

Form CC 377

PETITION FOR PERSONAL PROTECTION ORDER (NONDOMESTIC)

Use this form if you want an order to restrain another person over the age of 18 and you do not have a domestic relationship to this person.

INSTRUCTIONS FOR COMPLETING "PETITION FOR PERSONAL PROTECTION ORDER (NONDOMESTIC)"

Please print neatly. Press firmly because you are printing on five copies.

By filling in this form, you are asking for a personal protection order that tells the respondent not to do certain things you don't want him or her to do. **If you are in immediate danger**, you should ask the judge for an "ex parte" order, which will be issued without waiting for a hearing.

Items A through H must be completed before your petition can be filed with the court. Please read the instructions for each item. Then fill in the correct information for that item on the form.

- A** Write **your** name, address, and telephone number in the "Petitioner" box. If you are under 18 years of age, write in your age. Write the name, address, and telephone number of the person you want restrained in the "Respondent" box; if he or she is under 18 years of age, write in his/her age. **If you want your address and telephone number to be kept from the respondent, do not write your address here. Put in the address of a relative or friend or a post office box where the court can contact you.**
- B** Check the box if the respondent is required to carry a firearm while at work. If you aren't sure, check the box "unknown."
- C** Check whether there is a pending action between you and the respondent. If there is, fill in the case number, the name of the court, the county, and the state or province where the action was filed, and the name of the judge.

Check whether there are any court orders or judgments between you and the respondent. If there are, fill in the case number, the name of the court, the county, and the state or province where the order or judgment was entered, and the name of the judge that signed the order.

- D** **Explain in as much detail as possible** why you are asking for a personal protection order. Describe what has happened or what has been threatened so the judge has enough facts to decide if a personal protection order should be signed. If you want to prohibit stalking, you must detail two or more separate instances of harassment (unconsented contact) that caused you to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Include dates and places. Write on a separate sheet of paper and attach it to this form. If you only want to prohibit the posting of a message through the use of any medium of communication, including the Internet or a computer or any electronic medium, you must detail what caused you to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
- E** **Check only those boxes** you need because you must be able to convince the judge you need all the protection you are requesting. Check box a only if you provided details in item 4 that support an order against stalking.
- F** An "ex parte order" means you do not have to let the party know in advance that you are asking the court for an order and you do not have to wait for a court hearing to get the order. Check the box for an "ex parte order" if you believe the other party might hurt you or threaten you if he or she found out you were getting an ex parte personal protection order.

If you do not check the box for an ex parte order, you must have a court hearing. Fill out form CC 381.
- G** If you are under 18 years old, you may need an adult (called a "next friend") to petition for you. Check this box if you have a next friend helping you file this form, and have the next friend sign the petition.
- H** Write in today's date and sign the form. Hand the form to the county clerk. The clerk will fill in the rest of the information and will give you your copies.

For more information about personal protection orders, [visit www.michiganlegalhelp.org](http://www.michiganlegalhelp.org).

STATE OF MICHIGAN 55TH JUDICIAL CIRCUIT CLARE COUNTY	PETITION FOR PERSONAL PROTECTION ORDER (NONDOMESTIC)	CASE NO. and JUDGE
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Court address 225 W. MAIN STREET HARRISON, MI 48625 **Court telephone no.** 989-539-7131

A Petitioner's name Age Address and telephone no. where court can reach petitioner	v	Respondent's name, address, and telephone no. Age
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1. The petitioner and respondent have never been married, resided in the same household together, had a child in common, or had a dating relationship with one another.

B 2. The respondent is required to carry a firearm in the course of his/her employment. Unknown.

C 3. a. There are are not other pending actions in this or any other court regarding the parties.

Case number	Name of court, county, and state or province	Name of judge
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b. There are are not orders/judgments entered by this or any other court regarding the parties.

Case number	Name of court, county, and state or province	Name of judge
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D 4. I need a personal protection order because: Explain what has happened (attach separate sheets).

E 5. I make this petition under the authority of MCL 600.2950a(1) and ask the court to grant a personal protection order prohibiting the respondent from

- a. stalking me as defined by MCL 750.411h and MCL 750.411i, which includes but is not limited to
 - following me or appearing within my sight.
 - appearing at my workplace or residence.
 - approaching or confronting me in a public place or on private property.
 - entering onto or remaining on property owned, leased, or occupied by me.
 - sending mail or other communications to me.
 - contacting me by telephone.
 - placing an object on or delivering an object to property owned, leased, or occupied by me.
- b. threatening to kill or physically injure me.
- c. purchasing or possessing a firearm.
- d. posting a message through the use of any medium of communication, including the Internet or a computer or any electronic medium, pursuant to MCL 750.411s.
- e. other: _____

F 6. I request an ex parte order because immediate and irreparable injury, loss, or damage will occur between now and a hearing or because notice itself will cause irreparable injury, loss, or damage before the order can be entered.

