

Thirty-Seventh Judicial Circuit of Michigan



Calhoun County
Circuit Court Clerk Division
Kimberly A. Hinkley - Clerk

John A. Hallacy
Sarah Soules Lincoln
Circuit Court Judges

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Brian K. Kirkham
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Circuit Court Judges

September 27, 2022

Michigan Supreme Court
Administrative Matters Division
P.O. Box 30052
Lansing MI 48909

RE: Proposed Amendment to MCR 3.703

Dear Sir/Madam:

This letter is in opposition of the proposed amendment to MCR 3.703. The proposed amendment states, "Would require petitioner in a personal protection action to submit a proposed order when commencing the action, which would provide the court with necessary PPII in an appropriate format and reduce workload when preparing personal protection orders." If adopted, the portion we underlined would disparage the very people that a Personal Protection Order is designed to help and would do a disservice to the public it is in place to protect.

According to Michigan Trial Court Record Management Standards, the Circuit Court Clerk's Office ought not manipulate or change documents that have been accepted for filing. It is common for a Petitioner in a PPO case to not have the Respondent's height, weight, hair color and even sometimes date of birth. These identifying characteristics are required by LEIN to properly enter a PPO. If a Petitioner provides the incorrect information, then the Clerk's office would not be able to assist Petitioner in acquiring said information. Petitioners commonly misspell names or provide incorrect dates of birth. This is information that must be accurate and is required on the Personal Protection Order for entry into LEIN. The recent changes in the law concerning PPII made date of birth information non-public; the Clerk may not provide that date of birth to the Petitioner but that identifying information must be provided to the local dispatch center for entry into LEIN.

Another point of opposition and possibly the biggest issue if this proposed amendment were to be adopted relates to the penmanship on the Order. Multiple people and agencies would need to be able to read the Order for enforcement purposes. Currently, our County provides services to type Orders for a Petitioner or a Respondent. These typed Orders facilitate a smooth process in filing these Orders which are then provided to the courts, law enforcement, officers of the court, and our consolidated dispatch center. The issuance and enforcement of a Personal Protection Order requires multiple agencies working together to protect those in need.

In conclusion, making Petitioners have their Orders completed when they come in to file a PPO will cost the courts time and resources when things are not written in a readable form, lack of information and incorrect information. This will cost all agencies more in the end.

Respectfully yours,

Kimberly A. Hinkley
Clerk and Register of Deeds
Clerk of the 37th Circuit Court

Sonia Jones
Chief Deputy Circuit &
Family Court Clerk

Laura Reichow
PPO Coordinator