

Plaintiff/Petitioner's Packet



Civil

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PLAINTIFF/PETITIONER'S GUIDE

Civil

This guide is for informational purposes only and the accuracy of this information is not guaranteed. This information is not legal advice and is not a substitute for legal advice. Court Clerks cannot give you legal advice.

A civil case begins when the plaintiff/petitioner files a complaint/petition against a defendant/respondent with the court. The complaint/petition is a statement of the “events complained of or the right sought to be declared or enforced and a statement of what relief is sought.” PTC 4.08.080

1. **How do I file a civil complaint/petition?**

STEP 1: Read this guide carefully

Read this guide, and the complaint/petition, carefully in its entirety before completing the complaint/petition.

STEP 2: Gather Documentation/Information

Locate documents and information that will help you complete the complaint/petition. This includes documents with information such as: dates that the events occurred, amounts in dispute, contact information for the defendant/respondent, etc.

STEP 3: Complete the Complaint/Petition

It is important to complete the complaint/petition with as much detail as possible so the judge has enough information to conduct an initial hearing. Accurately providing all the requested information will help prevent unnecessary delays in the process.

If, for genuine safety reasons, you are requesting your address to be confidential fill out the Court's address as your address on the petition. Put your actual address on the Statement of Address form so that your address may remain confidential.

STEP 4: File the Complaint/Petition

To file the complaint/petition with the Court, submit the complaint/petition, any supplemental documents, and pay the filing fee of \$20 to the Court Clerk during business hours (M-F 8 a.m. - 5 p.m., closed for holidays). The Clerk's office is located inside the Puyallup Tribal Court facility, at 1451 East 31st St. Tacoma, WA 98404.

Step 4.1: Submit to the Court Clerk

- Completed & signed complaint/petition
- Statement of Address
- Any supplemental documents
- Request for Court Clerk service, if applicable. (*See number 4 below for more information*)

Step 4.2: Pay the filing fee to the Court Clerk

- \$20
- Get your receipt

Step 4.3: Get your hearing date

- Get a copy of your complaint/petition, with copies of any supplemental documents
- Get your notice of hearing with the hearing date

2. What happens after I file the petition?

You are responsible for ensuring the defendant/respondent is served, which means, you must have someone personally give copies of the following documents to them:

- (1) a copy of the complaint/petition and any supplemental documents that you filed with the court.
- (2) the summons issued by the Court Clerk.
- (3) the notice of hearing issued by the Court Clerk

Delays in service will keep your case from moving forward. A case cannot go forward if the defendant/respondent is not served or is not served properly.

3. How do I serve the defendant/respondent?

You cannot serve the defendant/respondent yourself. But, you can have anyone over the age of 18, who is not a party to the case, serve the defendant/respondent. *Whoever serves the defendant/respondent must file proof of service with the court.*

You can also request the Court Clerk to serve the defendant/respondent by filling out a Request for Service form which is included in this packet. This method of service takes a minimum of 30 days. The Court Clerk can only serve the defendant/respondent if you provide a good address for them. To avoid delays be sure to provide an accurate address.

4. What happens if a defendant/respondent cannot be personally served and attempts by the Court Clerk to serve by mail fail?

If a defendant/respondent cannot be personally served or served by certified mail, return receipt requested, the plaintiff/petitioner can submit a Motion and Affidavit for Service by Publication to the Court. This form is available by request from the Court Clerk and are also available in the lobby of the Court. This method of service is used only as a last resort and you must first make adequate, good faith efforts to locate the individual and a current address.

5. What happens at the initial hearing?

You must show up at the hearing. The judge will hear from the parties and based on the circumstances will make a decision on how to proceed.

6. What happens after the hearing?

What happens after the hearing depends on what the judge orders. Therefore, it is important to read any order issued by the judge and understand its contents because it will outline the next step in the process.

**IN THE COURTS OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

Child(ren) or Vulnerable Tribal Adult Name(s)

DOB(s)

=====

_____,
Plaintiff(s)/Petitioner(s),

v.