G 7. I have a next friend petitioning for me. I certify that the next friend is not disqualified by statute and is an adult.

H _____
Date

Petitioner's/Next friend's signature

Name (type or print)

Form CC 380



**PERSONAL PROTECTION ORDER
(NONDOMESTIC)**

Use this form if you filled out form CC 377, Petition for Personal Protection Order (Nondomestic).

INSTRUCTIONS FOR COMPLETING "PERSONAL PROTECTION ORDER (NONDOMESTIC)"

Please print neatly.

Items A and B must be completed before you give this form to the court clerk. Please read the instructions for each item. Then fill in the correct information for that item on the form.

-  **A** Fill in the "petitioner" and "respondent" the same way you did on form CC 377. **If you want your address and telephone number to be kept from the respondent, do not write your address here. Put in the address of a relative or friend or a post office box where the court can contact you.**
-  **B** Write in the respondent's name and as much of the other information as you know. This information will help the police identify the respondent if he or she disobeys the restraining order. Be sure to identify the respondent accurately. The **race, sex, and ~~date of birth~~ are required for law enforcement to enter an order on the Law Enforcement Information Network (LEIN).** *Age only!*

The court will complete the rest of this form.

Important:

If the respondent violates this personal protection order and is arrested, the court will set a date, time, and place for a hearing on the charges against the respondent to be held within 72 hours after arrest. The court or prosecutor is responsible for giving you notice of this hearing. If you are not notified within 24 hours of the arrest, contact the court that issued this order. If a hearing is not held within 72 hours, the respondent may be released from jail after posting bond pending the hearing.

If the respondent violates this personal protection order and there is no arrest, use form CC 382, Motion and Order to Show Cause for Violating Personal/Foreign Protection Order. This form is available from the circuit court clerk.

For more information about personal protection orders, [visit www.michiganlegalhelp.org](http://www.michiganlegalhelp.org).

55TH CLARE STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	PERSONAL PROTECTION ORDER (NONDOMESTIC) <input type="checkbox"/> EX PARTE	CASE NO. and JUDGE
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ORI MI- Court address Court telephone no.
225 W MAIN STREET HARRISON, MI 48625 989-539-7131

A Petitioner's name Address and telephone no. where court can reach petitioner	v	Respondent's name Address and telephone no. where court can reach respondent
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B Full name of respondent (type or print)*							Driver's license number (if known)
Height	Weight	Race*	Sex*	Date of birth or age*	Hair color	Eye color	Other identifying information

*These items must be filled in for the police/sheriff to enter on LEIN; the other items are not required but are helpful.

Date _____ Judge: _____

1. This order is entered without a hearing. after hearing.

THE COURT FINDS:

- 2. A petition requesting an order to restrain conduct prohibited under MCL 750.411h and MCL 750.411i and/or MCL 750.411s has been filed under the authority of MCL 600.2950a.
- 3. Petitioner requested an ex parte order, which should be entered without notice because irreparable injury, loss, or damage will result from delay required to give notice or notice itself will precipitate adverse action before an order can be issued.
- 4. Respondent committed the following acts of willful, unconsented contact: (State the reasons for issuance.)

IT IS ORDERED:

5. _____ is prohibited from
- Full name of respondent
- a. stalking as defined by MCL 750.411h and MCL 750.411i, which includes but is not limited to
 - following or appearing within sight of the petitioner.
 - appearing at the workplace or the residence of the petitioner.
 - approaching or confronting the petitioner in a public place or on private property.
 - entering onto or remaining on property owned, leased, or occupied by the petitioner.
 - sending mail or other communications to the petitioner.
 - contacting the petitioner by telephone.
 - placing an object on or delivering an object to property owned, leased, or occupied by the petitioner.
 - b. threatening to kill or physically injure the petitioner.
 - c. purchasing or possessing a firearm.
 - d. posting a message through the use of any medium of communication, including the Internet or a computer or any electronic medium, pursuant to MCL 750.411s.
 - e. other: _____

6. Violation of this order subjects the respondent to immediate arrest and to the civil and criminal contempt powers of the court. If found guilty, respondent shall be imprisoned for not more than 93 days and may be fined not more than \$500.00.
7. **This order is effective when signed, enforceable immediately, and remains in effect until _____.**
This order is enforceable anywhere in this state by any law enforcement agency when signed by a judge, and upon service, may also be enforced by another state, an Indian tribe, or a territory of the United States. If respondent violates this order in a jurisdiction other than this state, respondent is subject to enforcement and penalties of the state, Indian tribe, or United States territory under whose jurisdiction the violation occurred.
8. The court clerk shall file this order with _____ who will enter it into the LEIN.
9. Respondent may file a motion to modify or terminate this order. For ex parte orders, the motion must be filed within 14 days after being served with or receiving actual notice of the order. Forms and instructions are available from the clerk of court.
10. A motion to extend the order must be filed 3 days before the expiration date in item 7, or a new petition must be filed.

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Judge signature and date

**55TH CIRCUIT COURT
CLARE COUNTY**

Questionnaire B

Personal Protection Orders: Stalking

1. Do you know this person against whom you want the PPO?

If so, how do you know that person?

2. What contact has this person made with you?

Examples: Did he/she follow you or appear within your sight? Approach or confront you, either in a public place or in private? Did he/she come to your workplace or home? Has he/she called you or sent mail or e-mail to you? Has he/she sent unwanted packages or objects to you?

The above are just examples: state **specifically** what happened to you. Describe **each** incident, beginning with the most recent. If there are more than two, describe what they are on additional sheets.

Most Recent Incident

Who made the contact with you?

What did this person do?

When did this incident occur?

Where did this incident occur?

Second Most Recent Incident

How **much time** was there between this incident and the most recent incident?

Who made the contact with you?

What did this person do?

When did this incident occur?

Where did this incident occur?

If further incidents have occurred, please describe them on additional sheets, including the length of time between incidents?

3. Has this person contacted you when you did not want him or her to?

4. Did you tell the person not to contact you?

If so:

When did you tell the person not to contact you?

Where did you tell the person not to contact you (over the phone, in person, at your home or workplace, etc)?

What did you say to this person when you told him/her not to contact you?

What occurred after you told the person not to contact you?

If not:

Please state why you did not tell the person not to contact you.

How have the person's acts or threats made you feel?

LEGAL OBLIGATIONS

You assume certain legal obligations when you apply for a Personal Protection Order. Meeting these obligations is essential for the success of your order, and for your and/or your children's safety. The following is a list of YOUR OBLIGATIONS as the Petitioner.


- **AVOID CONTACT with the Respondent.**
If your PPO is issued, YOU MUST COMPLY with the order by not contacting the Respondent. The JUDGE issued your PPO. Therefore, the order (although not expressly stated) prohibits YOU from allowing or giving permission to the Respondent to engage in behaviors that the Judge has ordered not to occur. If you need to have the order changed or ended, you must file a motion requesting the Judge to do so. The Clerk's office can assist you in filing the appropriate motion.
- **SERVE the Respondent.**
YOU CANNOT SERVE THE RESPONDENT YOURSELF. A process server or someone you can trust, like a friend or a relative, must complete service. Service must be completed by one of the following (unless specifically ordered by the Judge):
 1. Personal Service (hand the Respondent the paperwork)
 2. Certified Mail (return receipt requested, delivery restricted)
 3. Registered Mail (return receipt requested, delivery restricted)
- **FILE the Proof of Service form with the Circuit Court**
Whoever serves the PPO must file the Proof of Service with the Circuit Court Clerk. The Respondent can then be held in "contempt" for a PPO violation.
- **CARRY a Certified Copy of the PPO with you at all times.**
If you call the police but the Respondent has not been served, the police can use YOUR COPY to serve the Respondent at the scene.
- **BE TRUTHFUL in all statements to the court.**
An individual who knowingly and intentionally makes a false statement to the court in support of his or her own petition is subject to contempt sanctions. An individual who alters the Judge's order is also subject to contempt sanctions.
- **COMPLETE A MOTION TO SHOW CAUSE.**
If the Respondent violates the order, but is not arrested, YOU must request the violation hearing, Contact the County Clerk's office for forms and assistance.

