
Extreme Risk Protection Orders



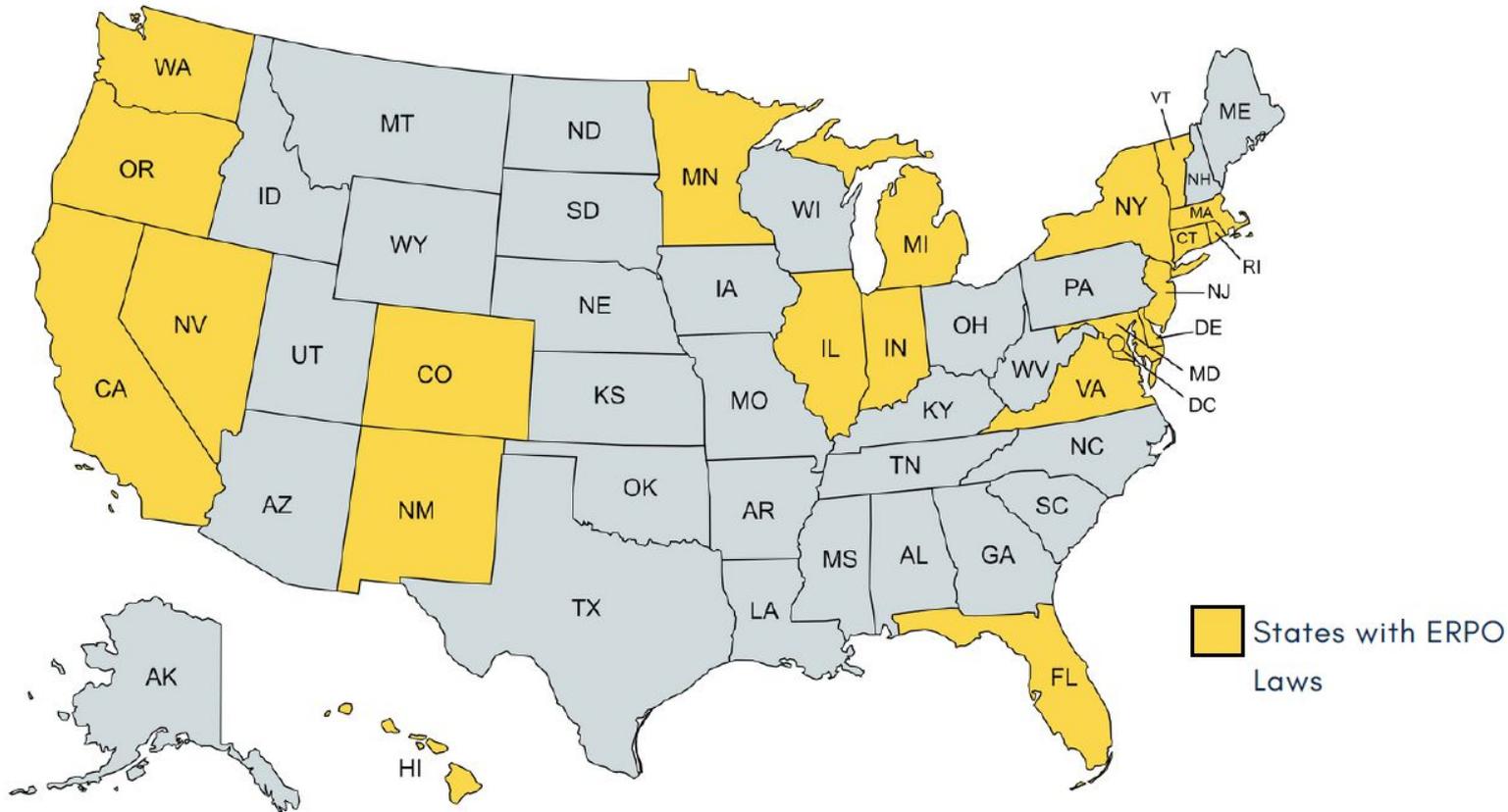
INSTITUTE FOR FIREARM
INJURY PREVENTION
UNIVERSITY OF MICHIGAN

Extreme Risk Protection Orders

- ERPOs, also known as red flag orders, are a tool to prevent firearm violence, including mass shootings, suicides, and fatal and nonfatal firearm assaults.
- An ERPO is a court issued civil order that temporarily prohibits people at risk of harming themselves or others from **possessing or purchasing** firearms.
- ERPOs are designed to be used when an individual is at high risk of using violence against themselves or others, as evidenced by behaviors, statements, or writings.
- ERPOs may be petitioned whether or not the person at risk of harm currently possesses firearms.



States with ERPOs as of March 2025



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Why does Michigan have an ERPO law?

