
Washtenaw County Trial Court

PERSONAL PROTECTION ORDERS

Information about Procedures for Enforcing Personal Protection Orders (PPOS)

RESOURCES

If you have been in a domestic violence relationship and would like to speak with someone about your experience, contact the Domestic Violence Project/SAFE House at 734-995-5444. DVP/SAFE House provides 24-hour crisis line, shelter, individual counseling, support groups and legal advocacy, all free of charge.

Domestic violence is never your fault. You were never responsible for your partner abusing you and you are not responsible for your ex-partner continuing to contact, intimidate, threaten, and/or stalk you. You are not alone.

Please contact SAFE House to learn more about your rights.

SAFE House 734-995-5444
24-hr crisis line: 734-973-0242
Legal Advocacy Dept:
4100 Clark Road
Ann Arbor, MI

Family Law Project Call SAFE House for a referral

Washtenaw County Trial Court
22nd Circuit
101 E. Huron St.
Ann Arbor, MI
PPO Liaison 734-222-3080
Court Services 734-222-3001
DV Prosecutor's Office 734-971-5922

This information is provided to you by the
Family Law Project
and the
Domestic Violence Project, Inc./SAFE
House

This information should be used as a guide only.
Please consult an attorney for further information.

A violation of the PPO means that the Respondent (the person against whom you got the PPO) has participated in any of the behaviors that were prohibited in the PPO, i.e. s/he has entered your home or work place even though the PPO states that s/he should **NOT**. When this occurs, you should **call the police and report the violation as soon as possible**.

To report a violation, call 911 and tell the dispatcher that the person against whom you have a Personal Protection Order has just violated it. The dispatcher should send a police officer to your location.

Your PPO is enforceable anywhere in the State of Michigan or the United States. To assist the police in responding to a violation, you should **have a copy of your PPO with you at all times**; however, even if you do not have a copy with you, the police officer can still enforce the PPO by checking the police computer. *If you are in another state, it is very important to have your copy of the PPO with you because the police in that state may not have access to the computer record of the PPO.*

For the PPO to be most effective, it is important that you document all violations that occur. The best way to document a violation is to make a police report every time that a violation occurs. If for some reason you are unable to make a police report, you can still document the violation yourself by keeping a detailed log of what happened and when it happened.

To get a copy of your PPO, go to the courthouse where you originally got your PPO and request a copy.

ENFORCING YOUR PERSONAL PROTECTION ORDER

If the Respondent violates any provision in the PPO, you should contact the police as soon as possible.

When An Arrest Is Made

If a police officer responding to a PPO violation has "probable cause" or reasonable grounds to believe that a violation has occurred, then s/he may arrest the respondent.

- The Respondent is arrested following a PPO violation and taken to jail.
- An arraignment will be scheduled for the Respondent within 24 to 72 hours after the arrest has been made. To find out when the arraignment will occur, call the jail at 971-8400 ext. 1313.
- At the arraignment, the Respondent may plead guilty, no contest or not guilty.
- The Respondent will be given the opportunity to hire a private attorney or have an attorney appointed by the court, if s/he is unable to afford a private attorney.
- If the Respondent pleads guilty, s/he will be imprisoned for not more than 93 days and fined not more than \$500.00.
- If the Respondent pleads not guilty, the judge will set a bond amount and schedule an "evidentiary" hearing to take place within 72 hours from the arraignment.
- If the Respondent is able to post bond, s/he can be released until the hearing. **You should take extra precautions at this time, as there is a strong likelihood that the**

Respondent may become more violent or intimidate you into not proceeding.

- The Prosecutor's office will prosecute the violation, unless you choose to hire a private attorney.
- Additionally, the Prosecutor's office may decide to charge the Respondent with a separate criminal offense arising out of the same incident (i.e. domestic assault, home invasion, malicious destruction of property, etc.)
- In either case it is very likely that you will be asked to testify at the hearing,** in addition to other witnesses.
- At the completion of the evidentiary hearing, the judge will issue a decision as to whether or not there was a PPO violation.
- If the judge finds that the Respondent has violated the PPO, the Respondent may be imprisoned for not more than 93 days and fined not more than \$500.00.

When An Arrest Is Not Made

- Even when the Respondent violates a PPO, there are times when s/he will not be arrested.** This could be due to a number of reasons. For example the police were not called; the police were called but there was no probable cause that a violation of the PPO occurred; or, the police were called but the Respondent was able to leave the scene before the police arrived and s/he could not be located. The following procedures would then apply.
- The police officer should still complete a police report of the incident and notify the Prosecutor's office of the violation.
- The reporting officer should also inform you that you will need to file

- your own petition for a "show cause" hearing since there was no arrest.
- A "show cause" hearing is held for the purpose of determining whether or not the Respondent violated the PPO. **A judge must first authorize that the hearing can take place.**
- Even if the police were not called and you do not have a police report, you can still request a show cause hearing when there has been a violation. **You should carefully document the incident.**
- The forms, along with instructions for filing a "show cause" are available at the courthouse.
- A PPO liaison will assist you with the forms. Call 222-3080. Also, you can contact SAFE House for assistance.
- The completed forms should be given to the assigned judge, who will either issue a bench warrant or schedule a hearing.
- If a bench warrant is issued and the Respondent is arrested, **the procedure previously described for "When An Arrest Is Made" will be followed.**
- If a hearing is scheduled, notice must be personally served on the Respondent at least seven days prior to the hearing.
- At the hearing, you and the Respondent will have an opportunity to testify and present any witnesses who saw the violation. *Beginning July 1, 2000, the Prosecutor's office may prosecute the violation or you may choose to hire a private attorney or contact SAFE House for assistance.*
- If the judge finds that the Respondent has violated the PPO, the Respondent may be imprisoned for not more than 93 days and fined not more than \$500.00.