



## Michigan Supreme Court

State Court Administrative Office  
Michigan Hall of Justice  
P.O. Box 30048  
Lansing, Michigan 48909  
517-373-0128

Thomas P. Boyd  
State Court Administrator

### MEMORANDUM

DATE: February 7, 2024

TO: Circuit, Probate, District, and Municipal Court Chief Judges  
Circuit, District, and Municipal Court Administrators, and Probate Registers.

FROM: Thomas P. Boyd, State Court Administrator

SUBJECT: Extreme Risk Protection Order – Resources for Implementation of New and Amended Court Rules

---

The Michigan Supreme Court entered an [Order](#), effective February 13, 2024, adopting amendments of MCR 3.701 and new rules MCR 3.715-3.722 to implement procedures for handling extreme risk protection order actions. See [Extreme Risk Protection Order Act](#), MCL 691.1801 *et seq.*

The State Court Administrative Office (SCAO) offers the following resources to assist the trial courts with successful implementation.

#### **ERPO Manual**

The [ERPO Manual](#) discusses the statutes and court rules relevant for understanding the Extreme Risk Protection Order Act, 2023 PA 38, (ERPO) and outlines procedures to process ERPO actions.

#### **SCAO Approved Forms**

The SCAO is required to develop court forms to initiate ERPO actions. MCL 691.1805(3). SCAO developed and approved several forms which are now available with individual links via the [One Court of Justice website](#). This set of forms is used to obtain, modify, extend, or terminate an extreme risk protection order.

#### **Circuit Court Plan**

MCR 3.718(B)(3) requires in each county, the circuit court must file for approval with the state court administrator a plan to make a judge or magistrate on duty and available each day of the year to immediately review and rule on a verbal request made under this subrule. The court must

provide their approved plan to all law enforcement agencies within their jurisdiction. Please submit your plan to your regional administrator.

### **Case Type Codes and Data Collection**

Updates have been made to the [Extreme Risk Protection Order Act \(2023 PA 38\) memo](#), circulated January 5, 2024, which established new case type codes for the ERPO Act and identified new CMS data fields and reporting requirements for courts. The changes include:

- Clarification that the ERPO annual report is generated from JDW data, not the Caseload Reporting System.
- Requirement that party, disposition, and event codes must map perfectly to the standard JDW codes.
- Additional requirements to provide date of birth, gender, and race of the petitioner and respondent.
- Requirement to include case types in the VEN\_EVNT table.
- Identification of new PACC codes for ERPO criminal offenses.

The revisions are underlined throughout the revised memo for easy identification.

### **JIS Systems Update Release**

The [attached document](#) provides detailed information regarding TCS updates for ERPO implementation that will be available for use beginning Monday, February 12, 2024.

### **MJI Training**

The Extreme Risk Protection Order [Webinar](#) is scheduled for February 8, 2024, at 12:00 p.m. Registration information was sent on December 11, 2023, and is still available. For those unable to attend, the 90-minute webinar will be recorded and available after the event as a learning module. MJI is also developing Quick Reference Materials which pertain to initiating, issuing and contempt in the context of ERPO, which will be available on MJI's website prior to the effective date.

Thank you for your hard work and dedication to successfully implement the court rules and process ERPO actions. Please contact you [regional administrator](#) with any questions.

**The following updates will be applied to the TCS/WebTCS application and will be available for use beginning Monday, February 12, 2024.**

### **Extreme Risk Protection Cases:**

- Due to 2023 PA 38, new civil case types will be added in the TCS application for Circuit on 2/13/2024:
  - EE - Extreme Risk Protection - Juvenile - Ex Parte
  - EJ - Extreme Risk Protection - Juvenile - Non Ex Parte
  - EP - Extreme Risk Protection - Ex Parte
  - ER - Extreme Risk Protection - Non Ex Parte
  - EV - Extreme Risk Protection - Emergency Verbally Submitted by LEO (Law Enforcement Officer)
  - EZ - Extreme Risk Protection - Juvenile - Emergency Verbally Submitted by LEO (Law Enforcement Officer)
- The new case types can only be filed in Circuit Court and cannot be filed in Juvenile Court.
- More information for processing these case types will be published next week.
- MJJ will be presenting a [webinar](#) on Extreme Risk Protection Orders on February 8, 2024.

### **Collections:**

- A new screen titled *Inactive/Closed Payment Plans by Name* has been added which will display all payment plans containing an inactive date.
  - This screen will only display inactive and closed payment plans and allows for filtering between inactive and closed payment plans.
  - On any screen with a Next Transaction Line, in the **Next** field, enter **PPI** and press **Enter** to display this screen.
  - This screen will contain some options similar to **PP** (*Active Payment Plans by Name*), excluding the ability to create payment plans, create delinquent letters or receipts.

### Financial:

- An inactive date field has been added to the *Edit Cash Code* screen. The date can be a current date or future date. No past dates can be added. Once an inactive date is added, it cannot be changed. For changes to an inactive date, contact JIS for assistance.
- When an inactive date is added to the *Edit Cash Code* screen, a **Y** will be added to the **Inactive** column on **FCC** (*Work with Cash Code*) screen.
- On screens where a **Cash Code** field exists, when **F4** prompt is used in the **Cash Code** field, inactive cash codes will not appear in the list of codes to be selected.

### General:

- When initiating a criminal case manually through **CSI** (*Case Initiation*), the **Public** field on the *Edit Criminal/Juvenile Case* screen and the *Edit Party* screen will populate the status to **P**.
- PW (Waiver of Parental Consent to Obtain Abortion) case type is no longer an applicable case type for case initiation. These case types should be tracked manually by the court for reporting purposes.
- An error will no longer appear when an email address is added to the *Edit Party* screen.