- Many people at high risk of harming themselves or others can legally possess or purchase firearms
- Most ERPO laws have been enacted in the wake of tragedy
 - 2014: UC Santa Barbara
 - 2018: Marjory Stoneman Douglas High School
 - In Michigan, Oxford High School and MSU
- ERPOs are one tool among many to prevent tragedy
 - Safe and secure gun storage
 - Firearm injury risk screening
 - Lethal means counseling



Implementation

- ERPO respondents are typically
 - Male, White, average age of ~40 years (range: 8 to 93 yrs)
 - These figures shift by state and risk behaviors
- ERPO respondents sometimes have criminal histories noted in case files, including charges and convictions
 - Roughly 21% of cases in a 6 state study included intimate partner violence in the event that precipitated the petition
 - Up to 10% of respondents had been arrested within a year prior to the petition
- Petitioners are typically law enforcement, even in states which enable civilians to file



Implementation

In most studies, risk of harm to self (suicide) was the main risk reported Over half of ERPO cases studied report self-harm

- Over 60% of cases in Connecticut and Indiana
- Upwards of 70% of cases in Oregon

Interpersonal violence risk varies by state

- 21% of cases in Marion, IN
- 87% of cases in Colorado
- Domestic violence in ~25% of cases in Indiana and Washington

ERPOs were filed in response to threats to shoot and kill 3+ people (;;;)

- About 10% (N=662) of ERPOs filed in a 6-state study

Betz et al. 2023, Frattaroli et al. 2020, Kapoor et al. 2024, Parker 2015, Pear et al. 2022a, Pear et al. 2022c, Rowhani-Rahbar et al. 2020, Swanson et al. 2017, Swanson et al. 2019, Zeoli et al. 2021, Zeoli et al. 2022



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ERPO Effectiveness: the Data

- Studies indicate that ERPO petitions and orders are overwhelmingly being used as intended
- ERPOs were associated with a 7.5%-13.7% reduction in firearm suicide in CT and IN
- **Studies have suggested that one suicide is prevented for every 13-18 ERPOs issued**



Extreme Risk Protection Orders in Michigan

- In Michigan, the following individuals may file an ERPO petition:
 - Law enforcement
 - Family and household members. This includes:
 - current and former spouses
 - current and former dating partners
 - current and former roommates
 - someone who has a child with the person at risk
 - legal guardians
 - immediate family members including grandparents, aunts and uncles, and first cousins
 - Healthcare professionals. This includes:
 - physicians
 - physician assistants
 - nurse practitioners
 - certified nurse specialists
 - licensed mental health workers



Extreme Risk Protection Orders in Michigan

- In Michigan, there are three types of orders:
 - Immediate emergency ex parte (only available to law enforcement)
 - Ex parte, lasts up to 1 year
 - Non-ex parte, or final granted after hearing that respondent is notified of, lasts up to 1 year
- At all stages, a judge evaluates the evidence to determine if it meets statutory requirements for granting the order.



Immediate Emergency Ex Parte ERPOs

- ONLY law enforcement can file
- May be requested when responding to a complaint involving respondent
- Verbal request over the phone to on-call judge
 - Officer should inform the judge that they are recording the conversation for evidence
 - Officer should describe the reasons why respondent is or is likely to be risking harm to themselves or others by possessing a firearm
- The judge immediately rules on a verbal request
- If an immediate emergency ex parte order is issued:
 - The officer must notify the respondent of the order and advise where they can obtain a copy of the order.
 - Officer must file a sworn written petition within 1 business day
 - If the officer does not file the petition, **the court will dismiss the order**



What Happens if an ERPO is Ordered?

- If the court issues an ERPO, the person served the order:
 - Must turn in their firearms to law enforcement or a licensed firearm dealer
 - 🚫 Is prohibited from obtaining new firearms
 - 💬 May request to terminate or modify the order once per 6-month period
- ERPOs last up to 1 year, and can be renewed, terminated, or modified while in effect.
- When the order ends, the respondent will be able to reclaim any turned-in firearms from law enforcement, and can obtain new firearms.



Factors to be considered in an ERPO case, per the statute

- Use or Threat of Physical Force
- Serious Mental Illness or Serious Emotional Disturbance
- Currently Active or Previous Injunctive Orders
- PPO & ERPO Violations
- Criminal Offenses
- Controlled Substance and/or Alcohol Abuse
- Any Previous Unlawful or Reckless Brandishing of Deadly Weapons & Ammunition
- Other Relevant Evidence

