

Department of Legislative Services
2010 Session

FISCAL AND POLICY NOTE

House Bill 625

(Delegate Simmons, *et al.*)

Judiciary

Judicial Proceedings

Domestic Violence - Domestic Violence Central Repository

This bill requires the Administrative Office of the Courts to maintain a Domestic Violence Central Repository to store specified domestic violence orders issued in the State.

Fiscal Summary

State Effect: None. The bill codifies existing practice.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The central repository must store the following domestic violence orders entered in the State: (1) interim protective orders; (2) temporary protective orders; (3) final protective orders; (4) peace orders; and (5) peace orders issued pursuant to a juvenile cause. Peace orders issued pursuant to a juvenile cause must only be stored during the term of the peace order.

The purposes of the repository are to: (1) provide court and law enforcement personnel with immediate access to domestic violence orders; (2) improve the courts' ability to respond effectively, promptly, and in a coordinated manner to domestic violence cases; (3) eliminate conflicting or simultaneous domestic violence orders by improving communication between the District Court and the circuit courts; (4) enhance the enforceability of domestic violence orders by law enforcement agencies; and (5) facilitate service of domestic violence orders.

Current Law/Background: There is no statute mandating a domestic violence central repository. However, in 2006 the Judiciary's Department of Family Administration was awarded a grant by the Office of Violence Against Women to complete a statewide database for protective and peace orders. On July 1, 2008, the Maryland Judiciary launched a central repository that includes all protective and peace orders issued by Maryland District and circuit court judges and District Court commissioners. According to the Judiciary, the repository was designed to provide Maryland's law enforcement agencies with real time, secure access to imaged copies of protective orders and peace orders issued by the District or circuit courts. This enables law enforcement to verify the existence and content of an order at any time, even when they respond to domestic violence calls, and to make immediate arrests when violations occur. The central repository is also intended to enable court personnel to eliminate conflicting or simultaneous orders between District and circuit courts that share concurrent jurisdiction over domestic violence cases.

Additional Information

Prior Introductions: HB 118 of 2009 received a hearing in the House Judiciary Committee, but no further action was taken.

Cross File: None.

Information Source(s): Montgomery County, Judiciary (Administrative Office of the Courts), Department of State Police, State's Attorneys' Association, *The Washington Post*, Department of Legislative Services

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mlm/kdm

Analysis by: Jennifer K. Botts

Direct Inquiries to:
(410) 946-5510
(301) 970-5510