

**IN THE COURT OF THE GILA RIVER INDIAN COMMUNITY
STATE OF ARIZONA**

Sacaton Court: 721 W. Seed Farm Road, P.O. Box 368, Sacaton, Arizona 85147, 520-562-9860 (P), 520-562-9867 (F)
Westend Judicial Center: 4751 W. Pecos Road, Laveen, Arizona 85339, 520-562-9862 (P), 520-562-9869 (F)

Petitioner's Instruction Sheet for Restraining Order - Please Read Carefully

Petitioner = You

Respondent = Person you want protection from

Order = Restraining Order

1. RESTRAINING ORDER: A restraining order is used to temporarily restrain disposing of property, beatings, harassment, or any other activity which causes a great hardship on you. A restraining order is different from an order of protection in that there is no family or prior relationship between the parties in a restraining order.

2. OTHER PROTECTED PERSONS: In order to include other persons on the Order you must: 1) be the parent, legal guardian, or legal custodian of a minor, or 2) request on behalf of a person unable to request an Order. The judge will determine whether other persons should be included in the Order.

3. ONE RESPONDENT: You must list only one respondent per petition. A separate petition must be filed for each respondent. **A copy of your petition and the order will be given to the respondent and may be used in future judicial proceedings.** Confidential information such as your address will not be given to the respondent.

4. TEMPORARY ORDER: The judge will immediately review your petition once you submit it to the Court. If the judge believes there is good cause to grant your petition, the judge will issue a temporary restraining order that is effective until the restraining order hearing.

5. RESTRAINING ORDER HEARING: A hearing will be held within ten (10) business days after the temporary Order is issued. At the hearing, the judge will determine whether the Order should be quashed (dismissed), extended or modified. You and the respondent will appear in Court and provide testimony or evidence to the judge. If you do not appear at the hearing, your Order may be quashed (dismissed) without further notice. Please contact the Court as soon as possible if you are unable to attend the hearing and the Court may reschedule your hearing.

6. SERVICE AND EFFECT: A restraining order is valid for six (6) months from the date it is served on the respondent and is enforceable by Gila River Law Enforcement. There is no fee for law enforcement service of an restraining order.

7. MODIFYING OR QUASHING (DISMISSING) A RESTRAINING ORDER: Only a judge can modify or quash (dismiss) a restraining order. **Nothing you do can stop, change, or undo a restraining order without the Court's written approval.**

8. PETITIONER CONTACT: Even if you initiate contact, the respondent could be arrested for violating this restraining order. **If the respondent does not want you to contact him/her, the respondent has the right to request a restraining order against you.**

9. LAW ENFORCEMENT STANDBY: If you or the respondent needs to get personal belongings from the other, you may request standby from the judge. Standby allows you or the respondent to return once with a law enforcement officer to obtain necessary personal belongings from the residence. Neither law enforcement nor this restraining order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

10. CRIME VICTIMS ADVOCATE: If you need further assistance, please contact the Gila River Indian Community's Crime Victims Advocate office at (562) 562-4106.

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This box for Court use ONLY

		PETITION FOR RESTRAINING ORDER
_____	_____	_____
Petitioner (<i>Your name</i>)	Respondent (Full Name) (<i>Person you want protection from</i>)	Case Number

DIRECTIONS: Please read and completely fill out. Type or print neatly.

1. How do you know the Respondent: _____

2. The Respondent is (check all that apply):

- Tribal member. Living ON the reservation.
- Non-tribal member Indian. Living OFF the reservation.
- Non-Indian.

3. What did the Respondent do (check all that apply):

- Assault: The Respondent physically assaulted the Petitioner.
- Stalking: The Respondent has physically followed, pursued or harassed the Petitioner.
- Unwanted Visits: The Respondent has made unwanted visits to the Petitioner.
- Phone Calls: The Respondent has repeatedly made harassing phone calls or has sent harassing messages, texts or images to the Petitioner by land line or wireless telephone or electronic media (email, Facebook, etc.).
- Threats: The Respondent has repeatedly made threats to the Petitioner.
- Property Damage: The Respondent damaged the Petitioner's property.
- Stolen Property: The Respondent stole the Petitioner's property.
- Other: _____

4. I need a Court Order because (Describe what happened: date, time, location, who was involved, what was said, what was done, etc.) (Attach additional pages if necessary – do not write on back).

Case No. _____

5. The following persons should also be on this Order.

Name: Do not include yourself	Date of Birth	Relationship to you
1.		
2.		
3.		
4.		

6. Respondent should be ordered to stay away from these locations, at all times, even when I am not present:

Home Work: _____ School: _____

Other locations: _____

7. Respondent's Information: Date of Birth: _____ Social Security Number: _____

Sex: _____ Race: _____ Height: _____ Weight: _____ Hair: _____ Eyes: _____

Alias: _____ Distinguishing Features: _____

Driver's License #: _____ State: _____

8. Under penalty of law, I swear or affirm the above statements are true to the best of my knowledge and I request a Restraining Order allowed by law.

Signature of Petitioner

Date

VERIFICATION: Subscribed and sworn to me this _____ Day of _____, 20____.

Clerk of the Court/Notary Public

**IN THE COURT OF THE GILA RIVER INDIAN COMMUNITY
STATE OF ARIZONA**

PETITION FOR ORDER OF PROTECTION/RESTRAINING ORDER

_____ Case Number _____

PETITIONER'S CONFIDENTIAL INFORMATION SHEET

DO NOT COPY, SCAN OR DISTRIBUTE THIS PAGE

The information you provide on this form will **NOT** be released to the Respondent.

Your Information:

Name: _____

Mailing Address: _____

Physical Address: _____ District: _____

Place of Employment: _____

Employer's Address: _____

Home/Cell Phone: _____ Work Phone: _____

Will a Crime Victim's Advocate be assisting you? [] Yes [] No

If Yes, does an Advocate from Tribal Social Services, Crime Victim's Advocate have permission to receive information about your case? [] Yes [] No

If you would like an Advocate from Tribal Social Services, Crime Victim's Advocate, to receive information about your case including a copy of the Order of Protection when it is finished, please sign and date in the space below

Signature Date

Will an Attorney/Court Advocate be assisting you? [] Yes [] No

If you would like an Attorney/Court Advocate to receive information about your case, your Attorney/Court Advocate must submit a Notice of Appearance to the Court to receive this information.

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PROCESSING SERVICE INFORMATION

This information will be used to serve your Court documents. Be as accurate and complete as possible. If you fail to supply sufficient and accurate information, your documents may not be served.

Respondent Information:

Respondent's Full Name: _____

Mailing Address: _____

Physical Address: _____ District: _____

Place of Employment/Address: _____

Home/Cell Phone: _____ Work Phone: _____

Friends or Relatives that Respondent may be staying with or would know their whereabouts:

Name	Address/Location	Relationship
1.		
2.		
3.		
4.		

If you are unable to provide a written physical address, please draw a map in the box below. Include streets.

House description. What does the house look like: _____