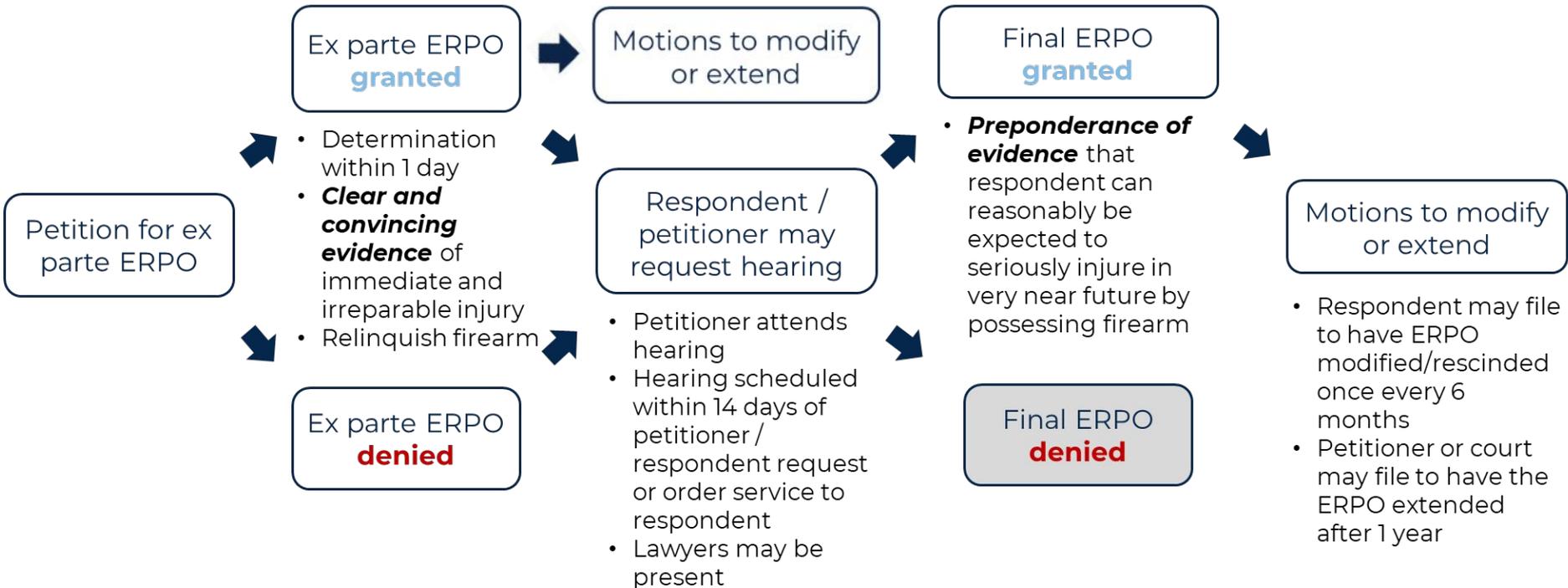


Respondents in Michigan

- Anyone, including minors, can be a respondent to an ERPO if they satisfy the evidence criteria
 - Minors can be respondents because of:
 - Constructive Possession
 - Illegal possession firearms
 - Upcoming 18th birthday
- You do **not** need to currently own or possess a firearm to be eligible to be a respondent



Next Steps: Hearings and Motions



Attending the Petition Hearing

- Hearings occur:
 - For all non-ex parte petitions
 - If the petitioner of an ex-parte petition requests one after the petition is denied
 - If the respondent requests one after an ex-parte order is granted
- It is **required for ERPO petitioners to attend a hearing** if one is scheduled
- Respondents may be required to go to a hearing if they requested one. Otherwise, attendance for them is not required
- When the petitioner requests a hearing, the petitioner is **responsible for providing a copy of the complaint and notice of the hearing to the respondent.**
- Both the petitioner and the respondent may have lawyers present. **It is recommended to bring one if possible.**
- If requested, the court may allow the hearing to be conducted via videoconferencing.



Next Steps: Ex Parte Ruling and Service of Order

- The court will decide on complaints filed ex parte without a hearing
 - If the ex parte ERPO is ordered the respondent must turn in their firearms either immediately or are given 24-hour notice
 - If a respondent is ordered to turn in their firearms immediately, the order will be served by law enforcement officers, even if petitioned for by civilians
 - It is presumed that all law enforcement initiated ERPOs will be served immediately by law enforcement



Next Steps: Turning in Firearms

- Safe service of ERPOs & relinquishment of firearms:
 - Conduct a threat assessment prior to service to identify the safest options for service
 - Coordinate with the respondent's support network if appropriate
 - Co-responder model
- Explain the terms of the order to the respondent, including what the respondent must do to comply and that noncompliance is a crime
- Request the relinquishment of any firearms in accordance with the terms of the court's order
- Provide the respondent with a receipt for any firearms relinquished



Next Steps: Anticipatory Search Warrants

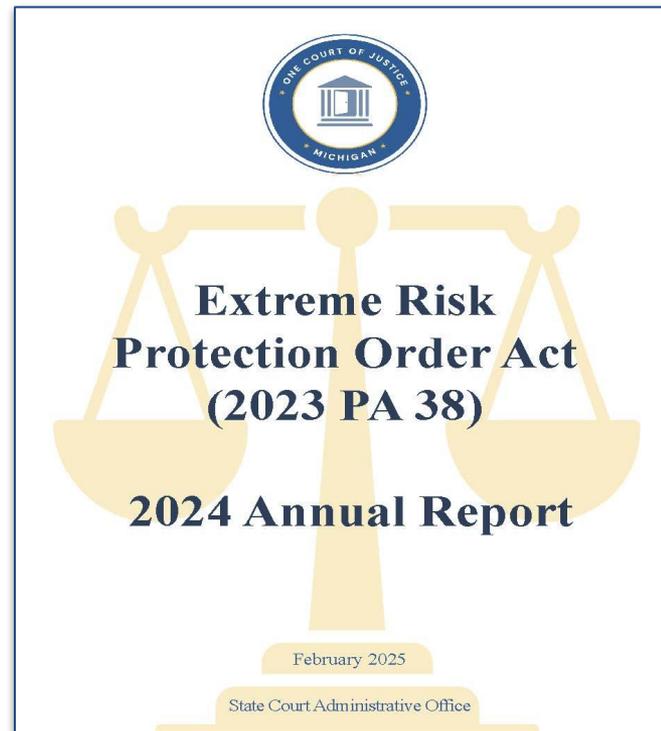
- If the court orders immediate surrender, officers may* file an affidavit requesting an anticipatory search warrant to
 - search the property of the respondent for any weapons or concealed pistol license
 - seize any found in the search

