

Gila River Indian Community Court

PETITION FOR ORDER OF PROTECTION

You may use this form for the following reasons:

1. "A person may file a petition with the court for a civil order of protection for the purpose of restraining a person from committing an act of domestic violence." Gila River Indian Community Code Title 5, Section 5.711(A).
2. You (the Petitioner) and the Respondent (person you want protection from) are or were in a relationship. This relationship can include the following:
 - A current or former spouse,
 - An adult or minor who is dating or who has dated the Respondent,
 - An adult or minor who engaged in a sexual relationship with the Respondent,
 - An adult or minor who is related or is formerly related to the Respondent by marriage,
 - An adult or minor who is related to the Respondent by blood,
 - A person who has a child in common with the Respondent, or
 - A minor child of a person in a relationship as described above.
3. An act of domestic violence was threatened or committed against you. An act of domestic violence can include the following:

Homicide	Endangerment	Threatening
Assault	Aggravated Assault	Sexual Assault
Sexual Abuse	Sexual Conduct with a Minor	Molestation of a Child
Incest	Child Abuse	Elderly or Vulnerable Adult Abuse
Interference with Custody	Unlawful Restraint	Kidnapping
Criminal Damage	Criminal Trespass	Cruelty to Animals
Misuse of Firearms	Stalking	Misconduct Involving Weapons
Harassment	Disorderly Conduct	
Failure to Obey Restraining Order		

4. The following person(s) may file for an Order of Protection:
 - Any person claiming to be the victim of domestic violence,
 - Any family member or household member of a person claiming to be the victim of domestic violence, on behalf of the alleged victim,
 - A parent, legal guardian of a person with legal custody of a minor who is the alleged victim, or
 - A third party if the alleged victim is either temporarily or permanently unable to request an order.
5. If you **DO NOT** have a relationship with the Respondent, you may file a Petition for Restraining Order if you need protection from the Respondent.

The following definitions may be used in this form:

1. **Ex parte order** means an Order of Protection granted without notice to the Respondent.
2. **Petitioner** means the person filing this petition.
3. **Respondent** means the other person in this petition that you want protection from.

Instructions for this petition:

1. Complete the Petition for Order of Protection (petition). Answer all questions. Type or use black or blue ink.
2. Provide the Respondent's **FULL, LEGAL NAME** on the petition.
3. List only one (1) Respondent per petition. A separate petition must be filed for each Respondent.
4. Under Section 3, I REQUEST AN ORDER OF PROTECTION, please be specific as possible when you describe why you need an Order of Protection. The Court must find that the Respondent committed or threatened to commit an act of domestic violence resulting in physical or emotional injury to you or another victim, or property damage.
5. Under Section 6, OTHER PERSONS, **DO NOT** list child(ren) who are wards in the GRIC Children's Court or any court, or if someone else is appointed guardian of the child(ren). The civil court does not have the authority over children who are wards or have open GRIC Children's Court cases.
6. If there are existing Court orders involving divorce or separation, or child custody, visitation or support, **DO NOT** use this petition to change existing Court orders. You must file a motion to modify existing Court orders in the civil court.
7. You may request that the judge order the Respondent not to possess, receive, or purchase firearms or weapons.
8. Sign the petition before a notary public before you submit to the Court **OR** sign before a Court Clerk.
9. A judge will review your petition once you submit the petition to the Court. The Court may issue an ex parte Order of Protection if the Court finds the Respondent committed or threatened to commit an act of domestic violence. You will receive a copy of the ex parte Order of Protection.
10. The Respondent will be served a copy of the ex parte Order of Protection and the petition. Confidential information such as your address or contact information will not be given to the Respondent. If the Respondent disagrees with the ex parte Order of Protection, the Respondent has the right to request a hearing within ten (10) days upon being served with the ex parte Order of Protection.
11. If the Respondent does **NOT** request a hearing, the ex parte Order of Protection will remain in effect, and you do not need to do anything further.
12. If the Respondent requests a hearing, the Court will schedule a hearing before a judge to review your petition and hear from you and the Respondent. You must attend this hearing, or the Court will

dismiss your petition and cancel the ex parte Order of Protection. The Court will notify you and the Respondent of the hearing date and time.

13. You and the Respondent may be represented by an attorney or advocate at your own expense. The attorney or advocate must be licensed with the Gila River Indian Community Court. The Court has a list of attorneys or advocates licensed to practice. Do not wait until the hearing to obtain an attorney or advocate.
14. Only a judge can modify (change) or quash (dismiss) this Order of Protection. If you file an action for maternity, paternity, annulment, legal separation, or dissolution (divorce) against the Respondent after the Order of Protection is issued, notify the Court at once. **Nothing you do can stop, change, or undo this Order of Protection without the Court's written approval.**
15. If you or the Respondent need to get personal belongings from each other, you may request a standby from Gila River Law Enforcement (police department). Standby allows you or the Respondent to return one (1) time with a law enforcement officer to obtain necessary personal belongings from the residence. Neither law enforcement nor this Order of Protection can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.
16. The Respondent may file a Petition for Order of Protection against you. The Respondent must meet all the requirements under the law to obtain an Order of Protection.
17. **VICTIM ADVOCATE:** If you need further assistance, please contact the Gila River Indian Community's Victim Advocate Office at (520) 562-4106.
18. Contact the Court if you have any questions by email, court.questions@gric.nsn.us. Court staff cannot give legal advice but can answer questions about filing requirements or procedure.

