



DISTRICT COURT OF MARYLAND FOR

City/County

Located at

Court Address

MD

Telephone No.

Case No.

INTERIM EXTREME RISK PROTECTIVE ORDER (Public Safety § 5-603)

PETITIONER

[Empty box for Petitioner Name]

First Middle Last

VS.

RESPONDENT

[Empty box for Respondent Name]

First Middle Last

Relationship to Petitioner

- Spouse, Cohabitant, Related, Child(ren) in common, Current dating or intimate partner, Current or former legal guardian, Health professional, Law enforcement officer

Agency Sub-Agency I.D. No.

Address

City, State, Zip

Telephone

RESPONDENT IDENTIFIERS

Table with columns: SEX, RACE, DOB, HT, WT, EYES, HAIR, DISTINGUISHING FEATURES, VEHICLE DESCRIPTION, TAG NO., EMPLOYER

CAUTION - FIREARMS INVOLVED

THE COMMISSIONER ORDERS THE ABOVE NAMED RESPONDENT:

- (1) TO SURRENDER ALL FIREARMS AND AMMUNITION TO LAW ENFORCEMENT; AND IS (2) PROHIBITED FROM PURCHASING OR POSSESSING ANY FIREARM OR AMMUNITION FOR THE DURATION OF THIS ORDER.

Only the court can change this order.

The terms of this order shall be effective through

[Empty box for effective date]

Month/Day/Year

If the court is closed unexpectedly on the expiration date, this order will remain in effect until the next day the court is open. The Temporary Extreme Risk Protective Order hearing will be held at

Time

NOTICE TO RESPONDENT: PENALTIES

A violation of an Extreme Risk Protective Order is a crime and law enforcement shall arrest the respondent, with or without a warrant, and take the respondent into custody if the officer has probable cause to believe that the respondent has violated any provision of an Extreme Risk Protective Order. Violation of this order may result in criminal prosecution, imprisonment or fine or both. A person who fails to comply with the provisions of this order is guilty of a misdemeanor and subject to the maximum penalties of a \$1,000.00 fine and/or 90 days imprisonment for a first offense and a \$2,500.00 fine and/or one year imprisonment for a second or subsequent offense.

In consideration of the petition and evidence, the commissioner makes the following findings:

A. The petitioner is:

- a spouse.
- a cohabitant.
- a person related by blood, marriage, or adoption.
- an individual who has a child(ren) in common.
- a current dating or intimate partner.
- a current or former legal guardian.
- a physician, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical marriage or family therapist, or health officer or designee of a health officer who has examined the individual.
- a law enforcement officer.

B. In consideration of the petition, the commissioner considered the following:

- Relevant evidence provided by the petitioner:
 - Specific facts known to petitioner that respondent poses an immediate and present danger.
 - Knowledge of supporting facts, including description of behavior and statements made by the respondent.
 - Number, type, and location of known firearms/ammunition: _____
- Supporting documents: _____
- Amount of time elapsed since any of the events described in petition: _____

C. Based on the petition and evidence, the commissioner finds:

- Reasonable grounds to believe that the respondent poses an immediate and present danger of causing personal injury to the respondent, the petitioner, or another by possessing a firearm.
- An Interim Extreme Risk Protective Order is necessary to prevent personal injury to the respondent, petitioner, or another.

On _____ Date _____ at _____ Time _____,

petitioner's basis, description of behavior, statements made by respondent or any other information that led petitioner to believe respondent poses an immediate and present danger of causing personal injury to himself/herself or others:

D. Order is denied

- Petitioner is not eligible for relief.
- No reasonable grounds to believe that respondent poses an immediate and present danger of causing personal injury to the respondent, petitioner, or another by possessing a firearm.
- Other _____

E. The petition was filed when the District Court Clerk's Office was closed.

Based on the foregoing findings, the commissioner hereby **ORDERS**:

1. The respondent SHALL SURRENDER all firearm(s) and ammunition in the respondent's possession to _____
Law Enforcement Agency
2. The respondent SHALL NOT purchase or possess any firearm or ammunition for the duration of this order.

