



KALISPEL  
TRIBAL  
COURT

## CIVIL COMPLAINT PACKET

RESOURCES WHO MAY BE ABLE TO ASSIST WITH COMPLETING THE FORMS  
Court Staff Are Unable To Provide Legal Advice Or Assist With Completing Forms

- Kalispel Tribe Victim Assistance Services: <https://kalispeltribe.com/victim-services/>
  - Cusick: (509) 447-7155 or
  - Airway Heights: (509) 789-7671
- Family Crisis Network: <https://www.pofcn.org/>
  - Newport: (509) 447-2274
- Gonzaga Law School - Clinical Legal Programs.
  - Kalispel Tribal Members – You may apply for assistance by completing an Intake Form located at <https://www.gonzaga.edu/school-of-law/clinic-centers/law-clinic/indian-law> or by contacting Allyson Bluff at (509) 447-7126 or [anbluff@kalispeltribe.com](mailto:anbluff@kalispeltribe.com).
  - Non-Kalispel Tribal Members - You may be able to receive assistance through one of GLS-CLP's many Clinical Legal Programs. More information can be found at <https://www.gonzaga.edu/school-of-law/clinic-centers/law-clinic>.
- YWCA
  - General information and contact information regarding Legal Advocacy and Civil Legal Assistance With Domestic Violence - <https://ywcaspokane.org/programs/services/#civil>
  - Legal Advocacy – (509) 477-3656 #1
  - Civil Legal Assistance With Domestic Violence – (509) 326-1190
- Northwest Justice Project
  - (888) 201- 1014 or apply for legal assistance online at <https://nwjustice.org/get-legal-help>
- Moderate Means Program
  - (855) 741-6930 or [www.moderatemeanswa.org](http://www.moderatemeanswa.org)
- Spokane Volunteer Lawyers Program
  - (509) 477-6123
  - Website/Online Application: <https://www.spokanevlp.org/apply>

Kalispel Tribal Court  
P.O. Box 96  
Usk, WA 99180  
(509) 445-1664  
[courtclerk@kalispeltribe.com](mailto:courtclerk@kalispeltribe.com)

## INSTRUCTIONS FOR FILING A CIVIL COMPLAINT

Once the paperwork is complete, all paperwork must be filed with Kalispel Tribal Court, located at 22 Camas Flat Rd, Cusick WA 99119 between the hours of 7:00 AM-4:00 PM Monday through Thursday, excluding holidays. If your case has been previously filed with the court, documents may be emailed to [courtclerk@kalispeltribe.com](mailto:courtclerk@kalispeltribe.com). Court staff are unable to provide legal advice or assist with completing forms.

The filing fee for filing a Civil Complaint is \$100.00. If you cannot afford the filing fee, complete the documents included in this packet to request a reduction or waiver of filing fees.

### PLEASE PRINT LEGIBLY WHEN COMPLETING DOCUMENTS

#### **Required Documents:**

##### Civil Complaint

Complete, sign, and file with the court.

##### Civil Summons

Complete the heading portion only (Name of Petitioner and Respondent) and file with the Civil Complaint.

##### Civil Judgment

Complete the heading portion only (Name of Petitioner and Respondent) and file with the Civil Complaint.

##### Proof of Service

File the completed document with the Court after Respondent is Served.

#### **Optional Documents:**

##### Motion and Declaration for Reduction or Waiver of Filing Fees and Financial Statement

If applicable, complete and sign. File with Civil Complaint.

##### Order for Reduction or Waiver of Filing Fees

If applicable, complete the heading portion only (Name of Petitioner and Respondent). File with Civil Complaint.

##### Motion to Allow Service by Posting, Publication or Certified Mail

If applicable, complete all pages and sign. File with Civil Complaint.

##### Order Allowing Service by Posting, Publication or Certified Mail

If applicable, complete the heading portion only (Name of Petitioner and Respondent). File with Civil Complaint.

##### Consent to Personal and Subject Matter Jurisdiction

If applicable, complete and sign in front of a Notary Public. File with Civil Complaint.

Kalispel Tribal Court  
P.O. Box 96  
Usk, WA 99180  
(509) 445-1664  
[courtclerk@kalispeltribe.com](mailto:courtclerk@kalispeltribe.com)

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <div style="text-align: center; margin: 5px 0;">vs.</div> <hr/> Respondent/Defendant.

**Case No.**

**Civil Complaint**

**MOTION**

I am the petitioner/plaintiff in this action and  reside or  conduct business relevant to this case, on the reservation.

