## Oakland County Instructions - How to Ask for a Personal Protection Order ({{ ppo\_type\_full }}) with a Hearing

Following are step-by-step instructions to help you file a Petition for a Personal Protection Order ({{ ppo\_type\_full }}) and ask for a hearing.

If you asked for an ex parte PPO but the judge denied it, you may want to request a hearing. If so, start at step 4 below. If you did **not** ask for an ex parte PPO and you want a hearing for your PPO petition, start at step 1.

### Step 1: Complete the forms

If you want to file a PPO petition and schedule it for a hearing instead of asking for an ex parte order (an order entered without a hearing), complete the forms using our [Do-It-Yourself Personal Protection Order (PPO)](https://michiganlegalhelp.org/node/5583) tool. You will get the following forms:

* Petition for Personal Protection Order (including the Statement of Facts)
* Protected Personal Identifying Information forms, if needed
* Notice of Hearing on Petition for Personal Protection Order
* Personal Protection Order

{%p if has\_next\_friend\_petitioning %}

* Request for Next Friend and Order

{%p endif %}

Your petition will be signed electronically when you download it.

You will learn how to get a date for a court hearing and how to have the Respondent served in the steps after this.

Only the top half of your proposed order will be filled in. Leave the rest of the proposed order blank. The judge will complete it at your hearing if the judge grants you the PPO.

Then gather any other documents or images you want the judge to see, including the following:

* Police reports
* Medical records
* Photos
* Copies of e-mails or text messages
* Letters

If you have any of these documents or images (police reports, photos, etc.), scan and save them as PDF files so you can attach them when you send your petition to the court in Step 3. You can use the free cell phone application called Genius Scan to convert the documents or images into PDFs. If you have more than one PDF, combine them in to one document and put them in chronological order OR label each attachment of evidence in chronological order (EX: “1”, “2”, “3”).

**Please be aware that the court does not have access to police department computer systems and cannot retrieve police reports. If you mention a police report in your petition and you want the judge to review it, you need to submit a copy with your petition.**

### Step 2: File your forms to receive a court hearing

{%p if has\_next\_friend\_petitioning %}

Your next friend will need to file your forms for you.

{%p endif %}

After you prepare your forms with the [Do-It-Yourself Personal Protection Order (PPO)](https://michiganlegalhelp.org/node/5583), you will be redirected to a LawHelp Interactive webpage. Make sure to create a free account so you can save your forms. Download and review the forms. You will find the Notice of Hearing is blank. You will learn how to obtain a date for a court hearing in Step 3.

You may also want to save your petition and other documents to your device while you are logged into LawHelp Interactive.

After you are finished reviewing the forms, if you do not need to make any changes, click the button labeled “Email Your Form(s) to the Courts/Agency.” You will need to send the blank Notice of Hearing form, as well as your other forms. You will need to enter your own e-mail address to send your forms to the PPO Office. If you don’t have an e-mail address and you need help signing up for one, you can go to the E-Services Center of the Clerk’s Office at the Circuit Court for in-person help. After you file, you will need to find a way to access e-mail, either on your smart phone, a computer, or another device.

To send your forms to the PPO Office, type in your e-mail address in the provided space. Scroll down to upload any evidence you want to attach (police reports, medical records, etc.){% if is\_incapacitated\_adult %} Also, upload the Order Regarding Appointment of Guardian or the power of attorney paperwork.{% endif %} **Any documents you upload must be PDFs. Other formats will not be accepted. Go back to step 1 to learn how to convert other file types into a PDF.**

If you have any questions about your petition, call the PPO Office at 248-303-1534.

Then click the orange “Send” button. This will e-mail your petition and other forms to the Oakland County Circuit Court’s PPO Office, along with your attachments.

The PPO Office will review your forms. If anything is incorrect or missing from your filing, the PPO Office will e-mail you to ask for corrections. After the PPO Office reviews your forms, they will file them with the Court Clerk’s Office. You will receive a confirmation email from the PPO Office telling you that your forms have been submitted.

### Step 3: How to receive a date for a court hearing

The PPO Office will email you the completed Notice of Hearing, Zoom Hearing Instructions (if applicable), a court filed copy of the Petition (with any evidence), and a blank Proof of Service form. The PPO Office will also send you instructions to have the Respondent served and file the completed Proof of Service with the court through MiFile. Instructions for this are in the same e-mail.

