

# Newaygo County Instructions for completing PETITION FOR PERSONAL PROTECTION ORDER

## PLEASE READ THESE INSTRUCTIONS CAREFULLY

**Please print neatly.** By filling in this form, you are asking for a personal protection order that tells the respondent not to do certain things that you do not want him or her to do.

**Please note that you may ask that certain information or attachments be kept confidential from the public. Please ask the Clerk for more information.**

### **CAPTION**

Please write **your** legal name, address, and telephone number in the “**Petitioner**” box.

If you are under 18 years of age, write in your age.

**If you have fled your residence and are staying in a secret place, please do not write your address here. Ask the Clerk for an Address Confidential form.**

Next, write the name, address, and telephone number of the person you want restrained in the “**Respondent**” box, if he/she is under 18 years of age, write in his/her age.

### NOTE

Items #1 through #7 **MUST** be completed before your petition can be filed with the court.

Please read the instructions for each item and then fill in the correct information for that item on the form.

#### **1. PETITION TYPE:**

- STALKING (NON DOMESTIC) PETITION: Written statement is included. Please proceed to the next number and follow the instructions to answer the questions on the form.
- DOMESTIC PETITION: Check the box that best describes your relationship with the respondent today.

**2. FIREARM:** Check only if you know that the respondent has been issued a license to carry a concealed weapon and is required to carry a weapon due to:

- Condition of his/her employment;

- Police officer certified under MCL 28.601 to MCL 28.616;
- Sheriff, Deputy Sheriff or a member of the Michigan Department of State Police;
- Local corrections officer;
- Michigan Department of Corrections employee; or
- Federal Law Enforcement Officer who carries a firearm during the normal course of his or her employment.

If you are not sure, check the “unknown” box.

**3. PENDING ACTION/PRIOR JUDGMENTS:**

- a. Check the box if there is an active pending case between you and the respondent that you have knowledge of anywhere in the country, including this county. Examples of a pending case are: divorce, separate maintenance, support, paternity, child support, civil actions, other personal protection actions, etc.
  - If YES, fill in the case number, name of the court and county where the case was filed, and the name of the judge.
  - IF NO, please go to b.
- b. Check whether there are any court orders or judgments between you and the respondent. Examples of orders are divorce, judgments, parenting time (visitation) orders, other personal protection orders, misdemeanor domestic violence, etc.
  - IF YES, 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.
  - If NO, Please go to the next number.

\*The County Clerk’s office will run a record check for this county when you file your petition request and include that information on a separate form but you should still include it above.

4. Please begin to type or write the circumstances and if you need to use the Addendum to Personal Protection Order, please state, “See Addendum to Personal Protection Order attached.” You will need to describe the additional details on the Addendum page.
5. Check only those boxes you need because you must be able to convince the judge you need all of the protection that you are requesting.

- **STALKING (NON DOMESTIC) PETITION:**

Check the boxes that you would like the judge to include in the actual order.

Check as many of these boxes only if there have been two or more acts of unconsented harassment.

Check and write in any specific request(s) you would like the judge to order the respondent not to do.

- **DOMESTIC PETITION:**

- a) Check if this statement applies to you.
- b) Check only if you want to keep the other party from entering onto property other than your home (for example, please indicate if it is a family member's home, school, day care, etc.)
- c) Check item for yourself by writing in your name.
  - You may include other persons here, such as a child not in common with the respondent, ***but the court might not include them on the order.***
- d) Check if this statement only if the respondent and you have children in common and this applies to you.
- e) Check as many of these boxes only if there have been two or more acts of harassment.
  - If you work in the same place or go to the same school as respondent, please make sure to include that information in the addendum so the judge is aware of this information.
  - If you would like the judge to allow text messaging but no telephone calls, please make sure to write in that request here i.e., "except for text messages"
- f) Check only if this applies to you and you have actually fled the residence you shared together and had to leave personal items behind.
- g) Check item for yourself by writing in your name.
  - You may include other persons here such as child not in common with the respondent but the court may not include them on the order.
- h) Check them if this applies to you
- i) Check only if you have been given a confidential address form to complete and you want the court to order that any records that exist which contain information about yourself or your minor children be kept confidential. Examples of such records are school reports to which the respondent would normally have access.
- j) Check this box if this applies to you concerning an animal you have an ownership interest in.
- k) Check if you wish the judge to include this prohibition in the order.
- l) Check and write in any specific request(s) you would like the judge to order the respondent not to do.

