

Petitioner's Packet



Protection Order

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PETITIONER'S PROTECTION ORDER GUIDE

The Court provides the following information to further explain the protective order process. Although it is not required, the Plaintiff should carry a copy of the protective order at all times.

1. You can request one of the following types of protective orders:

ORDER OF PROTECTION: You can request this order when there is a family relationship between you and the Respondent. Family relationship includes any of the following: 1) you are married now or were married in the past, 2) you are at least 16 years old and you live together now, 3) you lived together in the past and have had a dating relationship, 4) you have a child in common, 5) you are currently in a relationship of a romantic/sexual nature, 6) you are in either a biological parent/child relationship or a legal parent-child relationship (including stepparents/stepchildren, grandparents/grandchildren, etc.), and 7) you must also state how the Respondent threatened or committed an act of domestic violence against you recently.

INJUNCTION AGAINST HARASSMENT: You can request this order when the Respondent has committed a series of acts (more than one) of harassment against you recently. You do not have to be in a family relationship to seek this type of order.

INJUNCTION AGAINST WORKPLACE HARASSMENT: You can request this order if you are an employer or owner of a business, on behalf of the business or an employee. You must show the Respondent committed either a single act or series of acts (more than one) of harassment.

2. Other protected persons: You may list other protected persons on the petition as long as you represent the protected person(s) and the protected person(s) are either minors or vulnerable adults. The Court ordinarily deals with custody requests when you file a civil custody petition. The Court will only address custody in a protective order hearing to the limited degree necessary. If the Court grants a protective order that gives temporary custody, the Court may change it later in a civil custody order. **Please be informed that you may file a civil petition for emergency custody instead of a protection order and the Court will review your request quickly.**

3. One Respondent: You must list only one respondent per petition. You must file a separate petition for each respondent. The Court will give a copy of your petition and the order to the Respondent, and may use them in future judicial proceedings. They will also be available to the public.

4. Service and Effect: A protective order is valid for one year from the date it is served on the Respondent and can be enforced by law enforcement in any state, territory, or tribal nation in

Plaintiff's Guide Sheet for Protective Orders – Please Read Carefully

the United States. The Court charges no fee to serve an Order of Protection. The Court charges a fee to serve an Injunction Against Workplace Harassment and an Injunction Against Harassment if there is no family relationship. The Court will instruct you on how to make service. The cost to serve injunctions varies depending on mileage and number of attempts. If you cannot afford to hire a process server, you can ask the judge to defer or waive the fee.

5. **Temporary Protective Order:** You may request a temporary protective order be issued. If granted, such an order would remain in effect for thirty (30) days. The purpose of such a temporary protective order is to provide you with some measure of protection until the Court can hold a protective order hearing. The Court may renew the temporary order if appropriate. You must list all the reasons you want a temporary order in the petition. If you leave anything out the Court may choose not to grant a temporary order. A temporary order has no legal effect until the Respondent has been served a copy.
6. **Protective Order Hearing:** The Court will usually hold a protective order hearing within 30 days once your petition is filed, even if the Court does not grant you a temporary order of protection. If you do not appear at the hearing your temporary order will be quashed (dismissed) and your petition will be denied. You must notify the Court if your contact information changes or you may not receive notice of the hearing. At the hearing you must demonstrate to the Court through appropriate testimony and evidence the need for a protective order. The Respondent may appear and defend and you may examine the evidence and cross-examine the witnesses.
7. **Subpoenaing witnesses:** A subpoena is a court order requiring witnesses to appear for a hearing. You may request the Court subpoena witnesses, although you are not required to do so. If you want the Court to subpoena witnesses, you must file a request to subpoena witnesses with the Court at least 10 days prior to the protective order hearing. You must list all witnesses and their current physical and mailing addresses. If you fail to meet this deadline the Court might not subpoena your witnesses.
8. **Modifying or quashing (dismissing) a protective order:** Only a judge can modify or quash (dismiss) a protective order the Court issued. If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Respondent, inform the Court at once. You cannot stop, change, or undo this protective order without the Court's written approval.
9. **Contact with Defendant:** Respondent could be arrested for violating this protective order, even if you give permission to the Respondent to contact you. If the Respondent wants a protective order against you, the Respondent has the right to request one. However, the

Plaintiff's Guide Sheet for Protective Orders – Please Read Carefully

Court will not automatically grant the request. The Respondent must meet the proper legal requirements.