*Courts may request that an anticipatory search warrant be requested alongside an ERPO petition and rule on both simultaneously



ERPOs in Michigan: The first year

- 391 ERPO petitions filed, 287 issued
 - 111 immediate emergency ex parte
 - 237 ex parte
 - 36 non-ex parte
- 73.4% approval rate
- 7 juvenile respondent petitions
- Limited/incomplete data on:
 - Case counties
 - Petitioner type
 - Petitioner/respondent relationship
 - Demographics
 - Criminal charges



Filling Out & Filing an ERPO

Filling Out The Petition Form

- The following forms are used to begin the standard ERPO petition process:
 - If the respondent is an adult, use Form CC 452.
 - If the respondent is a minor, use Form CC 452m.
- All complaints must include a Confidential Information Form, Form CC 450, which records the petitioner's address. This form is kept confidential by the court.
 - Please note: this form only keeps the petitioner's address confidential. Other information about the petitioner might not be kept confidential.
- All ERPO forms can be found on the Michigan Courts website, <https://www.courts.michigan.gov/SCAO-forms/extreme-risk-protection/>, or by request at the relevant circuit court.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY		COMPLAINT FOR EXTREME RISK PROTECTION ORDER, ADULT RESPONDENT <input type="checkbox"/> EX PARTE	CASE NO. and JUDGE
Court address		Court telephone no.	
Petitioner's name, telephone no., and email address		Respondent's name, address, and telephone no. Age	
Age	Race	Sex	
Petitioner must complete and file form CC 450, Confidential Information, with this petition.			
Background Information - Petitioner and Respondent			
In this section, provide the following information about the petitioner and respondent. The person filing the complaint is the petitioner and the respondent is the person that the petitioner is asking to be subject to an extreme risk protection order.			
1. The petitioner: (mark all that apply)			
<input type="checkbox"/> is the <input type="checkbox"/> current spouse <input type="checkbox"/> former spouse of the respondent. <input type="checkbox"/> has a child in common with the respondent. <input type="checkbox"/> has <input type="checkbox"/> had a dating relationship with the respondent. <input type="checkbox"/> lives <input type="checkbox"/> previously lived in the same household with the respondent. <input type="checkbox"/> is a family member of the respondent. (Note: "family member" means parent, child, sibling, grandparent, grandchild, uncle, aunt, first cousin.) <input type="checkbox"/> is a guardian of the respondent under MCL 700.1104. <input type="checkbox"/> is a law enforcement officer (as defined in MCL 691.1803). <input type="checkbox"/> is a health care provider (as defined in MCL 691.1803).			
<input type="checkbox"/> 2. I am the next friend and am filing on behalf of the petitioner.			
<input type="checkbox"/> 3. I know the respondent is one of the following:			
<input type="checkbox"/> a. an individual who is required to carry a pistol as a condition of their employment and is issued a license to carry a concealed pistol. <input type="checkbox"/> b. a police officer licensed or certified under the Michigan commission on law enforcement standards act, 1964 PA 203, MCL 28.601 to 28.615. <input type="checkbox"/> c. a sheriff or deputy sheriff. <input type="checkbox"/> d. a member of the department of state police. <input type="checkbox"/> e. a local corrections officer. <input type="checkbox"/> f. an employee of the department of corrections. <input type="checkbox"/> g. a federal law enforcement officer who carries a pistol during the normal course of the officer's employment. <input type="checkbox"/> h. an officer of the Federal Bureau of Prisons.			
The respondent's employer is: <input type="text"/> Provide name of employer or specific law enforcement department or agency			
4. Provide as much information about the respondent as possible below:			
Full name of respondent (type or print)			
Height	Weight	Race	Sex
			Hair color
			Eye color
Other identifying information: <input type="text"/>			
Approved: SCAO Form CC 452, Rev. 2/24 MCL 691.1803, MCL 691.1805, MCR 3.716 Page 1 of 5			



Filling Out The Petition Form

- ERPO complaints must be filed to the family division of the circuit court. Circuit court jurisdictions are typically, but not always, along county borders
 - If the respondent is an adult, the petitioner can file the complaint in **any county** in Michigan
 - If the respondent is a **minor**, the complaint must be filed in either the **petitioner's or the respondent's county of residence**
 - If the respondent does not reside in Michigan, the petitioner must file in their own county of residence
- For a directory of courts in Michigan by county, go to <https://www.courts.michigan.gov/trial-court-directory/>

