

# 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.**

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 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.

<b>STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY</b>	<b>(A)</b> <b>PERSONAL PROTECTION ORDER AGAINST STALKING (NONDOMESTIC)</b> <input type="checkbox"/> <b>EX PARTE</b>	<b>(B)</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 _____	<b>v</b>	Respondent's name, address, and telephone no. _____ <hr/> Address and telephone no. where court can reach respondent _____
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<b>(D)</b> 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.

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 750.411i 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 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 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.
  - threatening to kill or physically injure the petitioner.
  - purchasing or possessing a firearm.
  - other: \_\_\_\_\_
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 \_\_\_\_\_ 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 else a new petition must be filed.

\_\_\_\_\_ Date and time issued \_\_\_\_\_ Judge \_\_\_\_\_

**PROOF OF SERVICE**

**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 / NONSERVICE**

<input type="checkbox"/> <b>OFFICER CERTIFICATE</b> 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: (notarization not required)	<b>OR</b>	<input type="checkbox"/> <b>AFFIDAVIT OF PROCESS SERVER</b> Being first duly sworn, I state that I am a legally competent adult who is <b>not</b> a party or an officer of a corporate party, and that: (notarization required)
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I served a copy of the personal protection order against stalking by  
 personal service on:       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

I have personally attempted to serve a copy of the personal protection order against stalking on the following respondent and have been unable to complete service.

Respondent's name	Complete address of service

I declare that the statements above are true to the best of my information, knowledge, and belief.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Title

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**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