Form CC 377M

PETITION FOR PERSONAL PROTECTION ORDER AGAINST A MINOR (NONDOMESTIC)

Use this form if you want an order to restrain a person under the age of 18 but at least 10 years of age **and you do not have a domestic relationship to this person**.

INSTRUCTIONS FOR COMPLETING "PERSONAL PROTECTION ORDER AGAINST A MINOR (NONDOMESTIC)"

Please print neatly.

Items A through C 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) 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.**

(B) 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 race, sex, and date of birth are required for law enforcement to enter an order on the Law Enforcement Information Network (LEIN).**

(C) 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 six 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.

INSTRUCTIONS FOR COMPLETING "PETITION FOR PERSONAL PROTECTION ORDER AGAINST A MINOR (NONDOMESTIC)"

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

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

Items A through G 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, and 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 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.**

(B) Check whether there is a pending action between you and the respondent. If there is, fill in the case number, the name of the court, the county, and the state or province 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. If there are, fill in the case number, the name of the court, the county, and the state or province where the order or judgment was entered, and the name of the judge that signed the order.

(C) **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. If you want to prohibit stalking, you must detail two or more separate instances of harassment (unconsented contact) that caused you to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Include dates and places. Write on a separate sheet of paper and attach it to this form. If you only want to prohibit the posting of a message through the use of any medium of communication, including the Internet or a computer or any electronic medium, you must detail what caused you to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(D) **Check only those boxes** you need because you must be able to convince the judge you need all the protection you are requesting. Check box a only if you provided details in item 3 that support an order against stalking.

(E) An "ex parte order" means you do not have to let the other party 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 an ex parte personal protection order.

If you do not check the box for an ex parte order, you must have a court hearing. Fill out form CC 381.

(F) 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, and have the next friend sign the petition.

(G) 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

Original - Court
1st copy - Judge/Assignment clerk (green)
2nd copy - Respondent (blue)
3rd copy - Petitioner (pink)
4th copy - Return (yellow)

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	PETITION FOR PERSONAL PROTECTION ORDER AGAINST A MINOR (NONDOMESTIC)	CASE NO.

Court address **Court telephone no.**

(A)

Petitioner's name	DOB
Address and telephone no. where court can reach petitioner	

v

Respondent's name, address, and telephone no.	DOB or age

1. The petitioner and respondent have never been husband and wife, resided in the same household together, had a child in common, or had a dating relationship with one another. The respondent is not the unemancipated minor child of the petitioner. The petitioner is not the unemancipated minor child of the respondent. The respondent is between 10 and 17 years of age.

(B) 2. a. There ☐ are ☐ are not other pending actions in this or any other court regarding the parties.

Case number	Name of court, county, and state or province	Name of judge

b. There ☐ are ☐ are not orders/judgments entered by this or any other court regarding the parties.

Case number	Name of court, county, and state or province	Name of judge

(C) 3. I need a personal protection order because: Explain what has happened (attach additional sheets).

(D) 4. I make this petition under the authority of MCL 600.2950a(1) and ask the court to grant a personal protection order prohibiting the respondent from

☐ a. stalking me as defined by 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.
- ☐ approaching or confronting me in a public place or on private property.
- ☐ entering onto or remaining on property owned, leased, or occupied by me.
- ☐ sending mail or other communications to me.
- ☐ contacting me by telephone.
- ☐ placing an object on or delivering an object to property owned, leased, or occupied by me.
- ☐ threatening to kill or physically injure me.
- ☐ purchasing or possessing a firearm.
- ☐ other: _____

☐ b. posting a message through the use of any medium of communication, including the Internet or a computer or any electronic medium, pursuant to MCL 750.411s.

(E) ☐ 5. 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.

(F) ☐ 6. I have a next friend petitioning for me. I certify that the next friend is not disqualified by statute and is an adult.

(G) _____
Date

/s/
Petitioner's/Next friend's signature

MCL 600.2950a, MCL 712A.2(h), MCR 3.703

Petition for Personal Protection Order Against a Minor (Nondomestic)
Case No.

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

☐ **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

☐ **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)

☐ 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

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 _____ (Date), _____ County, Michigan.

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 petition for 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