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Court address		Court telephone no.				
Petitioner's name, telephone no., and email address		Respondent's name, address, and telephone no. Age				
Age	Race	Sex				
Petitioner must complete and file form CC 450, Confidential Information, with this petition.						
Background Information - Petitioner and Respondent In this section, provide the following information about the petitioner and respondent. The person filing the complaint is the petitioner and the respondent is the person that the petitioner is asking to be subject to an extreme risk protection order.						
1. The petitioner: (mark all that apply)						
<input type="checkbox"/> is the <input type="checkbox"/> current spouse <input type="checkbox"/> former spouse of the respondent.						
<input type="checkbox"/> has a child in common with the respondent.						
<input type="checkbox"/> has <input type="checkbox"/> had a dating relationship with the respondent.						
<input type="checkbox"/> lives <input type="checkbox"/> previously lived in the same household with the respondent.						
<input type="checkbox"/> is a family member of the respondent. (Note: "family member" means parent, child, sibling, grandparent, grandchild, uncle, aunt, first cousin.)						
<input type="checkbox"/> is a guardian of the respondent under MCL 700.1104.						
<input type="checkbox"/> is a law enforcement officer (as defined in MCL 691.1803).						
<input type="checkbox"/> is a health care provider (as defined in MCL 691.1803).						
<input type="checkbox"/> 2. I am the next friend and am filing on behalf of the petitioner.						
<input type="checkbox"/> 3. I know the respondent is one of the following:						
<input type="checkbox"/> a. an individual who is required to carry a pistol as a condition of their employment and is issued a license to carry a concealed pistol.						
<input type="checkbox"/> b. a police officer licensed or certified under the Michigan commission on law enforcement standards act, 1964 PA 203, MCL 28.601 to 28.615.						
<input type="checkbox"/> c. a sheriff or deputy sheriff.						
<input type="checkbox"/> d. a member of the department of state police.						
<input type="checkbox"/> e. a local corrections officer.						
<input type="checkbox"/> f. an employee of the department of corrections.						
<input type="checkbox"/> g. a federal law enforcement officer who carries a pistol during the normal course of the officer's employment.						
<input type="checkbox"/> h. an officer of the Federal Bureau of Prisons.						
The respondent's employer is: <input type="text"/> Provide name of employer or specific law enforcement department or agency						
4. Provide as much information about the respondent as possible below:						
Full name of respondent (type or print)						
Height	Weight	Race	Sex	Hair color	Eye color	
Other identifying information						
Approved: SCAO Form CC 452, Rev. 2/24 MCL 691.1803, MCL 691.1805, MCR 3.716 Page 1 of 5						



STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	COMPLAINT FOR EXTREME RISK PROTECTION ORDER, ADULT RESPONDENT <input type="checkbox"/> EX PARTE	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

Petitioner's name, telephone no., and email address			Respondent's name, address, and telephone no.		Age
Age	Race	Sex	v		
Petitioner must complete and file form CC 450, Confidential Information, with this petition.					

Background Information - Petitioner and Respondent

In this section, provide the following information about the petitioner and respondent. The person filing the complaint is the petitioner and the respondent is the person that the petitioner is asking be subject to an extreme risk protection order.

- The petitioner: (mark all that apply)
 - is the current spouse former spouse of the respondent.
 - has a child in common with the respondent.
 - has had a dating relationship with the respondent.
 - lives previously lived in the same household with the respondent.
 - is a family member of the respondent. (Note: "family member" means parent, child, sibling, grandparent, grandchild, uncle, aunt, first cousin.)
 - is a guardian of the respondent under MCL 700.1104.
 - is a law enforcement officer (as defined in MCL 691.1803).
 - is a health care provider (as defined in MCL 691.1803).
- I am the next friend and am filing on behalf of the petitioner.
- I know the respondent is one of the following:
 - a. an individual who is required to carry a pistol as a condition of their employment and is issued a license to carry a concealed pistol.
 - b. a police officer licensed or certified under the Michigan commission on law enforcement standards act, 1964 PA 203, MCL 28.601 to 28.615.
 - c. a sheriff or deputy sheriff.
 - d. a member of the department of state police.
 - e. a local corrections officer.
 - f. an employee of the department of corrections.
 - g. a federal law enforcement officer who carries a pistol during the normal course of the officer's employment.
 - h. an officer of the Federal Bureau of Prisons.

The respondent's employer is: _____
Provide name of employer or specific law enforcement department or agency

4. Provide as much information about the respondent as possible below.

Full name of respondent (type or print)					
Height	Weight	Race	Sex	Hair color	Eye color
Other identifying information					

Approved: SCAO
 Form CC 452, Rev. 2/24
 MCL 691.1803, MCL 691.1805, MCR 3.716
 Page 1 of 5



Filling Out The Petition Form

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	COMPLAINT FOR EXTREME RISK PROTECTION ORDER, ADULT RESPONDENT <input checked="" type="checkbox"/> EX PARTE	CASE NO. and JUDGE
Court address		Court telephone no.

