

Qagan Tayagungin Tribal Court of Sand Point

)	
PETITIONER (protected person),)	
<input type="checkbox"/> M <input type="checkbox"/> F)	
Birthdate: _____)	
<input type="checkbox"/> Petitioner is a child. Who is signing for the child?)	
Name: _____ Birthdate: _____)	
Relationship to the child: _____)	
v.)	Case No. _____
)	(Court Assigned)
RESPONDENT (restrained person),)	
<input type="checkbox"/> M <input type="checkbox"/> F)	
Birthdate: _____)	
<input type="checkbox"/> Respondent is a child. Who is signing for the child?)	
Name: _____ Birthdate: _____)	
Relationship to the child: _____)	
)	

PETITION TO USE THE TRIBAL COURT PROTECTIVE ORDER PETITION

I, _____, wish to request a Protective Order through the Tribal Court.

Please give any details you can in the spaces provided on this form or on the back of this form.

1. Type of Order. Select the type of order being requested. *Select both the 20-day order and the long-term order if petitioner wants a protective order for more than 20 days.*

20-day protective order

A 20-day protective order can take effect immediately and without prior notice to the respondent.

Did you notify the respondent before filing the petition? yes no

Describe your efforts, if any, to notify the respondent before filing this petition:

Long-term protective order

A long-term order may be issued after notice to respondent and a court hearing, and will usually last for one year.

2. Information about Petitioner. The court needs petitioner’s mailing address in order to send court papers, including notices of hearing, to petitioner. If petitioner may be endangered by giving petitioner’s mailing address, write a “message” address where petitioner can be sure to

receive court papers. **If petitioner does not have any address and telephone number that can safely be revealed to respondent, ask the court clerk how petitioner can provide this information so that it will be kept confidential and not revealed to respondent.**

Petitioner's full legal name and any nicknames or other names used:

Petitioner's (safe) mailing address:

Petitioner's telephone numbers:

Home: _____
 Work: _____
 Cell: _____

Petitioner's Tribal Affiliation:

3. Information about Respondent.

Respondent's full legal name:

Any nicknames or other names used:

Respondent's mailing/physical address:

Respondent's Phone #1

Respondent's Phone #2

Respondent's Employer:

Respondent's Tribal Affiliation:

Other Information about respondent:

Sex	Race	Date of Birth	HT	WT
Hair	Eyes	State ID/ Driver's Lic.		ST
Other Identifiers				

4. How are the petitioner and respondent related? (Check all that apply.)

- a. Married. Date of Marriage: _____. If married, has a petition for annulment, separation, or dissolution been filed? yes no
- b. Divorced. Date divorced granted: _____.
- c. Pregnant or have a child together.
- d. Living together now or in the past (but not dating or sexual relationship).
- e. Dating or sexual relationship now or in the past (but not living together).
- f. Living together and dating or sexual relationship now or in the past.
- g. Related by marriage now or in the past (such as in-laws).
- h. Other family relationship, respondent is petitioner's
 - child or step child parent step-parent
 - grandchild grandparent first cousin
 - uncle or aunt niece or nephew brother or sister

7. Protection Requested. (Check all that apply.)

- a.** Respondent not to threaten or commit acts of domestic violence, stalking, or harassment.
- b.** Respondent not to telephone, contact, or communicate in any other way, directly or indirectly, with petitioner. Exceptions where it would be safe for the respondent to contact petitioner:
- no exceptions by email to _____
- through an attorney by telephone to _____
- through a third person (such as a grandparent) named _____
- other _____
- c.** Respondent to leave and stay away from petitioner's residence at this street address:

Check this box if you want to keep this address confidential.

