

# Types of Court Cases

[Home](#) [Self Help](#) [Self Help Center](#)

## Personal Protection - Self Help

The following information will take you through the steps necessary in a personal protection matter. In order to receive the protection you seek, you *must* follow the instructions. If you fail to follow the required steps, the order you get from the court could be ineffective and you could remain unprotected. The instructions in this Self-Help Center apply generally to all the circuit courts, but there can be differences in local practice. For information about these local practices, contact the court or the county clerk in the county where you are going to file your petition. Online help is also available from Michigan Legal Help to prepare forms through an automated interview process and to provide toolkits with legal articles, FAQs, procedure, and other resources.

### Statutes and Court Rules

Statutes and court rules associated with personal protection proceedings are: MCL 600.2950, 600.2950a, and 600.2950b through 600.2950m and MCR 3.701 through 3.709.

### Using Court Forms

Court forms are available for use in proceedings for personal protection. These forms follow the procedures stated in the Michigan Compiled Laws and Michigan Court Rules and can be used without the assistance of an attorney. Instructions for completing some of the forms is available on this website.

When completing a form online, you must print the number of copies you will need for filing with the court and serving on the parties. See the upper right-hand corner of each form for this information. If you do not provide the court with the correct number of copies, the court might reject the form for nonconformance under the authority of Michigan Court Rule 8.119(C). Unless specifically required by court rule or statute, the court is not responsible for making copies of forms for you.

### How to Begin a Personal Protection Action

To start the action, you (the petitioner) must file a "petition form" with the county clerk of the circuit court. You can go to any county clerk's office and ask for a personal protection order packet, or you can get the forms you need from this Self-Help Center. Instructions for completing the forms are provided. If you are in immediate danger, make sure you ask the court for an "ex parte" order by checking the "ex parte" box on the form. Then fill out the "order form." "Ex parte" means the order is entered without a hearing and without prior notice to the other person.

Your petition (and the order if you ask for an "ex parte" order) can be filed in the circuit court of any county in Michigan. There is no cost for filing the petition; however, there will be a cost for serving the petition and order (postage or process service fees) on the person you want restrained (respondent). Ask the court for this information and be sure to bring this amount with you when you file your petition.

Some of the things you may need before you fill out the petition include: a copy of your complaint for divorce, annulment, or separate maintenance; copies of custody orders if there are any; and the cost of serving papers on the restrained person.

If you have notarized written statements from witnesses and copies of supporting documents or materials from police, doctors, or social agencies, bring at least three copies of each with you when you file your petition with the court. This information

#### FIND YOUR COURT

[Trial Court Directory](#)  
[County Clerk](#)

#### FORMS FOR PERSONAL PROTECTION, DOMESTIC RELATIONSHIP

[Petition Against Adult](#)

[Petition Against Minor](#)

[Order Against Adult](#)

[Order Against Minor](#)

#### FORMS FOR PERSONAL PROTECTION, NONDOMESTIC RELATIONSHIP

[Petition Against Adult](#)

[Petition Against Minor](#)

[Order Against Adult](#)

[Order Against Minor](#)

#### FORMS FOR PERSONAL PROTECTION, NONDOMESTIC SEXUAL ASSAULT

[Petition Against Adult](#)

[Petition Against Minor](#)

[Order Against Adult](#)

[Order Against Minor](#)

#### OTHER FORMS FOR PERSONAL PROTECTION PROCEEDINGS

[Notice of Hearing](#)

[Motion to Modify, Extend, or Terminate](#)

[Motion and Order to Dismiss](#)

may be important to the judge in making a decision but is not necessary for the judge to enter an order.

You must have basic information about the respondent (the person to be restrained), such as name, address, place of employment, date of birth, physical description, etc., or the court cannot issue an order. At a minimum, you must have the name, race, sex, and date of birth of the respondent.

### When a Hearing is Required

A hearing is required on your petition for personal protection if you do not request an "ex parte" order, or if the judge will not sign an "ex parte" order. If a hearing is required, you must complete the Notice of Hearing, form CC 381. Ask the county clerk for a hearing date and follow the instructions on the form. See general information about hearings.

