



All Codes, Forms and Instructions are Available from the Tribal Court

You can obtain all necessary laws, court forms, and instructions from the Quileute Tribal Court Clerk's Office free of charge.

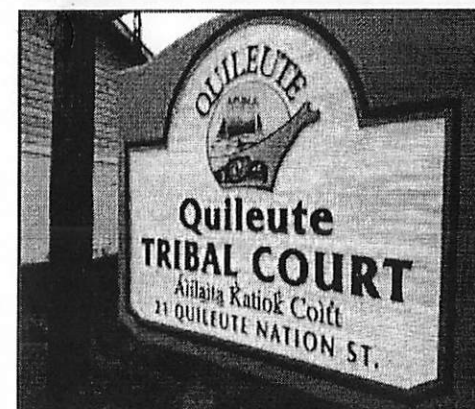
- No filing fee or bond is necessary prior to filing a petition for a domestic violence protection order.
- A petition can be filed regardless of whether or not there is a pending lawsuit, complaint, petition, or other action between the parties.
- You can seek support and general assistance with completing the forms by contacting the *Quileute Tribal New Beginnings Program* at (360) 374-5110.

The Quileute Tribal Court issues domestic violence protection orders pursuant to the Tribal Domestic Violence Prevention Code (QLOC Art. XIV)

A Domestic Violence Protection Order May Include These and Other Safety Measures:

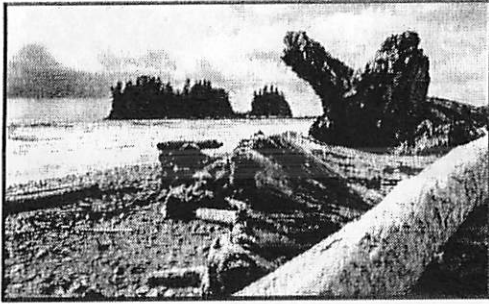
- ▶ Legally restrain the respondent from committing further acts of domestic violence, family violence, dating violence, or stalking.
- ▶ Exclude the respondent from the petitioner's residence and workplace.
- ▶ Award temporary child custody and/or establish visitation.

For further information, contact the Quileute Tribal Court Clerk's Office at:
21 Quileute Nation Street
La Push, WA 98350
(360) 374-4305
court.clerk@quileutetribe.com



TRIBAL DOMESTIC VIOLENCE PROTECTION ORDERS:

A Question and Answer Guide on How to Obtain Legal Protection From Family Violence



Who Can Petition the Court for a Domestic Violence

Protection Order? Anyone may petition the Court on behalf of him or herself, or on behalf of a minor child.

What Information Should You Include in Your Petition?

A petition must state the existence of domestic violence and include the petitioner's sworn declaration stating specific facts, dates, and circumstances related to domestic violence. *These precise details are critical in order to establish that domestic violence exists.*

Domestic Violence Means:

Physical harm, bodily injury, assault or the infliction of fear of physical harm, malicious mischief, or damage to property committed by one family or household member against another family or household member, or committed by one party of a dating relationship.

Domestic Violence Includes:

Non-consensual sexual conduct against one family or household member by another or committed by one party of a dating relationship.

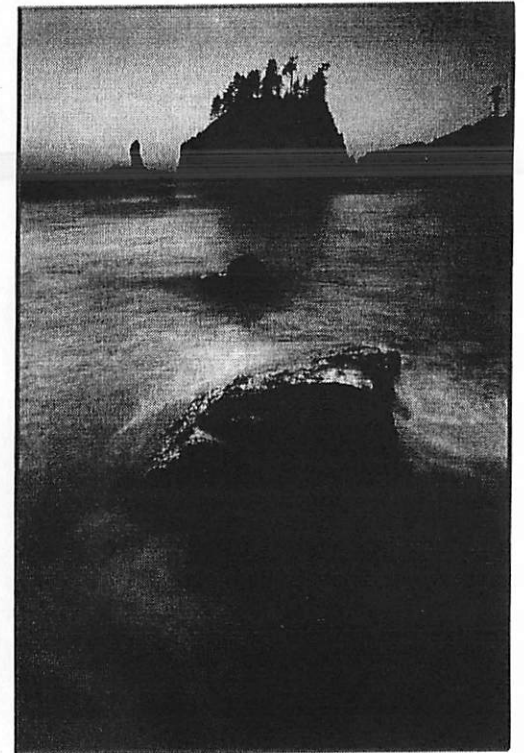
What Happens When a

Petition is Filed? The Court will hold an *ex parte* hearing in person or by telephone on the day the petition is filed or on the following day.