10. **Law Enforcement Standby:** If you or the Respondent need to get personal belongings from each other, you may request civil standby from the Court. Civil standby allows you or the Respondent to return to a residence once with a law enforcement officer to obtain necessary personal items. Neither law enforcement nor a protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues. If there is a dispute you may take it to the Court.
11. **Firearms:** You may request that the Court order the Respondent not to possess, receive, or purchase firearms or ammunition. You should indicate in your petition why you are requesting this and whether Respondent has access to firearms or ammunition.
12. **Counseling:** You may request counseling for the Respondent, but it can only be ordered at a hearing of which Respondent had notice and an opportunity to participate.
13. **Confidential information:** You may request the Court keep your personal information confidential from Respondent. To comply with federal law, the Court will not disclose this information to the Respondent. This Plaintiff's Guide Sheet will not be disclosed to the Respondent. Be informed that the Defendant will receive a copy of the petition as well as any orders issued. If you list your personal information on the petition the Court will assume you want it disclosed and will not redact it before serving it on the Respondent, and will print it on any protective orders issued.

Plaintiff's Guide Sheet for Protective Orders – Please Read Carefully

Please indicate on this Plaintiff's Guide Sheet if you do not want your information disclosed and do not list it on the petition. Print all information legibly in blue or black ink.

CONFIDENTIAL. FOR COURT AND LAW ENFORCEMENT USE ONLY. DO NOT DISCLOSE.

Your Name _____ Date of Birth _____ Your Address _____
 _____ () _____
 City/State/Zip _____ Daytime Telephone Number _____ Email Address: (If available) _____

You may ask the Court to keep your address confidential if the Respondent does not know where you live or work. If checked, the following addresses will be restricted and will not appear on the petition served on the Respondent:

Restrict: home address work address school address other address: _____

Your relationship to the Respondent is:

- Married now or in the past At least 16 years old and live together now
 Lived together in the past and have had a dating relationship Child in common
 Biological or legal parent-child relationship including step-parents/step grandchildren
 Romantic/sexual relationship Other: _____

Respondent Name _____ Respondent Address _____
 Respondent Daytime Telephone Number _____ City/State/Zip _____

RESPONDENT IDENTIFIERS

Please provide all information below to the best of your ability. If you do not know the Respondent's date of birth, then estimate. Please indicate if the date of birth is an estimate by checking the "Estimate" box.

Sex	Race	Hair
Height	Weight	Eyes
Drivers License #	State	Expiration date
Social Security #	Date of birth <input type="checkbox"/> Estimated	Access to Firearms <input type="checkbox"/> Yes <input type="checkbox"/> No
Concerning behavior	Tattoos or other identifying features	Other useful information
Drug use: <input type="checkbox"/> Yes <input type="checkbox"/> No Mental Health Issues: <input type="checkbox"/> Yes <input type="checkbox"/> No Suicidal behavior: <input type="checkbox"/> Yes <input type="checkbox"/> No History of violence: <input type="checkbox"/> Yes <input type="checkbox"/> No		

ANIMALS and PROTECTIVE ORDERS – If you are requesting a Protective Order to protect yourself, you may also ask the Court to grant you the custody, care, and control of any animal owned by you, the Respondent, or a minor child living in your household if you believe that the Respondent is a danger to the animals. If you are asking the court to include animals on a protective order, please write your request on Line 9 of the Petition.

