

Plaintiff/Petitioner's Packet



Civil

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PLAINTIFF/PETITIONER'S CIVIL GUIDE

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, then you must make this request to the Court while also providing your mailing address to the Court for service purposes. It is recommended that you file a Statement of Address form with this request and also leave your address blank on the petition to assist in ensuring that your address remains 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 to the Court, located at 1451 East 31st St. Tacoma, WA 98404, during business hours (Monday through Friday 8:00 a.m. – 5:00 p.m., closed for holidays).

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* point 4)

Step 4.2: Pay the filing fee to the Court Clerk

- \$ Pay the \$20 filing fee or
- File a motion to request a fee waiver (if applicable)

Step 4.3: Receive from the Court Clerk

- Your receipt or a copy of the order waiving filing fees
- A file-stamped copy of your filings
- A file-stamped copy of your notice of hearing with 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 any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

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

<p>_____, Plaintiff(s)/Petitioner(s),</p> <p>v.</p> <p>_____, Defendant(s)/Respondent(s).</p>	<p>Case No. _____</p> <p>CIVIL COMPLAINT/PETITION</p>
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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 _____

2. Clearly and briefly state the events that occurred and/or facts supporting your claim.
(Please include dates and locations these events occurred, as well as costs/damages/amounts if money is in dispute or being requested as a form of relief).

3. I have supplemental documents to support my claim. I have attached the following documents: _____

Relief Requested

1. I want the Puyallup Tribal Court to:
- Order Defendant(s)/Respondent(s) to pay the debt and monies owed to me.
 - Declare and enforce my legal right(s) to _____.
 - Enforce the judgment I received against Defendant(s)/Respondent(s).
 - Find Defendant(s)/Respondent(s) at fault for my personal injury.
 - Find Defendant(s)/Respondent(s) at fault for my real or personal property damage.
 - Order Defendant(s)/Respondent(s) to: _____

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 any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Date

/s/
Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/
Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

**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 any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Date: _____

Signature: _____

Printed Name: /s/ _____

(Party Electronic Signature)

Attorney/Advocate Bar No. (if applicable): _____

Case No. _____

PROOF OF SERVICE

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

In re:

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

DOB(s)

Plaintiff(s)/Petitioner(s),

v.

Defendant(s)/Respondent(s).

Case No. PUY-CV-_____

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

NOTICE TO PLAINTIFF(S)/PETITIONER(S)

1. Plaintiff(s)/Petitioner(s) may 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(ies) by certified mail/return receipt.
2. Note: The Court Clerk cannot complete service of process by personal service on your behalf; personal service on the other party(ies) is your responsibility to arrange to be accomplished in accordance with Puyallup Tribal Civil Procedures Code § 4.08.100(a).
3. For the Court Clerk to fulfill your request, you must provide the name and mailing address of the other party(ies) where the certified mail will be directed. If you do not or cannot provide a mailing address for the other party(ies) at the time of filing, then the Court Clerk must reject your request.
4. COVID-19 Delays Service: In light of the COVID-19 pandemic, the Court has found that service of process by certified mail/return receipt may take sixty days or more to be accomplished. As a result, the Court must schedule hearings at least sixty days out to fulfill 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(es) is(are):

Name: _____
Address: _____

Name: _____
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 any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)