

TULALIP TRIBAL COURT
Tulalip, Washington

No. TUL- - -20__ -

Petitioner (Person to be protected)

vs.

**Petition for Sexual Assault
Protection Order**

Respondent (Person to be restrained)

1. Petitioner is a victim of nonconsensual sexual conduct or nonconsensual sexual penetration committed by the respondent as described in the statement below.

I am filing on behalf of myself and I am 16 years or older.

I am filing on behalf of a minor, age _____.

My relationship to the minor is _____.

My name is _____.

I am filing on behalf of an elder as defined in TTC 3.15.100; or other adult who, because of age, disability, health or inaccessibility, cannot file the petition. My relationship to the vulnerable adult or other adult is _____.

My name is _____.

2. Petitioner lives within the exterior boundaries of the Tulalip Reservation; _____ county.

3. Respondent's age is:

Under 16 16 or 17 18 or over

(Complete this if known.) If the respondent is under age 18, the name(s) of the minor's parent(s) or legal guardian(s) is/are:

4. Is respondent a service member, or a dependent of a service member? yes
 no unknown

5. Petitioner's relationship to respondent is: _____

6. Petitioner may be served with legal documents at:

_____. (If disclosure of petitioner's address would risk abuse or harassment of the petitioner or the petitioner's family or household members, petitioner must list an alternative address.)

7. Other court cases or other restraining, protection or no-contact orders involving the petitioner and the respondent:

Case Name			
Case Number			
Court/County/State			

Petitioner Requests a Sexual Assault Protection Order, following a hearing, that will grant the relief requested below:

1. **Restrain** respondent from having any contact with petitioner, including but not limited to telephone calls, mail, written notes, email, texting, and social media (such as Facebook, and Twitter), directly, indirectly, or through third parties regardless of whether those third parties know of the order.

2. **Exclude** respondent from the following places:

- Petitioner's residence
- Petitioner's workplace
- Petitioner's school
- Petitioner's day care
- Other:

3. **Prohibit** respondent from knowingly coming within, or knowingly remaining within _____ (distance) of:

- Petitioner's residence
- Petitioner's workplace
- Petitioner's school
- Petitioner's day care
- Other:

4. **Restrain** respondent from attending _____ school at _____ (address) attended by the petitioner and **Order** respondent to transfer to a different school. (If this relief is granted, respondent or respondent's parents or legal guardians will be responsible for transportation and all other costs associated with change of school.)

5. **Other:**

Request for a Temporary Sexual Assault Protection Order: An Emergency Exists as described in the statement below. Petitioner needs a temporary protection order issued immediately, without prior notice to the respondent that grants the relief requested above.

A Sexual Assault Protection Order is available to protect a victim of nonconsensual sexual conduct or nonconsensual sexual penetration, including a single incident of nonconsensual sexual conduct or nonconsensual sexual penetration, from future interactions with the assailant. **Nonconsensual** means a lack of freely given agreement. **Sexual conduct** means any of the following: (a) any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing; (b) any intentional or knowing display of the genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent; (c) any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent; (d) any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification

Other: _____

(Continue on separate page if necessary.)

I certify under penalty of perjury under the laws of the Tulalip Tribes and the State of Washington that the foregoing is true and correct.

Dated: _____ at _____ Washington.

Signature of Petitioner

Print Name

Signature of Person Filing on Behalf of Petitioner

Print Name

LAW ENFORCEMENT INFORMATION

Do NOT serve or show this sheet to the restrained person!

Do NOT FILE in the court file. Give this form to law enforcement.

Type or print clearly! This completed form is required by law enforcement. This information is necessary to serve, enforce and enter your order into the state wide law enforcement computer. Fill in the following information as completely as possible.

Court: TULALIP TRIBAL COURT	Case Number:
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<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Dissolution/Separation/Invalidity/Nonparental Custody/Paternity
<input type="checkbox"/> Unlawful Harassment	<input type="checkbox"/> Vulnerable Adult
	<input type="checkbox"/> Sexual Assault

Restrained Person's Information (This is the person that you want the court to restrain.)