PROTECTION ORDER GUIDE

Filing your protection order in a Washington Court

A valid protection order is enforceable on and off the reservation, regardless of the issuing Court, pursuant to 18 USC § 2265(a). When the Puyallup Tribal Court issues a domestic violence protection order the order is forwarded to the domestic violence unit at Pierce County. Pierce County enters the information into a nationwide database used for enforcement purposes.

Although the protection order is enforceable, you may still want to file your protection order issued by the Puyallup Tribal Court in a Washington court.

How do I file my protection order?

- STEP 1: Submit the Order & Order Information Form**
 - Provide the appropriate Washington Court a certified copy of the protection order issued by the Puyallup Tribal Court. The Puyallup Tribal Court Clerk can provide you with a certified copy.
 - Provide the Washington Court the Foreign Protection Order Information Form. This form was filled out as part of your petition packet filed with the Puyallup Tribal Court. If you do not have a copy you may request a copy from the Puyallup Tribal Court Clerk.

- STEP 2: Get proof of filing**

The Court Clerk will provide you with proof of filing. Keep this proof of filing for your records.

The information provided does not constitute, nor is it intended to be, legal advice. The accuracy of the information provided is not guaranteed and is not a substitute for legal advice.

**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**

<p style="text-align: center;">Petitioner</p> <p>Birth Date: _____</p> <p><input type="checkbox"/> My address is confidential.</p> <p><input type="checkbox"/> I waive confidentiality and will provide my address.</p>	<p style="text-align: center;">Respondent</p> <p>Birth Date: _____</p> <p><input type="checkbox"/> Estimated</p> <p>Address _____ <input type="checkbox"/> Unknown</p> <p>City/State/Zip code _____</p>	<p>Case No. _____</p> <p>PETITION for Protective Order</p> <p><input type="checkbox"/> Temporary Order Requested</p> <p style="text-align: center;"><u>THIS IS NOT A COURT ORDER</u></p>
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DIRECTIONS: Please read the Petitioner’s Guide Sheet before filling out this form.

1. Respondent/Petitioner relationship: Married now or in the past At least 16 years old and live together now Lived together in the past and have had a dating relationship Child in common Romantic/sexual relationship Biological or legal parent-child relationship including step-parents/step children and grandparents/grandchildren Other: _____
 2. Petitioner is:
 - a member of the Puyallup Tribe of Indians
 - a member of a federally recognized Indian tribe
 - an employee of the Puyallup Tribe of Indians
 - none of the above
 3. Respondent is:
 - a member of the Puyallup Tribe of Indians
 - a member of a federally recognized Indian tribe
 - an employee of the Puyallup Tribe of Indians
 - none of the above
 4. Petitioner Respondent reside within the exterior boundaries of the Puyallup Indian Reservation
 5. If checked, there is a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time or support.
- Court _____ Case # _____
6. Have you or the Respondent been charged or arrested for domestic violence (DV) or have either of you requested a protective order in the past? Yes No Not sure
If yes or not sure, please explain: _____
 7. Does your request involve harassment in your workplace? Yes No

8. **I request the Court issue an emergency protective order immediately** without prior notice to the Respondent because of the risk that injury could result from domestic violence and/or the protected party(ies) will suffer great or irreparable harm if an emergency order is not issued.
9. I need a court order because: (PRINT the dates of the incident(s) and a brief description of what happened.)

DATE(S) OF INCIDENT(S)	Provide a brief description of WHAT happened and WHERE the incident(s) occurred. (Do not write on back or in the margin. Attach additional paper if necessary.) <u>A copy of this petition is provided to the Respondent.</u>

DATE(S) OF INCIDENT(S)	Provide a brief description of WHAT happened and WHERE the incident(s) occurred. (Do not write on back or in the margin. Attach additional paper if necessary.) <u>A copy of this petition is provided to the Respondent.</u>

10. The persons listed below should also be protected by the protective order, because the Respondent is a danger to the following persons, who are either minors or incapacitated adults:

_____	(__/__/__)	_____	(__/__/__)
Name	Birth Date	Name	Birth Date
_____	(__/__/__)	_____	(__/__/__)
Name	Birth Date	Name	Birth Date
_____	(__/__/__)	_____	(__/__/__)
Name	Birth Date	Name	Birth Date
_____	(__/__/__)	_____	(__/__/__)
Name	Birth Date	Name	Birth Date

Check this box if you are asking the Court to grant you temporary custody, care, and control of minor children living in your household.