_____,
Defendant(s)/Respondent(s).

Case No. _____

STATEMENT OF ADDRESS

COMES NOW _____ and, in this matter, I am (we are) the

Full Name(s)

Plaintiff(s)/Petitioner(s) Defendant(s)/Respondent(s) _____.

Party Type

1. Court Record.

For genuine safety concerns, I request my home address and contact information be confidential from the other party(ies) and/or the public to protect my and/or my child(ren)'s or ward's health, safety, or liberty. By checking this box I understand that my address will not become part of the Court record, but will be for Court use only.

My address is not confidential. By checking this box I understand that my address will become part of the Court record and that other parties and individuals involved will have access to my address and contact information.

2. The address where I agree to accept legal papers for this matter is:

Street Address or P.O. Box

City

State

Zip Code

3. (Optional) I also agree to accept legal papers for this matter at the following email address: _____

4. My contact phone number(s) is(are) (check preferred):

_____ _____ _____

Home Phone

Cell Phone

Work Phone

Co-Party: _____ _____ _____

(if any)

Home Phone

Cell Phone

Work Phone

Case No. _____

STATEMENT OF ADDRESS

5. I understand that it is my responsibility to inform the Court of any address or contact information changes while this case is open. I understand that if my address or contact information changes, then I must submit to this Court a new *Statement of Address* form with accompanying proof of service to all parties (*if applicable*).

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and attachments are true and correct to the best of my knowledge and belief.

Signature

Date

Print Name

Signature Co-Party (if applicable)

Date

Print Name Co-Party (if applicable)

**IN THE COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

_____, Plaintiff(s)/Petitioner(s), v. _____, Defendant(s)/Respondent(s).	Case No. CIVIL COMPLAINT/PETITION
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COMES NOW, _____, Plaintiff(s)/Petitioner(s), to allege and request the following:

Plaintiff/Petitioner Information

1. There is only one petitioner.
 Plaintiffs/Petitioners are married to each other.
 Other: _____

2. a) Plaintiff's/Petitioner's Name: _____
Birth Date: _____
Address: _____

Phone: _____
 My address is confidential. I may be served at the Court Clerk's office.

- b) Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe, a federally recognized Tribe.

- Eligible for membership in the _____ Tribe, a federally recognized Tribe.
- Not a member or not eligible for membership in a federally recognized tribe.
- An Indian tribe or tribal entity.
- Other _____.

3. a) Plaintiff's/Petitioner's Name: _____

Birth Date: _____

Address: _____

Phone: _____

My address is confidential. I may be served at the Court Clerk's office.

- b) Enrolled member of the Puyallup Tribe.
- Eligible for membership in the Puyallup Tribe.
- Enrolled member of the _____ Tribe, a federally recognized Tribe.
- Eligible for membership in the _____ Tribe, a federally recognized Tribe.
- Not a member or not eligible for membership in a federally recognized tribe.
- An Indian tribe or tribal entity.
- Other _____.

Defendant/Respondent Information

- 1. There is only one defendant/respondent.
- Defendants/Respondents are married to each other.
- Other: _____

2. a) Defendant's/Respondent's Name: _____

Birth Date: _____

Address: _____

Phone: _____

- b) Enrolled member of the Puyallup Tribe.
- Eligible for membership in the Puyallup Tribe.

- Enrolled member of the _____ Tribe, a federally recognized Tribe.
- Eligible for membership in the _____ Tribe, a federally recognized Tribe.
- Not a member or not eligible for membership in a federally recognized tribe.
- An Indian tribe or tribal entity.
- Unknown
- Other _____.

3. a) Defendant's/Respondent's Name: _____
 Birth Date: _____
 Address: _____

 Phone: _____

- b)
- Enrolled member of the Puyallup Tribe.
 - Eligible for membership in the Puyallup Tribe.
 - Enrolled member of the _____ Tribe, a federally recognized Tribe.
 - Eligible for membership in the _____ Tribe, a federally recognized Tribe.
 - Not a member or not eligible for membership in a federally recognized tribe.
 - An Indian tribe or tribal entity.
 - Unknown
 - Other _____.

