



BERRIEN COUNTY

811 Port Street, St. Joseph, MI 49085
Clerk's Office • 269.983.7111 Ext. 8368
Self Help Legal Resource Center • 269.983.7111 Ext. 8793
1205 N. Front Street, Niles, MI 49120
Clerk's Office • 269.684.5274 Ext. 6288
Self Help Legal Resource Center • 269.684.5274 Ext. 6202

PERSONAL PROTECTION ORDER AGAINST A MINOR (Domestic)

Necessary forms:

- Petition for Personal Protection Order Against a Minor (Domestic Relationship) (CC 375M)
- Supplement to PPO Request (CCF-103)
- Notice to PPO Petitioners
- Personal Protection Order Against Stalking (Domestic Relationship) – Ex Parte (CC 376M)
- Service of Personal Protection Order

INSTRUCTIONS FOR COMPLETING "PETITION FOR PERSONAL PROTECTION ORDER AGAINST A MINOR"

Please print neatly. Press firmly because you are printing on five copies.

(Form CC 375M)

By filling in this form, you are asking for a personal protection order that tells the minor 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 can be issued without waiting for a hearing.

Items A through J must be completed before your petition can be filed with the court. Please read the instruction 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 date of birth. Write the name, address, telephone number, and date of birth or age of the person you want restrained in the "Respondent" box. **If you want your address and telephone number to be kept from the other party, 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** - **D** Check the boxes that best describe your relationship with the respondent.
- E** Check whether there is a pending case between you and the respondent. Examples of a case are: support, paternity, child support, other personal protection actions, etc. If there is a pending case, fill in the case number, the name of the court and county 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. Examples of orders are parenting time (visitation) orders, custody orders, other personal protection orders, etc. If there are other court orders or judgments, fill in the case number, the name of the court and county where the order or judgment was entered, and the name of the judge that signed the order.
- F** **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. Include dates and places. Write on a separate sheet of paper and attach it to this form.
- G** **Check only those boxes** you need because you must be able to convince the judge you need all the protection you are requesting. On the lines after each item you check, fill in the requested information such as names, addresses, or specific types of activity you do not want allowed. Check item "6.b." only if you want to keep the other party from entering onto property other than your home (for example, school, work, etc.). Check item "e." only if there have been two or more acts of harassment. If you want the court to order that any records that exist which contain information about yourself or your minor children be kept confidential, state that in box "k." Examples of such records are school reports which the respondent would normally have access to.
- H** An "ex parte order" means you do not have to let the respondent 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 a personal protection order.
- If you do not need to check the "ex parte" box, you must have a court hearing. Fill out form CC 381.
- I** 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.
- J** 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.

NOTE: There are only five 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.

Approved, SCAO

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	PETITION FOR PERSONAL PROTECTION ORDER AGAINST A MINOR (DOMESTIC RELATIONSHIP), PAGE 1	CASE NO.
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Court address <input type="checkbox"/> Berrien County Courthouse, 811 Port Street, St. Joseph, MI 49085-1188 <input type="checkbox"/> South County Courthouse, 1205 N. Front Street, Niles, MI 49120-1699	Court telephone no. (269) 983-7111 (269) 684-5274						
A <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Petitioner name</td> <td style="width:50%;">DOB</td> </tr> <tr> <td colspan="2">Address and telephone no. where court can reach petitioner</td> </tr> </table>	Petitioner name	DOB	Address and telephone no. where court can reach petitioner		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:80%;">Respondent name, address, and telephone no.</td> <td style="width:20%;">DOB or age</td> </tr> </table>	Respondent name, address, and telephone no.	DOB or age
Petitioner name	DOB						
Address and telephone no. where court can reach petitioner							
Respondent name, address, and telephone no.	DOB or age						

- B** 1. The petitioner and respondent: have a child in common. have or had a dating relationship.
 reside or resided in the same household.
- C** 2. The respondent is between 10 and 17 years of age, is unemancipated, and is **not** the minor child of the petitioner.
- D** 3. The petitioner is less than 18 years of age, is unemancipated, and is **not** the minor child of the respondent.
- E** 4. a. There are are not other pending actions in this or any other court regarding the parties.

Case number	Name of court and county	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 and county	Name of judge
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- F** 5. I need a personal protection order because: Explain what has happened (attach additional sheets).

- G** 6. I ask the court to grant a personal protection order prohibiting the respondent from:
- a. entering onto the property where I live. I state that either I or my parent, guardian, or custodian have a property interest in the premises, I am married to the respondent, or the respondent or his/her parent, guardian, or custodian has no property interest in the premises.
 - b. entering onto the property at _____.
 - c. assaulting, attacking, beating, molesting, or wounding _____.
 - d. removing the minor children from the petitioner who has **legal** custody, except as allowed by a custody or parenting time order as long as removal of the children does not violate other conditions of the personal protection order.
 - e. stalking as defined under 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.
 - sending mail or other communications to me. contacting me by telephone.
 - approaching or confronting me in a public place or on private property.
 - entering onto or remaining on property owned, leased, or occupied by me.
 - placing an object on or delivering an object to property owned, leased, or occupied by me.
 - f. interfering with efforts to remove my children/personal property from premises solely owned/leased by the respondent.
 - g. threatening to kill or physically injure _____.
 - h. interfering with me at my place of employment or education or engaging in conduct that impairs my employment or educational relationship or environment.
 - i. having access to information in records concerning a minor child of mine and the respondent that will reveal my 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: _____.

- H** 7. I make this petition under the authority of MCL 600.2950/600.2950a/712A.2h and ask the court to grant a personal protection order.

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.

- I** 8. I have a next friend petitioning for me. I certify that the next friend is not disqualified by statute and is an adult.

