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BILL NO: House Bill 121  
TITLE: Juvenile Court Jurisdiction – Peace Orders – Repeal  
COMMITTEE: Judiciary  
HEARING DATE: January 27, 2022  
POSITION: **SUPPORT WITH AMENDMENTS**

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House Bill 121 would remove from the Juvenile courts its jurisdiction over Peace Orders that are filed when the Respondent (the alleged abuser) is under 18. The Women's Law Center understands there appear to be significant issues with how these cases are being handled, but if this bill were to pass as written it would create a situation where no one could file a peace order against a minor. In fruitful discussion with the sponsor of this bill, we came to an understanding of what should be done to make the bill palatable and useful at this time.

Currently, peace orders against non-juveniles are filed in the district courts of Maryland. The circuit court does not have jurisdiction to hear Peace Orders (except on appeal). However, the district court does not have jurisdiction over juveniles. It is our understanding that when the Peace Order was developed into law in Maryland, the existing process was created to have peace orders filed against a minor be sent to the Department of Juvenile Services (DJS). They in turn, theoretically, assess the case for validity and then the case, if approved by DJS, is filed in the Juvenile Court. The idea was to be able to have DJS intervene to offer services. Apparently that is not happening. Instead, DJS is failing to forward cases for filing, as well as failing to offer any services.

HB 121 however, would make it impossible to file a case against a minor respondent at all. In conversation with the sponsor, we agree there is a problem, but we do not know the extent of it, whether it is very few cases or many cases, whether the problem is purely jurisdictional, or really anything else, except that cases are not being moved by DJS, at least in certain instances. The sponsor has agreed to amend this bill to collect the important data we need to address this issue properly. Until we have the data we can't move forward without creating another and perhaps worse problem.

The amendment will strike the existing bill and instead require DJS as well as the Juvenile Court system to report on the following data, disaggregated by county: number of petitions filed with DJS; basis for the peace order petition if indicated; number of petitions forwarded to the court by DJS; number of petitions denied by DJS; number of petitions granted by the court; number of petitions denied by the court; number of peace order violations filed; number of peace order violations sustained. Additional information required should be for both petitioner and Respondent, their age, gender, and race.

The ability to file a peace order against a minor must remain an option for appropriate cases. Amending this bill as described will give us the tools to design a method or system that works. We were happy to work with the sponsor to more fully understand the issues and are available to continue to address this issue once we have the data we need.

Therefore, the Women's Law Center of Maryland, Inc. supports House Bill 121 only if amended.

*The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.*