

**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 Order of Protection - Please Read Carefully

Petitioner = You

Respondent = Person you want protection from

Order = Order of Protection

1. ORDER OF PROTECTION: An Order of Protection is used for a "family" relationship between you and the Respondent. This can include one of the following: 1) a current or former spouse, 2) an adult or minor who is dating or who has dated or who has dated, or engaged in or has engaged in a sexual relationship with the respondent, 3) an adult or minor who is related or is formerly related to the respondent by marriage, 4) an adult or minor who is related to the respondent by blood, 5) a Person who has a child in common with the respondent, or 6) a minor child of a person in a relationship as described above.

Also, you must state how an act of domestic violence was threatened or committed against you. An act of domestic violence can include: 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, misconduct involving weapons, misuse of firearms, stalking, harassment, disorderly conduct, or failure to obey a restraining order or any order of the court.

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 (1) 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. SERVICE AND EFFECT: An Order of Protection is valid for one (1) year **from the date it is served on the respondent** and is enforceable by law enforcement in any state or tribal nation in the United States.

5. PROTECTIVE ORDER HEARING: If the respondent disagrees with this Order, he/she has the right to request a hearing within ten (10) days upon being served with the Order. If you do not appear at the hearing, your Order may be quashed (dismissed); therefore, you must notify the Court of any change in your contact information to assure you are notified of any hearing dates and times.

6. MODIFYING OR QUASHING (DISMISSING) THIS PROTECTIVE ORDER: Only a judge can modify or quash (dismiss) this Order. If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the respondent after the Order is issued, advise this Court at once. **Nothing you do can stop, change, or undo this Order without the Court's written approval.**

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

8. 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 Order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

9. FIREARMS: You may request that the judge order the respondent not to possess, receive, or purchase firearms or ammunition.

10. CRIME VICTIM ADVOCATE: If you need further assistance, please contact the Gila River Indian Community's Crime Victim Advocate office at (520) 562-4106.

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This box for Court use ONLY

<hr/> <i>Petitioner (Your name)</i> <hr/>	<hr/> <i>Respondent (Full Name) (Person you want protection from)</i> <hr/>	PETITION FOR ORDER OF PROTECTION
<hr/> <i>And/or on behalf of minor/ward (name)</i> <hr/>		<hr/> Case Number <hr/>

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

1. Petitioner/Respondent Relationship: My relationship to the Respondent is (check all that apply).

- Married: Date of marriage: _____.
- Divorced: Date divorce granted: _____.
- We have child(ren) in common: How many children: _____.
- One of us is pregnant by the other.
- Dating (current or previous).
- Romantic or sexual relationship (current or previous).
- Related (Parent, in-law, brother, sister, etc.): Specify relationship: _____.

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. 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 Number: _____.

Type of case: _____.

4. Have you or the Respondent been charged or arrested for domestic violence OR requested a Protective Order?

NO YES If YES, provide a court case number and explain: _____

_____ ; Case No. _____.

5. 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. _____

6. The following persons should also be on this Order. As stated in number 5, the Respondent is a danger to them:

Name: Do not include yourself Date of Birth Relationship to you

1.	Date of Birth	Relationship to you
2.		
3.		
4.		

7. 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 use and exclusive possession of the residence. Location: _____.

Petitioner be granted temporary custody of minor children. 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 what property: _____
_____.

Other relief you think necessary: _____
_____.

9. If checked, because of the risk of harm, order the Respondent NOT to possess firearms or ammunition.

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

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

Alias: _____ Distinguishing Features: _____

Driver's License #: _____ State: _____

11. Under penalty of law, I swear or affirm the above statements are true to the best of my knowledge and I request an Order of Protection granting relief as allowed by law.

Signature of Petitioner

Date

VERIFICATION: Subscribed and sworn to before 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: _____