



KALISPEL
TRIBAL
COURT

PROTECTION ORDER 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.
 - 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
- 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

INSTRUCTIONS FOR FILING
NEW PROTECTION ORDERS

Once the paperwork is complete, all paperwork must be delivered to 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. Court staff are unable to provide legal advice or assist with completing forms.

PLEASE PRINT LEGIBLY WHEN COMPLETING DOCUMENTS

Required Documents:

Law Enforcement and Confidential Information

Complete one (1) per Respondent. File with Petition.

Petition For Order For Protection

Complete, sign, and submit the Petition and all additional documents that are applicable to your request.

Ex Parte Temporary Order for Protection (Required if requesting immediate protection)

If applicable, complete all pages to match your Petition. File with Petition.

Order for Protection

Complete the heading portion only (Name of Petitioner and Respondent). File with Petition.

Proof of Service

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

Optional Documents:

Child Custody Information Sheet

If applicable, complete and sign. File with Petition.

Motion to Allow Service by Posting, Publication or Certified Mail

If applicable, complete all pages and sign. File with Petition.

Order Allowing Service by Posting, Publication or Certified Mail

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

Consent to Personal and Subject Matter Jurisdiction

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

Notice to Elder or Vulnerable Adult

If applicable, file with Petition

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

Law Enforcement and Confidential Information (LECIF)

Clerk: Do not file in a public access file. In criminal cases, do not file. Give to law enforcement.

Kalispel Tribal Court

Case No.: _____

Law Enforcement: Do not serve or show a completed LECIF to the other party.

Instructions – Protected Person must complete this form. Fill out **all** sections as much as you can. If you do not know, write “unknown.” Complete Attachment A if the Restrained Person is under age 18. Type or print clearly. If law enforcement cannot read this form or identify the person, they cannot serve or enforce your order.

1. Restrained Person’s Info

Name: First Middle Last			Date of Birth (if unknown give age range)	
Nickname/Alias/AKA (“Also known as”)			Relationship to Protected Person	
Sex	Race		Height	Weight
Eye Color	Hair Color		Skin Tone	Build
Phone/s with Area Code (voice):			Need Interpreter? [] No [] Yes Language:	

2. Where can the Restrained Person be served? List all known contact information.

Last Known Address. Street:			
City:		State:	Zip:
Cell number (text):		Email:	
Social Media Account/s & User Name/s:			
Other:			
Employer	Employer’s Address		Employer’s Phone
Work Hours	Driver’s License or ID number		State
Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year

3. Disability, hazard, and weapon info about the Restrained Person

Law enforcement needs this info to serve the order safely

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 (add pages, if needed): _____

Hazard Information Restrained Person's History includes:

Involuntary/Voluntary Commitment Suicide Attempt or Threats (How recent?) _____
 Threats to "suicide by cop" Assault Assault with Weapons Alcohol/Drug Abuse
 Other: _____

Concealed Pistol License: Yes No

Weapons: Handguns Rifles Knives Explosives Unknown

Other (include unassembled firearms and specify): _____

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

Current Status

Is the restrained person a current or former cohabitant as an intimate partner? Yes No

Are you and the restrained person living together now? Yes No

Does the restrained person know they may be moved out of the home? Yes No N/A

Does the restrained person know you are trying to get this order? Yes No

Is the restrained person likely to react violently when served? Yes No

4. Protected Person's Info

(If only minors are protected, list them in 5. Provide contact information in this section for the person filing.)

Name: First Middle Last			Date of Birth	
Sex	Race		Height	Weight
Driver's license or ID number	Eye Color	Hair Color	Skin Tone	Build

If your information **is not confidential**, you must enter your address and phone number/s below.

Current Address. Street:			Phone(s) w/Area Code	
City:	State:	Zip:		
Email address:			Need interpreter? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, language:	

If your info **is confidential**, you must give a name, address, and phone of someone willing to be your "contact."
 If you filed **for someone else**, list your information as the contact.

Contact Name:	
Contact Address	Contact Phone
Contact Email Address	Date of Birth (if you are Petitioner)

How can law enforcement contact you and other protected household members **if firearms are returned** to the restrained person? (Email/s preferred. Update law enforcement with any changes.)

email above phone number above address above other: _____

Attachment A: Restrained Person is a Minor

Only complete this attachment if the Restrained Person is under age 18. **If not**, skip or remove this attachment.