6. Check this box if you would like the court to issue an ex parte order today.

**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.**

7. If you are under 18 years old, you need an adult (called a "next friend") to petition for you. Check this box if you have a "next friend" assisting you with filing this form.

8. Please make sure to write in today's date and sign the form.

## **INSTRUCTIONS FOR COMPLETING “ADDENDUM TO PETITION FOR PPO”**

Please check the box corresponding with your reason for seeking protection.

Next, complete the “When, Where, What” for **each** instance and describe in specific detail what has happened or what has been threatened so the judge has enough facts to decide if a personal protection order should be signed.

**A. Specific dates and times of physical abuse.** (If you are unsure of exact dates, narrow it down as much as possible.):

- June 15, 2015 at 5:00 pm
- Last Wednesday afternoon
- November of 2014
- A week or a month ago

**B. Types of physical abuse:**

- Punch (closed fist), slap (open hand), choke, bite, grab, push.
- Kick (with steel-toed boots, shoes, or bare feet).
- Throw against the wall or on the ground.
- Attempt to run you off the road with a car.
- Has the respondent ever assaulted your children or your pets?

**C. Location of physical abuse:**

- Where on your body were you assaulted? (Eye, legs, arms, back, face, head)
- Where did the assault occur? (Home, work, a friend’s home, a public place)

**D. Duration of physical abuse:**

- How often did the assault occur? (Daily, weekly, monthly)
- How long did each particular incident last? (2 hours, 15 times)

**E. Types of injuries sustained:**

- Bruises, cuts, swelling, broken bones, bit marks, hand prints.

**F. Medical attention received:**

- X-rays, casts, dental surgery.
- Did you attend to the injury yourself?
- Were photographs taken?
- Do you have hospital/physical report that you want to attach to your statement?

**G. Type of verbal abuse:**

- Use exact quotations whenever possible (“I’m going to beat your ass”) and do not blank out profane language.
- Threats to injure or kill you.
- Name-calling (bitch, slut, whore) yelling, screaming.
- Has the respondent threatened to take your child(ren) from you?
- Has the respondent threatened to injure or kill your child(ren)?

#### **H. Types of stalking behaviors:**

- Repeatedly contacting you by telephone, including paper and voicemail (five times last night, twice yesterday at work, ten times this week).
- How did you know it was the respondent calling? Do you have Caller ID?
- Did you recognize his/her voice?
- Approaching or confronting you in public or on private property (at a store, the mall, your home).
- Appearing at your workplace or residence.
- Sending you letters, notes or e-mails.
- Sending you flowers, leaving notes on your car, placing packages at your doorstep.

#### **I. Threats involving a weapon:**

- Has the respondent ever verbally or physically threatened you with a weapon?
- If so, does the respondent own a weapon?
- What type of weapon is it and where is it kept?
- Does the respondent have a license for weapon?

#### **J. Damage to your property/belongings:**

- Broken doors or windows.
- Vandalism to your car (smashed windshield, key marks, damaged wiring).
- Damage/removal of phone so you could not call the police.
- **\*\*Understand that a PPO is designed to protect your personal safety, and do not necessarily address property issues. Information about property damage is an indication to the Judge of the respondent’s violent tendencies.**

#### **K. Police involvement:**

- Were the police called?
- Was the respondent arrested?
- Were charges issued by the prosecutor’s office?

You may also wish to attach emails, pictures, or police reports that are relevant to your request. You may also bring recordings or any other type of evidence you have collected. Please request a form from the Clerk to be granted permission to bring your cell phone into the courthouse if needed. Information about past behaviors may be summarized in a general paragraph at the end of your statement on the addendum form. **The judge will not be contacting the police or other agencies, or even speaking with you**, so all information you want the judge to know must be included in your written statement.

**Please block out any information such as driver’s license numbers, social security numbers, etc on your attachments.** The respondent will have the opportunity to read your statement, as well as to file a motion to modify or terminate your order. **This is public document.**

## **INSTRUCTIONS FOR COMPLETING “VERIFIED STATEMENT”**

This form provides the court with additional background information regarding each of you and asks you to describe how you know the respondent.

**Please include as much detail on this form as possible.**

Please **do not** leave the relationship question blank or write “None”.

Preferred entries are:

- Married 6 years;
- Roommates;
- Dated 4 months-broke up in June;
- Work together in same office, etc.

**Please be truthful as possible on this form as you are signing it under oath.**

**Please remember that once a personal protection order is in place it can only be removed by the judge after a hearing.**