- I am asking the court to grant my request for: (check all that apply)
- judgment of \$ \_\_\_\_\_
  - return of the following property: \_\_\_\_\_
  - garnishment against \_\_\_\_\_, respondent.
  - other: \_\_\_\_\_

**BASIS FOR MOTION**

- The Kalispel Tribal Court has jurisdiction over respondent and this subject matter for the following reasons: (check all that apply)
- the respondent resides on the reservation.
  - the respondent conducts business on the reservation which is relevant to this case.
  - the respondent has signed a Consent to Personal and Subject Matter Jurisdiction form that is attached to this Civil Complaint.

**DECLARATION**

I declare that the respondent named above owes me money, property, or other as stated in the above Motion. I would like the court to consider the following: (Explain your case, and attach all relevant documents you would like the court to consider): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I declare under penalty of perjury under the laws of the Kalispel Tribe and State of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print Name

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Respondent's Mailing Address: \_\_\_\_\_

Respondent's Phone Number: \_\_\_\_\_

Respondent's Email Address: \_\_\_\_\_

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <p style="text-align: center;">vs.</p> <hr/> Respondent/Defendant.

**Case No.**

**Civil Summons**

<p><b>NOTICE OF HEARING</b> - To the Respondent: A hearing will be held to determine whether the relief requested in the Civil Complaint should be granted. <b>IF YOU FAIL TO APPEAR, A JUDGMENT WILL BE RENDERED AGAINST YOU, ACCORDING TO THE DEMAND OF THE CIVIL COMPLAINT.</b></p> <p>Hearing Date: _____</p> <p>Hearing Time: _____ AM / PM</p> <p>Hearing Location:</p> <p><input type="checkbox"/> Cusick (22 Camas Flat Rd)</p> <p><input type="checkbox"/> Airway Heights (100 N Hayford Rd-Behind NQRC)</p>
<p>Parties who wish to request a virtual or telephonic appearance <b>MUST request approval from the Judge in advance of the hearing.</b></p> <p><b>If approved by the Judge</b>, use the Microsoft Teams information below:</p> <p>Video/Audio by computer or smartphone: Meeting ID: 218 655 493 540 / Passcode: 7pXj6Y</p> <p>Audio only by telephone: Dial 1-332-249-0601 / Phone Conference ID: 572 304 243#</p>

If you wish to seek the advice of an attorney in the matter, you should do so promptly so that your written response, if any, may be served on time.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
 Court Clerk, Kalispel Tribal Court

<b>KALISPEL TRIBAL COURT</b>
<hr/> <div style="display: flex; justify-content: space-between;"> <span>Petitioner/Plaintiff</span> <span>vs.</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Respondent/Defendant.</span> </div>

**Case No.**

**Civil Judgment**

**Default**

**BASIS**

The Court received a Civil Complaint filed by the Petitioner. Timely service of the Civil Summons notifying the respondent of today’s hearing was completed by:

- personal service
- posting pursuant to a court order
- publication pursuant to a court order
- certified mail pursuant to a court order

The respondent:  appeared;  failed to appear

**FINDINGS**

Based upon testimony, sworn statement, and/or case record, the court finds that subject matter and personal jurisdiction has been established, and a judgment shall be entered granting relief to the petitioner.

**ORDER**

**IT IS THEREFORE ORDERED** that this case shall be adjudicated as follows:

- judgment of \$\_\_\_\_\_
- return of the following property: \_\_\_\_\_
- garnishment against \_\_\_\_\_, respondent.
- other: \_\_\_\_\_

If this judgment was entered by default, the respondent may apply in writing for a new trial within 20 days of the default judgment, showing good cause for failure to appear.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge, Kalispel Tribal Court

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <p style="text-align: center; margin: 5px 0;">vs.</p> <hr/> Respondent/Defendant.

**Case No.**

**Proof of Service**

1. My name is \_\_\_\_\_. I am  a law enforcement officer  
 18 years of age or older and not a party to this case.

2. Documents to be served: (select all that apply)

<input type="checkbox"/> Civil Complaint	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Civil Summons	<input type="checkbox"/> Other: _____

3.  I was unable to complete personal service on the respondent, or respondent's parent/guardian if the respondent is a minor. I have notified the petitioner that service was not completed.

Personal service was attempted on the following date(s) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

No personal service was attempted because:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. I served \_\_\_\_\_ (respondent, or parent/guardian if the respondent is a minor) with the documents identified in section 2.

a.  I personally served the documents on \_\_\_\_\_ (date) at \_\_\_\_\_ (time) AM / PM at this address: \_\_\_\_\_.

b.  I left the documents at the residence of the respondent with an adult who resides with the respondent on \_\_\_\_\_ (date) at \_\_\_\_\_ (time) AM / PM at this address: \_\_\_\_\_.

5. Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Certification of Statement**

I certify and swear under penalty of perjury under the laws of the Kalispel Tribe of Indians and the State of Washington that the foregoing is true and correct.

Signed at (city and state): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Law Enforcement Agency (if applicable)



The documents beyond this page are required only if they are applicable to your case.

Please refer to the instructions page at the beginning of this packet.

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <div style="text-align: center; padding: 5px;">vs.</div> <hr/> Respondent/Defendant.

**Case No.**

**Motion and Declaration for Reduction or Waiver of Filing Fees**

**MOTION**

I am the petitioner/plaintiff in this action and am requesting a  reduction or  waiver of filing fees.

**BASIS FOR MOTION**

KLOC 1-18.11 allows the court to reduce or waive fees in issues of hardship or duplication. As stated below, I am requesting a reduction or waiver of filing fees.

**DECLARATION**

I declare that I cannot afford to meet my necessary household living expenses and pay the filing fees imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration. In addition to the information provided in the financial statement, I would like the court to consider the following: \_\_\_\_\_

I declare under penalty of perjury under the laws of the Kalispel Tribe and State of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print Name

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Petitioners Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

Financial Statement			
<b>1. <input type="checkbox"/> I provide support to people who live with me: How many?</b>		<b>Age(s):</b>	
<b>2. My Monthly Income:</b>		<b>5. My Monthly Household Expenses:</b>	
Employed <input type="checkbox"/> Unemployed <input type="checkbox"/>		Rent/Mortgage:	\$
Employer's Name:		Food/Household Supplies:	\$
Gross pay per month (salary or hourly pay):	\$	Utilities:	\$
Take home pay per month:	\$	Transportation:	\$
<b>3. Other Sources of Income Per Month in my Household:</b>		Ordered Maintenance actually paid:	\$
Source:	\$	Ordered Child Support actually paid:	\$
Source:	\$	Clothing:	\$
Source:	\$	Childcare:	\$
Source:	\$	Education Expenses:	\$
Sub-Total:		Insurance (car, health):	\$
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$
<b>Total Income, lines 3 (take home pay) and 4:</b>		Sub-Total:	\$
<b>4. My Household Assets:</b>		<b>6. My Other Monthly Household Expenses:</b>	
Cash on hand:	\$		\$
Checking Account Balance:	\$		\$
Savings Account Balance:	\$		\$
Auto #1 (Value less loan):	\$		\$
Auto #2 (Value less loan):	\$	Sub-Total:	\$
Home (Value less mortgage):	\$	<b>7. My Other Debts with Monthly Payments:</b>	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	\$
<b>Total Household Assets:</b>		<b>Total Household Expenses and Debts, lines 5, 6, and 7:</b>	
\$		\$	
<b>Date:</b>		<b>Signature:</b>	

<b>KALISPEL TRIBAL COURT</b>
<hr/> <div style="display: flex; justify-content: space-between;"> <span>Petitioner/Plaintiff</span> <span>vs.</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Respondent/Defendant.</span> </div>

**Case No.**

**Order for Reduction or Waiver of Filing Fees**

**Granted**

**Denied**

**BASIS**

The Court received a Motion and Declaration for Reduction or Waiver of Fees and Financial Statement.

**FINDINGS**

The Court reviewed the motion and financial statement. Based on the records, the court finds:

- The Petitioner is indigent because:
  - the petitioner receives benefits from one or more needs-based assistance programs; and/or
  - the petitioner has household income at or below 125% of the federal poverty guideline; and/or
  - the petitioner has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the filing fees; and/or
  - other: \_\_\_\_\_
  
- The Petitioner is not indigent.
  
- Other: \_\_\_\_\_

**ORDER**

Based on the findings the Court orders:

- The Motion is granted, and
  - the filing fees are reduced to \$ \_\_\_\_\_
  - the filing fees are waived.
  
- The Motion is denied.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge, Kalispel Tribal Court

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <p style="text-align: center; margin: 10px 0;">vs.</p> <hr/> Respondent/Defendant.

