



IN THE TRIBAL COURT FOR THE SMITH RIVER RANCHERIA

REQUEST FOR PROTECTIVE ORDER (Domestic Violence)

CASE NO.

Court Address P.O. Box 992, Smith River, CA 95567

Court telephone no. (707) 487-6425

PETITIONER'S INFORMATION

1. CONTACT INFORMATION

List the names of all Petitioners and their mailing addresses. Phone numbers are optional. If you have hired a Smith River Tribal Bar Member, you may give their contact information instead of your own:

Table with 3 columns: Name, Address, Phone

Check here if you need more space. Attach a sheet of paper with the above requested information for all additional petitioners. Label the additional information "1."

2. OTHER PERSONS WHO NEED PROTECTION

Besides you, who needs protection? (List family or household members who also need protection):

Table with 5 columns: Name, Sex M/F, Age (Years), Lives with you? (Yes/No), How are they related to you?

Check here if you need more space. Attach a sheet of paper with the above requested information for all additional persons for whom you are seeking protection. For each additional person assign a new letter of the alphabet starting at 2(e); and continuing 2(f); 2(g); etc...

3. RELATIONSHIP OF THE PARTIES (Check all that apply)

- (a) Have you ever had a romantic or sexual relationship with the respondent?
(b) Have you ever been married to the Respondent?
(c) If you have answered yes to question #1 or #2, are you currently in this relationship with the Respondent?

(d) If you are not currently in a relationship with the respondent, when did your relationship end?

(date): _____

(e) Do you have children with the Respondent?

Yes

No

(f) If you have children with the Respondent, list their names and ages:

Name	Age
_____	_____
_____	_____
_____	_____
_____	_____

(g) Are you related to the Respondent?

Yes

No

If you answered yes, how are you related? _____

4. OTHER COURT CASES

Have you and the person(s) you are seeking protection from been involved in any other court case?

Yes

No

(a) If yes, where? _____

(b) If yes, what kind of case? (Check all that apply)

- | | |
|---------------------------------|----------------------|
| Protective/Restraining order | Child Custody |
| Divorce/Dissolution | Paternity |
| Child Support | Legal Separation |
| Registered Domestic Partnership | Criminal |
| Juvenile Dependency | Juvenile Delinquency |
| Other (Specify) _____ | |

(c) If yes, what was the case number? (List case numbers for every prior case in which you were both involved):

(d) Is there currently any restraining or protective order, issued by any court, involving both you and the respondent?

Yes

No

(If yes, attach a copy of the current order to this paperwork.)

RESPONDENT'S INFORMATION

5. PHYSICAL DESCRIPTION OF PERSON(S) YOU WANT PROTECTION FROM

(a) Name of person you want protection from: _____

Describe that Person: Sex M F Ht: _____ Wt: _____

Race: _____ Hair Color: _____

Eye Color: _____ Age: _____ Date of Birth: _____

(b) Name of person you want protection from: _____

Describe that Person: Sex M F Ht: _____ Wt: _____

Race: _____ Hair Color: _____

Eye Color: _____ Age: _____ Date of Birth: _____

Check here if you need more space. Attach a sheet of paper with the above requested information for all additional persons from whom you are seeking protection. For each additional person assign a new letter of the alphabet starting at 5(c); and continuing 5(d); 5(e); etc...

6. CONTACT INFORMATION FOR PERSON(S) YOU WANT PROTECTION FROM:

List the names of all Respondents, their addresses, and phone numbers (if known):

Name	Address	Phone
	Home: _____ <hr/> Work: _____	Home: _____ <hr/> Work: _____
	Home: _____ <hr/> Work: _____	Home: _____ <hr/> Work: _____

Check here if you need more space. Attach a sheet of paper with the above requested information for all additional persons from whom you are seeking protection. Label the additional information "6."

HISTORY OF THREATENING, ASSAULTIVE, OR HARASSING ACTIONS

7. MOST RECENT INCIDENT

(a) Date of most recent incident: _____

(b) Did the events which you are complaining about occur within the boundaries of the Smith River Rancheria

Yes No

(c) Describe where the events which you are complaining about occurred:

(d) On the above date the Respondent(s) did the following (Check all which apply and complete the additional information requested):

(i) Harassment

Harassed me verbally by saying the following (Describe, to the best of your recollection, what was said):

Harassed me physically by doing the following *(Describe what the respondent(s) did to harass you):*

(ii) Threats

Threatened me verbally by saying the following *(Describe, to the best of your recollection, what was said):*

Threatened me physically by doing the following *(Describe what the respondent(s) did to threaten you):*

(iii) Stalked *(Describe actions that made you feel stalked)*

Harassed me physically by doing the following *(Describe what the respondent(s) did to harass you):*

(ii) Threats

Threatened me verbally by saying the following *(Describe, to the best of your recollection, what was said):*

Threatened me physically by doing the following *(Describe what the respondent(s) did to threaten you):*

(iii) Stalked *(Describe actions that made you feel stalked)*

(iv) Physical Harm: Harmed me physically by doing the following:

- struck me
- shoved me
- grabbed me

Check here if you need more space. Attach a sheet of paper with the additional information. Label the additional information "9."