Name:	First	Middle	Last	Nickname	Relationship to Protected Person
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Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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Last Known Address Street: City:	State: Zip:	Phone(s) w/Area Code	Need Interpreter? Yes or No Language:
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Employer	Employer's Address	WORK Hours: Phone: ()
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Vehicle License Number	Vehicle Make and Model	Vehicle Color	Vehicle Year	Drivers License or ID number	State
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Does the restrained person have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? No Yes. If yes, describe (continue on back, if needed):

Hazard Information Restrained Person's History Includes:

Involuntary/Voluntary Commitment Suicide Attempt or Threats

Assault Assault with Weapons Alcohol/Drug Abuse Other:

Weapons: Handguns Rifles Knives Explosives Other:

Location of Weapons: Vehicle On Person Residence Describe in detail:

Current Status (Circle Yes, No or N/A.) Is the restrained person a current or former cohabitant as an intimate partner? Y N
 Are you and the restrained person living together now? Y N Does the restrained person know he/she may be moved out of the home? Y N N/A
 Does the restrained person know you're trying to get this order? Y N Is the restrained person likely to react violently when served? Y N

Protected Person's Information (This is the person you want the court to protect.)

Name:	First	Middle	Last	Relationship to Protected Person
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Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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If your information **is not confidential**, you must enter your address and phone number(s).

Current Address Street: City:	State: Zip:	Phone(s) w/Area Code	Need interpreter? Yes or No Language:
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If your information **is confidential**, you must provide the name, address and phone number of someone willing to be your "contact."

Contact Name	Contact Address	Contact Phone
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If you filed for someone else, list your name, phone number and address:

Minor's Information			Describe the minor's relationship using terms such as: child, grandchild, stepchild, nephew, none. →				Minor's Relationship to Protected Person	
Name: First	Middle	Last	Sex	Race	Birth date	Resides With	Person	Person

Victim's Household Members or Adult Children Protected	Name: birth date:
Name: birth date:	Name: birth date:

TULALIP TRIBAL COURT

Tulalip, Washington

No. TUL- - -2014-

Temporary Sexual Assault Protection Order and Notice of Hearing

Clerk's Action Required

Next Hearing Date/Time: _____

At: Tulalip Tribal Court
6103 31st Avenue NE
Tulalip, WA 98271
360-716-4773

Petitioner (Protected Person) **DOB**

vs.

Respondent (Restrained Person) **DOB**

1. **The Court Finds** by a preponderance of the evidence that petitioner is a victim of nonconsensual sexual conduct or nonconsensual sexual penetration as defined in TTC 3.20, 3.22 by the respondent; and:

Petitioner is 16 years of age or older.

Petitioner is a minor child, age _____, on whose behalf the petition is brought. Petitioner's parent(s) or legal guardian(s) are bringing this action and are appointed as the petitioner's guardian ad litem for this proceeding.

Petitioner is a vulnerable adult as defined in TTC 3.15; or other adult who, because of age, disability, health, or inaccessibility, cannot file the petition.

2. Respondent is under 16 years of age. The court will determine at the next hearing whether respondent's parent or guardian or an attorney should be appointed as guardian ad litem to represent the respondent in this proceeding.

The Court Further Finds that there is good cause to grant each remedy, regardless of the lack of prior service of process or of notice upon the respondent, because the harm which each remedy is intended to prevent would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief. **It Is Therefore Ordered:**

11. Respondent is **Restrained** from having any contact with the petitioner, including but not limited to telephone calls, mail, written notes, e-mail, texting, and social media (such as Facebook and Twitter), directly, indirectly, or through third parties regardless of whether those third parties know of the order.

2. Respondent is **Excluded** from the following places:

- Petitioner's residence
- Petitioner's workplace
- Petitioner's school
- Petitioner's day care
- Other:

3. Respondent is **Prohibited** from knowingly coming within, or knowingly remaining within _____ (distance) of:

- Petitioner's residence
- Petitioner's workplace
- Petitioner's school
- Petitioner's day care
- Other:

4. **Other:**

The respondent may petition the court to reopen the order if the respondent did not receive actual prior notice of the hearing and if the respondent alleges that he or she had a meritorious defense to the order or that the order or its remedy is not authorized by chapter TTC 4.25.

