

# **Personal Protection Order Against Stalking by a Minor (NonDomestic Relationship)**

**Use this form** if you filled out Form CC 377M, Petition for Personal Protection Order Against Stalking By a Minor

(Form CC 380M)

## INSTRUCTIONS FOR COMPLETING "PERSONAL PROTECTION ORDER AGAINST STALKING BY 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 **E** on Form CC 377M, check the box for "Ex Parte".
- B** Fill in the "Case No." from Form CC 377M.
- C** Fill in the "petitioner" and "respondent" the same way you did on Form CC 377M. **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.

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

<b>(C)</b> Petitioner's name <hr/> Address and telephone no. where court can reach petitioner	v	Respondent's name, address, and telephone no.
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<b>(D)</b> 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

<b>(E)</b> 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 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. 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 stalking as defined under  
 Name \_\_\_\_\_  
 MCL 750.411h and MCL 750.411i which includes but is not limited to:
- a. following or appearing within sight of the petitioner.
  - b. appearing at workplace/residence of the petitioner.
  - c. approaching or confronting the petitioner in a public place or on private property.
  - d. entering onto or remaining on property owned, leased, or occupied by the petitioner.

(PLEASE SEE OTHER SIDE)

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. sending mail/other communications to the petitioner.
  - f. contacting the petitioner by telephone.
  - g. placing an object on or delivering an object to property owned, leased, or occupied by the petitioner.
  - h. threatening to kill or physically injure \_\_\_\_\_ .  

Name
  - i. purchasing or possessing a firearm.
  - j. 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

**Personal Protection Order  
Against Stalking by a Minor**

Case No. \_\_\_\_\_

**PROOF OF SERVICE**

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

**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 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 stalking by 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: \_\_\_\_\_ 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 by a minor on

\_\_\_\_\_  
Day, date, time

\_\_\_\_\_  
Signature of respondent's parent/guardian/custodian

\_\_\_\_\_  
Signature of respondent

\_\_\_\_\_  
Signature of respondent's parent/guardian/custodian