Can the Court Grant an Emergency Temporary Order for Protection?

The Court may grant an emergency temporary order for protection without prior notice to the respondent if a petition alleges that irreparable injury could result from domestic violence if an order is not issued immediately. Such orders are valid for no more than 31 days.

"As a result of the continuing problems of domestic violence within the Tribe's jurisdiction, the Quileute Tribal Council has determined to revise and expand its laws relating to the prohibition of domestic violence with the goal of making the Quileute Reservation safe for all persons who reside here." (QLOC Art. XIV §1)



How is a Hearing Set?

The Court will set a hearing date within three business days of receiving a petition. The hearing will be held no later than 31 days from the filing date.

How is the Respondent Notified of the Hearing?

The respondent will be served with notice of the hearing by a law enforcement officer at least five days prior to the hearing.



Quileute Tribal Council
• QUILEUTE INDIAN TRIBE •

Quileute Tribal Court
P.O. Box 69 • La Push, WA • 98350
(360) 374-4305 • Fax (360)-374-5275



Quileute Tribal Court

Protection Order Packet

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2. New Beginning Brochure
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4. Petition and Affidavit Requesting Order of Protection
5. Declaration Form
6. Law Enforcement Information

Quileute Tribal Court

Civil Petition for Restraining Order (Anti-Harassment) Information Sheet

Individuals requesting a civil restraining order from the Court will need to file a fully completed Petition and an affidavit (or sworn statement). These forms are provided to you by the Court Clerk. You may request assistance in filling out the Petition and your sworn statement from the Quileute Tribe Victims of Crime Services (located in the Tribal Court building).

Please fill out the Petition completely to the best of your ability – do not leave any blanks. Also, include a sworn statement written in your own words which includes specific information, facts, dates and times of the reasons you are requesting a restraining order and include facts regarding any incidents that have occurred. If law enforcement was involved in any of the incidents you refer to in your statement, please attach a copy of the police report (if any).

Once you have completed filling out your Petition and writing your sworn statement, you will file both with the Tribal Court Clerk. The Court Clerk will assign a case number and forward your Petition to the Tribal Court Judge who will either grant the Petition on a temporary basis or deny the Petition.

The Judge may request that the matter be set for a hearing even if your Petition has been denied. You will receive a copy of the Order signed by the Judge which contains the decision and any future hearing dates. If a hearing date is set, a Notice of Hearing or Summons will be sent to you and the Respondent (the person you are seeking the restraining order against) by the Court Clerk. You must appear for the hearing on the date/time set by the Court if you want to request a permanent restraining order. If you do not appear for the hearing on the date and time set by the court, your Petition may be dismissed.

Quileute Tribal Court

Domestic Violence Protection Order

Instructions

These instructions are intended to help you complete a Petition for a Domestic Relations (DV) Protection Order. Please review these instructions prior to completing a Petition; you may also request assistance from the Quileute Tribe New Beginnings Program and/or the Quileute Tribe Victims of Crime Services.

“Domestic violence” is any behavior *between family members, spouses, and/or dating or live-in partners* which would constitute the crime of assault, harassment, child abuse, unlawful imprisonment, stalking, rape, indecent liberties, and sexual abuse pursuant to the Quileute Tribal Code.

How Do I Request a Domestic Violence Protection Order from the Tribal Court?

1. Type or print legibly on all the forms contained in this packet.
2. Use your and the Respondent’s full legal names, dates of birth, and residence address.
3. Fill out the Petition and the proposed Temporary Protection Order as completely and accurately as possible. Do not leave any blanks. It is important the you provide as many *specific* facts as possible which detail the reasons why you want a Protection Order. If possible, your statement should include dates, times, and details regarding any incidents of domestic violence. If law enforcement was involved in any incidents, please include a copy of the police report. You must sign and date your Petition as well as any statements made on extra pages.
4. Leave the case number and Judge’s signature line blank. The Court Clerk will assign a case number before filing it with the Court and the Judge will sign the Temporary DV Protection Order if he/she grants the Petition.
5. If you wish to keep your address and contact information confidential and not disclose it to the Respondent, you do not need to

include it in the Petition. However, you must list an address where you agree to receive legal documents and notices from the Court and the Respondent.