**Case No.**

**Motion to Allow Service by Posting,  
Publication or Certified Mail**

Service by posting, publication or certified mail shall be made only upon sufficient showing by the petitioner to the Court that diligent efforts were made to personally serve the documents upon the respondent and that said service could not be made. KLOC 3-5.01

If jurisdiction is obtained through publication (posting, publication or certified mail), such jurisdiction would extend only to the subject matter within the control of the Court. No personal judgment may be rendered where service is by publication and the respondent does not voluntarily appear. KLOC 3-6.01

1. Documents to be served: (select all that apply)

<input type="checkbox"/> Civil Complaint	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Civil Summons	<input type="checkbox"/> Other: _____

2.  I am unable to have the respondent, or parent/guardian if respondent is a minor, personally served. I have made reasonable and diligent efforts as required by law as explained below.
- a.  they have left the area, and I don't know where to locate them.
  - b.  I believe they are avoiding being served.
  - c.  Other: \_\_\_\_\_

Explain why you believe they have left the reservation or state, why you believe they are avoiding being served, or why you are unable to complete personal service:

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3. Residential Address - *If you know the respondent's residential address, Kalispel law requires reasonable attempts at personal service of certain documents before authorizing service by posting, publication or certified mail. Personal service can be made by any person over the age of 18 who is not a party to the case, or by law enforcement. Proof of service must be filed with the Court.*
- a.  I do not know the respondent's residential address. (Skip to next section)

- b.  I know the respondent's residential address and personal service has been attempted by a person over the age of 18 who is not a party to the case, or by law enforcement. Explain the attempts made. (Provide details and dates):

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4. I request the court allow service by: (check one)

**posting** copies of the documents in two public places on the Reservation for three weeks. The Court clerk will coordinate posting and file an affidavit of posting in the case.

**publication** of Notice of the documents once a week for three consecutive weeks in any newspaper of general circulation on or adjacent to the Kalispel Reservation, or where most likely the Respondent will be reached. Petitioner will complete service by publication and file an affidavit of publishing received from the newspaper with the court.

**certified mail**, return receipt requested. The Petitioner will complete service of the documents by certified mail, return receipt and will file Proof of Service with the court.

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Print Name

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <p style="text-align: center; margin: 5px 0;">vs.</p> <hr/> Respondent/Defendant.

**Case No.**

**Order Allowing Service by Posting,  
Publication or Certified Mail**

Service by posting, publication or certified mail shall be made only upon sufficient showing by the petitioner to the Court that diligent efforts were made to personally serve the Summons with a copy of the Petition upon the respondent and that said service could not be made. KLOC 3-5.01

If jurisdiction is obtained through publication (posting, publication or certified mail), such jurisdiction would extend only to the subject matter within the control of the Court. No personal judgment may be rendered where service is by publication and the respondent does not voluntarily appear. KLOC 3-6.01

Documents to be served: (select all that apply)

<input type="checkbox"/> Civil Complaint	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Civil Summons	<input type="checkbox"/> Other: _____

The court has considered the Motion presented by the petitioner and having determined that personal service of the identified documents on the respondent, or parent/guardian if respondent is a minor, was:

- attempted, but unsuccessful.
- not attempted, due to the reasons stated in the Motion.
- other: \_\_\_\_\_

**IT IS THEREFORE ORDERED** that the document(s) be served to the respondent, or parent/guardian if respondent is a minor, using the approved method below.

- posting** copies of the documents in two public places on the Reservation for three weeks. The Court clerk will coordinate posting and file an affidavit of posting in the case.
- publication** of Notice of the documents once a week for three consecutive weeks in any newspaper of general circulation on or adjacent to the Kalispel Reservation, or where most likely the Respondent will be reached. Petitioner will complete service by publication and file an affidavit of publishing received from the newspaper with the court.
- certified mail**, return receipt requested. The Petitioner will complete service of the documents by certified mail, return receipt and will file Proof of Service with the court.

ORDER APPROVED:

\_\_\_\_\_ Date

\_\_\_\_\_ Judge, Kalispel Tribal Court

<b>KALISPEL TRIBAL COURT</b>
<hr/> Petitioner/Plaintiff <p style="text-align: center;">vs.</p> <hr/> Respondent/Defendant.

**Case No.**

**Consent to Personal and Subject Matter Jurisdiction**

I, \_\_\_\_\_, the above-named Respondent, am not an enrolled Tribal Member of a Federally recognized Tribe.

I understand that the above captioned case has been filed with Kalispel Tribal Court, and I hereby voluntarily and knowingly consent to personal and subject matter jurisdiction relating to this case only.

I understand that once consent is established, it will remain in effect for the duration of this case.

Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**This document must be signed in front of a Notary Public (KLOC 1-18.06)**

Notaries are available at Kalispel Tribal Court at no charge. Call 509-445-1664 to check availability.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

_____	_____
Signature of Person Consenting to Jurisdiction	Printed Name

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
 Signature of Notary Public, in and for the State of Washington, residing in  Pend Oreille;  
 Spokane;  Other: \_\_\_\_\_ County.

My commission expires: \_\_\_\_\_ SEAL