1. Restrained Person's PARENT or GUARDIAN's Info			
Name: First Middle Last			Date of Birth (if unknown give age range)
Nickname/Alias/AKA ("Also known as")			Relationship to Restrained Person <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian
Sex	Race	Height	Weight
Eye Color	Hair Color	Skin Tone	Build
Phone/s with Area Code (voice):		Need Interpreter? <input type="checkbox"/> No <input type="checkbox"/> Yes Language:	
2. Where can the Restrained Person's PARENT or GUARDIAN be served?			
List all known contact information.			
Last Known Address. Street:			
City:		State:	Zip:
Cell number (text):		Email:	
Social Media Account/s & User Name/s:			
Other:			
Employer	Employer's Address		Employer's Phone
Work Hours	Driver's License or ID number		State
Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year
3. Disability, hazard, and weapon info about Restrained Person's PARENT or GUARDIAN			
Law enforcement needs this info to serve the order safely			
Does the PARENT or GUARDIAN have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? <input type="checkbox"/> No <input type="checkbox"/> Yes. If yes, describe (add pages, if needed):			
Hazard Information PARENT or GUARDIAN's history includes:			
<input type="checkbox"/> Involuntary/Voluntary Commitment <input type="checkbox"/> Suicide Attempt or Threats (How recent?)			
<input type="checkbox"/> Threats to "suicide by cop" <input type="checkbox"/> Assault <input type="checkbox"/> Assault with Weapons <input type="checkbox"/> Alcohol/Drug Abuse			
<input type="checkbox"/> Other:			
Concealed Pistol License: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Weapons: <input type="checkbox"/> Handguns <input type="checkbox"/> Rifles <input type="checkbox"/> Knives <input type="checkbox"/> Explosives <input type="checkbox"/> Unknown			
<input type="checkbox"/> Other (include unassembled firearms and specify):			

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

Current Status
Is the PARENT or GUARDIAN living with the restrained person now? [] **Yes** [] **No**
Are you and the PARENT or GUARDIAN living together now? [] **Yes** [] **No**
Does the PARENT or GUARDIAN know you are trying to get this order? [] **Yes** [] **No**
Is the PARENT or GUARDIAN likely to react violently when served? [] **Yes** [] **No**

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

Case No.

Petition for Order for Protection

Type of Protection Order:

- Domestic Violence**
- Anti-Harassment**
- Elder or Vulnerable Adult**

“Domestic violence” means physical harm, bodily injury, assault, including sexual assault, stalking, **Or** inflicting fear of imminent physical harm, bodily injury or assault between family or household members. (Family or household members, including adults, may jointly file a single petition.)

"Unlawful harassment" means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and which serves no legitimate or lawful purpose. The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well-being of his or her child.

“Elder” is a person who is fifty-five (55) years of age or older.

“Vulnerable Adult” means (A) a person eighteen years of age or older, or an emancipated person younger than eighteen years of age, that is permanently or temporarily unable to provide for their own care including the provision of food, shelter, clothing, health care, supervision, or management of finances, or has an impaired ability to protect themselves from abuse, neglect, exploitation, or abandonment. The inability to provide for their own care must be due to an illness, chronic use of drugs or alcohol, or a physical, mental, or developmental disability; **Or** (B) A person who has been found incapacitated and appointed a guardian under the laws of the Kalispel Tribe or by a court of competent jurisdiction.