### When an Order is Signed

If you asked for an "ex parte" order, the county clerk will tell you what you need to do to get the order signed and where and when to pick up the signed order. If a hearing is required, you will be provided with the signed order after the hearing.

The personal protection order will go into effect as soon as the judge signs it. The county clerk's office is responsible for providing a copy of the order to the local police agency so that it can immediately be entered into the Law Enforcement Information Network (LEIN). The county clerk will also give you copies to take to your local law enforcement agency if you want to do so.

### Serving the Petition and Order

By law, you must serve the petition and order on the respondent, even though the order is effective without service as soon as it is signed. Follow the instructions on the form to make sure you serve the court papers in the required way. If you do not serve the respondent with a copy of the order, you may have trouble getting local law enforcement to enforce the order by arresting the respondent.

### If You are Served with or Notified of an Order

If you are served with or notified of a personal protection order against you, you must obey the order. If you don't obey the order, you can be arrested for violating the order, or the petitioner can file a motion to order you into court to explain why you shouldn't be held in contempt for violating the order. If you are found guilty of violating a personal protection order in Michigan, you will be sentenced to spend up to 93 days in jail and may be fined up to \$500.00.

### Enforcing the Order

A personal protection order is enforceable anywhere in Michigan by any law enforcement agency as soon as it is signed by the judge. It can also be enforced by another state, Indian tribe, or territory of the United States once it is served on the respondent.

If the respondent violates a personal protection order anywhere in Michigan and the respondent has been notified of the order, either orally or by formal service, law enforcement can arrest the respondent, or you can file a motion for a court hearing concerning a violation of the order.

If the respondent 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 the 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 court. If a hearing is not held within

Motion and Order to Show  
Cause for Violation

INSTRUCTION BOOKLET

Adult Proceedings

72 hours, the respondent may be released from jail after posting bond until the hearing is held.

If the respondent is not arrested and you believe the respondent violated the order, you can file a motion to show cause, form CC 382. Follow the instructions on the form. You cannot file a motion to show cause for violating a personal protection order until you have proof that the respondent was served with or notified of the order.

If the respondent violates a personal protection order in some place other than Michigan, the respondent is subject to the enforcement remedies and penalties of that other state, Indian tribe, or territory.

### Modifying, Extending, or Terminating the Order

You have the right to file a motion to modify, extend, or terminate the order, form CC 379. A court hearing is required to modify or terminate the order. Ask the county clerk for a hearing date and follow the instructions on the form.

# Instructions for PERSONAL PROTECTION FORMS

## Instructions for the legal process when using Forms:

1. **CC 375** - Petition for Personal Protection Order (Domestic Relationship)  
and  
**CC 376** - Personal Protection Order (Domestic Relationship)
2. **CC 377** - Petition for Personal Protection Order Against Stalking (Non Domestic)  
and  
**CC 380** - Personal Protection Order Against Stalking (Non Domestic)
3. **CC 381** - Notice of Hearing on Petition for Personal Protection Order

## Table of Contents

Important Notice .....	Page 2
<b>Steps to Follow</b>	
- Getting an Order Without a Hearing .....	Page 3
- Getting an Order With a Hearing .....	Page 5
- How to Serve Copies of Forms.....	Page 7
Information About the Hearing .....	Page 8

## IMPORTANT NOTICE

By using this forms packet you are representing yourself in a court action to get a personal protection order. In order to receive the protection or action you seek, you must follow the instructions in this booklet and on the forms. If you fail to do even one of the required steps, the order you get from the court could be ineffective and you could remain unprotected.

**The three most important things you will have to do are:**

- 1) get the order signed by the judge.
- 2) provide legal notice of the court's order to the person to be restrained.
- 3) follow up with the law enforcement agency to make sure they entered the order on LEIN.

This booklet will help you with these duties.

**Here are some things you may need before you fill out the forms.**

- Forms and instructions.
- Money to pay the costs of serving papers on the restrained person. Service may cost between \$10.00 and \$100.00.
- Information about the person to be restrained such as name, date of birth, age, address, place of employment, physical description, etc.
- Copies of divorce, annulment, separate maintenance, paternity, support, custody or any other judgments or orders involving you and the person you want restrained.
- Notarized, written statements from witnesses if there are any.
- **Copies of supporting documents or materials (reports from police, social agencies, doctors, or hospitals) if there are any. This information is important for the judge in making a decision, but is not necessary for the judge to enter an order.**

**Now complete the forms that fit your situation.** If you don't understand something on the forms, ask the circuit court clerk to explain the terms or process to you.