Signature: _____

Date: _____

PROCEDURE WHEN AN EX PARTE PPO IS REQUESTED

1. An ex parte PPO will only be issued if it clearly appears from specific facts shown in the affidavit which you must sign – that immediate and irreparable injury, loss or damage will result from the delay required to give notice or that the notice itself will precipitate adverse action before a PPO can be issued.
2. You must print your name and the Respondent's name legibly and provide all identifying information of the Respondent, including a current address, phone number, date of birth, and physical description.
3. The assigned Judge will review your complaint and affidavit to determine whether an ex parte PPO should be issued.
4. The County Clerk's office may tell you that the Judge has done one of the following:
 - a. Granted the PPO. The Judge has determine that you are in immediate need of protection. Return to the Clerk's office for your paperwork. The Respondent will have the opportunity to request a hearing to either remove or change the PPO. You must attend the hearing if you wish to keep the PPO in place. *It is also possible that the Judge may find that there is an immediate need for protection from some actions but not others. If this happens, Judge will grant only a portion of your PPO. If you wish to have more conditions added to your PPO, call the County Clerk's office to assist you in having a hearing to modify the PPO.*
 - b. Denied the PPO in its entirety. The Judge has decided the facts you presented to him/her do not qualify you for a PPO at this time.
 - c. Denied the PPO but will allow a hearing. This does not mean the Judge does not feel you should have a PPO. The Judge has not found an immediate need for your PPO. He/She cannot justify it without allowing the opposing party to have notice that a PPO can be authorized against him/her. It now becomes your responsibility to set a hearing where both parties are allowed to speak to the Judge and present their case. Return to the Clerk's office for the form and assistance. The Respondent needs to be served notice for the hearing at least five days prior to the hearing. A Proof of Service must be completed and returned to the Clerk's office. *Also, the Court may set a hearing on its own to determine if a PPO is necessary.*


Hon. Roy G. Mienk


Hon. Tara S. Hovey


Hon. Marty A. Klaus

Petitioner's

JIS Code: PPI

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE CLARE COUNTY
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Court address: 225 WEST MAIN STREET HARRISON, MI 48625
 Court telephone no.: 989-539-7131

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
In the matter of _____		

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a defendant, respondent, or decedent. If the person is a plaintiff, petitioner, or other individual, use form MC 97a.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- **Provide only** the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97 is being filed with: _____

Printed name of individual completing form and date _____

Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required to be provided. For Other, specify the type of PII in addition to the PII itself. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. 1" in place of the DOB in the public document.

Ref. No.	Name (required)
1	Date of birth
2	National ID no. / Last 4 digits of SSN XXX-XX-____
3	Driver's License / State-issued ID no.
4	Passport no.
5	Other

Ref. No.	Instructions: List the name of the financial institution and the account number. List the paragraph that references the account, if needed for clarity. Use reference number (Ref. No.) when necessary to refer to account in public documents.		
6	Financial institution	Account no.	Paragraph no.
7	Financial institution	Account no.	Paragraph no.
8	Financial institution	Account no.	Paragraph no.
9	Financial institution	Account no.	Paragraph no.

Respondent's

JIS Code PPI

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE 55TH	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE CLARE COUNTY
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Court address 225 WEST MAIN STREET HARRISON, MI 48625	Court telephone no. 989-539-7131
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Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
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In the matter of _____

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a defendant, respondent, or decedent. If the person is a plaintiff, petitioner, or other individual, use form MC 97a.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- Provide only the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97 is being filed with: _____

Printed name of individual completing form and date _____

Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required to be provided. For Other, specify the type of PII in addition to the PII itself. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. 1" in place of the DOB in the public document.

Ref. No.	Name (required)
1	Date of birth
2	National ID no. / Last 4 digits of SSN XXX-XX-_____
3	Driver's License / State-issued ID no.
4	Passport no.
5	Other

Ref. No.	Instructions: List the name of the financial institution and the account number. List the paragraph that references the account, if needed for clarity. Use reference number (Ref. No.) when necessary to refer to account in public documents.		
6	Financial institution	Account no.	Paragraph no.
7	Financial institution	Account no.	Paragraph no.
8	Financial institution	Account no.	Paragraph no.
9	Financial institution	Account no.	Paragraph no.

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the personal protection order and file proof of service with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

I served personally by registered or certified mail, return receipt requested, and delivery restricted to the respondent (copy of return receipt attached) a copy of the personal protection order, together with the attachments listed below, on:

I have attempted to serve a copy of the personal protection order, together with the attachments listed below, and have been unable to complete service on:

Respondent's name	Date and time of service
Place or address of service	
Attachments (if any)	

I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature _____

Name (type or print) _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the personal protection order, together with

Attachments (if any) _____

Date and time _____

Respondent's signature _____

Name (type or print) _____