaid Costs by Clerk](#) (CC-DC-088)

- (g) **Notify the respondent**. Immediately upon receipt of the Petition and Interim or Temporary Order, the law enforcement officer is to serve the documents on the respondent named in the order (Courts and Judicial Proceedings Article § 3-1503.1(f)).
- (h) **Proof of Service**. Immediately after service, the law enforcement office is to make a return of service to the commissioner's office or, if the Office of the District Court Clerk is open for business, to the clerk.

Respondent is a Minor

If the respondent is a juvenile in a Peace Order case, the victim must file a complaint against the minor child with the Department of Juvenile Services, 44 N. Potomac Street, Suite 300, Hagerstown, MD (in Washington County) or 801 N. East Street, Suite 3, Frederick, MD 21701 (in Frederick County) (Courts and Judicial Proceedings Article § 3-8A-03).

Violence Against Women Act (VAWA)

VAWA, passed in 1994, created the first U.S. federal legislation acknowledging domestic violence and sexual assault as crimes, and provided federal resources to encourage community-coordinated responses to combating violence. This landmark federal legislation’s comprehensive approach to violence against women combine tough provisions to hold offenders accountable with programs to provide services for the victims of such violence.

VAWA prohibits courts from charging the petitioner court costs or service fees (42 U.S.C. §§ 3796gg-5(a)(1) and 3796hh(c)(4)).

Under Federal law, the Maryland Peace Order when issued to intimate partners is a “protection order” and fees or costs must not be assessed to the petitioner.

Interim Peace Order Hearing

When courts are closed, a victim of abuse may file the Petition with the District Court Commissioner’s office. Commissioner’s offices are open and available 24 hours a day, 7 days a week around the state. The commissioner will issue Interim Peace Orders to last until a judge holds a temporary hearing on the second business day the court is open.

An interim order goes into effect once the respondent is served by a law enforcement officer.

Temporary Peace Order Hearing

When you appear before a judge, you will be required to answer questions under oath. If the judge finds reasonable grounds to believe that the respondent committed the acts alleged in the petition, a temporary order is granted.

The order goes into effect once a law enforcement officer serves the respondent and generally lasts for seven days unless extended by a judge.

If the respondent was served with an Interim Peace Order, your Temporary Peace Order goes into effect once the judge signs the Temporary Order even if the respondent is not present for the hearing.

Final Peace Order Hearing

At the hearing, both parties may present evidence. However, if the respondent does not attend, the judge may still grant a final order if at the trial the judge finds by a preponderance of the evidence that the respondent committed the alleged act against the petitioner, as defined under the law. Instead of a trial, the respondent may consent to the entry of a final order.

The order goes into effect once the judge signs the Final Order even if the respondent is not present for the hearing.

Court Opens Late on the Day the Hearing is to be Held

If the court opens late, after the scheduled hearing time, your hearing will be held at 1:00 p.m.

Court Closed on the Day the Hearing is to be Held

If the court is closed on the day on which the interim order is due to expire, the interim order shall be effective until the next day on which the court is open, at which time the court shall hold a temporary order hearing (Courts and Judicial Proceedings Article § 3-1503.1(g)).

If the court is closed on the day on which the temporary order is due to expire, the temporary order shall be effective until the second day on which the court is open, by which time the court shall hold a final order hearing (Courts and Judicial Proceedings Article § 3-1504(c)).

Review of Record

Before granting, denying, or modifying a Final Order, the court shall review all open and shielded court records involving the petitioner and the respondent, including records of proceedings under the Criminal Law Article, Title 3; Courts and Judicial Proceedings Article, Title 3, Subtitle 15; and the Family Law Article § 4-506(e).

Domestic Violence Central Repository

The Domestic Violence Central Repository (DVCR) is a statewide civil peace and protective order database. It contains all civil peace and protective orders including juvenile peace orders issued by Circuit and District Court Judges and Commissioners in any Maryland jurisdiction. This includes all interim, temporary and final orders. The DVCR is a secure near real-time web accessible database. The Maryland Protective/Peace Order Application (MPPA) is the interface used to access the DVCR orders section. The DVCR also produces reports from information contained in peace and protective orders. The DVCR facilitated Maryland's first experience with electronic orders. It allows Court personnel to perform quick, comprehensive searches, which improve communication and eliminate conflicting or simultaneous orders between District and circuit courts that share concurrent jurisdiction over domestic violence cases. Access to the MPPA allows Maryland courts and law enforcement agencies access to order data and imaged copies of the actual order itself. The adobe or PDF of the order may be viewed and printed for official use. The use of this Judiciary system is for Court and Law Enforcement purposes only (Family Law Article § 4-512.1).

