

Personal Protection Order Against Stalking (Non Domestic Relationship)

Use this form if you filled out Form CC 377, Petition for Personal Protection Order Against Stalking

(Form CC 380)

INSTRUCTIONS FOR COMPLETING "PERSONAL PROTECTION ORDER AGAINST STALKING"

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 **F** on Form CC 377, check the box for "Ex Parte".
- B** Fill in the "Case No." from Form CC 377.
- C** 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.**
- 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.

The court will complete the rest of this form.

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.

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 judge who signed 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 Protection Order. This form is available from the circuit court clerk.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	(A) PERSONAL PROTECTION ORDER AGAINST STALKING (NON DOMESTIC) <input type="checkbox"/> EX PARTE	(B) CASE NO.
--	---	----------------------------

Court address _____ **Court telephone no.** _____
 ORI _____
 MI- _____

(C) Petitioner's name _____ Address and telephone no. where court can reach petitioner _____	v	Respondent's name, address, and telephone no. _____ Address and telephone no. where court can reach respondent _____
---	----------	---

(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

Date: _____ Judge: _____ Bar no. _____

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 750.411 i 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.

IT IS ORDERED:

4. _____ is prohibited from stalking as defined under
Full name of respondent

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.
- threatening to kill or physically injure the petitioner.
- purchasing or possessing a firearm.
- other: _____

5. 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.

6. **This order is effective when signed, enforceable immediately, and remains in effect until** _____ .
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.

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

8. 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.

9. A motion to extend the order must be filed 3 days before the expiration date in item 6 or else a new petition must be filed.

_____ Date and time issued _____ Judge _____

PROOF OF SERVICE

**Personal Protection Order
Against Stalking**

Case No. _____

TO PROCESS SERVER: You must serve the personal protection order against stalking 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

OFFICER CERTIFICATE

OR

AFFIDAVIT OF PROCESS SERVER

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)

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)

I served a copy of the personal protection order against stalking by:

personal service registered mail, delivery restricted to the respondent (return receipt attached)

on:

Name of respondent	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 stalking

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: _____ Date Signature: _____
Deputy court clerk/Notary public

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received a copy of the personal protection order against stalking on _____
Day, date, time

Signature of respondent