1. I am the victim of domestic violence committed by the respondent **OR** (Select **One**)
 - I am the victim of unlawful harassment committed by the respondent **OR**
 - I am an elder or vulnerable adult who is a victim of
 - abuse, neglect, exploitation and/or abandonment **OR**
 - I am a representative or legal guardian of an elder or vulnerable adult who is a victim of
 - abuse, neglect, exploitation and/or abandonment
 Does the elder or vulnerable adult know you are filing this Petition? Yes No (The Elder or Vulnerable Adult must receive Notice of this Petition – File a Notice to Elder or Vulnerable Adult form with this Petition)
 The name of the elder or vulnerable adult is _____
 The address of the elder or vulnerable adult is _____ **OR**
 - I am a parent or legal guardian of a minor who is a victim of
 - domestic violence or unlawful harassment
 The name of the minor victim is _____

2. The victim lives in Spokane County Pend Oreille County Other: _____

3. The victim's age is: Under 13 13 to 17 18 or older unknown
 The victim is an enrolled tribal member
Victim's Tribe and Enrollment Number: _____
 The victim is not an enrolled tribal member
 The victim resides on the Kalispel Indian Reservation
 The victim works on the Kalispel Indian Reservation at:

4. Respondent's age is Under 13 13 to 17 18 or older unknown
 The Respondent is an enrolled tribal member (if known)
Respondent's Tribe and Enrollment Number: _____
 The Respondent is not an enrolled tribal member
 The Respondent resides on the Kalispel Indian Reservation
 The Respondent works on the Kalispel Indian Reservation at:

5. Identification of Minors, Elders or Vulnerable Adults you request be included in the Protection Order
- No minors involved.
I am the minors parent legal guardian.
 No elders or vulnerable adults involved.
 The Petitioner is the elder or vulnerable adult.
 I am the legal guardian of the elder or vulnerable adult.
 The petitioner is not the elder or vulnerable adult, or the legal guardian. Explain the age, disability, health, or inaccessibility concern that makes the adult unable to file themselves. (Examples: the adult is hospitalized, temporarily incapacitated, or in jail/prison.) _____

Name (First, Middle Initial, Last)	Age	Date of Birth	Race	Sex	How Related to Petitioner	Respondent	Resides with

Important:
If the Respondent is a parent of any of the children listed, complete the Child Custody Information document to determine if this court has jurisdiction (authority) to protect the minors, and file it with your Petition.
If the Petitioner or Respondent is non-native, they must consent to the personal and subject matter jurisdiction of Kalispel Tribal Court for custody and visitation to be addressed by this court. If the Petitioner wishes to consent, complete the Consent to Personal and Subject Matter Jurisdiction form and file it with your Petition.

6. Other Court cases: Custody, parenting plans or other restraining, protection, or no-contact orders involving me, the minors or vulnerable adult, and the Respondent. File copies with your Petition of everything you want the court to review. (Attach additional pages if necessary)

No Yes. If yes, fill out below.

Type of Case <i>(see examples)</i>	Court Location <i>(City or County and State)</i>	Court Type <i>(Tribal / Superior / District / Municipal / Military)</i>	Case Number <i>(if known)</i>	Status <i>(active / dismissed / pending / expired / unknown)</i>

7. How do the parties know each other? Check all the ways the protected person is connected or related to the respondent:

Intimate Partners – Protected person and restrained person are intimate partners because they are:

- current or former spouses or domestic partners
- parents of a child in common
- current or former dating relationship who
 - never lived together live or have lived together

Family or household members – Protected person and restrained person are family or household members because they are:

- parent and child stepparent and stepchild grandparent and grandchild parent’s intimate partner and child current or former cohabitants as roommates person who is or has been a legal guardian related by blood or marriage (specify how) _____

Other – Explain: (examples: coworker, neighbor, acquaintance, stranger)

I request an Order for Protection, following a hearing, that will: (Select all that apply)

(If the court orders this relief, and the respondent is your spouse or former spouse, current or former domestic partner, the parent of a child in common, or a current or former cohabitant as part of a dating relationship, the respondent may not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license under state or federal law for the duration of the order.)

Restrain Respondent from committing further acts of domestic violence, harassment, abuse, neglect, exploitation, or abandonment to: (Select all that apply)

- The petitioner; the minors, elders or vulnerable adults named in section 5;
- other: _____

Restrain Respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking: (Select all that apply)

- The petitioner; the minors, elders or vulnerable adults named in section 5;
- other: _____