Postponements

A Temporary Hearing cannot be postponed because the hearing must be held before a judge on the second business day after the Interim Hearing.

A postponement for any additional hearings will only be granted for good cause shown or by consent of the parties and scheduled on the next earliest available date. A postponement can be requested using the [Motion for Postponement](#) (CC-DC-070).

Duration of Orders

Interim Peace Order: Lasts no longer than the end of the second business day after it is issued.

Temporary Peace Order: May last until the Final Peace Order hearing, but not beyond thirty (30) days.

Final Peace Order: May last for as long as six (6) months. The Court for good cause may extend the term of the Final Peace Order for an additional six (6) months after a further hearing.

Mediation or Counseling

The courts may direct the petitioner or respondent to participate in professionally supervised counseling or, if the both parties agree, mediation.

If the case involves intimate partners, e.g., individuals in a dating relationship who do not qualify for a protective order and thus are using the mechanism of the peace order to seek protection, the parties will not be ordered to participate together in either joint counseling or mediation. Requiring intimate partners to participate together where there has been a history of violence may place the parties unnecessarily at further risk of harm.

Contempt

The court may hold a petitioner or respondent in civil or criminal contempt for failing to follow a Peace Order. This remedy may be necessary to enforce those provisions which, if violated, trigger no criminal penalty.

Constructive Civil Contempt: The purpose of civil contempt is to preserve and enforce the rights of private parties to a suit. It is remedial in nature and is intended to compel obedience to orders primarily made to benefit private parties. There must exist an ability to meet a purge requirement before civil contempt can be imposed (Md. Rules §§ 15-206 and 15-207).

Use the following form to file constructive civil contempt [Petition for Contempt](#) (DC-PO-007).

Constructive Criminal Contempt: The purpose of criminal contempt is to address conduct that is directed against the dignity and authority of the court, or a judge; it is an act which obstructs the administration of justice and which tends to bring the court into disrepute or disrespect. It is used to punish the defendant for past misconduct, which may not necessarily be capable of remedy and requires proof beyond a reasonable doubt. Due process requirements apply (Md. Rules §§ 15-205 and 15-207).

To file constructive criminal contempt you must see a commissioner to file criminal charges.

Appeals

If a District Court judge grants or denies peace order relief, a petitioner or a respondent may appeal the matter within 30 days to the circuit court in the jurisdiction where the District Court is located (Courts and Judicial Proceedings Article § 3-1506(b)(1)).

There is a District Court filing fee and a circuit court filing fee. See the [Guide to Appeal Fees](#) (DCA-109A).

Appeals to the circuit court are heard *de novo*.

A District Court order remains in effect on appeal until superseded by a circuit court judgment and unless the circuit court orders otherwise, modification or enforcement of the District Court order shall be by the District Court (Courts and Judicial Proceedings Article § 3-1506(b)(3)).

Use the [Civil Appeal](#) (DC-CV-037) form.

Modification, Rescind or Extend Peace Orders

The court may modify, rescind or extend a Peace Order so long as the following occur:

1. Notice to all affected persons eligible for relief (petitioner) and the respondent; AND
2. A hearing.

Notice must be provided first before a hearing can be set on the request for a modification, rescission or extension. The court may not grant a modification or rescission as emergency or *ex parte* relief (Courts and Judicial Proceedings Article § 3-1506).

Use the [Petition to Modify/Rescind/Extend](#) (CC-DC-PO-006) form.

Shielding of Denied, Dismissed or Consented to Peace Orders

If a petition was denied or dismissed at any proceeding for a Peace Order the petitioner or respondent may file a written request to shield all court records related to the proceeding (Courts and Judicial Proceedings Article § 3-1510). A request to shield may also be filed after the expiration date of the final peace order if the order was consented to by the respondent.

The [Request to Shield Denied/Dismissed](#) (CC-DC-PO-016A) or [Request to Shield Consented](#) (CC-DC-PO-016B) cannot be filed within 3 years of the denial, dismissal or consent unless a [Waiver](#) (CC-DC-077) of tort claims is filed with the petition.

Upon filing the Petition, a hearing shall be scheduled and notice of the hearing must be given by the court to the other party or the other party's counsel of record.

