

EXTREME RISK PROTECTION ORDER ACT (EXCERPT)
Act 38 of 2023

691.1813 Service of extreme risk protection order.

Sec. 13. (1) Except as provided in subsection (2), an extreme risk protection order must be served on the restrained individual in person, by registered or certified mail, return receipt requested, by delivery to the last known address of the restrained individual, or by any other means allowed under Michigan court rules as decided by the court.

(2) If the court has ordered the immediate surrender of the individual's firearms, the order must be served personally by a law enforcement officer. If the restrained individual has not been served, a law enforcement officer who knows that the order exists may, at any time, serve the restrained individual with a true copy of the order or advise the restrained individual of the existence of the order, the specific conduct enjoined, the penalties for violating the order, and where the restrained individual may obtain a copy of the order.

(3) The individual who serves an extreme risk protection order or the law enforcement officer who gives oral notice of the order shall file proof of service or proof of oral notice with the clerk of the court that issued the order and the petitioner.

History: 2023, Act 38, Eff. Feb. 13, 2024.

Popular name: Red flag law