<input type="checkbox"/> Restrain Respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in tribal, state, and federal law, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of: (Select all that apply) <input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> these members of the protected person(s) household: _____; <input type="checkbox"/> other: _____
<input type="checkbox"/> Restrain Respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents with: (Select all that apply): <input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> these members of the protected person(s) household: _____; <input type="checkbox"/> other: _____
<input type="checkbox"/> Restrain Respondent from distribution or use of protected person's personal possessions, household furnishings, vehicles, or other personal property.
<input type="checkbox"/> Exclude Respondent from: (Select all that apply) <input type="checkbox"/> our shared residence; <input type="checkbox"/> the protected person(s) residence
<input type="checkbox"/> Direct Respondent to vacate our shared residence and restore it to me. The restrained person may take the restrained person's clothing, personal items needed during the duration of the order, and these items (specify): _____ from the residence while a law enforcement officer is present.
<input type="checkbox"/> Direct Respondent to provide an accounting of the disposition of the Elder or Vulnerable Adult's income or other resources.
<input type="checkbox"/> Direct Respondent to repay funds obtained by exploitation of the Elder or Vulnerable Adult.
<input type="checkbox"/> Prohibit Respondent from knowingly coming within, or knowingly remaining within <input type="checkbox"/> 300 feet or <input type="checkbox"/> other distance (specify) _____ of <input type="checkbox"/> protected person(s) residence; <input type="checkbox"/> shared residence; <input type="checkbox"/> protected person(s) workplace; <input type="checkbox"/> protected person(s) school; <input type="checkbox"/> the residence, workplace, daycare, or school of the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> the residence, workplace, daycare, or school of the following minors, elders or vulnerable adults, or members of protected person(s) household: _____ <input type="checkbox"/> Other location(s): _____ _____
Complete this lower section for any locations selected above: <input type="checkbox"/> The home address of the protected person(s) is confidential. <input type="checkbox"/> The petitioner waives confidentiality of the residential address of the protected person(s) which is: _____

The workplace of the protected person(s) is confidential.
 The petitioner waives confidentiality of the workplace address of the protected person(s) which is: _____

The daycare or school address of the protected person(s) is confidential.
 The petitioner waives confidentiality of the daycare or school address of the protected person(s) which is: _____

Prohibit the Respondent from removing the Petitioner or Minor, Elder or Vulnerable Adult named in section 5 from the jurisdiction of this Court.

Grant me possession of essential personal belongings, including the following:

Grant me use of the following vehicle:
 Year: _____ Make: _____ Model: _____
 License No.: _____ State of Registration: _____
 Name on the title: _____

Require the Respondent to pay any fees and costs of this action.

Require the Respondent to participate in treatment or counseling. (If the respondent is non-native, they must consent to the personal and subject matter jurisdiction of Kalispel Tribal Court for treatment to be ordered by this court.)

Keep this order in effect longer than one (1) year if allowable by law because Respondent is likely to resume acts of unlawful harassment against the above-named individuals if the order expires in a year. (See below if allowable by law)

Anti-Harassment - KLOC 3A-4.02: The court shall not enter an order that is effective for more than one year if the order restrains the respondent from contacting the respondent’s minor children. This limitation is not applicable to civil anti-harassment protection orders issued pursuant to dissolution or legal separation actions, nonparental (third-party) child custody actions, or under the authority of any Uniform Parentage Act. The order may be extended at one-year intervals, as many times as necessary.

Domestic Violence – KLOC 8-6.08(1)(I): Length of duration of the order, not to exceed one year for permanent orders of protection. The order may be extended at one-year intervals, as many times as necessary.

Elder or Vulnerable Adult – KLOC 27-12.08: Any relief granted by the order of protection, other than judgment for costs, shall be for a fixed period not to exceed one year. The order may be extended at one-year intervals, as many times as necessary, to protect the Elder or Vulnerable Adult.

Other Requests:

Protection involving a minor in common:

Petitioners: If the Order is granted, and if Kalispel Tribal Court has authority over the minors named in section 5, they will be protected. This section provides an opportunity to address custody and visitation of those who share a child in common. **Important: If the petitioner or respondent is non-native, they must consent to the personal and subject matter jurisdiction of Kalispel Tribal Court for custody and visitation to be addressed by this court.**

Subject to any court-ordered visitation, **Grant** me the care, custody, and control of:
 the minors named in section 5;
 the following minors *only*: _____

Restrain Respondent from interfering with my physical or legal custody of:
 the minors named in section 5;
 the following minors *only*: _____

Restrain Respondent from removing from the state:
 the minors named in section 5;
 the following minors *only*: _____

Both the petitioner and respondent are Native American with ties to the Kalispel Tribe, there is not a current court ordered visitation schedule, and I request visitation to be addressed. Exceptions for Visitation and Transportation (Including exchanges, meeting location, and who is responsible for pickup and drop-off) of Minors: _____

Protection involving pets in common:

Grant me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.): _____

Prohibit Respondent from interfering with my efforts to remove the pet(s) named above.