At the hearing, subject to certain exceptions, the court shall shield the records if it finds:

1. Petition was denied, dismissed or consented to at the final hearing.
2. No previous peace or protective order has been issued against the respondent in a proceeding between the petitioner and respondent.
3. The respondent has not been found guilty of a crime arising from an act against the petitioner.
4. No pending interim or temporary protective or peace order exists against the respondent in a proceeding between the petitioner and respondent.
5. That no pending criminal charges exist against the respondent from an alleged act against the petitioner.

The court on its own motion or on the objection of the other party may deny the shielding for good cause. In determining whether there is good cause the court shall balance the privacy of the petitioner or the respondent and potential danger of adverse consequences to the petitioner or the respondent against the potential risk of future harm and danger to the petitioner and community.

Track 3 – Emergency Evaluations

District Court has exclusive jurisdiction for Emergency Evaluations (Courts and Judicial Proceedings Article § 4-202).

A petition for Emergency Evaluation (Health General Article § 10-622) of an individual may be made only if the petitioner has reason to believe that the individual:

1. Has a mental disorder; and

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

2. The individual presents a danger to the life or safety of the individual or of others.

The petition for Emergency Evaluation of an individual may be filed by:

1. A physician, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical marriage and family therapist, or health officer or designee of a health officer who has examined the individual;
2. A peace officer* who personally observed the individual or the individual's behavior; or
3. Any other interested person.

*Per Health General Article § 10-620, a peace officer is a sheriff, a deputy sheriff, a State police officer, a county police officer, a municipal or other local police officer, or a Secret Service agent who is a sworn special agent of the United States Secret Service or Department of Homeland Security authorized to exercise powers delegated under 18 U.S.C. § 3056.

An individual who makes a petition for Emergency Evaluation may base the petition on:

1. Examination or observation; or
2. Other information obtained that is pertinent to the factors giving rise to the petition.

Postponements

The petition is heard immediately by a judge. There are no postponements.

Review of Court Records

All court records relating to a petition for an Emergency Evaluation are confidential and the contents may not be divulged, by subpoena or otherwise, except by order of the court on good cause shown (General Health Article § 10-630).

Review of court record by certain individuals allowed: Except for a court record sealed under General Health Article § 10-630(d), this does not prohibit review of a court record relating to a petition by:

1. Personnel of the court;
2. The petitioner;
3. The emergency evaluatee or counsel for the emergency evaluatee;
4. Authorized personnel of the Department;
5. Authorized personnel of the local core service agency or local behavioral health authority;
6. A law enforcement agency; or
7. Person authorized by a court order on good cause shown.

The individuals listed above can review the court record, but it is our policy that if a copy of the petition is requested, a motion must be filed and ruled on by a judge.

File a Case

The following steps are required to file a case:

- (a) **File a petition**, using the [Petition for Emergency Evaluation](#) (DC-PO-001).
- (b) **There is no filing fee or service fee.**

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

Hearing

After review of the petition, the court shall endorse the petition if the court finds probable cause to believe that the emergency evaluatee has shown the symptoms of a mental disorder and that the individual presents a danger to the life or safety of the individual or of others (General Health Article § 10-623(b)).

Judge's Ruling

If the court finds probable cause, a peace officer shall take the emergency evaluatee to the nearest emergency facility within five (5) days after the petition has been endorsed by the court (Health General Article § 10-624).

The petitioner may be required to accompany the peace officer to the emergency facility with the evaluatee, to provide any additional information the facility may need.

Immediately after delivering the emergency evaluatee to an emergency facility, the peace officer shall make a return of service to the District Court.

If the court does not find probable cause, the court shall indicate that fact on the petition, and no further action may be taken under the petition (General Health Article § 10-623(c)).

Track 4 – Constructive Contempt

If an attorney fails to appear on behalf of his client or a witness who was personally served fails to appear to testify at a hearing, the judge may order the individual be held in contempt. A party to the case, usually an attorney, can also request the individual be held in contempt (Md. Rules §§ 15-201 to 15-208).

If so ordered by the judge, the clerk will create a special proceedings case and prepare a Show Cause Order directing the individual to appear at a hearing to explain why they failed to appear. The Show Cause Order will be mailed to the defendant via certified mail.

There is no filing fee.

Hearing

The Show Cause hearing is scheduled for the same time as the related criminal/traffic case. The contempt will be addressed at that time.

Postponements

A postponement will only be granted for good cause shown or by consent of the parties and scheduled on the next earliest available date. A postponement can be requested using the [Motion for Postponement](#) (CC-DC-070).

