

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.

STATE OF MICHIGAN 13th JUDICIAL CIRCUIT GRAND TRAVERSE COUNTY	PETITION FOR PERSONAL PROTECTION ORDER (NONDOMESTIC)	CASE NO. and JUDGE
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Court address
 280 WASHINGTON ST. STE 206 TRAVERSE CITY, MI 49684

Court telephone no.
 231-922-4710

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)

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the petition for personal protection order and file proof of service with the 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 petition for personal protection order, together with the attachments listed below, on:

☐ I have attempted to serve the petition for 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 petition for personal protection order, together with

Attachments (if any) _____

Date and time _____

Respondent'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 1 and 2 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.

1. 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.**
2. 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. **Race and sex are required for law enforcement to enter an order on the Law Enforcement Information Network (LEIN). Date of birth is required for entry of an order into the National Crime Information Center (NCIC).**

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.

STATE OF MICHIGAN 13th JUDICIAL CIRCUIT GRAND TRAVERSE COUNTY	PERSONAL PROTECTION ORDER (NONDOMESTIC) <input checked="" type="checkbox"/> EX PARTE	CASE NO. and JUDGE
ORI MI-280015J Court address 280 WASHINGTON ST. STE 206 TRAVERSE CITY, MI 49684 Court telephone no. 231-922-4710		
Petitioner's name _____ DOB: _____ Address and telephone no. where court can reach petitioner _____		v
		Respondent's name _____ Address and telephone no. where court can reach respondent _____
Full name of respondent (type or print)* _____		
		Driver's license number (if known) _____
Height	Weight	Race* Sex* Date of birth** Age Hair color Eye color Other identifying information

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: _____

*This is required for entry of the order into LEIN.

**This is required for entry of the order into NCIC.

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 GRAND TRAVERSE SHERIFF DEPARTMENT 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

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) _____