Procedures for Filing a PPO through a Next Friend

1) To determine if the petitioner needs a Next Friend, ask the following:

   a) Is the petitioner a minor under 18 years old or a legally incapacitated person?

      1. If yes, the petitioner may proceed through a Next Friend

         NOTE: Unless the Court determines appointment is necessary, the Next Friend may act on behalf of the minor or legally incapacitated person without appointment.

      2. If no, the petitioner does not need a Next Friend.

   b) Is the Petitioner a minor, less than 14 years old?

      1. If yes, then the Court shall appoint a Next Friend.

      2. If no, see if above applies.

2) The Petitioner must certify that the Next Friend is not disqualified by statute and is an adult.

3) The Next Friend is not responsible for the costs of the action.

4) How to fill out forms:

   a) If Appointment was necessary, the Next Friend would fill out the "Third Party Motion for Appointment of Next Friend", "Written Consent to Appointment as Next Friend", and "Order Appointing Next Friend".

   b) If Appointment was permissible, the Petitioner would fill out the "Petitioner's Motion for Appointment of Next Friend" and the "Order Appointing Next Friend". The Next Friend would fill out the "Written Consent to Appointment as Next Friend."

   c) The Petition may be drafted by stating "minor's or incapacitated person's name" by his/her Next Friend, "Next Friend's name".

      Example: "Jane Minor by Next Friend, Jane Adult"

   d) The Next Friend would then fill out the Petition for PPO and sign it on behalf of the Petitioner.

STATE OF MICHIGAN
IN THE FAMILY DIVISION OF THE CIRCUIT COURT
FOR THE COUNTY OF INGHAM

_____
Petitioner,

Case No. _____

v.

Hon._____

_____
Respondent.

PETITIONER'S MOTION FOR APPOINTMENT OF NEXT FRIEND

Now comes Petitioner, _____, and moves this Honorable Court for entry of an order appointing a Next Friend pursuant to Michigan Court Rule 3.73 (F) and states as follows:

1. Petitioner is:

   [ ] a minor child, at least 14 years old and under 18 years old

   [ ] a minor child, less than 14 years old

   [ ] a legally incapacitated person

2. Petitioner nominates _____as the Next Friend.

3. _____ has consented to appointment as stated in the attached affidavit.

4. Petitioner certifies that the proposed Next Friend is not disqualified by statute and is an adult.

WHEREFORE Petitioner respectfully requests that this Court enter an Order appointing _____ as Petitioner's Next Friend for purposes of this action.

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

Respectfully submitted,

Date:_____

_____
Signature of Petitioner

STATE OF MICHIGAN
IN THE FAMILY DIVISION OF THE CIRCUIT COURT
FOR THE COUNTY OF INGHAM

_____
Petitioner,

Case No. _____

v.

Hon._____

_____
Respondent.

THIRD PARTY MOTION FOR APPOINTMENT OF NEXT FRIEND

Now comes **_____,** a third party, and moves this Honorable Court for entry of an order appointing a Next Friend pursuant to Michigan Court Rule 3.73 (F) and states as follows:

1. Petitioner is:

   [ ] a minor child, at least 14 years old and under 18 years old

   [ ] a minor child, less than 14 years old

   [] a legally incapacitated person

2. Petitioner nominates _____ as the Next Friend.

3. _____ has consented to appointment as stated in the attached affidavit.

4. Petitioner certifies that the proposed Next Friend is not disqualified by statute and is an adult.

WHEREFORE Petitioner, by and through the Third Party, respectfully requests that this Court enter an Order appointing _____ as Petitioner's Next Friend for purposes of this action.

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

Respectfully submitted,

Date:_____

_____
Signature of Third Party

WRITTEN CONSENT TO APPOINTMENT AS NEXT FRIEND

I, _____, HEREBY CONSENT TO APPOINTMENT AS THE NEXT FRIEND OF _____, A MINOR CHILD OR LEGALLY INCAPACITATED PERSON, FOR PURPOSES OF BRINGING A PERSONAL PROTECTION ORDER ACTION.

DATE:_____ _____
SIGNATURE

_____
PRINTED NAME OF NEXT FRIEND

Next Friend – Please state your relationship with the Petitioner:_____

STATE OF MICHIGAN
IN THE FAMILY DIVISION OF THE CIRCUIT COURT
FOR THE COUNTY OF INGHAM

_____
Petitioner,

Case No. _____

v.

Hon._____

_____
Respondent.

ORDER APPOINTING NEXT FRIEND

At a session of this Court held at

the Ingham County Courthouse in

Lansing, Michigan on _____, 20____.

Present: Honorable: _____

A Motion was filed for the appointment of a Next Friend, pursuant to Michigan Court Rule 3.703 (F).

The Court, having reviewed the motion, and having been fully informed in the premises;

NOW HEREBY ORDERS THAT _____IS APPOINTED AS NEXT FRIEND FOR PETITIONER, _____,

A MINOR CHILD OR LEGALLY INCAPACITATED PERSON, FOR PURPOSES OF PETITIONER'S PERSONAL PROTECTION ORDER ACTION.

_____

Hon._____
Family Division Judge