Petitioner's name, telephone no., and email address Laura Seewald, MD 734-123-4567 lseewald@umich.edu		
Age 39	Race White	Sex F
Petitioner must complete and file form CC 450, <i>Confidential Information</i>, with this petition.		

Respondent's name, address, and telephone no. John Doe 123 Cross St Flint, MI 48503 810-123-4567	Age 30
	v



Filling Out The Petition Form

STATE OF MICHIGAN
JUDICIAL CIRCUIT
COUNTY

COMPLAINT FOR EXTREME
RISK PROTECTION ORDER.
ADULT RESPONDENT
 EX PARTE

CASE NO. and JUDGE

Court address

Court telephone no.

Petitioner's name, telephone no., and email address

Laura Seewald, MD
734-123-4567
lseewald@umich.edu

Age	Race	Sex
39	White	F

Petitioner must complete and file form CC 450, *Confidential Information*, with this petition.

Respondent's name, address, and telephone no.

John Doe

123 Cross St
Flint, MI 48503
810-123-4567

Age
30

v



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INJURY PREVENTION
UNIVERSITY OF MICHIGAN

Filling Out The Petition Form

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Petitioner's name, telephone no., and email address Laura Seewald, MD 734-123-4567 lseewald@umich.edu		
Age 39	Race White	Sex F
Petitioner must complete and file form CC 450, <i>Confidential Information</i> , with this petition.		

Respondent's name, address, and telephone no. John Doe 123 Cross St Flint, MI 48503 810-123-4567	Age 30
v	



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STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	COMPLAINT FOR EXTREME RISK PROTECTION ORDER, ADULT RESPONDENT <input checked="" type="checkbox"/> EX PARTE	CASE NO. and JUDGE
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Court address

Court telephone no.

Petitioner's name, telephone no., and email address		
Laura Seewald, MD 734-123-4567 lseewald@umich.edu		
Age	Race	Sex
39	White	F
Petitioner must complete and file form CC 450, <i>Confidential Information</i>, with this petition.		

v

Respondent's name, address, and telephone no.	Age
John Doe 123 Cross St Flint, MI 48503 810-123-4567	30



Filling Out The Petition Form

Background Information - Petitioner and Respondent

In this section, provide the following information about the petitioner and respondent. The person filing the complaint is the petitioner and the respondent is the person that the petitioner is asking be subject to an extreme risk protection order.

1. The petitioner: (mark all that apply)

- is the current spouse former spouse of the respondent.
- has a child in common with the respondent.
- has had a dating relationship with the respondent.
- lives previously lived in the same household with the respondent.
- is a family member of the respondent. (Note: "family member" means parent, child, sibling, grandparent, grandchild, uncle, aunt, first cousin.)
- is a guardian of the respondent under MCL 700.1104.
- is a law enforcement officer (as defined in MCL 691.1803).
- is a health care provider (as defined in MCL 691.1803).

2. I am the next friend and am filing on behalf of the petitioner.



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3. I know the respondent is one of the following:
- a. an individual who is required to carry a pistol as a condition of their employment and is issued a license to carry a concealed pistol.
 - b. a police officer licensed or certified under the Michigan commission on law enforcement standards act, 1964 PA 203, MCL 28.601 to 28.615.
 - c. a sheriff or deputy sheriff.
 - d. a member of the department of state police.
 - e. a local corrections officer.
 - f. an employee of the department of corrections.
 - g. a federal law enforcement officer who carries a pistol during the normal course of the officer's employment.
 - h. an officer of the Federal Bureau of Prisons.

The respondent's employer is:

Provide name of employer or specific law enforcement department or agency



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3. Respondent is a minor. Contact information for the parent(s) guardian(s) custodian(s) is:

Full name of respondent's parent, guardian, custodian	Full name of respondent's parent, guardian, custodian
Address and telephone no. if different than respondent	Address and telephone no. if different than respondent

4. The respondent is a minor and is not required to carry a pistol as part of their employment, does not have a license to carry a concealed pistol, and is not employed as a police officer, sheriff, deputy sheriff, or by the state police, local or state department of corrections, as a federal law enforcement officer, or an officer of the Federal Bureau of Prisons.



Filling Out The Petition Form

4. Provide as much information about the respondent as possible below:

Full name of respondent (type or print) John Doe						
Height 5'10"	Weight 180 lbs	Race White	Sex M	Hair color Brown	Eye color	
Other identifying information guitar tattoo on right forearm						



Pending Court Actions

In this section, provide information regarding any pending or resolved court actions involving you and the respondent, and whether an extreme risk protection order action involving the respondent has been started in another jurisdiction.

5. I do not know whether an extreme risk protection action involving the respondent has been commenced in another jurisdiction.

An extreme risk protection action involving the respondent has been commenced in _____
Name of county

6. a. There are are not other pending actions in this or any other court affecting the parties.