11. Respondent should be ordered to stay away from these locations at all times even when I am not present: **(Leave address blank if you wish the address to be kept confidential.)**

Home/Residence _____

Work _____

School _____

Other _____

12. Please order Respondent not to possess firearms or ammunition because of the risk of harm.

13. Please order Respondent to participate in domestic violence counseling or other counseling. (This can be ordered only after Respondent had notice and an opportunity to be heard.)

14. Other request: _____

****DO NOT SIGN UNTIL INSTRUCTED** **WAIVED** **COURT CLERK OR NOTARY PUBLIC****

By completing and filing the foregoing Petition in the Puyallup Tribal Court, I explicitly consent to and submit to the jurisdiction of the Puyallup Indian Tribe for all matters arising from or relating to the Petition; this explicit consent to jurisdiction includes, but is not necessarily limited to, my agreement to obey all Puyallup Tribal Court Orders and contempt of Court sanctions for willful disobedience of any such orders, and to sanctions of perjury.

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge and belief, and I request an Order granting relief as allowed by law.

Petitioner

Date

Victim Advocate (if filing for Petitioner)

Date

WAIVED

PLEASE TAKE NOTICE: Notary requirements are waived until further notice. Please sign and date this form without a Notary.

Judicial Officer/Clerk/Notary

WAIVED

__/__/____

Date

Confidential Information (CIF)

Clerk: Do not file in a public access file

Superior Court of Washington, County: _____

Case No.: _____

Important! Only court staff and some state agencies may see this form. The other party and his/her lawyer may not see this form unless a court order allows it. State agencies may disclose the information in this form according to their own rules.

1. Who is completing this form? (Name): _____
2. Is there a current restraining or protection order involving the parties or children? Yes No
If Yes, who does the order protect? (Name/s): _____
3. Does your address information need to be confidential to protect your or your children's health, safety, or liberty? (Check one): Yes No
If Yes, explain why? _____

4. Your Information

Full name (first, middle, last):		Date of birth (MM/DD/YYYY):	Sex: <input type="checkbox"/> M <input type="checkbox"/> F
Driver's license/Identicard (#, state):	Race:	Relationship to children in this case:	
Mailing address (This address will not be kept private.) (street address or PO box, city, state zip):			

If your case is **only** about a protection order, the information below is **not** required. Skip to **5**.

Home address (check one): <input type="checkbox"/> same as mailing address <input type="checkbox"/> listed below (street, city, state, zip):		
Phone:	Email:	Social Sec. #:
Employer's name:		Employer's phone:
Employer's address:		

5. Other Party's Information – This person is a (check one): Petitioner Respondent

Full name (first, middle, last):		Date of birth (MM/DD/YYYY):	Sex: <input type="checkbox"/> M <input type="checkbox"/> F
Driver's license/Identicard (#, state):	Race:	Relationship to children in this case:	
Mailing address (This address will not be kept private.) (street address or PO box, city, state zip):			

If your case is **only** about a protection order, the information below is **not** required. Skip to **6**.

Home address (check one): <input type="checkbox"/> same as mailing address <input type="checkbox"/> listed below (street, city, state, zip):		
Phone:	Email:	Social Sec. #:
Employer's name:		Employer's phone:
Employer's address:		

➤ **Skip sections 6 – 9 if your case does not involve children. Sign at the end.**

6. Children's Information (You do not have to fill out the children's Social Security numbers if your case is only about a protection order.)