**After you have filled out the forms, go to the Table of Contents on the front of this booklet and find out which pages you need to read for directions on how to get your personal protection order. Read these instructions carefully. You are acting as your own attorney and these instructions will help you with the legal process. The laws of Michigan do not allow the employees of the court or the judge to give you legal advice.**

If you require special accommodations to use the court because of a disability, please contact the court immediately to make arrangements.

**Follow these steps if you have requested an ex parte order (order without a hearing) on Form CC 375 or Form CC 377.**

- 1. Fill out the forms that apply to your situation using the instructions on the forms.**
- 2. File the Petition and Order form with the county clerk.**

Take the forms to the circuit court clerk in the county where you are seeking the order. Bring 3 sets of statements from witnesses and supporting documents if you have any.

The circuit court clerk will finish filling out the form, will attach your written statements and supporting documents to the proper copies, and will return copies of both forms to you. **Do not lose these copies.**

What you should have when you leave the clerk's office:

Green, Blue, Pink, and Yellow copies of CC 375 or CC 377  
All 6 copies of CC 376 or CC 380

- 3. Get the order signed.**

Ask the circuit court clerk for instructions to the judge's office. Go to the judge's office as soon as possible. Leave the green copy of the petition form (with attachments) and all copies of the order form with the judge's staff. Ask when to come back for the signed order.

What you should have when you leave the judge's office:

Blue, Pink, and Yellow copies of CC 375 or CC 377 and 1 set of attachments for yourself.

**Do not lose** these copies and the attached materials; you will need them later.

- 4. Pick up the signed order from the judge.**

If the judge's office does not send the order to the circuit court clerk, go back to the judge's office on the day and time you were told to pick up the signed order.

What you should have when you leave the judge's office:

White, Green, Blue, Pink, Yellow, and Goldenrod copies of CC 376 or CC 380

If the judge will not sign the order without a hearing, he or she must state the reasons in writing at that time. Ask for a copy of these written reasons. If you are told you can request a hearing and want to schedule one, return to the circuit court clerk to do so (see page 5).

- 5. Return to the circuit court clerk.**

Unless the order form was already sent to the clerk by the judge's office, return to the clerk's office with:

White, Green, Blue, Pink, Yellow, and Goldenrod copies of CC 376 or CC 380  
Blue and Yellow copies of CC 375 or CC 377

The circuit court clerk will stamp the order, keep the original and green copy and return 4 copies to you. The clerk will send a true copy of the order to the law enforcement agency. **If you want to take the order to the law enforcement agency also, the clerk will make a true copy for you.**

**6. Serve the petition and signed order on the respondent.**

What you need for service:

Blue copies of CC 375 and CC 376 or CC 377 and CC 380 - for respondent  
Yellow copies of CC 375 and CC 376 or CC 377 and CC 380 - for proof of service  
Goldenrod copy of CC 376 or CC 380 - for proof of service

The respondent must be served (notified) as soon as possible: 1) by registered mail return receipt requested, with restricted delivery to the respondent; or 2) in person. You may serve the respondent by first class mail only if you get permission from the judge. See page 7 for details on service.

After the respondent has been served, fill out the Proofs of Service on the back of the yellow copies of both the petition and order forms and on the back of the goldenrod copy of the order form and attach the receipt of service to the yellow copies, if one. **All copies must be notarized.**

Return to the county clerk with the yellow copies of CC 375 and CC 376 or CC 377 and CC 380 and the goldenrod copy of CC 376 or CC 380.

**7. Call the police or sheriff to be sure they received the order and entered it onto LEIN.**

The circuit court clerk will send the green copy of your order to the law enforcement agency stated in the order even if you take a copy to them yourself. A few days after the order was signed, call the police or sheriff department named in the order to be sure they have a record of the order and that it has been entered onto LEIN. If they don't have the order, call the circuit court clerk and ask where it is. **The order is enforceable as soon as it is signed by the judge.**

**What to do if you change your mind about the personal protection order.**

- If the personal protection order has not been signed by the judge yet and you don't want to get a personal protection order, fill out form CC 378, Motion and Order to Dismiss Action for Personal Protection Order. Ask the circuit court clerk for a copy of the form.
- If the personal protection order has already been signed by the judge and you want to cancel the order or get it changed, fill out form CC 379, Motion to Modify, Extend or Terminate Personal Protection Order. Ask the circuit court clerk for a copy of the form.