Does the respondent live in this residence too? yes no

Does the respondent know this address? yes no

- d.** Respondent to stay away from and not telephone or contact the following locations:

<i>Place</i>	<i>Street Address</i>	<i>Distance to Stay Away</i>
<input type="checkbox"/> Petitioner's school	_____	_____ <input type="checkbox"/> ft. <input type="checkbox"/> mi.
<input type="checkbox"/> Children's school	_____	_____ <input type="checkbox"/> ft. <input type="checkbox"/> mi.
<input type="checkbox"/> Petitioner's job	_____	_____ <input type="checkbox"/> ft. <input type="checkbox"/> mi.
<input type="checkbox"/> _____	_____	_____ <input type="checkbox"/> ft. <input type="checkbox"/> mi.
<input type="checkbox"/> _____	_____	_____ <input type="checkbox"/> ft. <input type="checkbox"/> mi.

Exceptions: _____

- e.** Respondent not to enter, follow, or interfere with the operation of any vehicle occupied by petitioner or in petitioner's possession.

- f.** Respondent not to possess or use controlled substances.

- g.** Award petitioner temporary possession and use of the following, regardless of ownership:

(1) Residence located at _____ and everything in it.
(street address)

(2) Vehicle and all keys to it. License plate number _____
Vehicle Description _____

- (3) Essential personal items (check all that apply):
- house keys garage door opener children's belongings
- mailbox keys clothes medicine children's medicine
- toiletries Medicare/Medicaid coupons food stamps
- pet(s) named _____
- birth certificates belonging to _____
- passports belonging to _____
- immigration documents belonging to _____
- ANCSA Corp. ID Tribal enrollment card Certificate of Indian blood
- other _____

h. Respondent to pay spousal support to petitioner. How much monthly spousal support is petitioner requesting and why is support necessary?

i. Respondent not to sell or dispose of any personal property of the petitioner, any property jointly held, or any disputed property.

8. Long-term Protections Requested. In addition to the protections listed above, petitioner requests that the following be included in the long-term protective order. Note that these requirements cannot be included in the 20-day order. (Check all that apply.)

- a. Respondent not to use or possess a deadly weapon, including a firearm.
- b. Respondent to surrender any firearm owned or possessed by respondent.
- c. Respondent to pay to _____ the costs and fees petitioner paid in bringing this action, in the amount of \$_____.
- d. Respondent to pay petitioner or the person(s) named below for expenses associated with the domestic violence (such as medical expenses, counseling, shelter, and repair or replacement of damaged property) described below:

<i>Pay to</i>	<i>Type of Expense</i>	<i>Amount</i>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

- e. Respondent to enroll in and complete, at the respondent's expense (check all that apply):
 - Program for the rehabilitation of batterers
 - Treatment of substance abuse
- f. Other requests for a long-term protection:

9. Children. (If petitioner is not requesting custody or child support, skip to question 8.)

a. Award petitioner *temporary custody* of the minor child(ren) named below:

(1)

<i>Child's Full Name</i>	<i>Child's Date of Birth</i>	<i>Petitioner's Relationship to Child</i>	<i>Respondent's Relationship to Child</i>

(2) Have the child(ren) lived in Alaska for the past six months? yes no

(3) Who has the child(ren)?

- Petitioner currently has the child(ren).
- _____ currently has the child(ren).

(4) Is there already a custody order about one or more of the children?
 yes no do not know. If yes, describe each order below:

<i>Child's Name</i>	<i>State that Issued Order</i>	<i>Case Number (if known)</i>	<i>Order Grants Custody to</i>

b. Visitation. The court may only grant visitation to the respondent if the safety of the petitioner and children can be protected. Describe any safety concerns about visitation. What schedule would work, if any, and where should exchanges take place?

c. Child Support. Petitioner requests that the court require the respondent to pay support: yes no

(1) Financial information about respondent

Respondent's occupation _____

Name of respondent's employer _____

Respondent's *monthly* take-home pay is \$ _____

(2) Child support checks should be sent to _____

(mailing address that can be revealed to respondent)