What happens after I file my Petition?

1. After you file your Petition with the Court, the Court Clerk will forward all documents you provided to the Judge for review. The Judge may grant or deny your Petition for a Temporary DV Protection Order. The Court Clerk will inform you when a decision has been made and an Order issued by the Judge.
2. If the Judge grants your request for a Temporary DV Protection Order, a hearing will be set for the next available court date. You and the Respondent will receive a Notice of Hearing and/or Summons which contains the date and time of the hearing. If you fail to attend the hearing, the Judge may dismiss your case.
3. The Respondent may file a response to your Petition. You have the right to receive a copy of any documents that are filed in your case. Similarly, copies of any documents you file with the Court must be provided to the Respondent as well.
4. At the hearing, you and the Respondent have the right to provide sworn testimony to the Judge. It helps if you prepare what you are going to say to the Judge about your reasons for requesting a Protection Order. Remember to be specific about dates, times, locations, witnesses, injuries, subsequent medical/mental health treatment you received, etc. The Judge may also ask you and the Respondent questions regarding the case. The more details you provide, the easier it is for the Judge to make a decision in your case.
5. At the conclusion of the hearing, the Judge will decide whether to grant a Permanent DV Protection Order or deny it. If your Petition is denied, the Judge will issue an Order which states the reasons your request was denied. If the Judge grants your request, a Permanent DV Protection Order is usually valid for one year from the date it is entered by the Court.

**IN THE QUILEUTE TRIBAL COURT
La Push, Washington**

Case No.

Petitioner (Protected Person)

vs.

Respondent (Restrained Person)

PETITION AND AFFIDAVIT
REQUESTING ORDER OF
PROTECTION

DOMESTIC VIOLENCE

ANTI-HARRASSMENT

PART I

1. I am; OR A member of my family or household is the victim of domestic violence committed by the Respondent as described in the statement below, or the victim of harassment committed by the Respondent as described in the statement below.

2. I live in Indian Country of the _____ Tribe.
 I am enrolled in the _____ Indian Tribe.
 I am not enrolled in any federally-recognized Tribe
 Respondent lives in Indian Country of the _____ Tribe.
 Respondent is enrolled in the _____ Indian Tribe.

3. My age is:
 Under 16; 16 or 17; 18 or over
Respondent's age is:
 Under 16; 16 or 17; 18 or over

4. My relationship with the Respondent is (*check all that apply*):
 Parent or child Have child in common Presently dating
 Related by marriage (in-law) Spouse Presently reside together
 Dated in past Related by blood Former Spouse
 Resided together in the past Other-Please Specify Relationship

PETITION AND AFFIDAVIT
REQUESTING ORDER FOR PROTECTION

Quileute Tribal Court
21 Nation Street
P.O. Box 69
La Push, WA. 98331
(360) 374-4305

5. Identification of Parties:

Identification of Petitioner		Identification of Respondent	
Name:		Name:	
Date of Birth:		Date of Birth:	
Home Address: (Unless confidential)		Home Address: (Or location where Respondent is currently residing)	

6. The following minor(s) may also be in need of protection:

Name (First, Middle Initial, Last)	Birth Date	Age	Sex	How related to Petitioner	Respondent	Resides with

7. Other court cases or any other protection order or no-contact order involving myself, the Respondent, or any of the minors identified above are:

CASE NAME			
CASE NUMBER			
COURT/COUNTY			

PART II

REQUEST FOR TEMPORARY ORDER: I believe that an emergency exists, as described in the statement below. I need a Temporary Order of Protection to be issued immediately without notice to the Respondent to avoid irreparable injury. I request a Temporary Order for Protection that will:

	<p>1. RESTRAIN Respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with: <input type="checkbox"/> me; <input type="checkbox"/> members of my immediate family; <input type="checkbox"/> the minors named in paragraph 6 above, subject to any court-ordered visitation; <input type="checkbox"/> these minors only, subject to any court-ordered visitation:</p>
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PETITION AND AFFIDAVIT
REQUESTING ORDER FOR PROTECTION

