

# PERSONAL PROTECTION ORDER INFORMATIONAL SHEET

## Questionnaire

Although the questionnaire is not required, it is very helpful to the judge reviewing your petition and it will help the process go more smoothly for everyone.

When filling out the Questionnaire and forms:

- Be as specific as possible with the dates and times of events
  - Use the date and time if possible
  - If unknown, try to narrow it down to a week or month
- Be as specific as possible with the type of physical abuse
  - Punch, closed fist, throw against wall, etc.
- Location of injury on your, if any
- Duration of abuse, if any
  - How often did it occur
  - How long did each incident last
- Types of injuries sustained, if any
  - Bruises, cuts, swelling, broken bones, bite marks, hand prints, etc.
- Medical attention received, if any
  - X-rays, casts
  - Did you seek medical attention
  - Were photographs taken; is there a medical report to attach
- Type of verbal abuse, if any
  - Use exact quotes when possible
  - Threats to injure or kill yourself or family, friends; remove children, etc.
  - Name-calling, yelling, screaming

## What Can Happen When You Request a PPO From the Court

1. Your request may be **granted** ex parte. This means that it will take effect immediately without a hearing and without advance notice to the other party. Your petition must state facts showing you are in immediate danger or that notifying the other party would put you in more danger. Take the petition and order to the Clerk's Office for filing.
2. Your request for an ex parte PPO maybe **denied with the right to a hearing**. This does not mean that you cannot have a PPO; but that the judge wants to hear testimony from both parties before making a decision. If a hearing is set, you must attend the hearing. Take the Notice of Hearing to the Clerk's Office for filing.
3. Your request may be **denied**. This means you will not get a PPO with the facts you have given. There may be other legal options available to you. If further incidents happen, you may file a new petition.

## Service on the Respondent and Proof of Service

Service is the process of notifying the other person that you have been granted a PPO against him/her or that the court has scheduled a hearing regarding the PPO.

Information you need to know before you serve the other party:

1. The other party must be served with a copy of all forms filed with the court. The forms must be served either personally or by registered mail, restricted delivery, return receipt requested.
2. Once service is made, a proof of service form must be filled out and filed with the clerk's office.
3. If a friend or relative serves the copies for you, he or she must be at least 18 years old. **You cannot serve the other party yourself.**
4. PPO is active but not enforceable until proof of service **with a notarized signature** is filed.

To serve a PPO, the other party must be served with:

1. A copy of the petition;
2. A true copy of the signed PPO order

To serve a Notice of Hearing, the other party must be served with:

1. A copy of the petition;
2. A copy of the notice of hearing

To serve a Motion to Modify, Extend, or Terminate a PPO, the other party must be served with:

1. A copy of the motion

It is critical that you file a proof of service with the clerk's office as soon as possible after service has been effectuated.

If you wish to have the respondent personally served and do not have a friend or relative to perform service for you, you may obtain information about process servers at <https://www.mcodsa.com>

### **What If I Change My Mind**

If the PPO has not yet been signed by the judge and you have changed your mind about obtaining a PPO, complete the Motion and Order to Dismiss Action for Personal Protection Order form and take it to the Clerk's office for filing.

If the PPO has been signed by the Judge and you want to cancel the order or get it changed, complete the Motion to Modify, Extend, or Terminate Personal Protection Order form and take it to the Clerk's office for filing. Only the court has the power to modify or terminate the PPO.

***The PPO is in effect until it expires or the court enters an order to change or end it. Each PPO expires at 12:01 a.m. the morning of the date of expiration. You must not do anything that would encourage the respondent to violate the PPO before it expires or the court orders that it be terminated (i.e., invite the respondent over.)***

***An ex parte motion to extend an existing PPO must be filed 3 days before expiration of the existing PPO.***