10. Other Cases.

a. List all open domestic violence cases and open civil court cases (such as divorce and custody), in Alaska or elsewhere, that involve either petitioner or respondent:

<i>Type of Case</i>	<i>Court Location</i>	<i>Petitioner or Respondent</i>

b. List all other cases, open and closed that involve respondent:

<i>Type of Case</i>	<i>Court Location</i>

11. Assistance from Law Enforcement. In addition to the protections listed above, petitioner asks the court to issue an order requiring law enforcement to do the following (check all that apply):

- a. Accompany and assist petitioner to take possession of the residence identified in paragraph (7)(g)(1) above. Remove respondent from the residence if necessary.
- b. Accompany and assist petitioner to take possession of the personal items listed in paragraph (7)(g)(3) above.
- c. Accompany and assist petitioner to take possession of the vehicle identified in paragraph (7)(g)(2) above.
- d. Assist (name) _____ to obtain custody of the minor child(ren) named in paragraph (9)(a)(1) above.
- e. Accompany respondent to the residence at (street address) _____ once to recover undisputed personal items, clothing, and _____ law enforcement to notify petitioner of the time and date they will accompany respondent to the residence. Petitioner may be present. Any time petitioner objects to respondent removing, law enforcement shall strain respondent from removing from residence.

I swear or affirm under penalty of perjury that all the information I provided in this petition is true to the best of knowledge and belief.

(Signature of person applying to use tribal court)

(Print or type name of person applying to the tribal court)

(Date petition was signed)

(For Court Use Only)

Date Received by Court _____

Received by _____

CONFIDENTIAL LAW ENFORCEMENT INFORMATION SHEET

Notice to Petitioner: You must supply the respondent's name and birthdate, if known. Give as much information as possible. This information will NOT be given to the respondent.

Notice to Law Enforcement: This information is confidential and supplied to assist you in serving the protective order. After serving (or failing to serve) the order, notify petitioner, and sign a Statement of Service with the Qagan Tayagungin Tribal Court.

A. PETITIONER INFORMATION

Full Name: _____ Date of Birth: _____ Petitioner is a child.
 Petitioner's residence address: _____
 Is this the address respondent is to stay away from? Yes No
 Do you want to be notified when respondent is served? Yes No
 Contact phone(s): home: _____ work: _____ cell: _____

B. RESPONDENT INFORMATION

Full Name: _____ Nicknames: _____ Respondent is a child.
 Residence Address: _____
 Is this the address respondent is to stay away from? Yes No
 Other Addresses: _____
 Contact phone(s): home: _____ work: _____ cell: _____
 Last four digits of SSN: _____

Where is respondent now (what street address)?

Friends / relatives / phone numbers / hangouts:

Hazards at respondent's home (dogs, traps, guns):

Other information about respondent:

Sex	Race	Date of Birth	HT	WT
Hair	Eyes	State ID/ Driver's Lic.		ST
Other Identifiers				

Describe respondent's house: log frame apartment single family duplex
 1 story 2 story 3+ story main color _____ trim color _____

Garage: separate attached none 4 x 4 needed to access address? Yes No

Respondent's employer: _____
Employer address: _____
Work phone: _____
Work hours: _____
Respondent's position: _____
Supervisor: _____

Respondent's vehicle information
Make _____ Model _____
Plate No. _____ State _____
Year _____
 van pickup canopy camper
 toolbox car 2 door 4 door
 SUV other _____
Other vehicles respondent is known to drive: _____

C. OFFICER SAFETY INFORMATION

Previous contact with police by respondent? No Yes Explain: _____

Any threats by respondent toward petitioner, family, or police? Describe: _____

Weapons accessible to respondent (pistol, rifle, knife, other): _____

Expected mental state of history of respondent (include alcohol or drug use): _____

Is a divorce or other legal action pending that involves the respondent (child custody, eviction, bankruptcy, repossession of property)? _____

Draw a map on the back of this form if it will help law enforcement.