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to _____ County Sheriff's Office Tulalip Police Department Police Department **Where Petitioner Lives** which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

Service

The clerk of the court shall also forward a copy of the summons, petition, and order on or before the next judicial day to _____ County Sheriff's Office Tulalip Police Department Police Department **Where Respondent Lives** which shall personally serve the respondent with a copy of the summons, petition and order and shall promptly complete and return to this court proof of service.

The clerk of the court shall also forward a copy of the summons, petition and order on or before the next judicial day to _____ County Sheriff's Office Tulalip Police Department Police Department **Where Respondent Lives** for service of the summons, petition and order upon _____ (Respondent's Parent(s) or Legal Guardian(s)) at: _____ and shall promptly complete and return to this Court a Return of Service.

Petitioner has made private arrangements for service of the summons, petition, and order. (A Return

of Service shall be filed with the court at or before the next hearing.)

- Respondent appeared and was served a copy of the summons, petition, and order by the court; further service is not required.

The respondent is directed to appear and show cause why this temporary sexual assault protection order should not be made effective for up to two years and why the court should not order the relief requested by the petitioner. If respondent is under 16 years of age then his or her parent(s) or legal guardian(s) shall also appear.

Failure to Appear at the Hearing May Result in the Court Granting All of the Relief Requested in the Petition.

Warnings To The Respondent: A knowing violation of this sexual assault protection order is a criminal offense under TTC 4.25 and *will subject a violator to arrest.* You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order.

This Temporary Sexual Assault Protection Order is Effective Until the Next Hearing Date Shown on Page One.

Dated: _____ at _____ a.m./p.m.

Judge/Commissioner

Presented by:

Signature of Petitioner

Signature of Person Filing on Behalf of the Petitioner

A Law Enforcement Information Sheet (LEIS) must be completed.

TULALIP TRIBAL COURT
For

Petitioner (Protected Person)
vs.

Respondent (Restrained Person)

No.

Return of Service
(RTS)

Identification of Server:

1. My name is _____. I am a peace officer 18 years of age or older and not the petitioner or the respondent.

Able to serve:

2. I served _____ (name of person served)
On _____ (date) at _____ (time) at this
address:

with the documents checked in paragraph 4.

Not able to serve:

3. I was unable to make personal service on the respondent. I have notified the petitioner that respondent was not served.
 I was unable to make personal service on the petitioner. I have notified the respondent that petitioner was not served.
 Personal service was attempted on the following date(s) _____

- No service was attempted because _____

I mailed a copy of the documents checked in paragraph 4 to the respondent at his or her last known address: _____

I did not mail the documents checked in paragraph 4 to the respondent, because I do not know the respondent's last known address.

List of Documents:

4. The documents

<input type="checkbox"/> Summons	<input type="checkbox"/> Sexual Assault Protection Order
<input type="checkbox"/> Petition for Sexual Assault Protection Order	<input type="checkbox"/> Motion to Modify/Terminate Sexual Assault Protection Order
<input type="checkbox"/> Temporary Sexual Assault Protection Order and Notice of Hearing	<input type="checkbox"/> Order Modifying/Terminating Sexual Assault Protection Order
<input type="checkbox"/> Reissuance of Temporary Sexual Assault Protection Order and Notice of Hearing	<input type="checkbox"/> Motion for Renewal of Sexual Assault Protection Order
<input type="checkbox"/> Respondent's Petition to Reopen Temporary Sexual Assault Protection Order	<input type="checkbox"/> Order on Renewal of Sexual Assault Protection Order
<input type="checkbox"/> Order on Respondent's Petition to Reopen Temporary Sexual Assault Protection Order	<input type="checkbox"/> Other: _____ _____ _____ _____

5. Other:

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: _____ at _____, Washington.

Signature of Server

Print or Type Name

Law Enforcement Agency