Child's full name (first, middle, last)	Date of birth (MM/DD/YYYY)	Race	Sex	Soc. Sec. #	Current location: lives with
1.			<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> other: _____
2.			<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> other: _____
3.			<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> other: _____
4.			<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> other: _____
5.			<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> other: _____
6.			<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> other: _____

7. Have the children lived with anyone other than Petitioner or Respondent during the last five years? (Check one): No Yes If Yes, fill out below:

Children lived with (name)	That person's current address
1.	
2.	

8. Do other people (not parents) have custody or visitation rights to the children? (Check one): No Yes If Yes, fill out below:

Person with rights (name)	That person's current address
1.	
2.	


9. If you are asking for custody and are not the parent, list all other adults living in your home:

1. (Name):	Date of birth (MM/DD/YYYY):
2. (Name):	Date of birth (MM/DD/YYYY):

I declare under penalty of perjury under Washington State law that the information on this form about me is true. The information about the other party is the best information I have or is unavailable because (explain): _____

Check here if you need more space to list other Petitioners, Respondents, or children. Put that information on the *Attachment to Confidential Information*, form FL All Family 002, and attach it to this form.

Signed at (city and state): _____ Date: _____

 _____
 Petitioner/Respondent signs here _____
 Print name here

LAW ENFORCEMENT INFORMATION

Do NOT serve or show this sheet to the restrained person!

Do NOT FILE in the court file. Give this form to law enforcement.

Type or print clearly! This completed form is **required** by law enforcement. This information is **necessary** to serve, enforce and enter your order into the state wide law enforcement computer. Fill in the following information as completely as possible.

Court:	Case Number:
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<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Dissolution/Separation/Invalidity/Nonparental Custody/Paternity
<input type="checkbox"/> Unlawful Harassment	<input type="checkbox"/> Vulnerable Adult
	<input type="checkbox"/> Sexual Assault

Restrained Person's Information (This is the person that you want the court to restrain.)

Name:	First	Middle	Last	Nickname	Relationship to Protected Person
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Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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Last Known Address				Phone(s) w/Area Code	Need Interpreter? Yes or No
Street:					Language:
City:		State:	Zip:		

Employer	Employer's Address	WORK Hours: Phone: ()
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Vehicle License Number	Vehicle Make and Model	Vehicle Color	Vehicle Year	Drivers License or ID number	State
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Does the restrained person have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? No Yes. If yes, describe (continue on back, if needed):

Hazard Information Restrained Person's History Includes:
 Involuntary/Voluntary Commitment Suicide Attempt or Threats
 Assault Assault with Weapons Alcohol/Drug Abuse Other:
Weapons: Handguns Rifles Knives Explosives Other:
Location of Weapons: Vehicle On Person Residence Describe in detail:

Current Status (Circle **Yes**, **No** or **N/A**.) Is the restrained person a current or former cohabitant as an intimate partner? **Y N**
 Are you and the restrained person living together now? **Y N** Does the restrained person know he/she may be moved out of the home? **Y N N/A**
 Does the restrained person know you're trying to get this order? **Y N** Is the restrained person likely to react violently when served? **Y N**

Protected Person's Information (This is the person you want the court to protect.)

Name:	First	Middle	Last
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Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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If your information **is not confidential**, you must enter your address and phone number(s).

Current Address				Phone(s) w/Area Code	Need interpreter? Yes or No
Street:					Language:
City:		State:	Zip:		

If your information **is confidential**, you must provide the name, address and phone number of someone willing to be your "contact."

Contact Name	Contact Address	Contact Phone
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If you filed for someone else, list your name, phone number and address:

Minor's Information	Describe the minor's relationship using terms such as: child, grandchild, stepchild, nephew, none. →				Minor's Relationship to Protected	
	Sex	Race	Birth date	Resides With	Person	Person
Name: First Middle Last						

Victim's Household Members or Adult Children Protected	Name:	birth date:
Name:	birth date:	Name:
	birth date:	birth date: