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## Working to end sexual violence in Maryland

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### **Testimony Supporting House Bill 296 with Sponsor Amendments** **Lisae C. Jordan, Executive Director & Counsel** February 3, 2022

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judiciary Committee to report favorably on House Bill 296 with Sponsor Amendments.

#### **House Bill 296**

#### **Interim and Temporary Protective Orders - Electronic Filing and Video Conferencing Hearings**

House Bill 296 would permit petitioners seeking civil protection orders to seek interim and temporary protective orders virtually from hospitals. The petitioners who would be able to access this process include some victims of sexual assault, including those seeking forensic examinations (rape kits).

Sexual assault survivors in Maryland have access to sexual assault forensic exams (SAFEs) in specially designated hospitals throughout the state. [https://mcasa.org/assets/files/Maryland\\_SAFE\\_Programs\\_List\\_09.27.21.pdf](https://mcasa.org/assets/files/Maryland_SAFE_Programs_List_09.27.21.pdf) Staff of these expert programs receive regular training, including regarding legal options for survivors, and include advocates to help support survivors and provide information. These SAFE programs can help provide survivors with support they need to access electronic filing and video hearings. Other hospitals can develop similar abilities. Permitting survivors to take the initial steps needed to obtain protective orders virtually is an important step in expanding access to protective orders.

The concept of filing a protective order electronically is not new. Ten years ago, the Hospital to Court Domestic Violence Safety to Assistance Project was created in New Jersey to permit victims of domestic violence to petition from hospitals and conduct hearings with the court over the phone or via video conferencing.<sup>1</sup> New York launched their Domestic Violence Online Petition Program as a pilot program in 2013.<sup>2</sup> Those working with an advocate, agency, or legal services can petition electronically from any location and request a remote hearing.<sup>3</sup> Indiana allows pro se litigants to petition electronically on their own behalf for protective orders.<sup>4</sup> West Virginia,<sup>5</sup> California<sup>6</sup>, Washington, D.C.<sup>7</sup> and other

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<sup>1</sup> [https://www.njcourts.gov/forms/11478\\_hosp\\_crt\\_dv\\_broch.pdf](https://www.njcourts.gov/forms/11478_hosp_crt_dv_broch.pdf)

<sup>2</sup> [DV Online Petition Fact Sheet.pdf \(courtinnovation.org\)](#)

<sup>3</sup> [Family Offense Petition Program - Family Justice/DV \(probono.net\)](#); [Filing a Family Offense Petition | NY CourtHelp \(nycourts.gov\)](#)

<sup>4</sup> [Protection Order Registry - Protection Order Registry E-File Service Provider \(in.gov\)](#)

<sup>5</sup> [Supreme Court Announces New Remote Technology Project to Promote Access and Safety in Domestic Violence and Sexual Assault Cases \(courtsww.gov\)](#)

states have leveraged the lessons learned throughout the pandemic to improve the process for victims of violence to access the courts and orders of protection.

The technology exists and courts in Maryland have conducted virtual hearings throughout the pandemic. Even prior to the pandemic, bail hearings were conducted remotely. It is no longer necessary to require a victim of violence to leave a hospital and go to a courthouse to obtain a protective order and undermine their safety. If anything, this bill is too modest in scope and should be expanded to include more locations.

**The Maryland Coalition Against Sexual Assault urges  
the Judiciary Committee to report favorably on  
House Bill 296 with Sponsor Amendments**



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<sup>6</sup> [Governor Newsom Signs Rubio Bill Allowing Victims to Use Remote Technology As They Seek Protection From Abusers | Senator Susan Rubio \(ca.gov\)](#)

<sup>7</sup> [Remote Court Procedures Can Help Domestic Abuse Victims - Law360](#)