



# Domestic Violence Criminal Cases: What to Expect in Court (Victim)

You are not alone. Participation in the criminal justice system can be scary for victims of domestic violence. Knowing about the court and trial process ahead of time may help victims feel more comfortable and supported when their case goes to court.

## What happens in court? (Watch 00:34 – 01:10)

- Different types of hearings happen in court (e.g., status hearings, motions hearings, trials). You can find notice of these hearings at: <http://casesearch.courts.state.md.us/casesearch/>
- If you are needed for a hearing, you should be mailed or emailed a subpoena, an order to attend court. If you have questions, contact the state's attorney's office in your jurisdiction. You can find your state's attorney's office at: <https://www.mdsaa.org/maryland-states-attorneys>
- Your case may go to trial, result in a plea, or a prosecutor may elect not to prosecute the case. You may know the resolution prior to or during court.

## Who is in the courtroom? (Watch 01:10 – 02:11)

- The state's attorney sits at one table, and the offender and defense attorney sit at another. There is also a witness stand or desk with a microphone next to the judge.
- If you are called as a witness, you will be able to see the offender while you are on the witness stand, but you may choose not to look at them. The exception to this is if you are asked to identify the offender.
- You may want to ask a friend or family member who is not part of the case to come to court to sit in the gallery. You may look to that person for support during the proceedings.

## What is my role during the hearing? (Watch 02:11 – 02:37)

- Your role is to tell the truth about what happened to you. You will be asked questions by the state and the defense. Answer the questions to the best of your ability.
  - If you don't understand a question or need more information before you can answer, you can say "I don't understand" or "Can you please explain what you mean?"

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- If you don't remember the answer or if you don't know the answer, you can say "I don't remember" or "I don't know."
- You can ask the judge for a bathroom break or any break at any time. You can discuss this with the prosecutor before your appearance in court.
- There may be a rule of witnesses. If so, the Court may order that all witnesses remain outside the courtroom until they testify. The purpose of this rule is to make sure that the testimony of one witness does not influence the testimony of another witness. However, as the victim of a crime, you have the right to stay in the courtroom during the hearing. You should discuss this with the prosecutor before the hearing.
- Phones are allowed, but you are not allowed to have your phone out in the courtroom.
  - If you have evidence on your phone, you should provide the evidence to the prosecutor before court (through a screenshot, an email, or other means).
  - If you keep your phone turned on in the courtroom or it rings, the Court may confiscate it and keep it until the end of the day or end of the court session.
- There is a no outside food or drink policy for the district court.

## What support will be in place during my hearing? (Watch 02:37 – 02:56)

- Prior to court, you can work with a victim advocate or victim witness coordinator from the state's attorney's office, who can guide you through the process including accompanying you to court where possible. You can find more information about victim witness coordinators at:  
<https://www.marylandattorneygeneral.gov/Pages/VictimServ/default.aspx>
- You should plan to arrive 30 minutes before your scheduled court time.
  - It may take an additional 30-45 minutes to find parking and get through security.
  - If you are not in the courtroom when the case is called or have not checked in, the prosecutor may not be able to prosecute the case.
  - Victims should check with the prosecutor about arrival time. They can also make arrangements to wait on a different floor of the courthouse or somewhere else.

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- Arriving early does come with the chance of seeing your abuser. If you see your abuser and do not feel safe, there are usually police or bailiffs in the building that are willing to help.
- A support dog may be able to sit with you while you wait to testify.
- If you are not receiving services or information, you can reach out to your local Family Justice Center or local intimate partner violence program. You can also reach out to the Maryland Crime Victims' Resource Center (MCVRC) at: <https://www.mdcrimevictims.org/>.
- You can find out more about legal service providers, who can assist you throughout the court process at:
  - Maryland Legal Aid: <https://www.mdlab.org/>
  - Maryland Court Help: <https://www.courts.state.md.us/legalhelp/findinglegalhelp>

## What are potential outcomes and follow-up? (Watch 02:56 – 04:15)

- You can work with a victim advocate or victim witness coordinator to prepare for potential outcomes of the trial. It is important to safety plan **BEFORE** the trial in case of negative results. This can include seeking emergency shelter or other protective measures. You can find more information about victim witness coordinators at: <https://www.marylandattorneygeneral.gov/Pages/VictimServ/default.aspx>.
  - If the hearing does not end in your favor, are you worried the offender may follow you home?
  - Is there a safe place for you to go after the hearing if the offender is not detained?
  - If you have children, your victim witness coordinator can help plan for their safety—for example, navigating shared custody.
- You have the right to provide a victim impact statement (written or verbal) about how the crime has impacted you including your emotional well-being, physical injuries, financial or medical expenses, or treatment.
- The defendant may be sentenced to jail or receive a suspended sentence and be released into the community. In most cases, the defendant will be released on probation following release from jail. Probation conditions may include stay away/no contact, GPS monitoring, abuser intervention program, and mental health or substance abuse treatment.

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- If the defendant is found not guilty, if the case is not prosecuted, and/or if the defendant is released into the community following a guilty verdict, you can work with your victim witness coordinator to act on your safety plan.

## Online Resources

### **Maryland Court Help:**

<https://www.courts.state.md.us/legalhelp/findinglegalhelp>

### **Maryland Crime Victims' Resource Center (MCVRC):**

<https://www.mdcrimevictims.org/>

### **Maryland Judiciary Case Search:**

<http://casesearch.courts.state.md.us/casesearch/>

### **Maryland Legal Aid:**

<https://www.mdlab.org/>

### **Maryland State's Attorneys' Association:**

<https://www.mdsaa.org/maryland-states-attorneys>

### **Victim Witness Coordinators:**

<https://www.marylandattorneygeneral.gov/Pages/VictimServ/default.aspx>

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National Domestic Violence Hotline: 1-800-799-7233 | [www.thehotline.org](http://www.thehotline.org)