Quileute Tribal Court
21 Nation Street
P.O. Box 69
La Push, WA. 98331
(360) 374-4305

	2. EXCLUDE Respondent from: <input type="checkbox"/> our shared residence; <input type="checkbox"/> any place I may reside. This address at present is: <input type="checkbox"/> confidential; OR <input type="checkbox"/> the following: _____
	3. DIRECT Respondent to vacate our shared residence and restore it to me.
	4. RESTRAIN Respondent from entering or being within _____ feet of my residence, place of employment, school, and daycare or school of: <input type="checkbox"/> the minors named in paragraph 7 above; <input type="checkbox"/> these minors only: _____; <input type="checkbox"/> other: _____
	5. Subject to any court-ordered visitation, GRANT me the care, custody and control of <input type="checkbox"/> the minors named in paragraph 6 above; <input type="checkbox"/> these minors only: _____
	6. RESTRAIN Respondent from interfering with my physical or legal custody of: <input type="checkbox"/> the minors named in paragraph 6 above; <input type="checkbox"/> these minors only: _____
	7. RESTRAIN the Respondent from removing from the Indian Country of _____ Tribe: <input type="checkbox"/> the minors named in paragraph 6 above; <input type="checkbox"/> these minors only: _____
	8. GRANT me possession of my and/or the child(ren)'s essential personal effects, including the following:
	9. GRANT me the exclusive use of the following vehicle: Year, Make & Model: _____ License No. _____
	10. DIRECT the Respondent to participate in appropriate treatment or counseling services as follows:
	11. REMAIN EFFECTIVE longer than two years because Respondent is likely to resume acts of domestic violence against me if the order expires within two years.

“Domestic Violence” means, (a) Physical harm, bodily injury, assault or the infliction of the fear of physical harm, malicious mischief, damage to property, and bodily injury or assault, committed by one family or household member against another family or household member; (b) Physical harm, bodily injury, assault or the infliction of the fear of physical harm, malicious mischief, damage to

PETITION AND AFFIDAVIT
REQUESTING ORDER FOR PROTECTION

Quileute Tribal Court
21 Nation Street
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property, and bodily injury or assault, committed by one party of a dating relationship; (c) Non-consensual sexual conduct of one family or household member by another; or (d) Non-consensual sexual conduct committed by one party of a dating relationship. Quileute Tribal Code Article XIV

STATEMENT: I am making this request based on the following Affidavit, which alleges that the Respondent has committed acts of domestic violence against me or other members of my household as follows: *(Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act and location of the act, and whether or not any of the acts took place on the Quileute Reservation. Please include any police responses to any of these incidents. By filing this Statement with the Court, you promise that all the facts in this Statement are true to the best of your knowledge).*

Lined area for the statement content.

I certify, under penalty of perjury under the laws of the Quileute Tribe, that the foregoing is true and correct to the best of my knowledge.

DATED _____ at _____, Washington.

SIGNATURE OF PETITIONER

PETITION AND AFFIDAVIT REQUESTING ORDER FOR PROTECTION

Quileute Tribal Court
21 Nation Street
P.O. Box 69
La Push, WA. 98331
(360) 374-4305

My residential address is confidential. Please direct Court and other legal documents by mail to:

I do not yet have a safe mailing or other alternated address.

STATE OF WASHINGTON)
) ss
COUNTY OF _____)

On this day personally appeared before me _____, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as a free and voluntary act and deed, for the use and purposes therein mentioned.

Witnessed this ____ day of _____, 20__.

Quileute Tribal Court Clerk

PETITION AND AFFIDAVIT
REQUESTING ORDER FOR PROTECTION

Quileute Tribal Court
21 Nation Street
P.O. Box 69
La Push, WA. 98331
(360) 374-4305

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 Street:	Phone(s) w/Area Code	Need Interpreter? Yes or No 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 Street:	Phone(s) w/Area Code	Need interpreter? Yes or No 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 Restrained	
Name: First	Middle	Last	Sex	Race	Birth date	Resides With	Person	Person

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