

# LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COURT



## PETITION FOR PERSONAL PROTECTION ORDER (DOMESTIC RELATIONSHIP)

**This form may be used if one of the parties is an enrolled citizen of a federally recognized Tribe AND at least one incident occurred on Tribal property.**

**Use this form if the person you want restrained is 18 years of age or older and:**

1) if you are married to the person you want restrained;

**or**

2) if you are not married to the person you want restrained but you live with or have lived with him or her and he or she is not your unemancipated minor child;

**or**

3) if you and the person you want restrained have a child in common even if you were never married to one another or never lived together;

**or**

4) if you and the person you want restrained have or had a dating relationship.

## INSTRUCTIONS FOR COMPLETING "PETITION FOR PERSONAL PROTECTION ORDER"

**Please print neatly. Be sure to completely fill out the "Information Sheet" portion of this Petition.**

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 can be issued without waiting for a hearing.

Items A through I must be completed before your petition can be filed with the court. Please read the instructions 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 age. 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 box where the court can contact you.**
- B** Check the boxes that best describe your relationship with the respondent.
- C** Check the box if the respondent is required to carry a firearm while at work. If you aren't sure, check the box "unknown."
- D** Check whether there is a pending case between you and the respondent. Examples of a case are: divorce, separate maintenance, 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, 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. Examples of orders are divorce judgments, 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, the county, and the state or province where the order or judgment was entered, and the name of the judge that signed the order.

- E** **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.
- F** **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 "5.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 "5.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 "5.i." Examples of such records are school reports that the respondent would normally have access to.
- G** 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.

- H** 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.
- I** Write in today's date and sign the form. Hand the form to the court clerk. The clerk will fill in the rest of the information and will give you your copies.

**You are responsible for having the Personal Protection Order served upon the Respondent.** Please complete the Proof of Service after service has been completed & submit to the Court.

Court address 3031 Domres Road, Manistee, MI 49660 Court telephone no. (231) 398-3406

**Petitioner's Information:**

\_\_\_\_\_ Full Legal Name

Additional Contact Information:

\_\_\_\_\_ Email Address

1. Is the Petitioner a member of a Federally recognized Indian Tribe? Yes  No

2. Name of Tribe and Tribal ID No. (if known): \_\_\_\_\_  
Name of Tribe Tribal ID

**Respondent's Information:**

\_\_\_\_\_ Full Legal Name

Contact Information:

\_\_\_\_\_ Street Address

\_\_\_\_\_ City, State, Zip Code

\_\_\_\_\_ Email Address

\*This information is required.

Height	Weight	Race*	Sex*	Date of birth or age*	Hair color	Eye color

1. Is the Respondent a member of a Federally recognized Indian Tribe? Yes  No

2. Name of Tribe and Tribal ID No. (if known): \_\_\_\_\_  
Name of Tribe Tribal ID

**Jurisdictional Information:**

1. Did at least one incident occur on Tribal land? Yes  No

2. Have either of the parties applied for a PPO in any other court? Yes  No   
 If yes, please provide more information:

3. Is there an existing custody order or parenting time order? Yes  No   
 If yes, what type of order is in place and what date was it issued?

**LITTLE RIVER BAND  
OF OTTAWA INDIANS  
TRIBAL COURT**

**PETITION FOR  
PERSONAL PROTECTION ORDER  
(DOMESTIC RELATIONSHIP)**

**CASE NO. and JUDGE**

Court address

Court telephone no.

<b>A</b> Petitioner's name	Age	Respondent's name, address, and telephone no.	Age
	Address and telephone no. where court can reach petitioner		

**v**

**B** 1. The petitioner and respondent  are married to each other.  were married to each other.  
 have a child in common.  have or had a dating relationship.  reside or resided in the same household.

**C** 2.  The respondent is required to carry a firearm in the course of his/her employment.  Unknown.

**D** 3. 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
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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, county, and state or province	Name of judge
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**E** 4. I need a personal protection order because: Explain what has happened. Attach separate sheet(s).

**F** 5. 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 have a property interest in the premises, I am married to the respondent, or the respondent has no property interest in the premises.
- b. entering onto the property at \_\_\_\_\_  
Address
- c. assaulting, attacking, beating, molesting, or wounding \_\_\_\_\_  
Name(s)
- 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 LRB 11-400-03, 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. intentionally causing me mental distress or exerting control over me by:
  - injuring, killing, torturing, or neglecting, or threatening to injure, kill, torture, or neglect any animal in which I have an ownership interest.
  - removing any animal from my possession in which I have an ownership interest.
  - retaining or obtaining possession of any animal in which I have an ownership interest.
- k. purchasing or possessing a firearm.
- l. other: \_\_\_\_\_ .

6. I make this petition under the authority of the LRBOI DV Ordinance and MCL 600.2950/MCL 600.2950a 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.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's/Next friend's signature

**PROOF OF SERVICE**

**TO PROCESS SERVER:** You must serve the copies of the petition for personal protection order 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**

I served  personally  by registered or certified mail (copy of return receipt attached) a copy of the petition for personal protection order, and the attachments listed below on:

I have attempted to serve the petition for personal protection order, together with the attachments listed below, and have been unable to complete service on:

Respondent's name	Date and time of service
Place or address of service	
Attachments (if any)	

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	<b>TOTAL FEE</b>
\$		\$	<b>\$</b>

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Title (if applicable)

**Note:** If documents are served by someone other than a sheriff, deputy sheriff, or other person listed in MCL 600.1910(b), this return must be notarized.

Subscribed and sworn to before me on \_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy clerk/Notary public signature

My commission expires on \_\_\_\_\_  
Name (type or print)

Notary public, State of Michigan, County of \_\_\_\_\_ .  Acting in the County of \_\_\_\_\_ .

This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the petition for personal protection order, together with

\_\_\_\_\_  
Attachments on \_\_\_\_\_  
Date and time

\_\_\_\_\_  
Signature of respondent