Appeals

The parties have 10 days to file a motion for a new trial in the District Court (Md. Rule 3-533), or file a motion to alter or amend a judgment (Md. Rule 3-534); and 30 days to file an appeal (Md. Rule 7-104).

Track 5 – Return of Seized Animals

If animals are seized by the Humane Society of Washington County or the Humane Society of Frederick County and there are no administrative remedies available to the owner or custodian, a petition for the return of the animals may be filed in the District Court of the county in which the removal occurred within 10 days after the removal (Criminal Law Article § 10-615).

File a Case

The following steps are required to file a case:

- (a) **File a petition/request** asking for the return of the animals. There is no petition form, so you write your request on 8½ x 11 paper. A [Motion](#) (DC-002) form may be used.
- (b) **File a Certificate of Service.** You must serve the defendant (Humane Society) with a copy of the request/motion via first-class mail and provide a certificate to the court that you did so.
- (c) **There is no filing fee or service fee.**

Postponements

A postponement will only be granted for good cause shown or by consent of the parties and scheduled on the next earliest available date. A postponement can be requested using the [Motion for Postponement](#) (CC-DC-070).

Hearing

If your petition is granted and the judge orders the return of the animals, the petitioner may be required to pay costs to the Humane Society for the care of the animals before the animals are returned.

If your petition is denied, the animals will not be returned.

Appeal

The parties have 10 days to file a motion for a new trial in the District Court (Md. Rule 3-533), or file a motion to alter or amend a judgment (Md. Rule 3-534); and 30 days to file an appeal (Md. Rule 7-104).

Track 5 – Forfeiture of Contraband Money

Property found in close proximity to an illegal controlled dangerous substance, controlled paraphernalia, or forfeitable records of the importation, manufacture, or distribution of controlled dangerous substances is contraband and presumed to be forfeitable.

To apply for the forfeiture of money, the appropriate local financial authority or the Attorney General shall file a complaint and affidavit in the District Court or the circuit court for the county in which the money was seized (Criminal Procedure Article § 12-302).

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

All money forfeitures of \$20,000 and under are filed in District Court, no matter where the criminal case was heard. If the money amount is above \$20,000 it is filed in circuit court (Courts and Judicial Proceedings Article § 4-401(9)). If contraband is personal property or a car, they are filed in circuit court.

A complaint seeking forfeiture shall be filed within the earlier of (Criminal Procedure Article § 12-304):

1. Ninety (90) days after the seizure; or
2. One (1) year after the final disposition of the criminal charge for the violation giving rise to the forfeiture.

If the proceeding is about money, the complaint shall be filed within ninety (90) days after the final disposition of the criminal proceeding that arose out of the Controlled Dangerous Substances law.

File a Case

The following steps are required to file a case:

- (a) **File a complaint**, using the [Complaint for Forfeiture](#) (DC-024) form.
- (b) **File a show cause order**. The Show Cause Order must include the following statements.
See [Sample Show Cause Order](#):

Ordered, that this Order must be served upon the Defendant within thirty (30) days

Ordered, that the above-named Defendant be and hereby is ordered to show cause why the property should not be forfeited by filing a written response to the court within fifteen (15) days after service of the Complaint and this Order upon him

Ordered, that this Order shall serve as notification to the Defendant that failure to file a response within the time allowed may result in a judgment by default or the granted of the relief sought against Defendant.

- (a) **File a Request for Service** for the defendant, using the Request for Service form (DC-CV-002). You must use the carbonless multi-part form available at any District Court location. Please print or type clearly and make sure all copies are legible.
- (c) **There is no filing fee.**
- (d) **Pay the service fee, if applicable.** Check the [District Court's Cost Schedule](#) (DCA 109) for fees.

The plaintiff will pay the service fee by check or money order to the Clerk's office. The check or money order should be made payable to District Court. If the filing fee is paid in person, payment by credit/debit card or cash is available.

The Sheriff's fee must be paid via check or money order and cannot be waived. In Washington County, the check or money order should be made payable to the Washington County Sheriff's Department. In Frederick County, the service fee may be paid by cash

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

(exact cash), debit/credit (Visa, MasterCard or Discover including a 2.5% fee) or check/money order payable to the Frederick County Sheriff's Department.

Beginning October 16, 2017, a plaintiff may also electronically file a case and pay the service fee via the internet.

