



## Snapshot of Domestic Violence Protective Orders in Montgomery County during COVID-19

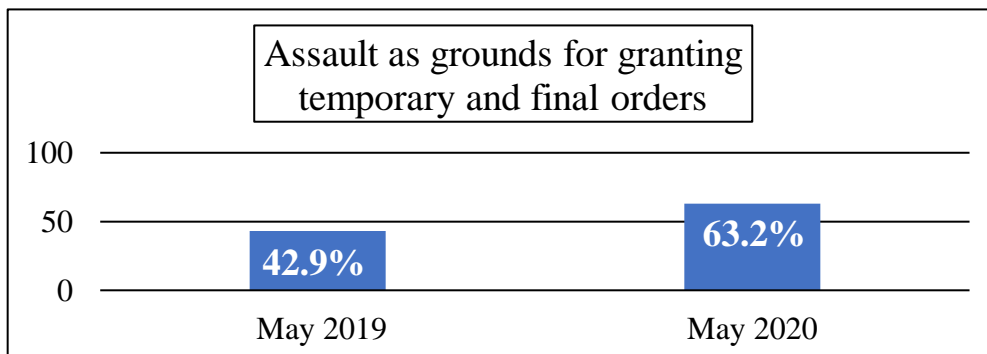
Every month, the Maryland Courts publish [a report on protective order data](#). This report was generated from the protective order data and shows that, when the Maryland courts shut down normal operations this spring due to COVID-19, a fraction of domestic violence victims received legal protection 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 significantly more than the typical pre-COVID number of final protective orders.

### TOTAL # GRANTED FINAL PROTECTIVE ORDERS IN MONTGOMERY COUNTY

|              | 2019 | 2020 |
|--------------|------|------|
| <b>March</b> | 123  | 83   |
| <b>April</b> | 129  | 41   |
| <b>May</b>   | 162  | 69   |
| <b>June</b>  | 134  | 221  |

### 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 professionals, teachers, coworkers). We see this reflected in the numbers for grounds for granting orders. Assault as grounds for granting temporary and final protective orders rose by **more than 20%** from May 2019 to May 2020. The increase could be due to factors such as the courts prioritizing the most urgent cases, violence escalating during this time, or petitioners experiencing less violence waited to file an order until the court phased reopening process.



\* This report was generated from the [Maryland Courts’ monthly domestic violence reports](#) and only reflects protective order data. This report is partially funded by Montgomery County Executive and County Council grants.

## HEARING REPRESENTATION FOR FINAL PROTECTIVE ORDERS

We use the legal terms “petitioner” and “respondent” to refer to alleged victims and alleged abusers respectively. On average, 31.1% of petitioners were represented by an attorney during final protective order hearings from March to June 2020. This is a stark contrast to only 20.6% during March to June 2019. This 11% change is significant because the presence and support of advocates and attorneys are proven to have better outcomes for victims of intimate partner violence.

This increase in positive outcomes for petitioners is further supported by the following data:

1. Fewer petitioners failed to meet the burden of proof necessary to obtain a final protective order. This means that a higher percentage of petitioners were able to provide compelling and credible evidence, testimony, and/or corroboration of their abuse during their final protective order hearings.
  
2. More petitioners were present for their final protective order hearings in the 2020 months than in the respective 2019 months. The percentage of petitioners who failed to appear at their final protective order hearings dropped drastically from an average of 23.6% in 2019 to 13.7% in 2020. When we take into consideration that the assault percentage rose dramatically, the violence petitioners are experiencing has increased or escalated during this stressful time, thus obtaining a final order becomes most important.

## RELIEFS ORDERED WITH GRANTED FINAL PROTECTIVE ORDERS

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 disruptions, there was an increase in restrictive terms that can be imposed on respondents.

| The respondent must...                                 |  |
|--|--|
| Not abuse, threaten to abuse, and/or harass petitioner | Rose by 10% in May and June 2020 from the previous year                |
| Give petitioner custody of children in common          | Rose by 25% in April 2020 and 15.9% in May 2020 from the previous year |
| Surrender firearms                                     | Rose by 10% in May and June 2020 from the previous year                |