### Step 4: Make copies of the forms

Make a copy of each of the following completed forms:

* Petition for Personal Protection Order (including the Statement of Facts and any attachments, such as police reports and medical records related to your petition)
* Notice of Hearing and Zoom Hearing Instructions (if applicable)

The copies will be served (given or sent to) the Respondent.

If you are going to arrange to have the Oakland County Sheriff’s Office Civil Unit serve the Respondent with the papers, contact the Civil Unit **before** you make copies of the PPO documents to get instructions from them. Read Step 5 to learn more about this.

### Step 5: Have the Respondent served

{%p if has\_next\_friend\_petitioning %}

Your next friend will need to arrange to have the papers served on the Respondent.

{%p endif %}

Have the PPO documents served to the Respondent at least five days before the hearing.

If you choose to, you may have the Oakland County Sheriff’s Office serve the Respondent. Contact information for the Oakland County Sheriff’s Office Civil Unit will be provided in the same PPO document email from the PPO Office. Contact the Oakland County Sheriff’s Office Civil Unit **BEFORE** you make copies of the PPO documents to get additional instructions from them.

If you don’t want the Sheriff’s Office Civil Unit to serve for you, service can be completed by a professional process server, or an adult friend or relative. **You cannot serve the Respondent yourself.**

You will need the Respondent's address and any other information that will help the process server find the Respondent.

The process server can give the Respondent the papers in person. Or the papers can be sent to the Respondent by registered mail with return receipt requested and delivery restricted to the Respondent. If the Respondent is served by mail, they must sign and return the green card (the return receipt). Even if the Respondent is served by mail, you need to find someone else to do the mailing. The server’s address—not yours—should be the one on the return receipt.

{%p if respondent\_is\_minor and not respondent\_is\_emancipated\_minor %}

**If the Respondent is a minor**, you must also have copies of the forms served on the Respondent’s parent(s), guardian(s), or custodian(s), if you know their location.

{%p endif %}

### Step 6: File the completed Proof of Service

{%p if has\_next\_friend\_petitioning %}

Your next friend will need to complete this step for you.

{%p endif %}

After the Respondent is served with the PPO papers, the server must complete the Proof of Service form that you got from the court.

Unless the server is a sheriff, bailiff, or appointed court officer, the server must fill out and sign the Proof of Service form in front of a notary public. A notary can be found at the clerk's office or at a bank.

You may want to make copies of the completed Proof of Service form for your own records.

File the Proof of Service form with the court through MiFILE. If the Respondent was served by mail, the green card signed by the Respondent (the return receipt) must also be filed. Instructions for filing the Proof of Service can be found in the e-mail from the PPO Office that included the documents to be served.

**When Court Papers Can’t be Served.**

Sometimes court papers cannot be served because the address of the person to be served is wrong or the whereabouts of the person to be served are unknown. A hearing cannot be held until it can be proven to the court that both parties know about the hearing or that every effort was made to serve the court papers. If the other person's copy of the court papers is returned to you as undeliverable, you must contact the PPO Office at 248-303-1534 to discuss the possibility of alternate service. Alternate Service means the court may permit service in another manner that could reasonably give actual notice of the proceedings. Any request for alternate service must be made in a verified motion (FORM MC303).

### Step 7: Attend the hearing

{%p if has\_next\_friend\_petitioning %}

Your next friend will need to attend the hearing with you and speak on your behalf.

{%p endif %}

These are brief instructions about attending your court hearing. For more detailed instructions about going to court, watch the [Going to Court](https://michiganlegalhelp.org/node/1521) video.

Your court hearing might be in person at the courthouse or online through the Zoom platform. Below you will find information about both types of hearings.

#### Zoom hearing:

Follow the instructions provided by the court to connect to your Zoom hearing. This is a court proceeding and appropriate conduct and attire is required.

* All participants are required to appear on camera.
* The Court may permit a party’s request to appear by audio only if the individual does not have the technological ability to appear on camera.
* Remote participants must use a private, indoor, quiet room with adequate lighting that will be free of interruptions.
* The Court retains its contempt powers to sanction individuals participating remotely.

