



Snapshot of Domestic Violence Protective Orders in Maryland during COVID-19

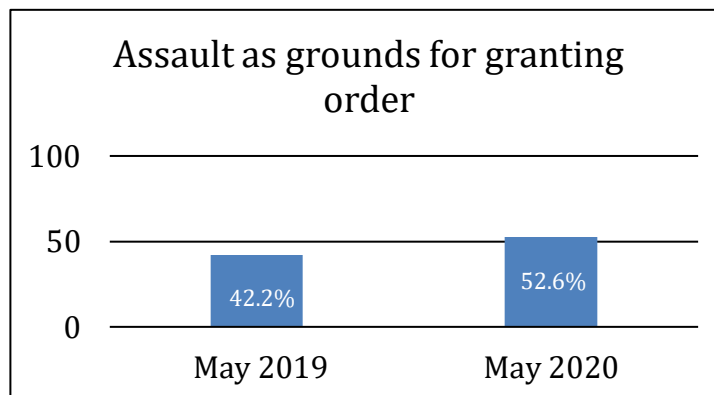
Every month, the Maryland Courts publish [a report on protective order data](#). This report was generated from the protective order data and shows that, when the Maryland courts shut down normal operations this spring due to COVID-19, a fraction of domestic violence victims received legal protection as compared to typical pre-COVID numbers. During these closures, temporary protective order and some final order hearings were heard through a combination of the commissioner’s offices and virtual options. When courts re-opened with limited capacity in June, they issued a typical pre-COVID number of final protective orders.

Total Number of Granted Final Protective Orders in Maryland

	2019	2020
March	1125	694
April	1203	154
May	1216	342
June	1124	1140

Grounds for Granting Temporary and Final Protective Orders

As experts in domestic violence, we know from recent reports/articles, data from national service providers, and our partners that family violence of all types is increasing under quarantine when there is limited access to outside resources who might otherwise notice the violence (e.g. medical professional, teachers, coworkers). Assault as grounds for granting temporary and final protective orders rose by **more than 10%** from May 2019 to May 2020. Assuming that the courts prioritized the most urgent cases, this increase makes sense.



Reliefs Ordered with Granted Final Protective Orders

We use the legal terms “petitioner” and “respondent” to refer to alleged victims and alleged abusers respectively. Protective orders outline how much contact a respondent can legally have with a petitioner. The “reliefs” are granted by a judge during a final order and define the terms for a respondent’s behavior. During the court shutdown, there was an increase in some of the most restrictive terms that can be imposed on respondents. On average, there was a **14% increase** in judges granting these reliefs. This is significant because it shows an increase in the already overwhelming majority of victims who desire these strict terms for their respondents.

The respondent must...	April - June 2019	April - June 2020
Not abuse, threaten to abuse, and/or harass petitioner	83%	98.7%
Not contact petitioner	76.5%	89%
Stay away from petitioner (physical distance)	77.4%	92%

Grounds for Dismissing Temporary and Final Protective Orders

	2019	2020
Petitioner failed to appear	42.7%	27.4%
Petitioner requested dismissal	17.2%	26%

Though failure to appear and requesting dismissals may sound similar, they are in fact very different. A failure to appear is generally when a petitioner has knowledge of but does not show up to his/her court hearing and the case is thrown out. A dismissal is when the petitioner either shows up to the hearing (or contacts the court beforehand) with a specific request to drop his/her case. We might explain these seemingly contradictory numbers when we think of them as representative of two separate groups of victims facing different challenges during COVID:

1. Prior to COVID, petitioners fail to appear at their hearings in almost half of all cases. However, the 2020 data show that victims are *less* likely to miss their hearing dates during COVID. This aligns perfectly with the increase we see in petitioners’ requests for strict reliefs. When we take into consideration that the assault percentage rose dramatically, the violence petitioners are experiencing is escalating during this stressful time, thus obtaining a final order becomes most important. Some petitioners may also be less likely to miss their court hearings under quarantine because of the flexibility to appear electronically/telephonically. This means that petitioners who **DO NOT have their daily activities monitored** by their respondents are able to attend court hearings without missing work, arranging child care, finding transportation, and other similar challenges of normal daily life that inhibit petitioners from making court dates.
2. Conversely, higher dismissal rates by the petitioners may also be expected for those who **DO have their daily activities monitored** by the respondent and, therefore, have more difficulty accessing court than they would under normal circumstances. Oftentimes, victims in these situations must choose between safety from the virus or safety from their partners. Petitioners being monitored could be more likely to foresee these complications and request dismissals because:
 - They live with a respondent who might be suspicious if they leave the home to file their petition
 - They are unable to leave home to file a petition because of a vulnerability to the virus (immune compromised, respiratory concerns, age, etc)
 - They are unable to take advantage of virtual hearing options due to monitoring/control of phones or computers

Finally, for both groups of petitioners who manage to file, we have heard from partner agencies that longer waits for hearings and final orders may also force victims to find alternative solutions to utilizing the courts for protection (e.g. moving out, respondent is arrested, reconciling with the respondent, etc).

What we must remember is that every victim and every relationship is unique. It is essential that we provide victims with more options for accessing legal protection during this crisis and in the future.