Hearing Schedule and Service Requirements

NOTICE: The Petition, and Temporary Order for Protection and Notice of Hearing (if Temporary Order requested and granted), must be served on the Respondent.

Proof of service must be filed with the court.

Domestic Violence – KLOC 8-6.07 & 8-6.10: A hearing will be scheduled within 14 days. Personal service shall be made upon the respondent not less than five court days prior to the hearing. If timely service cannot be made, the court may set a new hearing date. If personal service cannot be made after reasonable efforts, the Court may allow another form of service such as service by certified mail with return receipt requested, posting, or publication.

Anti-Harassment – KLOC 3A-3.01: A hearing will be scheduled within 14 days, or 24 days if the court has permitted service by publication pursuant to KLOC 3-5.01. The ex parte order may be reissued. Except where the court has permitted service by posting, publication or certified mail return receipt, the respondent shall be personally served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing.

Elder or Vulnerable Adult – KLOC 27-12.05, 27-12.06 & 27-12.10: A hearing will be scheduled within 14 days. Personal service shall be made upon the respondent, the Elder or Vulnerable Adult (if the petition is filed by another person or entity) **and** the Kalispel Tribe Elder and Vulnerable Adult Services Director not less than five (5) days prior to the hearing. If timely service cannot be made, the court may set a new hearing date. If personal service cannot be made after reasonable efforts, the Court may allow another form of service as set out in KLOC Chapter 3.

KLOC 3-5.01: After reasonable and diligent efforts of personal service, to request service by posting, publication or certified mail:

- Complete Motion to Allow Service by Publication or Mail and file with the court.
- Complete Order for Service by Publication or Mail and file with the court. (Complete sections above “It is hereby ordered”)

Request for Special Assistance from Law Enforcement Agencies:

I request the court to order the appropriate law enforcement agency to assist me in obtaining:

- Possession of my residence: (Address) _____
- Possession of the vehicle requested above.
- Possession of my essential personal belongings at: _____
- Custody of the Minors named in section 5
- Custody of the following Minors only: _____
- Other: _____

Describe any stalking behavior by Respondent, including use of telephonic, audiovisual, or electronic means to harass or monitor:

Describe medical treatment you received as a result of Respondent's actions:

Describe any threats of suicide or suicidal behavior by the Respondent:

Does the Respondent own or possess firearms or other weapons? Yes No Unknown

Does the Respondent use firearms, weapons, or objects to threaten or harm you? If yes, please describe:

Are you aware if the Respondent has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? If yes, please describe:

Are you aware if the Respondent has previously committed an offense that makes him or her ineligible to possess a firearm? If yes, please describe:

Does possession of a firearm or other dangerous weapon by the Respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual? If yes, please describe:

If you are requesting that the protection order lasts longer than one year, explain the reasons why:

Domestic Violence (not allowable by law) – KLOC 8-6.08(1)(I): Length of duration of the order, not to exceed one year for permanent orders of protection.

Anti-Harassment - KLOC 3A-4.02: The court shall not enter an order that is effective for more than one year if the order restrains the respondent from contacting the respondent’s minor children. This limitation is not applicable to civil anti-harassment protection orders issued pursuant to dissolution or legal separation actions, nonparental (third-party) child custody actions, or under the authority of any Uniform Parentage Act.

Elder or Vulnerable Adult (not allowable by law) – KLOC 27-12.08: Any relief granted by the order of protection, other than judgment for costs, shall be for a fixed period not to exceed one year. The order may be extended at one-year intervals, as many times as necessary, to protect the Elder or Vulnerable Adult.

Additional information you would like the Court to consider: (Submit any evidence you would like to consider with your Petition.)