Be prepared to answer questions from the judge about why you need a PPO. Answer the judge’s questions clearly and directly. The Respondent will also have a turn to speak.

If the judge decides to grant you a PPO, the court will send you a copy of the order. You may want to make a copy for your employer, your child’s school or childcare provider, and several copies to keep in your home, car, etc. If the judge grants you a PPO, you will need to have the Respondent served with a copy of it (See Step 8).

If the judge does not grant a PPO, the court will send you a copy of the denial order.

#### Hearing at the courthouse:

Go to the court on the scheduled day and time. Bring your proposed order to the hearing. Dress neatly. Arrive 10 or 15 minutes before your scheduled hearing time. Go to the clerk and tell them your name, that you are there for a hearing, and that you are representing yourself. Follow the clerk’s directions and do not interrupt any hearing in progress.

Be prepared to answer questions from the judge about why you need a PPO.

When you are called, go to the place you are directed and answer the judge’s questions clearly and directly. The Respondent will also have a turn to speak.

If the judge decides to grant you a PPO, the judge will ask you for your order so they can fill it out and sign it. The court will give you and the Respondent a copy of the order. Ask the courtroom clerk for four (or more) copies of the order. You may want a copy for your employer, your child’s school or childcare provider, and several copies to keep in your home, car, etc.

If the judge grants you a PPO, you will need to have the Respondent served with a copy of it (See Step 8).

If the judge decides not to grant you a PPO, the court will give you an order denying a PPO.

### Step 8: Have the Respondent served with the order

{%p if has\_next\_friend\_petitioning %}

Your next friend will need to arrange to have the papers served on the Respondent.

{%p endif %}

{%p if respondent\_is\_minor and not respondent\_is\_emancipated\_minor %}

**If the respondent is a minor, also have a copy of the order served on the respondent’s parent(s), guardian(s), or custodian(s), if you know their location.**

{%p endif %}

If the court granted you a Personal Protection Order and they did not give a copy to the Respondent at the hearing, you must arrange to have the Respondent served with a copy.

**Have the Personal Protection Order served (sent or given to) the Respondent.** This can be done by a police officer, professional process server, or someone else who is 18 years or older. **Do not serve the Respondent yourself.**

If you would like the Sheriff’s Office Civil Unit to serve the respondent for you, you may go to the Civil Unit Office after your hearing to arrange service. The Sheriff’s Office Civil Unit Office is on the 1st floor of the courthouse, north entrance hallway, second door on the right. Their telephone number is 248-452-9725.

The papers can also be served by registered mail with return receipt requested and delivery restricted to the Respondent. Even if the Respondent is served by mail, you need to find someone else to do the mailing. The server’s address—not yours—should be the one on the return receipt. To learn more, read [Serving Your Personal Protection Order](https://michiganlegalhelp.org/node/463).

If the judge signed an order denying a PPO, the court will take care of serving the Respondent with the denial order.

### Step 9: File the completed Proof of Service

{%p if has\_next\_friend\_petitioning %}

Your next friend will need to complete this step for you.

{%p endif %}

When you used the Do-It-Yourself Personal Protection Order (PPO) tool, you got a Proof of Service with the PPO.

Have the server complete and sign the Proof of Service. This tells the court how and where the Respondent was served with the PPO. If the server is not a sheriff, bailiff, or court officer, the Proof of Service must be signed in front of a notary. An in-person notary can usually be found at a bank or the court.

Make sure that you file the Proof of Service with the court through MiFILE. If the Respondent was served by mail, the green card signed by the Respondent (the return receipt) must also be filed. MiFILE instructions can be found on the [Oakland County website](https://www.oakgov.com/clerkrod/court-records/Documents/oakland_county_efiling_guide_file_into_existing_case.pdf).

After you have your PPO, you can enforce it by calling the police if the Respondent ever violates it. It is a good idea to keep a copy of your PPO and Proof of Service with you at all times because it will make enforcement easier if it becomes necessary.

If the Respondent violates the PPO and they are not arrested, also call the PPO Office or e-mail them at [PPO@oakgov.com](mailto:PPO@oakgov.com) for instructions on how to report the violation to the court. Even if you filed a police report, the police will not report the violation to the court. If you want the court to know about the violation, you must report the violation to the court.