- (e) **Notify the other party (Defendant).** The plaintiff is required to attempt to notify the defendant that a complaint has been filed against the defendant. The clerk will issue the Complaint and Show Cause order to officially notify the defendant that a complaint has been filed. The Complaint has a 30-day time limit to serve the defendant. After the time limit has expired, the summons is no longer valid, unless renewed by motion of the plaintiff. The following documents must be delivered to the defendant: original Complaint and Writ of Summons. There are four legal ways to deliver these documents to the defendant: 1) Certified Mail; 2) Private Process; 3) Constable (Baltimore County service only); and 4) Sheriff.

Time – the plaintiff has 30 days to notify a defendant (Md. Rule 3-113).

- (f) **Proof of Service.** If the court does not receive Proof of Service within the time allotted for the defendant to file an answer, the plaintiff may not be able to seize the money.

Notice Provision

Per Criminal Procedure Article § 12-306(b), within 20 days after filing of the Complaint, a notice shall be:

- (1) posted by the sheriff on the door of the courthouse where the action is pending or on a bulletin board within the immediate vicinity of the door;
- (2) posted by the sheriff in a conspicuous place on the land, if forfeiture of real property is sought; and
- (3) published at least once a week in each of 3 successive weeks in a newspaper of general circulation published in the county in which the action is pending, unless the property is a boat or motor vehicle.

Response from Defendant

If a timely answer has been filed by the defendant within 15 days after service, the clerk will set a hearing on the forfeiture claim within sixty (60) days after service (posting and publication) of the notice under Criminal Procedure 12-306(b).

If a timely answer is not filed, the clerk forwards the file to the judge after the time for filing an answer has expired and the judge may order forfeiture of the property interest without a hearing.

Post-Hearing Orders

After the hearing, the judge may:

- Order release of the property after determining that the property should not be forfeited; or
- Order forfeiture of the property to the appropriate governing body.

The clerk sends a true-test copy of the order to all parties and to the custodian of the seized property.

Postponements

A postponement for any additional hearings will only be granted for good cause shown or by consent of the parties and scheduled on the next earliest available date. A postponement can be requested using the [Motion for Postponement](#) (CC-DC-070).

Appeal

The parties have 10 days to file a motion for a new trial in the District Court (Md. Rule 3-533), or file a motion to alter or amend a judgment (Md. Rule 3-534); and 30 days to file an appeal (Md. Rule 7-104).

Personal Identifiers

It is the responsibility of the filer to redact personal identifiers, prior to submitting a filing with the Court. Filers include anyone filing documents with the Court, including police officers, the state's attorney, criminal complainants, landlords, petitioners, and others. The filer does not have to be a party to a case, and may include Federal Courts, military personnel, or relatives to a party in a case.

Per Md. Rule 1-322.1, unless otherwise required by law or permitted by court order, the following personal identifier information shall not be included in any electronic or paper filing with a court:

- (1) an individual's Social Security number, taxpayer identification number; or
- (2) the numeric or alphabetic characters of a financial or medical account identifier."

The rule also states that unless otherwise provided by law or court order, this Rule does not apply to the following:

- (1) a financial account identifier that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;
- (2) the record of an administrative agency proceeding.

Do You Need a Court Interpreter or Other Special Accommodation?

The Maryland Judiciary provides court interpreters for hearings and proceedings conducted in court, as well as certain court-related services and events, at no cost, for individuals who are parties or witnesses in court proceedings.

Only court-appointed interpreters can serve as official interpreters in the courtroom. Your family or friends cannot serve as official court interpreters. But, you can have your family members or friends help you to communicate with the court staff outside the courtroom.

You should request an interpreter for your hearing 30 days before the court date, if possible.

Fill out a [Request for Spoken Language Interpreter](#) (CC-DC-041). If requesting a sign language interpreter or other special accommodation, use the [Request for Accommodation for Person with Disability](#) (CC-DC-049). You can also ask your attorney to fill out the form for you.

Submit the form to the Clerk's Office of the courthouse where your hearing is scheduled by mail or in person.

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

If you are a party in the case, you only need to submit a single Interpreter Request Form. Once the court receives your first timely request, the court will assign an interpreter for all proceedings at which you are expected to appear. Other interested persons (victims and witnesses) must submit a new Interpreter Request Form for each proceeding.

Washington County District Court and the Community

The following are resources available in the community to help with resolving a dispute.

Location: 36 W. Antietam Street
Hagerstown, MD 21740

Phone number: 240-420-4600

The Clerk's Office is located on the first floor and the courtrooms are located on the second floor of the court house.