Sacaton Court
Phone: 520-562-9860
Fax: 520-562-9867

Westend Court
Phone: 520-562-9862
Fax: 520-562-9869

Please keep these instructions. Do not attach to the petition.

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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)

E-mail: courtpublicmailbox@gric.nsn.us

This box for Court use ONLY

Petitioner's Full, Legal Name (Person filing petition)

VS.

Respondent's Full, Legal Name (Person you want protection from)

CASE NO. _____

**PETITION FOR
ORDER OF PROTECTION**

1. JURISDICTION: The Gila River Indian Community Court has jurisdiction to hear this matter under Gila River Indian Community Code (GRICC) Section 4.301 and Section 9.115.

Information about me, the Petitioner (check all that apply):

☐ I am a member of the Gila River Indian Community.

☐ I am a member of another Indian tribe: _____
Tribe's Name

☐ I am NOT an Indian.

☐ I live ON the Gila River Indian Reservation.

☐ I live OFF the Gila River Indian Reservation.

Information about the other party, the Respondent (check all that apply):

☐ The Respondent is a member of the Gila River Indian Community.

☐ The Respondent is a member of another Indian tribe: _____
Tribe's Name

☐ The Respondent is NOT an Indian.

☐ The Respondent lives ON the Gila River Indian Reservation.

☐ The Respondent lives OFF the Gila River Indian Reservation.

4. PENDING CASES: Is there a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, child visitation, child support, or juvenile case involving you and the Respondent. ☐ NO ☐ YES

If YES, what Court: _____

Case type: _____

Case number: _____

5. DOMESTIC VIOLENCE CASES: Have you or the Respondent been charged or arrested for domestic violence OR requested an Order of Protection. ☐ NO ☐ YES

If YES, what Court: _____

Case number: _____

Explain: _____

6. OTHER PERSONS: The following persons should also be on the Order of Protection. Only include persons UNDER 18 years of age unless you have guardianship/power of attorney over the person. As stated in Number 3 above, the Respondent is a danger to these persons. Do not include yourself.

Full, Legal Name	Date of Birth	Relationship to You
1.		
2.		
3.		
4.		
5.		

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

☐ Home ☐ Work: _____

☐ School: _____

☐ Other locations: _____

8. The Gila River Indian Community Code, Domestic Violence Ordinance, permits the Court to issue an Order of Protection with several provisions. Please check all that you would like the Court to consider:

☐ Petitioner be granted exclusive use of the residence. Location:_____

☐ Petitioner be granted temporary custody of children under 18. List child(ren) and date(s) of birth:

☐ Order the Respondent to pay the following debts:_____

☐ Petitioner be granted use of the Respondent's property. Specify property:_____

☐ Petitioner be granted temporary possession of pet(s). Describe pet(s):_____

☐ Order the Respondent to **NOT** possess firearms/weapons. Order the Respondent to surrender firearms/weapons to the Gila River Police Department.

☐ Other relief you think necessary:_____

9. RESPONDENT'S INFORMATION: Date of Birth:_____

Social Security No.:_____ Driver's License No. and State:_____

Alias:_____

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

Distinguishing Features:_____

10. CERTIFICATION: I am the Petitioner in the above matter, I have read the foregoing Petition and know the contents to be true to the best of my knowledge. I understand that I may be found in contempt of court for making false or misleading statements.

Printed Name of Person Signing this Form

Signature of Person Signing this Form

Date

Subscribed and sworn to or affirmed before this _____(date) by _____

Clerk of the Court/Notary Public

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

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: _____

Home/Cell Phone: _____

Email Address: _____

Will a Victim Advocate be assisting you? ☐ YES ☐ NO

If YES, does a Victim Advocate have permission to receive information about your case?

☐ YES ☐ NO

If you would like a Victim 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/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.

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

Respondent's Process Service Information

This information will be used to serve your Court documents to the Respondent. Be as accurate and complete as possible. Your documents cannot be served if the Court cannot locate the Respondent.

Respondent's Information:

Respondent's Full Name: _____

Mailing Address: _____

Physical Address: _____

Home/Cell Phone: _____ Work Phone: _____

Email Address: _____

If Respondent lives on the reservation, which District: _____

Employer Name: _____

Employer Address: _____

Relatives or friends that Respondent may be staying with or would know the Respondent's location:

Name	Address/Location	Relationship
1.		
2.		
3.		

If you cannot provide a physical address for the Respondent, please draw a map in the box below.