



Calvert**Health**

SAFE Program

Peace or
Protective
Order?

*Which one do
you need?*

Peace or Protective Order?

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 person alleged to have committed the prohibited act and the person seeking protection determines the petition to be filed. Protective Orders generally apply to people in domestic relationships; Peace Orders apply to other persons. You cannot qualify for both.

The District Court provides a list of questions to assist you in determining the correct petition to file.

Scan the QR Code to see the question:



Protective Orders

What counts as abuse for a Protective Order?

- An act that causes serious bodily harm
- An act that places a fear of imminent serious bodily harm
- Rape or sexual offense
- Assault in any degree
- False imprisonment
- Criminal stalking



You may file for a Protective Order if you are:

- The current or former spouse of the Respondent;
- A cohabitant of the Respondent;
- A person related to the Respondent by blood, marriage or adoption;
- A parent, stepparent, child or stepchild of the Respondent or person eligible for relief who resides or resided with the Respondent or person eligible for relief for at least 90 days within 1 year before the filing of the petition;
- A vulnerable adult;
- An individual who has a child in common with the Respondent; or
- An individual who has had a sexual relationship with the Respondent within 1 year before filing of the petition.

Peace Orders

A Peace Order may be filed if you do not qualify for a Protective Order providing that the abuse falls into one of these categories:

- An act that causes serious bodily harm
- An act that places a fear of imminent serious bodily harm
- Rape or sexual offense
- Attempted rape or sexual offense
- Assault in any degree
- False imprisonment
- Criminal stalking
- Criminal harassment
- Criminal trespassing
- Malicious destruction of property
- Misuse of telephone facilities and equipment
- Misuse of electronic communication or interactive computer service
- Revenge porn
- Visual Surveillance

There is a filing fee of \$46 for a Peace Order. A Waiver of Costs may be filed if the Peace Order meets certain conditions. There is also a \$40 fee to have the respondent served by the police.

How to apply for an order

STEP 1: During regular business hours, the petition can be filed at either the District Court or the Circuit Court for Protective Orders. Petitions for Peace Orders can only be filed at the District Court. When the courts are closed, a District Court Commissioner can issue Interim Peace and Protective Orders until a judge holds a temporary hearing. If the District Court Commissioner is not working, citizens can contact the Sheriff's Office at 410.535.2800 to reach a Commissioner.

STEP 2: Go before the Judge or the Commissioner to answer questions under oath as to what has happened to cause you to file for an order. If the Judge finds reasonable grounds to believe that the Respondent has committed the acts alleged in the petition, a Temporary Protective Order will be issued. You will be provided with a date for the Final Protective Order hearing at that time.

If you are filing with the Commissioner, an Interim Protective Order will be granted. You will be provided with a date to be at the District Court for a Temporary Protective Order at that time.

STEP 3: At the Final Hearing, both parties may present testimony and evidence to support their case. The judge will make a decision as to whether the testimony and evidence given supports a *Final Protective or Peace Order*. If the Respondent does not attend, the judge may still grant a final order.

A Final Protective Order is usually in effect for a period of one year. A Peace Order is in effect for a period of 6 months.

Violation of a Final Protect or Peace Order may result in criminal charges.

The CalvertHealth SAFE Program

CalvertHealth Medical Center's (CHMC) Domestic Violence and SAFE Program helps to provide immediate, direct and conveniently accessible local service to victims of domestic violence and sexual assault in Calvert County and throughout Southern Maryland. **If you or someone you know is in need of a forensic examination or victim resources and referrals, please reach out to our SAFE Program Coordinator, Yvonne Dawkins, at 410.535.8344.**