CASA (Citizens Assisting and Sheltering the Abused)	301-739-4990
Department of Social Services	240-420-2100
Legal Aid	800-649-8813
Maryland Courts Self-Help Center	410-260-1392
People's Law Library	https://www.peoples-law.org/
Safe Place	240-420-4300

For more information about CASA, please visit their website: <http://www.casainc.org/>

There is a Family Law Clinic for divorce/separation, child custody and child support held every Thursday in circuit court from 8:00 a.m. to 1:00 p.m. in room #229.

Frederick County District Court and the Community

The following are resources available in the community to help with resolving a dispute.

Location: 100 West Patrick Street
Frederick, MD 21701

Phone number: 301-600-2008

The Clerk's Office is located on the first floor and the courtrooms are located on the third floor of the court house.

Department of Social Services	800-332-6347
Legal Aid	301-694-7414
Maryland Courts Self-Help Center	410-260-1392
People's Law Library	https://www.peoples-law.org/
Heartly House	301-662-8800

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

There is a Family Law Clinic for divorce/separation, child custody and child support held every Tuesday & Thursday on the lower level of the courthouse 9:00 a.m. to 2:00 p.m., must be signed in by 12:00 p.m.

The link below is for District Court of Maryland Peace and Protective Order information
<http://www.mdcourts.gov/legalhelp/domesticviolence.html>

Forms

A growing amount of content on the Maryland Judiciary's web site is now available in languages other than English. The non-English pages provide forms, brochures, and other helpful information about the Maryland Courts. The materials are available in Spanish, French, Russian, Korean and Chinese. <http://www.mdcourts.gov/courtlanguage/index.html>.

Protective Order:

The following forms initiate a Protective Order case.

CC-DC-DV-001	Petition for Protective Order
CC-DC-DV-001A	Addendum to Protective Order
CC-DC-DV-001B	Definition of Terms
DC-DV-PO-1C	Continuation Sheet
CC-DC-DV-4	Financial Statement for Emergency Family Maintenance
CC-DC-DV-019	Request for Waiver of Appearance of Protective Order

Use the following form to request changes to an existing Protective Order.

CC-DC-DV-006	Petition to Modify/Rescind/Extend Protective Order
--------------	--

Use the following form if the other party violated the Protective Order.

CC-DC-DV-007	Petition for Contempt of Protective Order
--------------	---

Use the following forms to request to shield a Protective Order.

CC-DC-DV-021A	Request to Shield Denied/Dismissed Protective Order Records
CC-DC-DV-021B	Request to Shield Consented to Protective Order Records
CC-DC-077	General Waiver and Release

Peace Order:

The following forms initiate a Peace Order case.

DCA-109	District Court's Cost Schedule
DC-PO-001	Petition for Peace Order
CC-DC-PO-001A	Addendum to Peace Order
DC-PO-1S	Peace Order Supplement
DC-PO-020	Fee Notice-Peace Order (a link to the form not available)
CC-DC-088	Statement in Support of Waiver of Prepaid Costs by Clerk
CC-DC-089	Request for Waiver of Prepaid Costs
CC-DC-090	Request for Final Waiver of Open Costs

Use the following form to request changes to an existing Peace Order.

CC-DC-PO-006	Petition to Modify/Rescind/Extend Peace Order
--------------	---

District Court of Maryland
Case Management Plan – Special Proceeding Cases
District Eleven

Use the following form if the other party violated the Peace Order.

DC-PO-007 [Petition for Contempt of Peace Order](#)

Use the following forms to request to shield a Peace Order.

CC-DC-PO-016A [Request to Shield Denied/Dismissed Peace Order Records](#)

CC-DC-PO-016B [Request to Shield Consented to Peace Order Records](#)

CC-DC-077 [General Waiver and Release](#)

Emergency Evaluation:

The following form initiates an Emergency Evaluation case.

CC-DC-013 [Petition for Emergency Evaluation](#)

Return of Seized Animals:

The following form may be used to initial a Return of Seized Animal case.

DC-002 [Motion](#)

Forfeiture of Contraband Money:

The following form is used to initial a Forfeiture of Contraband Money case.

DC-024 [Complaint for Forfeiture of Money](#)

DC-CV-002 Request for Service (a link to the form is not available)

The following form may be used to request a change in a scheduled hearing or trial at the District Court.

CC-DC-070 [Motion for Postponement](#)

The following forms can be used to request a court interpreter or other special accommodation.

CC-DC-041 [Request for Spoken Language Interpreter](#)

CC-DC-049 [Request for Accommodation for Person with Disability](#)