

Defendant/Respondent's Packet



Civil

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DEFENDANT/RESPONDENT'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. What happens when I am named as a defendant/respondent in a complaint/petition?

If you are named as a defendant/respondent, a lawsuit has been filed against you and you must respond to that lawsuit; otherwise, the plaintiff/petitioner might get what he or she asked for in the complaint/petition. It is important to thoroughly read the complaint/petition to understand why a complaint/petition has been filed.

2. How do I respond to the complaint/petition?

Puyallup Tribal law requires a defendant/respondent in a civil matter to file a written answer to the complaint/petition that has been filed. PTC 4.08.120. An answer form is provided in this packet as a courtesy. You are not required to use this form, but you must complete a Statement of Address form, which is also included in this packet.

3. How do I file my answer?

To file your answer with the court, give your written answer and any supplemental documents 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.

Submit to the Court Clerk:

- Completed & signed answer
- Any supplemental documents
- Statement of Address
- Request for Service, if you would like the Court Clerk to serve your answer.

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 answer to assist in ensuring that your address remains confidential.

4. How long do I have to file my answer?

You have twenty (20) days from the time you were served with the summons, notice of hearing, and a copy of the complaint/petition to file your answer.

5. What happens after I file my answer?

You must serve (give a copy of your answer to) the plaintiff/petitioner. You cannot serve the plaintiff/petitioner 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 plaintiff/petitioner must file proof of service with the court.*

You can also request the Court Clerk to serve the plaintiff/petitioner by filling out a Request for Service form, which is included in this packet. The Court Clerk can only serve the plaintiff/petitioner if you provide a good address for them. To avoid delays be sure to provide an accurate address.

6. 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.

7. 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**

In re:

_____,
DOB(s):

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

Case No.

**ANSWER TO CIVIL
COMPLAINT/PETITION**

COMES NOW, _____, Defendant/Respondent, to admit and/or deny, set forth any legal defenses, and request the following:

1. I have received a copy of the civil complaint/petition, summons, and notice of hearing for this matter.
2. I also received the following documents: _____

3. I have read the civil complaint/petition, summons, notice of hearing and any other documents I received or had someone read them to me.
4. I admit to the statements made in the civil complaint/petition because: *(Please point out all parts of the petition you agree with and explain why you agree with them.)*

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5. I deny the statements made in the civil complaint/petition in whole or in part because: *(Please point out all parts of the petition you do not agree with and explain why you do not agree with them.)*

6. I believe the following facts are in dispute. *(Clearly and briefly state the events that occurred and/or facts supporting your claim. Please include dates and locations these events occurred.)*

7. I assert the following legal defenses:

8. I am requesting the following action from the Court: *(Clearly and briefly state what you are seeking from the Court.)*

9. I have supplemental documents to support my claim(s). I have attached the following documents: _____

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): _____

Plaintiff(s)/Petitioner(s),

v.

Defendant(s)/Respondent(s).

Case No. _____

PROOF OF SERVICE

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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