REFERRAL TO LAW ENFORCEMENT FOR DETERMINATION FOR EMERGENCY EVALUATION

F. Based on the petition, the commissioner finds probable cause to believe that the respondent has shown the symptoms of a mental disorder, and that he/she presents a danger to the life or safety of himself/herself or of others because:

Judicial officer notified: _____ Name of Agency _____ Agency _____ Sub-Agency _____

_____ Date _____ Time _____ Commissioner's Signature _____

_____ Print Name _____ ID Number _____

See "Important Information" on Page 3 of this order.

IMPORTANT INFORMATION

Upcoming court hearings in this case

Temporary Extreme Risk Protective Order Hearing. This case is set for a Temporary Extreme Risk Protective Order hearing before a District Court judge on _____ at _____ A.M./P.M. at the District Court located at _____
New Hearing Date Time

If the court is closed unexpectedly on the expiration date, this order will remain in effect until the next day the court is open. The Temporary Extreme Risk Protective Order hearing will be held at _____ .
Time

Final Extreme Risk Protective Order Hearing. If a judge signs a Temporary Extreme Risk Protective Order, the tentative date and time of the Final Extreme Risk Protective Order hearing is _____ at _____ A.M./P.M. in the same location.
New hearing date Time

Hearing dates and places are subject to change, and you should call the District Court Clerk's Office at _____ to be sure you know when and where your hearing(s) will occur. You are responsible for knowing when and where hearings will occur.
Telephone number

NOTICE TO ALL PARTIES

- | Please bring all photos, documents and other evidence that you may have with you to court on your hearing date.
- | If you fail to appear at a hearing, the judge may still issue an order or take other action that affects you and you are responsible for obeying any orders issued in your absence. A Final Extreme Risk Protective Order may be entered in your absence and served by first-class mail.
- | After initial service, orders and notices may be served by first-class mail to your last known address.
- | You may consult an attorney regarding any matter related to the order, and that an attorney should be contacted promptly so that the attorney may assist you.
- | If you do not attend the Temporary Extreme Risk Protective Order hearing, call the District Court Clerk's Office to find out the actual date, time, and location of any Final Extreme Risk Protective Order hearings.
- | At the Temporary Extreme Risk Protective Order hearing a judge may issue a Temporary Extreme Risk Protective Order prohibiting you from possessing a firearm and ammunition or may deny the petition, whether or not you are in court.
- | **Communicating with the court.** Any communication you wish to have with the court about this case must be filed in writing at the District Court Clerk's Office during business hours. **Do not attempt to contact a commissioner or judge directly.** You are responsible for advising the District Court Clerk's Office in writing, of your current address and telephone number and of any changes in either. The Post Office will not forward District Court mail to you.
- | Each party may be represented by an attorney at all stages. You are not required to have an attorney. To obtain an Interim or Temporary Extreme Risk Protective Order, the petitioner is required to show reasonable grounds to believe that the respondent poses an immediate and present danger of causing personal injury to the respondent, the petitioner, or another by possessing a firearm. To obtain a Final Extreme Risk Protective Order, the judge must find clear and convincing evidence that the respondent poses a danger of causing personal injury to the respondent, the petitioner, or another by possessing a firearm. The Rules of Evidence apply to your hearing. If the petitioner cannot afford a private attorney, there are support agencies that may be able to help you. Due to the emergency nature of the hearing, the hearing may be held even if a party requests more time to obtain an attorney.

DURATION OF ORDERS

- | **Interim Extreme Risk Protective Orders** usually last until the Temporary Extreme Risk Protective Order hearing, but not beyond the second business day after issue unless the court is closed for unforeseen circumstances.
- | **Temporary Extreme Risk Protective Orders** last not more than seven (7) days after the service of the order. The judge may extend as needed, but not beyond six (6) months.
- | **Final Extreme Risk Protective Orders** may remain in effect for as long as one (1) year.
Additionally: The court for good cause may extend the term of the Final Extreme Risk Protective Order for an additional six (6) months after a further hearing.

