

HOW TO FILE A MOTION TO SHOW CAUSE FOR A PERSONAL PROTECTION ORDER VIOLATION

1. The first step is to write out a detailed statement to the judge explaining when, where and how your Personal Protection Order has been violated. You may also want to include any police reports or witness statements.

2. Next, complete the "Motion and Order to Show Cause For Violating Personal Protection Order.

A. Fill in the case number (which is located in the top right hand corner of your signed order.)

B. Your name (petitioner), address and telephone number and then the respondent's name, address and telephone number.

C. Fill in the date that your order was signed (lower left corner of your signed order.) Your order was issued by *30th Circuit Court of Ingham County*, and again write your *case number* in the space provided.

D. This is where you need to explain the violation. You may want to write "see statement" in the space provided and then attach your statement and any other documentation.

E. Sign and date this Motion **in front of a notary.**

***Your motion must be notarized. Notaries can be found in any bank, as well as the Clerk's office.**

3. This completed, notarized Motion should then be filed at the Circuit Court Clerk's Office, located at 313 W. Kalamazoo. At this point, the paperwork will be sent up to the judge for review. The judge may decide to issue a bench warrant, set up a hearing date to hear from both parties involved in the case, or the judge may not sign the show cause.

4. You will need to call the PPO Office to find out the judge's decision and when to pick up your paperwork. That number is 483-6545.

5. Complete the Notice of Show Cause Hearing form to be sent to the Prosecutor's Office. This form is sent to the Prosecutor's Office so the Prosecutor assigned to your case can better prepare for the Show Cause hearing. **However, if you would like to retain your own attorney, this form does not need to be completed.**

6. If a hearing is set up, you will need to have the respondent served at least seven days before the hearing so that he/she will have the opportunity to attend the hearing. If the respondent is not served or the proof of service is not turned into the Clerk's office, it is likely that the judge will dismiss your case.

*** The proof of service form needs to be completed by the person who serves the respondent with the motion paperwork. That form is included in this packet.**

SHOW CAUSE PROCEDURE

- A hearing will be scheduled by the assigned Judge for a Show Cause Hearing. Contact our office @ 483-6545 the next day to see if the paperwork is ready for you to pick up. *The office is open from 8:00 am - 12:00 pm and 1:00 pm - 5:00 pm.*
- Notice of the hearing must be **PERSONALLY** served upon the Respondent at least **7 days** before the hearing. *It is important that you return to pick up the paperwork as soon as possible so there are at least 7 days to serve the Respondent with notice. A failure to properly serve the Respondent will result in dismissal of the motion or a rescheduling of the hearing date, which will prolong this process for you.* The proof of service must also be completed and filed with the Clerk's Office.
- The initial court date is considered an arraignment for the Respondent. The Respondent has the right to have an attorney present at the hearings since there is a possibility that s/he could receive jail time. It is, possible that you may need to come back for another hearing date at a different time. It is, **VERY** important that both you and your witnesses attend all hearing dates on this matter because if the Respondent brings an attorney the hearing may proceed at that time.
- At the arraignment, Respondent has the option of pleading Guilty or Not Guilty. If Respondent pleads Guilty, a hearing will not be held and the Judge may sentence the Respondent at that time. If the Respondent pleads Not Guilty, another hearing date will be scheduled and your witnesses will need to attend that hearing as well.
- A Prosecuting Attorney is available to assist you at these hearings but you also have the right to retain your own attorney to assist you in these proceedings. The Prosecutor is only able to assist on show causes, they are not available for other motions (i.e. motion to terminate).