

Form CC 375

PETITION FOR PERSONAL PROTECTION ORDER (DOMESTIC RELATIONSHIP)

Use this form if the person you want restrained is 18 years of age or older and:

1) if you are married to the person you want restrained;

or

2) if you are not married to the person you want restrained but you live with or have lived with him or her and he or she is not your unemancipated minor child;

or

3) if you and the person you want restrained have a child in common even if you were never married to one another or never lived together;

or

4) if you and the person you want restrained have or had a dating relationship.

INSTRUCTIONS FOR COMPLETING "PETITION FOR PERSONAL PROTECTION ORDER"

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 can be issued without waiting for a hearing.

Items A through I 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, telephone number, and age of the person you want restrained in the "respondent" box. **If you want your address and telephone number to be kept from the other party, 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 boxes that best describe your relationship with the respondent.
- (C)** Check the box if the respondent is required to carry a firearm while at work. If you aren't sure, check the box "unknown."
- (D)** Check whether there is a pending case between you and the respondent. Examples of a case are: divorce, separate maintenance, support, paternity, child support, other personal protection actions, etc. If there is a pending case, 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. Examples of orders are divorce judgments, parenting time (visitation) orders, custody orders, other personal protection orders, etc. If there are other court orders or judgments, 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.
- (E)** **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. Include dates and places. Write on a separate sheet of paper and attach it to this form.
- (F)** **Check only those boxes** you need because you must be able to convince the judge you need all the protection you are requesting. On the lines after each item you check, fill in the requested information such as names, addresses, or specific types of activity you do not want allowed. Check item "5.b" only if you want to keep the other party from entering onto property other than your home (for example, school, work, etc.). Check item "5.e" only if there have been two or more acts of harassment. If you want the court to order that any records that exist which contain information about yourself or your minor children be kept confidential, state that in box "5.i." Examples of such records are school reports that the respondent would normally have access to.
- (G)** An "ex parte order" means you do not have to let the respondent 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 a personal protection order.

If you do not need to check the "ex parte" box, you must have a court hearing. Fill out form CC 381.
- (H)** 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.
- (I)** 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.

- ☐ g. threatening to kill or physically injure _____.
- ☐ h. interfering with me at my place of employment or education or engaging in conduct that impairs my employment or educational relationship or environment.
- ☐ i. having access to information in records concerning a minor child of mine and the respondent that will reveal my address, telephone number, or employment address or that will reveal the child's address or telephone number.
- ☐ j. intentionally causing me mental distress or exerting control over me by:
- ☐ injuring, killing, torturing, or neglecting, or threatening to injure, kill, torture, or neglect any animal in which I have an ownership interest.
 - ☐ removing any animal from my possession in which I have an ownership interest.
 - ☐ retaining or obtaining possession of any animal in which I have an ownership interest.
- ☐ k. purchasing or possessing a firearm.
- ☐ l. other: _____.

G 6. I make this petition under the authority of MCL 600.2950/MCL 600.2950a and ask the court to grant a personal protection order.

- ☐ 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.

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

I _____
Date

Petitioner's/Next friend's signature

Name (type or print)

STATE OF MICHIGAN 55TH JUDICIAL CIRCUIT CLARE COUNTY	(A) PERSONAL PROTECTION ORDER <input type="checkbox"/> EX PARTE (DOMESTIC RELATIONSHIP)	(B) CASE NO. and JUDGE
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ORI MI-	Court address 225 W. MAIN ST HARRISON, MI 48625	Court telephone no. 989-539-7131
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(C) Petitioner's name Address and telephone no. where court can reach petitioner	v Respondent's name, address, and telephone no.
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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. **Needed for NCIC entry

Date: _____ Judge: _____

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

THE COURT FINDS:

- ☐ 2. A petition requested respondent be prohibited from entry onto the premises, and either the parties are married, petitioner has a property interest in the premises, or respondent does not have a property interest in the premises.
- ☐ 3. Petitioner requested an ex parte order, which should be entered without notice because irreparable injury, loss, or damage will result from the delay required to give notice or notice itself will precipitate adverse action before the order can be issued.
- **** ☐ 4. Respondent poses a credible threat to the physical safety of petitioner and/or a child of petitioner.
- ☐ 5. Respondent ☐ **is the spouse or former spouse of petitioner, had a child in common with petitioner, or is residing or had resided in the same household as petitioner. ☐ has or had a dating relationship with petitioner.