PROCESS FOR RECLAIMING FIREARMS AND AMMUNITION ON EXPIRATION OR TERMINATION OF ORDER

On expiration or termination of the order, a law enforcement agency that holds any firearm or ammunition surrendered or seized shall notify you that you may request return of the firearm or ammunition. The law enforcement agency shall return a firearm or ammunition to you only after the agency verifies that you are not otherwise prohibited from possessing the firearm or ammunition. On your request to return all firearms and ammunition belonging to you, if authorized to be returned to you, the law enforcement agency shall return no later than:

- 14 days after the expiration of an Interim or Temporary Extreme Risk Protective Order;
- 14 days after a court terminates a Final Extreme Risk Protective Order; or
- 48 hours after the expiration of a Final Extreme Risk Protective Order.

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately.

Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

EXTREME RISK PROTECTIVE ORDER NOTICE
Surrender of Firearm(s) / Ammunition to Law Enforcement and
Prohibition From Purchasing or Possessing Firearm(s) / Ammunition

TO: Extreme Risk Protective Order Respondent

An Extreme Risk Protective Order (ERPO) has been entered against you by a judicial officer ordering you as the respondent to surrender to law enforcement authorities any firearm and ammunition in your possession. You are prohibited from possessing or purchasing any firearm or ammunition for the duration of the Extreme Risk Protective Order.

You may retake possession of the firearm(s) and ammunition at the termination or expiration of the Extreme Risk Protective Order unless: (1) the order is extended; or (2) you are otherwise not legally entitled to own or possess the firearm(s) and ammunition.

Process for Surrendering Firearm(s) and Ammunition:

If a law enforcement officer is serving you personally with the Extreme Risk Protective Order, you must immediately surrender all firearms and ammunition to the officer.

If you have received this order by mail, you must contact the law enforcement agency designated in the order and arrange for the immediate surrender of all firearms and ammunition in your possession. You may transport a firearm to surrender it, if you take the following steps:

- Notify the law enforcement unit, barracks, or station that the firearm is being transported in accordance with the Extreme Risk Protective Order;
- Make sure the firearm is unloaded;
- Transport the firearm directly to the law enforcement unit, barracks, or station; and
- Carry a copy of the Extreme Risk Protective Order that requires the surrender of any firearm and ammunition when transporting the firearm and ammunition to the appropriate authorities.

You must comply with the law enforcement agency's delivery instructions. Surrender each firearm and ammunition **IMMEDIATELY** to the designated law enforcement agency for the county or city where the Extreme Risk Protective Order was issued. Contact information for the designated law enforcement agency is included with this notice.

Law enforcement will take possession of all firearms and ammunition. Law enforcement will provide you with a receipt identifying the make, model, and serial number for all firearms and ammunition that have been surrendered or seized. Law enforcement will transport and store any firearm surrendered or seized in a protective case, if one is available, and in a manner intended to prevent damage to the firearm during the time the order is in effect.

Process for Reclaiming Firearms and Ammunition on Expiration or Termination of Order:

On expiration or termination of the order, a law enforcement agency that holds any firearm or ammunition surrendered or seized shall notify you that you may request return of the firearm or ammunition. The law enforcement agency shall return a firearm or ammunition to you only after the agency verifies that you are not otherwise prohibited from possessing the firearm or ammunition. On your request to return all firearms and ammunition belonging to you, if authorized to be returned to you, the law enforcement agency shall return the items no later than:

- 14 days after the expiration of an Interim or Temporary Extreme Risk Protective Order;
- 14 days after a court terminates a Final Extreme Risk Protective Order; or
- 48 hours after the expiration of a Final Extreme Risk Protective Order.

