## LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COURT



# MOTION TO MODIFY, EXTEND, OR TERMINATE PERSONAL PROTECTION ORDER

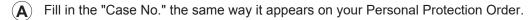
Use this form if you want the court to modify, extend, or terminate the personal protection order.

# INSTRUCTIONS FOR COMPLETING "MOTION TO MODIFY, EXTEND, OR TERMINATE PERSONAL PROTECTION ORDER"

#### Please print neatly.

By filling in this form, you are asking the court to modify, extend, or terminate a personal protection order.

Items A through E must be completed before your motion can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.



- **B** Fill in the "petitioner" and "respondent" and addresses the same way they appear on your Personal Protection Order, including the ages of the "petitioner" and "respondent" if either is under the age of 18.
- C Write in the same date that your Personal Protection Order was signed by the judge. That date is in the lower left hand corner of the order.
- If you are the person the protection order is against, check item 2a. Also check either the box "modify" if you want the court to change something in the order or check the box "terminate" if you want the court to terminate the entire order. Then explain why you want the order changed or terminated. If the order was issued without a hearing (ex parte), you may file a motion and request a hearing within 14 days after being served with, or receiving actual notice of, the order. If the order was issued ex parte and more than 14 days have passed, you must show good cause for the motion. If the order was issued after a full hearing, you must show good cause for the motion.

If you are the person who is protected by the order, you can check either item 2b or item 2c. Check item 2b if you want the court to change something in the order. Check item 2c if you want the court to extend the expiration date of the order or terminate the entire order. Then explain why you want the order extended or terminated. To extend the expiration date of the order, you must file this motion no later than 3 days before the order expires.

- (E) 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.
- **F** Write in today's date and sign the form.
- **G** If you checked box 2a or box 2b in  $\bigcirc$  you must get a hearing date. Ask the clerk to schedule a hearing. The clerk will give you the information you need to fill out this part of the form. If you checked box 2c and the judge terminates the order without a hearing, skip the instructions below in  $(\bigcirc$ ). If you checked box 2c and the judge will not terminate the order without a hearing, follow the instructions below in  $(\bigcirc$ ).
- (H) Write in today's date and sign the form. Hand the form to the county clerk. The clerk will keep two copies and return the blue, pink, and yellow copies to you.

You must serve the other party with a copy of this form. If there is a hearing scheduled, you must serve this form at least 7 days before the hearing date unless the respondent is a law enforcement officer or a person required to carry a firearm as a condition of employment. In that situation, you must serve this form at least 5 days before the hearing date.

If a hearing was scheduled, make sure you attend the hearing. Take a blank copy of the Order for Personal Protection (Domestic) or Order for Personal Protection (NonDomestic) form (whichever is applicable) with you to the hearing. If a hearing was not scheduled, the court will notify the law enforcement agency to make changes to LEIN as stated in the order.

• If you asked for a modified order and it is granted by the judge, you will need to fill out Order for Personal Protection (Domestic) or Order for Personal Protection (NonDomestic) form (whichever is applicable), get it signed by the judge, and serve it on the other party.

	Original - Court 1st copy - Judge/Assignment clerk 2nd copy - Respondent	3rd copy - Petitioner 4th copy - Return
LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COURT	MOTION TO MODIFY, EXTEND, OR TERMINATE PERSONAL PROTECTION ORDER	A CASE NO.
Court address		Court telephone no.
Petitioner's name Address and telephone no. where court car		address, and telephone no. Age
© 1. On	a personal protection order was enter	ed by this court.
Explain why you want the order modified after a full hearing or if more than 14 da	ne court to extend terminate the ord d, extended, or terminated. If box 2a is checked, the resp nys have passed since the ex parte order was served.	oondent must show good cause if the order was issued
(F)		
Date	Signature of movin	g party
Complete this Notice of Hearing only if you checked box 2a or 2b above.	NOTICE OF HEARING	
G You are notified that a hearing h issued in this case.	has been scheduled to modify, extend, or	terminate the personal protection order
Judge:		
Date:		
Time:		
Location:		
	ions to use the court because of a disability or t proceedings, please contact the court imme	
The court can modify, extend, or te	eminate the order even if you do not attend th	e hearing. It is important for you to attend.

 $(\mathbf{\underline{H}}) = \overline{\mathbf{Date}}$ 

Motion to Modify, Extend, or Terminate Personal Protection Order (11/22)

LRBOI 11-400-03; LRBOI 04-400-05; MCL 600.2950; MCL 600.2950a, MCR 3.707

### PROOF OF SERVICE

**TO PROCESS SERVER:** You must serve the copies of the motion to modify, extend, or terminate 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

OR

**OFFICER CERTIFICATE** I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and

that: (notarization not required)

□ AFFIDAVIT OF PROCESS SERVER

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

□ I served a copy of the motion to modify, extend, or terminate personal protection order by: □ personal service □ registered mail, delivery restricted to the nonmoving party (return receipt attached) on:

Nonmoving party name	Complete address of service	Day, date, time

□ I have personally attempted to serve a copy of the motion to modify, extend, or terminate personal protection order on the following party and have been unable to complete service.

Ν	onmoving party name	Complete address of service

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$		Signature
Incorrect address fee	Miles traveled	Fee	TOTAL FEE	Name (type or print)
\$		\$	\$	Title

Subscribed and sworn to b	Defore me on Date		,	County, Michigan.
My commission expires: $\overline{D}$	ate	_ Signature:	Deputy court clerk/Notary public	
_				

Notary public, State of Michigan, County of \_\_\_\_\_

### ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received a copy of the motion to modify, extend, or terminate personal protection order on

Day, date, time

Signature of nonmoving party