Nature of the Complaint/Petition

1. My complaint/petition against the defendant/respondent is for:
- Collection of a debt or monies owed to me.
 - Contract dispute
 - Declaration and enforcement of legal right.
 - Enforcement of a judgment I received against Defendant(s)/Respondent(s).
 - Personal Injury
 - Real or personal property damage
 - Worker's Compensation
 - Other _____

Order the following: _____

Grant the following: _____

Award the following monetary relief: _____

2. I am requesting temporary relief.
 I will suffer immediate and irreparable harm if the Court does not grant immediate relief pending an initial hearing. The harm I will suffer is:

I am asking the Court to issue a Temporary Order for the following relief pending an initial hearing:

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and all attachments are true and correct to the best of my knowledge and belief.

Plaintiff/Petitioner Signature

Date

Plaintiff/Petitioner Print Name

(If any) Co-Plaintiff/Petitioner Signature

Date

(If any) Co- Plaintiff/Petitioner Print Name

**IN THE COURTS OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

DOB(s): _____

Case No. _____

PROOF OF SERVICE

Plaintiff(s)/Petitioner(s),

v.

Defendant(s)/Respondent(s).

1. I, _____, certify that I am 18 years of age or older.
Name
2. I am not a party to this case a party to this case. (*Summons, notice of hearing, and petitions must be served by someone who is not a party to the case.*)
3. I served Plaintiff(s)/Petitioner(s), Defendant(s)/Respondent(s), Other: _____
a true copy of the following document(s): Petition Notice of Hearing Summons
 Motion Other: _____.
4. I served said document(s) by:
 personally delivering to _____ on _____
Name *Date*
at _____, at _____
Street Address, City, State, Zip Code *Time*
 mailing to _____,
Street Address or P.O. Box, City, State, Zip Code
via first class mail certified mail, return receipt requested other: _____.
 emailing to _____
Email Address

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and attachments are true and correct to the best of my knowledge and belief.

Date: _____

Signature: _____

Printed Name: _____

Address: _____

Phone: _____

Case No. _____

PROOF OF SERVICE

Page 1 of 1

**IN THE COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

_____,
=====

_____,
Plaintiff(s)/Petitioner(s),

v.

_____,
Defendant(s)/Respondent(s).

Case No.

**REQUEST FOR COURT CLERK TO
EFFECT SERVICE OF PROCESS BY
CERTIFIED MAIL**

NOTICE TO PLAINTIFF/PETITIONER

Use this form when: (1) you are filing a new or amended civil complaint/petition with this court and (2) you want the Court Clerk to effect service of process on the other party.

The Court Clerk can only effect service of process by certified mail/return receipt on the other party. The Court Clerk cannot complete service of process by personal service on your behalf; personal service on the other party is your responsibility to arrange to be accomplished.

For the Court Clerk to fulfill your request, you must provide the name and mailing address of the other party where the certified mail will be directed. If you do not or cannot provide a mailing address for the other party at the time of filing, the Court Clerk will reject your request.

COMES NOW, Plaintiff(s)/Petitioner(s) and requests the Clerk of the Court to effect service of process on Defendant(s)/Respondent(s) by certified mail, return receipt requested, in accordance with Puyallup Tribal Civil Procedures Code § 4.08.100(b).

The Defendant(s)/Respondent(s) last known mailing address is:

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

**IF THE CERTIFIED MAIL IS RETURNED AS “UNDELIVERABLE,” “UNCLAIMED,”
OR FOR OTHER REASONS, THE COURT CLERK WILL NOT ATTEMPT
REDELIVERY (EXCEPT DUE TO TYPOGRAPHICAL ERROR) UNLESS A NEW
REQUEST FORM IS FILED WITH AN UPDATED MAILING ADDRESS.**

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and attachments are true and correct to the best of my knowledge and belief.

Signature

Date

Address (Street, Unit) (City, State) (Zip Code)

Signature

Date

Address (Street, Unit) (City, State) (Zip Code)