**FAILURE TO COMPLY WITH THESE PROVISIONS MAY RESULT IN YOUR ARREST,
CRIMINAL PROSECUTION, IMPRISONMENT AND/OR FINE, A FINDING OF CONTEMPT,
AND/OR FORFEITURE OF FIREARMS.**

Allegany County

Sheriff's Office
695 Kelly Road
Cumberland, MD 21502
301-777-1585

Anne Arundel County

Anne Arundel County Police
*Northern District
939 Hammonds Lane
Brooklyn Park, MD 21225
410-222-6135

***Eastern District**

204 Pasadena Rd.
Pasadena, MD 21122
410-222-6145

***Western District**

8273 Telegraph Road
Odenton, MD 21113
410-222-6155

***Southern District**

35 Stepneys Lane
Edgewater, MD 21037
410-222-1961

Baltimore City

Baltimore Police Department
601 East Fayette
Baltimore, MD 21202
443-263-2220

Baltimore County

Baltimore County Police
700 East Joppa Road
Towson, MD 21286
410-887-2211

Calvert County

Sheriff's Office
30 Church St.
Prince Frederick, MD 20678
410-535-2800

Caroline County

Sheriff's Office
101 Gay Street
Denton, MD 21629
410-479-2515

Carroll County

Sheriff's Office
100 N. Court Street
Westminster, MD 21157
410-386-2900

Cecil County

Sheriff's Office
Upper Chesapeake Corporate Center
107 Chesapeake Blvd. Suite 112
Elkton, MD 21921
410-996-5500

Charles County

Sheriff's Office
6855 Crain Hwy
P.O. Box 189
La Plata, MD 20646
301-932-2222

Dorchester County

Sheriff's Office
829 Fieldcrest Road
Cambridge, MD 21613
410-228-4141

Within the municipal limits of

Cambridge:
Cambridge Police
8 Washington Street
Cambridge, MD 21613
410-228-3333

Frederick County

Sheriff's Office
110 Airport Drive, East
Frederick, MD 21701
301-600-1046

Garrett County

Sheriff's Office
311 East Alder Street
Oakland, MD 21550
301-334-1911

Harford County

Sheriff's Office (Northern Precinct)
3726 Norrisville Rd.
Jarrettsville, MD 21084
410-692-7880

Sheriff's Office (Southern Precinct)

1305 Pulaski Hwy.
Edgewood, MD 21040
410-612-1718

Howard County

Howard County Police
3410 Court House Dr.
Ellicott City, MD 21043
410-313-3200

Kent County

Sheriff's Office
104 Vickers Drive, Unit B
Chestertown, MD 21620
410-778-2279/5946

Montgomery County

Sheriff's Office
50 Maryland Ave, Room T-400
Rockville, MD 20850
240-777-7000

Prince George's County

Sheriff's Office
5303 Chrysler Way
Upper Marlboro, MD 20773
301-780-8600

Queen Anne's County

Sheriff's Office
505 Railroad Avenue
Centreville, MD 21617
410-758-0770

St. Mary's County

Sheriff's Office
23150 Leonard Hall Drive
Leonardtown, MD 20650
301-475-4200 ext.1900

Somerset County

Sheriff's Office
7920 Crisfield Hwy.
Westover, MD 21871
410-651-9225

Talbot County

Sheriff's Office
28712 Glebe Rd. Suite #1
Easton, MD 21601
410-822-1020

Washington County

Sheriff's Office
500 Western Maryland Pkwy
Hagerstown, MD 21740
240-313-2100

Wicomico County

Sheriff's Office
401 Naylor Mill Road
Salisbury, MD 21801
410-548-4891

Within the municipal limits of Salisbury City:

Salisbury Police
699 West Salisbury Parkway
Salisbury MD, 21801
410-548-3165

Worcester County

Sheriff's Office
1 W. Market Street, Rm. 1001
Snow Hill, MD 21863
410-632-1111