Is substance abuse involved? Drugs Alcohol Both Unknown

To your knowledge, can personal service be made upon respondent within the state of Washington?
 Yes No

To your knowledge, can personal service be made upon respondent on Kalispel Reservation Lands?
 Yes No If Yes, the Court will coordinate service of documents.

Service Address for Petitioner. What is your address for receiving legal documents? You have the right to keep your residential address private. You may use a different mailing address for receiving legal documents.

Mail: _____

Email: (If you agree to receive legal documents by email): _____

Privacy Warning:

The Respondent will see this Petition and any other evidence you file with the court. Before you file any attachments, you can black out (redact) any sensitive information. Examples: your home address, account numbers (leave last 4 digits), minor’s names (leave minor’s initials). Do not list your address in this petition or any supporting evidence if you want it to remain confidential.

Be sure to include the following documents when filing this Petition:

- Law Enforcement and Confidential Information Sheet (With all Petitions)
- Order for Protection (With all Petitions)
- Ex Parte Temporary Order for Protection and Notice of Hearing (If applicable)
- Child Custody Information (If applicable)
- Notice to Elder or Vulnerable Adult (if applicable)
- Motion to Allow Service by Posting, Publication or Certified Mail (If applicable)
- Order Allowing Service by Posting, Publication or Certified Mail (If applicable)
- Consent to Personal and Subject Matter Jurisdiction (If applicable)

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.

I have attached (number): _____ pages.

Signed at (city and state): _____ Date: _____

Signature of Petitioner

Print Name

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

Case No.

Ex Parte Temporary Order for Protection and Notice of Hearing

Type of Protection Order Case:

Domestic Violence

Anti-Harassment

Elder or Vulnerable Adult

Hearing Date: _____ Hearing Time: _____ AM / PM Hearing Location: <input type="checkbox"/> Cusick (22 Camas Flat Rd) <input type="checkbox"/> Airway Heights (100 N Hayford Rd-Behind NQRC)
<p>Parties who wish to request a virtual or telephonic appearance MUST request approval from the Judge in advance of the hearing.</p> <p>If approved by the Judge, use the Microsoft Teams information below: Video/Audio by computer or smartphone: Meeting ID: 218 655 493 540 / Passcode: 7pXj6Y Audio only by telephone: Dial 1-332-249-0601 / Phone Conference ID: 572 304 243#</p>

This Ex Parte Temporary Order for Protection is granted because irreparable injury could result from domestic violence, harassment, abuse, neglect, exploitation, or abandonment if an order is not issued immediately and without prior notice to the respondent.

Certificate of Compliance With VAWA. This protection order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice to the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be given notice and a timely opportunity to be heard as provided by the laws of the jurisdiction. This order is enforceable in all 50 states, Indian tribal lands, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam, as if it were an order of that jurisdiction.

Minors, Elders or Vulnerable Adults addressed in this order:

Name (First, Middle Initial, Last)	Date of Birth	Age	Race	Sex

Based upon the petition, testimony or sworn statement and case record, the court finds that the respondent committed domestic violence, unlawful harassment, abuse, neglect, exploitation, or abandonment as defined in Kalispel Tribal Law.

IT IS THEREFORE ORDERED THAT:

<p><input type="checkbox"/> Respondent is Restrained from committing further acts of domestic violence, harassment, abuse, neglect, exploitation, or abandonment to: (Select all that apply)</p> <p><input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named above;</p> <p><input type="checkbox"/> other: _____</p>
<p><input type="checkbox"/> Respondent is Restrained from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking: (Select all that apply)</p> <p><input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named above;</p> <p><input type="checkbox"/> other: _____</p>
<p><input type="checkbox"/> Respondent is Restrained from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in tribal, state, and federal law, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of: (Select all that apply)</p> <p><input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> these members of the protected person(s) household: _____;</p> <p><input type="checkbox"/> other: _____</p>
<p><input type="checkbox"/> Respondent is Restrained from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents with: (Select all that apply):</p> <p><input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> these members of the protected person(s) household: _____;</p> <p><input type="checkbox"/> other: _____</p>
<p><input type="checkbox"/> Respondent is Restrained from distribution or use of protected person's personal possessions, household furnishings, vehicles, or other personal property.</p>
<p><input type="checkbox"/> Respondent is Excluded from: (Select all that apply)</p> <p><input type="checkbox"/> the shared residence; <input type="checkbox"/> the protected person(s) residence</p>
<p><input type="checkbox"/> Respondent is Directed to vacate the shared residence and restore it to the protected person(s). The restrained person may take the restrained person's clothing, personal items needed during the duration of the order, and these items (specify):</p> <p>_____</p> <p>from the residence while a law enforcement officer is present.</p>
<p><input type="checkbox"/> Respondent is Directed to provide an accounting of the disposition of the Elder or Vulnerable Adult's income or other resources to the <input type="checkbox"/> Court or <input type="checkbox"/> other: _____</p> <p>by (date) _____.</p>
<p><input type="checkbox"/> Respondent is Directed to repay funds obtained by exploitation of the Elder or Vulnerable Adult by: _____ (date). Amount to be repaid: _____ Paid to: _____ (name).</p>

Respondent is **Prohibited** from knowingly coming within, or knowingly remaining within **300 feet** or other distance (specify) _____ of the shared residence; the petitioners residence; the petitioners workplace; the petitioners school; the residence, workplace, daycare, or school of the minors, elders or vulnerable adults named above; the residence, workplace, daycare, or school of the protected person(s) household members: _____ Other location(s): _____

Complete this lower section for any locations selected above:

- The home address of the protected person(s) is confidential.
- The petitioner waives confidentiality of the residential address of the protected person(s) which is: _____

- The workplace of the protected person(s) is confidential.
- The petitioner waives confidentiality of the workplace address of the protected person(s) which is: _____

- The daycare or school address of the protected person(s) is confidential.
- The petitioner waives confidentiality of the daycare or school address of the protected person(s) which is: _____

Respondent is **Prohibited** from removing the Petitioner or Minor, Elder or Vulnerable Adult listed above from the jurisdiction of this Court.

Other: _____

It is further ordered that the clerk of court shall forward a copy of this order on or before the next judicial day to KALISPEL TRIBAL POLICE DEPARTMENT and to PEND OREILLE COUNTY SUPERIOR COURT who shall forward a copy to the PEND OREILLE COUNTY SHERIFF'S OFFICE who shall enter the information into WACIC/NCIC, a computer-based criminal information system used by law enforcement.

SERVICE OF ORDER ON RESPONDENT:

- The Petitioner, Victim Advocate, or Attorney shall provide a copy of this order to:
 - _____ County Sheriff's Office **OR**
 - _____ Police Department **WHERE RESPONDENT LIVES** who shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service. **OR**
- Respondent appeared; further service is not required. **OR**
- Respondent resides on the Kalispel Reservation. (Court will coordinate service with KTP) **OR**
- An Order Allowing Service by Posting, Publication or Certified Mail was entered by this court. (Refer to Order for instructions on posting, publication or certified mail service requirements.)

The respondent is directed to appear and show cause why the court should not enter an order for protection effective for one year or more and order the relief requested by the petitioner or other relief the court deems proper, which may include payment of costs.

FAILURE TO APPEAR AT THE HEARING OR TO OTHERWISE RESOND WILL RESULT IN THE COURT ISSUING AN ORDER FOR PROTECTION PURSUANT TO KALISPEL TRIBAL LAW EFFECT FOR A MINIMUM OF ONE YEAR FROM THE DATE OF THE HEARING. THE NEXT HEARING DATE AND TIME IS SHOWN BELOW THE CAPTION ON PAGE ONE.

RIGHTS OF PARTIES:

Elder or Vulnerable Adult: All parties are entitled to the following rights in all proceedings under Chapter 27 (Elder and Vulnerable Adult Code):

1. The Elder or Vulnerable Adult has the right to have a spokesperson or legal representative's advice and representation. A party may request a continuance of a proceeding to seek legal representation;
2. The opportunity to subpoena witnesses;
3. The opportunity to introduce, examine and cross-examine witnesses;
4. The opportunity to discover, offer and inspect evidence; and
5. The opportunity to present arguments and statements.

