

HOUSE BILL 1413

D4, D3

8lr0337

By: **Delegates Dumais and Vallario**

Introduced and read first time: February 8, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Peace Orders – Referral to Mediation**

3 FOR the purpose of authorizing the District Court to refer a certain case relating to
4 peace orders to a District Court mediator at any time under certain
5 circumstances; and generally relating to peace orders.

6 BY repealing and reenacting, without amendments,
7 Article – Courts and Judicial Proceedings
8 Section 3–1501(a), (c), (d), (e), (f), (h), and (i) and 3–1503(a)
9 Annotated Code of Maryland
10 (2006 Replacement Volume and 2007 Supplement)

11 BY adding to
12 Article – Courts and Judicial Proceedings
13 Section 3–1502.1
14 Annotated Code of Maryland
15 (2006 Replacement Volume and 2007 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Courts and Judicial Proceedings**

19 3–1501.

20 (a) In this subtitle the following words have the meanings indicated.

21 (c) “Court” means the District Court of Maryland.

22 (d) “Final peace order” means a peace order issued by a judge under § 3–1505
23 of this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (e) "Interim peace order" means an order that a commissioner issues under
2 this subtitle pending a hearing by a judge on a petition.

3 (f) "Petitioner" means an individual who files a petition under § 3-1503 of
4 this subtitle.

5 (h) "Respondent" means an individual alleged in a petition to have
6 committed an act specified in § 3-1503(a) of this subtitle against a petitioner.

7 (i) "Temporary peace order" means a peace order issued by a judge under §
8 3-1504 of this subtitle.

9 **3-1502.1.**

10 **AT ANY TIME, THE COURT MAY REFER A CASE UNDER THIS SUBTITLE TO A**
11 **COURT MEDIATOR IF APPROPRIATE.**

12 3-1503.

13 (a) A petitioner may seek relief under this subtitle by filing with the court, or
14 with a commissioner under the circumstances specified in § 3-1503.1(a) of this
15 subtitle, a petition that alleges the commission of any of the following acts against the
16 petitioner by the respondent, if the act occurred within 30 days before the filing of the
17 petition:

18 (1) An act that causes serious bodily harm;

19 (2) An act that places the petitioner in fear of imminent serious bodily
20 harm;

21 (3) Assault in any degree;

22 (4) Rape or sexual offense under §§ 3-303 through 3-308 of the
23 Criminal Law Article or attempted rape or sexual offense in any degree;

24 (5) False imprisonment;

25 (6) Harassment under § 3-803 of the Criminal Law Article;

26 (7) Stalking under § 3-802 of the Criminal Law Article;

27 (8) Trespass under Title 6, Subtitle 4 of the Criminal Law Article; or

28 (9) Malicious destruction of property under § 6-301 of the Criminal
29 Law Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008.