WHAT ORDERS DO YOU WANT? (CIRCLE all boxes that apply)

10. PERSONAL CONDUCT ORDERS

I ask the court to order the person I am seeking protection from not to do the following things to me or any of the people I have listed in IB:

- a. harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
- b. Contact (either directly or indirectly), or telephone, or send message or mail or e-mail
- c. instruct, encourage, or aid another person to do any of the above prohibited activities

11. STAY AWAY ORDER

I ask the court to order the person I am seeking protection from to stay at least _____ yards from (CIRCLE all that apply):

- a. Me
- b. The people listed in IB
- c. My home
- d. My workplace
- e. My children's school or child care
- f. My vehicle
- g. Other (specify): _____

12. RECORD UNLAWFUL COMMUNICATIONS

I ask for the right to record communications that violate the Judge's orders made by the person I am seeking protection from.

13. MOVE-OUT ORDER

I ask the court to order the Respondent to move out from and not return to (address):

I have the right to live at the above address because (explain):

14. CHILD CUSTODY, VISITATION & CHILD SUPPORT

I ask the court to order child custody, visitation, and/or child support.

15. SPOUSAL SUPPORT

You can make this request only if you are married to, or are a registered domestic partner of, the person in item 5 and no spousal support order exists.

16. PROPERTY CONTROL

I ask the court to give **only** me temporary use, possession, and control of the property listed here:

17. DEBT PAYMENT

I ask the court to order the person in item 5 to make the following payments while the protective order is in effect:

Pay to:	For:	Amount:	Due Date:
1.			
2.			
3.			
4.			

Attach an additional sheet if you need more room. Label the additional information "17." and each additional bill starting with the letter (e), (f), (g) etc...

18. PROPERTY RESTRAINT

I am married to or have a registered domestic partnership with the person in item 5 . I ask the judge to order that the person in item 5 not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in item 5 to notify me of any new or big expenses and to explain them to the court.

19. BATTERER INTERVENTION PROGRAM

I ask the court to order the person listed in item 5 to go to a 52-week batterer intervention program and show proof of completion to the court.

20. GUNS OR OTHER FIREARMS

I believe the Respondent owns guns or firearms. Yes No I don't know
If the judge approves the order, the person in will be required to sell to a gun dealer or turn in to police any guns or firearms that he or she owns or possesses.

21. OTHER ORDERS- What other orders are you asking for? (*Specify*)

22. TEMPORARY ORDERS

(a). Do you want the court to make orders now on the matters listed in through that will last until the hearing?

Yes No

(b) If yes, explain why you need these orders right now:

Check here if you need more space. Attach a sheet of paper with the additional information.

COSTS, LEGAL REPRESENTATION FEES & MONEY DAMAGES

23. CASE COSTS

Petitioner requests the following case costs under Title ___ of the Smith River Rancheria Tribal codes:

- 1. Filing Fee: \$ _____
- 2. Service fee: \$ _____
- 3. Witness Fees: Amount to be determined

24. ATTORNEY OR SPOKESPERSON'S FEES

Petitioner requests reasonable attorney or spokesperson fees as authorized by statute.

25. MONEY DAMAGES

Petitioner requests money damages in the amount of \$ _____ for the following *(Describe how you arrived at your damage amount):*

I have attached any receipts, cancelled checks, medical bills or other documentation in support of my claimed damages

SERVICE OF PAPERWORK

26. DELIVERY OF ORDERS TO LAW ENFORCEMENT

My attorney or spokesperson or I will give copies of the orders to the: *(Check any that apply)*

- Del Norte County Sheriff
- Curry County Sheriff
- Other (Name of agency): _____

27. NO FEE TO SERVE (NOTIFY) RESTRAINED PERSON

If you want the county sheriff to serve (notify) the restrained person about the orders for free, ask the court clerk if you need to file more forms.

28. TIME FOR SERVICE

You must have your papers personally served on the Respondent(s) at least 5 days before the hearing, unless the court orders a different time for service. If your papers cannot be served at least 5 days before the hearing and you need more time, explain why:

I declare under penalty of perjury of the laws of the Smith River Rancheria that the above is true and correct to the best of my knowledge.

Date: _____

Signature

Request for DV order 6/07