



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

**CREATE PERSONAL PROTECTION
ORDER PETITION FILING FEE**

**House Bill 4075
Sponsor: Rep. Scott Hummel
Committee: Judiciary**

Complete to 2-10-03

A SUMMARY OF HOUSE BILL 4075 AS INTRODUCED 1-28-03

House Bill 4075 would amend the Revised Judicature Act to create a \$20 fee for filing a petition for a personal protection order (PPO) with the family division of circuit court.

Under the RJA, a person may petition the family division of circuit court to enter a personal protection order to restrain or bar a spouse, former spouse, individual with whom he or she has had a child in common, an individual with whom he or she has had a dating relationship, or an individual residing or having resided in the same household as the petitioner from engaging in one or more specific types of conduct. (Examples of types of conduct from which a person subject to a PPO may be prohibited or barred include entering onto the petitioner’s premises, threatening to kill or physically injure a person named in the PPO, and purchasing or possessing a firearm.) Also, a person may petition the family division of circuit court to enter a PPO to restrain or bar a person—whether or not the person is a spouse, former spouse, or a person with which he or she has had another relationship listed above—from stalking him or her, as “stalking” is defined in the Michigan Penal Code. Currently, there is no fee for filing such petitions.

The bill would impose a \$20 fee for filing a PPO petition restraining or barring a person from conduct described above, though, as with other PPO fees, the court would be required to waive or suspend the fee in whole or in part upon showing by affidavit of indigency or inability to pay. Ten dollars of each \$20 fee paid would be directed to the state court fund, which is used for trial courts’ operational costs, civil legal assistance for indigent persons, and various activities of the State Court Administrative Office.

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Analyst: J. Caver

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