IT IS ORDERED:

6. _____ is prohibited from:
- Name
- ☐ a. entering onto property where petitioner lives.
- ☐ b. entering onto property at _____.
- **** ☐ c. assaulting, attacking, beating, molesting, or wounding _____.
- Name
- ☐ d. removing minor children from petitioner who has **legal** custody, except as allowed by custody or parenting-time order provided removal of the children does not violate other conditions of this order. An existing custody order is dated _____. An existing parenting-time order is dated _____.

IT IS ORDERED:

6. (continued)

- **** ☐ e. stalking as defined under MCL 750.411h and MCL 750.411i that includes but is not limited to:
- ☐ following petitioner or appearing within his/her sight. ☐ appearing at petitioner's workplace or residence.
 - ☐ sending mail or other communications to petitioner. ☐ contacting petitioner by telephone.
 - ☐ approaching or confronting petitioner in a public place or on private property.
 - ☐ entering onto or remaining on property owned, leased, or occupied by petitioner.
 - ☐ placing an object on or delivering an object to property owned, leased, or occupied by petitioner.
- ☐ f. interfering with petitioner's efforts to remove his/her children/personal property from premises solely owned/leased by respondent.
- **** ☐ g. threatening to kill or physically injure _____
Name
- ☐ h. interfering with petitioner at his/her place of employment or education or engaging in conduct that impairs his/her employment or educational relationship or environment.
- ☐ i. having access to information in records concerning a minor child of petitioner and respondent that will reveal petitioner's address, telephone number, or employment address or that will reveal the child's address or telephone number.
- ☐ j. intentionally causing petitioner mental distress or exerting control over petitioner by:
- ☐ injuring, killing, torturing, or neglecting, or threatening to injure, kill, torture, or neglect any animal in which petitioner has an ownership interest.
 - ☐ removing any animal from his/her possession in which petitioner has an ownership interest.
 - ☐ retaining or obtaining possession of any animal in which petitioner has an ownership interest.
- **** ☐ k. purchasing or possessing a firearm.
- ☐ l. other: _____

7. As a result of this order, federal and/or state law may prohibit you from possessing or purchasing ammunition or a firearm.
8. Violation of this order subjects 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.
9. **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.
10. The court clerk shall file this order with _____ who will enter it into the LEIN.
Name of law enforcement agency
11. 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.
12. A motion to extend the order must be filed 3 days before the expiration date in item 9 or a new petition must be filed.

Judge signature and date

55TH CIRCUIT COURT
GLADWIN AND CLARE COUNTY

Questionnaire A

Personal Protection Orders: Domestic Violence

1. How do you know the person you want a PPO against?

Examples: Are you married, divorced or separated from this person: Do you have a child together? Have you dated that person? Do you live with this person now or have you in the past?

The above are just examples. State how you know this person.

2. What has this person done that you would like to have stopped?

Examples: Coming on to your property; coming to your workplace; beating you; assaulting you; threatening to kill or injure you; removing your children from you when you have legal custody and he/she does not; interfering with your ability to take your children or property when the court gave you the right to take them.

The above are just examples. Name the specific act you want to have stopped by the PPO.

3. If this person has come onto your property or workplace, have you told the person to stop?

If yes, state when and where you spoke with this person, and what you said.

4. Has the person threatened to commit an act against you that you want the the PPO to prohibit?

If so: What did the person threaten to do?

When did the person threaten you?

Where did the person threaten you?

How did the person threaten you?

5. Can you provide any witness, documents or other evidence that the person has committed those acts, or threatened to commit those acts?
6. How have the person's acts or threats made you feel?

7. If you want to keep someone off your property, answer the following questions

a. Is the person you want to keep off your property your spouse?

b. Does he or she own or rent or have a share in the property?

c. Do you own or rent or have a share in the property?

8. Are you going to court over anything else related to this person?

9. Have you sought a PPO against this person in the past?

If so when?

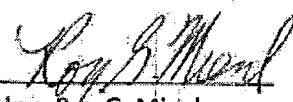
In what county did you petition for the PPO?

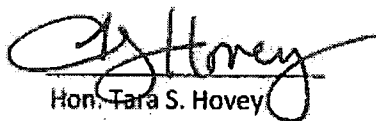
Did the Judge grant the PPO?

Penalty for False Statement to the court to obtain a PPO: A person who knowingly and intentionally makes a false statement to the Court in support of a petition for a PPO is subject to the contempt powers of the Court. MCLA 600.2950(24);MCLA600.2950a(21).

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. Mary A. Klaus

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: _____

Petitioner

JIS Code: PPI

55TH	STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address
225 W. MAIN ST 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

JIS Code: PPI

55TH	STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address
225 W. MAIN ST 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.

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) _____