**Follow these steps if you have NOT requested an ex parte order on Form CC 375 or CC 377. If you already filled out the petition and the judge refused to issue an ex parte order, go to step 3.**

1. **Fill out the forms that apply to your situation** using the instructions on the forms.

2. **File the Petition forms with the circuit court clerk.**

Take the forms to the circuit court clerk in the county where you live. Bring 3 sets of statements from witnesses and supporting documents if you have any. The circuit court clerk will finish filling out the form, will attach your written statements and supporting documents to the proper copies, and will return copies of the form to you. **Do not lose these copies.**

3. **Ask for a hearing.**

Ask the clerk to schedule a hearing. The clerk will give you a Notice of Hearing (Form CC 381) to fill out. The clerk will tell you if there are any other things you must do to schedule the hearing. The clerk will give you copies of this form and a blank Form CC 376 or CC 380.

What you should have when you leave the clerk's office:

Blue, Pink, and Yellow copies of both CC 375 or CC 377, 1 set of attachments for yourself, and CC 381

Blank Form CC 376 or CC 380 for filling out at or before your hearing

4. **Serve the petition and the notice of hearing on the respondent.**

What you need for service:

Blue copies of CC 375 or CC 377 and CC 381 - for respondent

Yellow copies of CC 375 or CC 377 and CC 381 - for proof of service

The respondent must be served (notified) at least 1 day before the hearing date: 1) by registered mail return receipt requested, with restricted delivery to the respondent; or 2) in person. You may serve the respondent by first class mail only if you get permission from the judge. See page 7 for details on service.

After the respondent has been served, fill out the Proofs of Service on the back of the yellow copies of both the petition and notice of hearing forms and attach the receipt of service, if one. **Both copies must be notarized.**

5. **Return to the circuit court clerk.**

Return to the clerk's office with the yellow copies of CC 375 or CC 377 and CC 381.

6. **Fill out Form CC 376 or CC 380 and attend a hearing.**

Fill out the order form before the date of the hearing. Instructions are included with the form.

**You must attend the hearing.** Bring all 6 copies of the order form with you to the hearing. If the respondent attends the hearing, ask the court to make arrangements to serve him or her right after the hearing. See page 8 for details on the hearing.

After the hearing, return to the circuit court clerk with:

White, Green, Blue, Pink, Yellow, and Goldenrod copies of CC 376 or CC 380

The circuit court clerk will stamp the order, keep the original and green copy and return 4 copies to you. The clerk will serve the order on the law enforcement agency. **If you want to take the order to the law enforcement agency also, the clerk will make a true copy for you.**

7. **Serve the signed order on the respondent.**

What you need for service:

Blue copy of CC 376 or CC 380 - for respondent  
Yellow copy of CC 376 or CC 380 - for proof of service  
Goldenrod copy of CC 376 or CC 380 - for proof of service

The respondent must be served (notified) with the blue copy of the signed order as soon as possible. If the respondent is not served after the hearing or did not attend the hearing, serve the order by registered mail return receipt requested or in person. You need permission from the judge to serve the order by first class mail. See page 7 for details on service.

After the respondent has been served with the order, fill out the Proofs of Service on the back of both the yellow copy and the goldenrod copy of the order form and attach the receipt of service to the yellow copy, if one. **Both copies must be notarized.**

Return to the circuit court clerk with:

Yellow copy of 376 or CC 380 and the Goldenrod copy of CC 376 or CC 380

8. **Call the police or sheriff to be sure they received the order and entered it onto LEIN.**

The circuit court clerk will send the green copy of your order to the law enforcement agency stated in the order even if you take a copy to them yourself. A few days after the order was signed, call the police or sheriff department named in the order to be sure they have a record of the order and that it has been entered onto LEIN. If they don't have the order, call the circuit court clerk and ask where it is. **The order is enforceable as soon as it is signed by the judge.**

**What to do if you change your mind about the personal protection order.**

- If the personal protection order has not been signed by the judge yet and you don't want to get a personal protection order, fill out form CC 378, Motion and Order to Dismiss Action for Personal Protection Order. Ask the circuit court clerk for a copy of the form.
- If the personal protection order has already been signed by the judge and you want to cancel the order or get it changed, fill out form CC 379, Motion to Modify, Extend or Terminate Personal Protection Order. Ask the circuit court clerk for a copy of the form.

