

# **A Guide to Personal Protection Orders**

## **Step One – The PPO Office**

586-469-7494

Forms can be picked up from the PPO Assistance Office, located on the first floor of the Macomb County Circuit Court building at 40 North Main Street, in downtown Mt. Clemens. Forms can also be downloaded from this website. Please note, if you are downloading forms, you will need to make 4 copies to be filed with the Circuit Court Clerk's Office.

The PPO Assistance Office is open from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. on court business days. This service is free and available to anyone. An advocate is available to explain how to fill out the forms and answer questions. Once all the forms are completed, you must file them in the Circuit Court Clerk's Office on the 1st floor of the Court building.

## **Step Two – The Forms**

Review the Instructions for Personal Protection Orders and the instructions attached to the forms. Review the legal obligations form.

### **1) The Petition**

This form tells the judge what type of order you are requesting, why you need the order, and what protections you are requesting.

You must fill out all of the sections on the petition. The court needs an address where each party can receive mail. If you do not want your address given to the respondent, speak with a PPO Coordinator or a Circuit Court Clerk before you fill out this portion.

Make sure you include the respondent's name, address, and date of birth or approximate age. Then check the boxes that you feel that suit your situation. Write "See Attached" in the portion for explanation. Be sure to date and sign your petition.

Remember: The judge cannot order the respondent to stay away from his or her own children or another person. The PPO ONLY applies to you.

### **2) The Order**

You must fill out Sections C-D. Make sure to include approximate height, weight, race, sex, age, hair color, and other information. If your petition is granted, this information is entered into the law enforcement database. DO NOT fill out the rest of the form.

If your PPO is granted, carefully review this form for the protections you have been given and the expiration date.

### **3) The Sheriff's Informational**

This is given to the Macomb County Sheriff's Department to identify the respondent if there is a violation. Fill this out to the best of your knowledge.

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## **4) Statement of Facts (Affidavit)**

This is the most important part, because this is what the judge bases the decision on. It is also the most difficult. You can use the attached statement of facts form or use this format to write a statement on a separate piece of white paper.

The important elements are:

- The relationship between you and the respondent
- Dates and times - these do not have to be exact: last week, early this month, etc
- Locations - such as: at home, at his apartment, at work, at my sisters, etc
- What occurred –
  - Domestic Violence: slap or closed fist punch; kick - steel toe boots or bare foot; type of injury; location of injury on your body; quotes of threats and/or name calling; weapon; damage to property; harm to children or pets;
  - Stalking: establish that the respondent knows the contact is an unwanted pattern of behavior; repeated contact by phone or in person; notes; trying to run you off the road; quotes of threats
- Witnesses - name, phone number, and address
- Evidence - such as: a caller ID, photographs, copies of letters, and anything else that shows what has happened to you
- How often these events occur
- Police Involvement and why you are afraid

This statement is served on the respondent and put in the court file. The respondent can request a hearing to terminate the PPO. At that hearing you will be required to testify about your statement. You should include dates, but if you are unsure of the date, do not include an exact date because the respondent may be able to refute your statement.

For a Minor Petitioner a Next Friend must be appointed. On the Next Friend form, the parent or guardian must fill out the first portion up to the double line. On the petition and order, you should write NXF and the Next Friend's (parent or guardian's) name above the minor's name and address in the petitioner's box.

## **STEP THREE – File the Paperwork**

When you are finished with the paperwork, file the paperwork with the Circuit Court Clerk's Office. If you have downloaded the forms from this website, please be sure to make 4 copies for the Clerk's office. At the clerk's office you will be assigned a judge. If the judge is available the order will be taken to the judge and a decision will be made. If the judge is not available, you may be asked to come back. Your petition will be grated, denied, or a hearing date will be set.

## **STEP FOUR – If the Order is Granted (Review Legal Obligations)**

1. Pick up the signed copies of the order
2. SERVE a copy of the ORDER on the respondent - Do NOT do this yourself
3. FILE the Proof of Service with the court clerk