J _____
Date

Petitioner's signature
MCL 600.2950, MCL 600.2950a, MCL 712A.2h, MCR 3.703

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the copies of the petition for 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 / NONSERVICE

<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: (notarization 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: (notarization required)
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I served a copy of the petition for 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

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

Respondent name	Complete address of service
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I declare that the statements above 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)

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 petition for personal protection order against a minor on

Day, date, time

Signature of respondent's parent/guardian/custodian

Signature of respondent

Signature of respondent's parent/guardian/custodian

SUPPLEMENT TO PPO REQUEST

Petitioner's Name

Case Number

Respondent's Name

Today's Date

This form is for the purpose of submitting **detailed** information regarding the incidents which a judge will need to know before approving a Personal Protection Order. You will have to provide a date for each incident. Do not list incidents that have occurred more than one year ago.

I need a personal protection order because respondent:

- Entered onto my property.
- Assaulted, attacked, beat, molested, or wounded me.
- Threatened to kill or physically injure me.
- Removed minor child(ren) from the individual having physical custody of the child(ren) without a court order.
- Interfered with me at my job or is threatening my job relationship or environment.
- Interfered with my efforts to remove my child(ren) or personal property from defendant's property.

Please answer the following questions:

Has the person ever used physical force or touched you against your will? Yes No. If yes, give the **most recent** date of that incident: _____ What exactly did the person do: _____

What is the **next** most recent incident of the physical force or touching you against your will: _____
What happened that time: _____

Has the person ever **threatened** you? Yes No. If so give details of the threat:

Date of threat: _____; Exact words used: _____

Date of threat: _____; Exact words used: _____

Did the threat involve a **weapon**? Yes No. If so, give details: _____

Has the person ever harassed you? Yes No. If so, give details of incident:

Date: _____; Place: _____

What the person did: _____

Date: _____; Place: _____

What the person did: _____

Date: _____; Place: _____

What the person did: _____

As a result of any of the above force, threats, or harassment, describe your current emotions: _____

(over)

STATE OF MICHIGAN
BERRIEN COUNTY
TRIAL COURT

NOTICE TO PPO PETITIONERS

This notice is to inform you that if your PPO request is approved and you have **NOT** provided the court with an *exact date of birth* for the Respondent, you will **NOT** be protected throughout the entire United States. Without a date of birth, you will only have protection in the State of Michigan.

I have read the above notice and I understand if I do not provide the Court with a date of birth for the respondent, I will only be protected in the state of Michigan if my PPO is approved.

Date

Signature of Petitioner

**INSTRUCTIONS FOR COMPLETING
"PERSONAL PROTECTION ORDER AGAINST A MINOR - DOMESTIC (cc376M)**

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.

Approved, SCAO

Original - Court
1st copy - Law enforcement agency (file) (green)
2nd copy - Respondent (blue)

3rd copy - Petitioner (pink)
4th copy - Return (yellow)
5th copy - Return (goldenrod)

STATE OF MICHIGAN
2ND JUDICIAL DISTRICT
BERRIEN COUNTY

(A) PERSONAL PROTECTION ORDER AGAINST
A MINOR (DOMESTIC RELATIONSHIP), PAGE 1
 EX PARTE

(B) CASE NO.

Court address

ORI Berrien County Courthouse, 811 Port Street, St. Joseph, MI 49085-1188
MI- South County Courthouse, 1205 N. Front Street, Niles, MI 49120-1699

Court telephone no.

(269) 983-7111
(269) 684-5274

(C) Petitioner's name
Address and telephone no. where court can reach petitioner

Respondent's name, address, and telephone no.

(D) 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.

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

**Needed for NCIC entry

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. The 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.
- 6. The respondent poses a credible threat to the physical safety of the petitioner and/or a child of the petitioner.
- 7. The respondent **is the spouse or former spouse of the petitioner, had a child in common with the petitioner, or is residing or had resided in the same household as the petitioner. has or had a dating relationship with the petitioner.

IT IS ORDERED:

8. _____ is prohibited from:
- 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)

MCL 600.2950, MCL 712A.2(h), MCR 3.705, MCR 3.706,

**Personal Protection Order
Against a Minor**

Case No. _____

PROOF OF SERVICE

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 / NONSERVICE

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 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

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

Respondent's name	Complete address of service
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I declare that the statements above are true to the best of my information, knowledge, and belief.

Name (type or print)

Signature

Title

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

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

My commission expires: _____ Date Signature: _____
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 a minor on

Day, date, time

Signature of respondent

Signature of respondent's parent/guardian/custodian

Signature of respondent's parent/guardian/custodian

STATE OF MICHIGAN
2ND JUDICIAL DISTRICT
BERRIEN COUNTY

A PERSONAL PROTECTION ORDER AGAINST
A MINOR (DOMESTIC RELATIONSHIP), PAGE 2
 EX PARTE

B CASE NO.

Court address

ORI Berrien County Courthouse, 811 Port Street, St. Joseph, MI 49085-1188
MI- South County Courthouse, 1205 N. Front Street, Niles, MI 49120-1699

Court telephone no.

(269) 983-7111
(269) 684-5274

Petitioner's name

v

Respondent's name

IT IS FURTHER ORDERED:

8. (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: _____

9. As a result of this order, federal and/or state law may prohibit you from possessing or purchasing ammunition or a firearm (including a rifle, pistol, or revolver).

10. 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.

11. **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.

12. The court clerk shall file this order with _____, **Berrien Co. Sheriff's Dept.**
Name of law enforcement agency
who will enter it into the LEIN.

13. 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.

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

15. Other:

Date and time issued

Judge