Case number	Name of court, county, and state or province	Name of judge

b. There are are not orders/judgments entered by this or any other court affecting the parties.

Case number	Name of court, county, and state or province	Name of judge

Request for an Extreme Risk Protection Order

In this section, you will be providing information to the court to support the request for an extreme risk protection order. The information provided will help the court in deciding whether or not to grant your request.

7. I request the court issue an extreme risk protection order against the respondent to prohibit the respondent from purchasing or possessing a firearm and to require the respondent to surrender any concealed weapons license or any valid unused license to purchase a firearm. An extreme risk protection order is necessary because the respondent can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure himself, herself, or another individual by possessing a firearm, and has engaged in an act or acts or made significant threats that are substantially supportive of the expectation. The detailed facts that support this statement are: (use additional sheets if necessary)

Filling Out The Petition Form

Pending Court Actions

In this section, provide information regarding any pending or resolved court actions involving you and the respondent, and whether an extreme risk protection order action involving the respondent has been started in another jurisdiction.

5. I do not know whether an extreme risk protection action involving the respondent has been commenced in another jurisdiction.

An extreme risk protection action involving the respondent has been commenced in _____ .
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6. a. There are are not other pending actions in this or any other court affecting the parties.

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b. There are are not orders/judgments entered by this or any other court affecting the parties.

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Filling Out The Petition Form

7. **I request the court issue an extreme risk protection order against the respondent** to prohibit the respondent from purchasing or possessing a firearm and to require the respondent to surrender any concealed weapons license or any valid unused license to purchase a firearm. An extreme risk protection order is necessary because the respondent can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure himself, herself, or another individual by possessing a firearm, and has engaged in an act or acts or made significant threats that are substantially supportive of the expectation. The detailed facts that support this statement are: (use additional sheets if necessary)

Example 1:

The respondent, John Doe, presented to Hurley Medical Center on 11/19/2024 for a mental health evaluation. The respondent has a history of depression and stated that he has been feeling more depressed recently from his mom passing away and losing his job. He stated he is no longer sleeping and that he "doesn't see a reason to live anymore". He stated he has been drinking alcohol excessively and using cocaine at times to help deal with this depression. He stated he tried to kill himself before as a teenager with pills, but "it didn't work so this time I'll use a gun." He states that owns multiple firearms that are currently at his house. A Petition for Mental Health Evaluation (PCM 201) was then signed by a Hurley Medical Center social worker and a Report on Examination and Clinical Certification (PCM 208) was signed by myself, the petitioner for this ERPO request.

Example 2:

The respondent, John Doe, presented to Hurley Medical Center on 11/19/2024 for a mental health evaluation. The patient has a history of bipolar disorder. His wife states that the patient has not been taking his medication for his bipolar disorder for "some time." Wife stated that the patient is no longer sleeping, not showering, and talking constantly about "God and his angles and that the angles are coming to get him, me (his wife), and our children." Wife stated that the patient owns firearms and she is worried he might hurt himself or someone else. When talking to the respondent, he is hyper-verbal with fixation on "God and angles coming to get us" and not able to be redirected. He appear to be acutely manic and I believe he is currently a threat to both himself and others. A Petition for Mental Health Evaluation (PCM 201) was then signed by his wife and a Report on Examination and Clinical Certification (PCM 208) was signed by myself, the petitioner for this ERPO request.



Ex Parte Order

In addition to requesting an order, you can ask the court to issue the order immediately, before the respondent gets notice about the petition or before any hearing. This is called an "ex parte" order. If an ex parte order is not requested, the court will not enter an order until after a hearing is held on the petition.

8. I am not requesting an ex parte order.

OR

- I am requesting that the court issue an ex parte extreme risk protection order against the respondent. An ex parte order is necessary because: (check all that apply)
- immediate and irreparable injury, loss, or damage will result from the delay required to give notice.
 - notice itself will precipitate adverse action before an extreme risk protection order can be issued.

The detailed facts that support this statement are: (use additional sheets if necessary)

[REDACTED]

Firearms

In this subsection, state whether you know or believe the respondent possesses firearms. Identify any firearms you know or believe the respondent owns or possesses, including any information that would assist a law enforcement officer in locating the firearms. Examples of firearms include, but are not limited to rifles, shotguns, pistols, and handguns. Use additional sheets if necessary. If you don't know a particular piece of information, leave the space blank.

9. The respondent does not own or possess firearms.

I am unsure whether the respondent owns or possesses firearms.

I know or believe that the respondent owns or possesses firearms. Information regarding the firearms is as follows:

Type of firearm	Manufacturer	Model	Caliber/gauge	Location (if known)

Provide any other information that would help a law enforcement officer to find the firearm(s).

[REDACTED]

Filling Out The Petition Form

Ex Parte Order

In addition to requesting an order, you can ask the court to issue the order immediately, before the respondent gets notice about the petition or before any hearing. This is called an “ex parte” order. If an ex parte order is not requested, the court will not enter an order until after a hearing is held on the petition.

