District Court of Maryland
Office of the Chief Judge
187 HARRY S. TRUMAN PARKWAY, ANNAPOLIS, MARYLAND 21401
TELEPHONE: 410-260-1525
John P. Morrissey

Revised policy on Interim Orders during the emergency as of May 5, 2020:

During this period of COVID-19 closure, the Court has anticipated several dates to re-open that required adjusting as the pandemic evolved. As a result, courts issued interim and temporary domestic violence protective orders and interim and temporary peace orders with hearing dates that have passed or will pass. To minimize any confusion created by these necessary adjustments, **all interim and temporary protective and peace orders will remain in effect until the court has scheduled a hearing.**

Pursuant to Chief Judge Barbera's May 4, 2020 Fourth Amended Administrative Order Expanding and Extending Statewide Judiciary Restricted Operations Due to the COVID-19 Emergency:

1. All new protective, peace and extreme risk protective order petitions will be handled by commissioners.

2. All new Interim Orders will have a corresponding Temporary Hearing scheduled for June 8, 2020 or June 9, 2020, unless otherwise ordered by an Administrative Judge, or a Judge designated by the Administrative Judge.

3. **Interim Orders and Temporary Orders will remain in effect until action is taken by the Court.**

4. The commissioners shall provide a notice with all paperwork to petitioners and respondents advising them that the court may contact them with a different hearing date.

5. Administrative Judges, or a Judge designated by the Administrative Judge, have the discretion to review each Interim Order with special attention paid to those Interim Protective Orders that have at issue: (1) orders to vacate the home; (2) the granting or denial of custody of any child; (3) a firearm. After review, and if a hearing is determined to be necessary, any Temporary Order hearings should be set within seven (7) days of the Interim Order.

6. Commissioners are encouraged to request as much contact information from the parties as possible as any temporary hearings may occur remotely via video, audio or electronic means. Commissioners are encouraged to provide an explanatory cover sheet to petitioners to assist in explaining the status of the courts and any potential delay in hearing dates.

7. Courts will notify the parties of any scheduled hearing date through any means available.

8. If the courts continue to function only on a limited basis as of June 8, 2020, a further advice will be given.

Relevant statutory authority:

Family Law Article § 4–504.1.

(h) (1) Except as otherwise provided in this subsection, an interim protective order shall be effective until the earlier of:

(i) the temporary protective order hearing under § 4–505 of this subtitle; or

(ii) the end of the second business day the Office of the Clerk of the District Court is open following the issuance of an interim protective order.

(2) If the court is closed on the day on which the interim protective order is due to expire, the interim protective order shall be effective until the next day on which the court is open, at which time the court shall hold a temporary protective order hearing.

Family Law Article §4–505.

(c) (1) Except as otherwise provided in this subsection, the temporary protective order shall be effective for not more than 7 days after service of the order.

(2) The judge may extend the temporary protective 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.

(3) If the court is closed on the day on which the temporary protective order is due to expire, the temporary protective order shall be effective until the second day on which the court is open, by which time the court shall hold a final protective order hearing.

Courts & Judicial Proceedings Article §3–1503.1.

(g) (1) Except as otherwise provided in this subsection, an interim peace order shall be effective until the earlier of:

(i) The temporary peace order hearing under § 3–1504 of this subtitle; or

(ii) The end of the second business day the Office of the Clerk of the District Court is open following the issuance of an interim peace order.

(2) If the court is closed on the day on which the interim peace order is due to expire, the interim peace order shall be effective until the next day on which the court is open, at which time the court shall hold a temporary peace order hearing.

Courts & Judicial Proceedings Article §3–1504.

(c) (1) Except as otherwise provided in this subsection, the temporary peace order shall be effective for not more than 7 days after service of the order.

(2) The judge may extend the temporary peace 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.

(3) If the court is closed on the day on which the temporary peace order is due to expire, the temporary peace order shall be effective until the second day on which the court is open, by which time the court shall hold a final peace order hearing.