

Personal Protection Order Against Minor (Domestic Relationship)

Use this form if you filled out Form CC 375M, Petition for Personal Protection Order Against a Minor

(Form CC 376M)

INSTRUCTIONS FOR COMPLETING "PERSONAL PROTECTION ORDER AGAINST A MINOR"

Please print neatly. Press firmly since you are printing on 6 copies.

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

- A** If you checked box **H** on Form CC 375M, check the box for "Ex Parte".
- B** Fill in the "Case No." from Form CC 375M.
- C** Fill in the "petitioner" and "respondent" the same way you did on Form CC 375. **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.**
- D** Write in the respondent's name and as much of the other information as you know. This information will help the police to identify the respondent if he or she disobeys the restraining order. Be sure to identify the respondent accurately.
- E** Write in the name(s) and address(es) of the respondent's parent(s), guardian(s), or custodian(s).

The court will complete the rest of this form.

NOTE: There are only 6 copies of this form. You will need to make extra copies of this form for each parent, guardian, or custodian of the respondent.

You must read the booklet "Instructions for Personal Protection Orders" for directions on the legal process.

- If you asked for an ex parte order (order without a hearing), read pages 3 and 4 of the booklet.
- If you did not ask for an ex parte order or the judge refuses to sign an ex parte order, read pages 5 and 6 of the booklet.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	(A) PERSONAL PROTECTION ORDER AGAINST A MINOR (DOMESTIC RELATIONSHIP), PAGE 1 <input type="checkbox"/> EX PARTE	(B) CASE NO.
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Court address ORI MI- _____ Court telephone no. _____

(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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(D) Full name of respondent (type or print) *						Social security no. (if known)		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

(E) Full name of respondent's parent, guardian, custodian (type or print)	Full name of respondent's parent, guardian, custodian (type or print)
Address and telephone no. if different from above	Address and telephone no. if different from above

Date: _____ Judge: _____ Bar no. _____

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 petitioner has property interest in the premises, or respondent does not have a property interest in the premises.
- 3. The respondent is less than 18 years of age, is unemancipated, and is **not** the minor child of the petitioner.
- 4. The petitioner is less than 18 years of age, is unemancipated, and is **not** the minor child of the respondent.
- 5. 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.

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 _____ .

(PLEASE SEE OTHER SIDE)

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	(A) PERSONAL PROTECTION ORDER AGAINST A MINOR (DOMESTIC RELATIONSHIP), PAGE 2 <input type="checkbox"/> EX PARTE	(B) CASE NO.
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Court address _____ Court telephone no. _____
 ORI _____
 MI- _____

Petitioner's name	v	Respondent's name
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IT IS FURTHER ORDERED:

6. (continued from page 1)

- e. stalking as defined under MCL 750.411h and MCL 750.411i which includes but is not limited to:
 - following or appearing within sight of the petitioner.
 - appearing at workplace/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/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.

- f. interfering with petitioner's efforts to remove his/her children or personal property from premises solely owned or 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. purchasing or possessing a firearm.

- k. other: _____

- 7. a. If the respondent is 17 years of age or more, violation of this order subjects the respondent to immediate arrest and to the civil and criminal contempt powers of the court. If found guilty of a violation, the respondent shall be imprisoned for not more than 93 days and may be fined not more than \$500.00.
- b. If the respondent is less than 17 years of age, violation of this order subjects the respondent to immediate apprehension or being taken into custody. If found guilty of a violation, the respondent shall be subject to the dispositional alternatives listed in MCL 712A.18.

8. **This order is effective when signed, enforceable immediately, and remains in effect until _____ .**
 This order is enforceable anywhere in Michigan by any law enforcement agency. This order is enforceable anywhere in the United States by any law enforcement agency under the Full Faith and Credit provisions of the Violence Against Women's Act.

9. The court clerk shall file this order with _____ ,
 who shall enter it in the LEIN system. Name of law enforcement agency

10. The respondent may file a motion to modify or terminate this order. If this is an ex parte order, a motion to modify or terminate this order and a request for a hearing must be made within 14 days after the respondent has been served or has received actual notice of this order. Forms and instructions are available from the clerk of the court.

11. A motion to extend the order must be filed 3 days before the expiration date in item 8 or else a new petition must be filed.

12. Other:

 Date and time issued

 Judge

PROOF OF SERVICE

**Personal Protection Order
Against a Minor**
Case No. _____

TO PROCESS SERVER: You must serve the personal protection order against a minor 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 / AFFIDAVIT OF SERVICE / NON-SERVICE

<input type="checkbox"/> OFFICER CERTIFICATE I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notary not required)	OR	<input type="checkbox"/> AFFIDAVIT OF PROCESS SERVER Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notary required)
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I served a copy of the personal protection order against a minor by:
 personal service registered mail, delivery restricted to the respondent and the parent(s), guardian(s), or custodian(s) of the respondent (return receipt attached) on:

Name of respondent	Complete address of service	Day, date, time
Name of parent/guardian/custodian	Complete address of service	Day, date, time
Name of parent/guardian/custodian	Complete address of service	Day, date, time
Law enforcement agency	Complete address of service	Day, date, time

After diligent search and inquiry, I have been unable to find and serve the respondent. I have made the following efforts in attempting to serve process: _____

I have personally attempted to serve a copy of the personal protection order against a minor on _____
 Name
 at _____
 Address
 and have been unable to complete service because the address was incorrect at the time of filing.

Service fee	Miles traveled	Mileage fee	Total fee
\$		\$	\$

 Signature

 Title

Subscribed and sworn to before me on _____, _____ County, Michigan.
 Date
 My commission expires: _____ Signature: _____
 Date Deputy court clerk/Notary public

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received a copy of the personal protection order against a minor on

Day, date, time

Signature of respondent

Signature of respondent's parent/guardian/custodian

Signature of respondent's parent/guardian/custodian