8. I am not requesting an ex parte order.

OR

- I am requesting that the court issue an ex parte extreme risk protection order against the respondent. An ex parte order is necessary because: (check all that apply)
- immediate and irreparable injury, loss, or damage will result from the delay required to give notice.
 - notice itself will precipitate adverse action before an extreme risk protection order can be issued.

The detailed facts that support this statement are: (use additional sheets if necessary)

The respondent is at acute risk of harming himself and stated he would use a firearm to kill himself. Delay in removing the firearm from the respondent increases his risk for killing himself.



Filling Out The Petition Form

Firearms

In this subsection, state whether you know or believe the respondent possesses firearms. Identify any firearms you know or believe the respondent owns or possesses, including any information that would assist a law enforcement officer in locating the firearms. Examples of firearms include, but are not limited to rifles, shotguns, pistols, and handguns. Use additional sheets if necessary. If you don't know a particular piece of information, leave the space blank.

9. The respondent does not own or possess firearms.
- I am unsure whether the respondent owns or possesses firearms.
- I know or believe that the respondent owns or possesses firearms. Information regarding the firearms is as follows:

Type of firearm	Manufacturer	Model	Caliber/gauge	Location (if known)

Provide any other information that would help a law enforcement officer to find the firearm(s).
The respondent said he keeps one firearm in his bedside drawer but states he has more.



10. **Additional information:** If you have any information about any of the following items, please provide it below. You may use additional pages if necessary. If the answer to any question is "yes," **please provide a detailed explanation.**

- a. Does the respondent have any history of use, attempted use, or threatened use of physical force against another individual, or against themselves? Include information about any violence or threat of violence, regardless of whether a firearm was involved.

- b. Is there any evidence of the respondent having a serious mental illness or a serious emotional disturbance, as defined in MCL 330.1100d, that makes the respondent dangerous to other individuals or to themselves?

- c. Have any of the following orders ever been entered against the respondent: extreme risk protection order, personal protection order, restraining order, pretrial release order, probation or parole order, any other type of order intended to prevent the respondent from certain activity?

- d. Has the respondent ever violated an extreme risk protection order or personal protection order?

- e. Does the respondent have any prior criminal convictions or adjudications as either an adult or juvenile?

- f. Does the respondent have any criminal cases or petitions currently pending against them?

- g. Is there any evidence of recent unlawful use of controlled substances by the respondent?

- h. Is there any evidence of recent abuse of alcohol by the respondent?

- i. Has the respondent previously unlawfully possessed, used, displayed, or brandished a deadly weapon?

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10. **Additional information:** If you have any information about any of the following items, please provide it below. You may use additional pages if necessary. If the answer to any question is “yes,” **please provide a detailed explanation.**

a. Does the respondent have any history of use, attempted use, or threatened use of physical force against another individual, or against themselves? Include information about any violence or threat of violence, regardless of whether a firearm was involved.

b. Is there any evidence of the respondent having a serious mental illness or a serious emotional disturbance, as defined in MCL 330.1100d, that makes the respondent dangerous to other individuals or to themselves?
Yes, the respondent has a history of major depressive disorder and is currently experience major depression with a clear threat to kill himself with a firearm.

c. Have any of the following orders ever been entered against the respondent: extreme risk protection order, personal protection order, restraining order, pretrial release order, probation or parole order, any other type of order intended to prevent the respondent from certain activity?



Filling Out The Petition Form

- d. Has the respondent ever violated an extreme risk protection order or personal protection order?
- e. Does the respondent have any prior criminal convictions or adjudications as either an adult or juvenile?
- f. Does the respondent have any criminal cases or petitions currently pending against them?
- g. Is there any evidence of recent unlawful use of controlled substances by the respondent?
Respondent states he has been intermittently using cocaine.



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h. Is there any evidence of recent abuse of alcohol by the respondent?

Respondent states he has been intermittently abusing alcohol recently to help with his depression.

i. Has the respondent previously unlawfully possessed, used, displayed, or brandished a deadly weapon?

j. Is there any evidence that the respondent has obtained, or attempted to obtain a deadly weapon or ammunition within the past 180 days?

k. Is there any other reliable information the court should consider?



j. Is there any evidence that the respondent has obtained, or attempted to obtain a deadly weapon or ammunition within the past 180 days?

k. Is there any other reliable information the court should consider?

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Petitioner's/Next friend's signature

Name (type or print)

Attorney signature (if applicable)

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.

Filling Out The Petition Form

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

11/14/2024
Date

Laura Seewald
Petitioner's/Next friend's signature
Laura Seewald
Name (type or print)

Attorney signature (if applicable)

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.



INSTITUTE FOR FIREARM
INJURY PREVENTION
UNIVERSITY OF MICHIGAN

Additional Resources

Training courses and videos:

<https://firearminjury.umich.edu/resources-communities/trainingvideos/>

ERPO Information and Implementation Toolkit:

<https://firearminjury.umich.edu/erpo-toolkit/>



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THANK YOU / DISCUSSION

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