## How to Serve Copies of Forms

- **To serve the respondent in person**, you can either pay a process server or sheriff or have a willing friend or relative do it for you. **You cannot serve the respondent yourself.** If you can't pay the service fee for a process server, have a friend or relative do it. If you choose a friend or relative to serve the papers, they must be over 18 years old. Pick a friend who will not be a witness in the case. **If a friend or relative serves the papers, proof of service must be notarized.** Personal service takes from several days to several weeks.

Give the process server or your friend:

Blue copies - for respondent  
Goldenrod copy - for law enforcement  
Yellow copies - for proof of service

Once the blue copies of the forms are delivered to the respondent, the person who did the serving must fill out the Proofs of Service and return them to the county clerk as explained on pages 4 through 6. **If a friend or relative served the forms, get the forms notarized.** If these copies come back to you instead, take them to the circuit court clerk as soon as possible.

- **To serve the respondent by registered mail** with delivery restricted to the respondent, go to the post office and pay to have the blue copies of the forms mailed to the respondent. Service by mail is cheaper than hiring a process server. It takes from several days to a week.

Once the forms have been delivered, you will receive a green card (the return receipt) in the mail. Make sure the respondent signed the green card. Make a copy of the return receipt. Attach the original return receipt to the yellow copies of the petition and order form. Attach the copied return receipt to the goldenrod copy of the order. Fill out proofs of service as explained on pages 4 through 6.

- **If you are unable to serve the respondent as indicated above, you may ask the court for permission to serve by first class mail or another method.** Ask the circuit court clerk for form MC 303, Motion and Verification for Alternate Service. Fill out the form and file it with the circuit court clerk. If the judge permits alternate service, Form MC 304 (Order for Alternate Service) will be prepared by the court and you can then serve the petition and/or other forms in the manner the court approves.

If service by first class mail was approved by the court, place the blue copy of the form in an envelope. Then go to the post office to get it mailed. Ask for a postal receipt. Service by first class mail is cheaper than registered mail or personal service and takes from several days to a week. Fill out proofs of service as explained on pages 4 through 6.

## Information About the Hearing

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

1. If the circuit court clerk tells you a hearing is required, go to the judge's court room on the scheduled day and time. Dress neatly. Get there 10 or 15 minutes early. Be prepared to spend most of the morning or afternoon in court.
2. Bring all copies of your papers with you including the personal protection order form. Bring paper and a pencil so you can make notes. Bring witnesses willing to testify if you have any.
3. Go into the courtroom and tell the clerk (sitting near the judge's bench) your name, that you are there for a hearing, and you are representing yourself. Hand the personal protection order form to the clerk and then take a seat in the back of the courtroom and wait for your case to be called.
4. When your case is called, go to the podium and clearly tell the judge:
  - 1) your name.
  - 2) that you are representing yourself
  - 3) that you need a personal protection order or that you are asking that a personal protection order be modified or terminated and the reasons why
  - 4) whether you have witnesses in court who are willing to testify

Answer the judge's questions clearly and directly. If the judge wants to hear from other witnesses, ask them to tell the court what they saw or know regarding your situation.

5. If the other party is in court, he or she will have a chance to speak also. When the other party talks, take notes. Do not try to interrupt the other party. After the other party speaks, you will have another chance to talk. Taking notes will help you with this.
6. If the judge says that the order is granted, he or she will complete the order and sign it and return it to you. After the order is signed, go to the clerk and ask for true copies of the order. Then serve the order.
7. If the judge does not grant the order, he or she will state the reasons on the record and complete an Order Denying or Dismissing Petition for Personal Protection Order (form CC 383). You will be given a copy of the signed order.