There is no right to a jury trial for any proceeding under this Chapter of the Code.

WARNINGS TO THE RESPONDENT:

Domestic Violence Protection Order: KLOC 8-6.08 – Violation of the provisions of this order with actual notice of its terms is a criminal offense under the Kalispel Law and Order Code and will subject a violator to arrest. Any assault that is a violation of this order and that does not amount to assault under the Kalispel Law and Order Code is a criminal offense. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a criminal offense. YOU CAN BE ARRESTED EVEN IF THE PERSONS WHO OBTAINED 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 upon written application.

For additional information regarding penalties for violation of orders, refer to the Kalispel Law and Order Code:

Domestic Violence: KLOC 8-6.12 and 8-6.13

Unlawful Harassment: KLOC 3A-4.07

Elder or Vulnerable Adult Protection Order: KLOC 27-12.11

This Ex Parte Temporary Order for Protection is effective until the next hearing date and time shown below the caption on page one.

DATED _____ at _____ AM / PM _____
Judge, Kalispel Tribal Court

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

Case No.

Order for Protection

This order is reciprocal.

Type of Protection Order Case:

Domestic Violence

Anti-Harassment

Elder or Vulnerable Adult

Respondent was served timely notice of today's hearing by: **personal service;** **posting;**
 publication; or **certified mail, and respondent:** **appeared;** **failed to appear.**

Minors, Elders or Vulnerable Adults addressed in this order:

Name (First, Middle Initial, Last)	Date of Birth	Age	Race	Sex

Based upon testimony, sworn statement, and/or case record, the court finds that the respondent committed domestic violence, unlawful harassment, abuse, neglect, exploitation, or abandonment as defined in Kalispel Tribal Law and this court has jurisdiction over this matter.

Certificate of Compliance With VAWA. This protection order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice to the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be given notice and a timely opportunity to be heard as provided by the laws of the jurisdiction. This order is enforceable in all 50 states, Indian tribal lands, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam, as if it were an order of that jurisdiction.

IT IS THEREFORE ORDERED THAT:

<input type="checkbox"/> Respondent is Restrained from committing further acts of domestic violence, harassment, abuse, neglect, exploitation, or abandonment to: (Select all that apply) <input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named above; <input type="checkbox"/> other: _____
<input type="checkbox"/> Respondent is Restrained from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking: (Select all that apply) <input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named above; <input type="checkbox"/> other: _____

<input type="checkbox"/> Respondent is Restrained from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in tribal, state, and federal law, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of: (Select all that apply) <input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> these members of the protected person(s) household: _____; <input type="checkbox"/> other: _____
<input type="checkbox"/> Respondent is Restrained from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents with: (Select all that apply): <input type="checkbox"/> The petitioner; <input type="checkbox"/> the minors, elders or vulnerable adults named in section 5; <input type="checkbox"/> these members of the protected person(s) household: _____; <input type="checkbox"/> other: _____
<input type="checkbox"/> Respondent is Restrained from distribution or use of protected person's personal possessions, household furnishings, vehicles, or other personal property.
<input type="checkbox"/> Respondent is Excluded from: (Select all that apply) <input type="checkbox"/> the shared residence; <input type="checkbox"/> the protected person(s) residence
<input type="checkbox"/> Respondent is Directed to vacate the shared residence and restore it to the protected person(s). The restrained person may take the restrained person's clothing, personal items needed during the duration of the order, and these items (specify): _____ from the residence while a law enforcement officer is present.
<input type="checkbox"/> Respondent is Directed to provide an accounting of the disposition of the Elder or Vulnerable Adult's income or other resources to the <input type="checkbox"/> Court or <input type="checkbox"/> other: _____ by (date) _____.
<input type="checkbox"/> Respondent is Directed to repay funds obtained by exploitation of the Elder or Vulnerable Adult by: _____ (date). Amount to be repaid: _____ Paid to: _____ (name).
<input type="checkbox"/> Respondent is Prohibited from knowingly coming within, or knowingly remaining within <input type="checkbox"/> 300 feet or <input type="checkbox"/> other distance (specify) _____ of <input type="checkbox"/> the shared residence; <input type="checkbox"/> the petitioners residence; <input type="checkbox"/> the petitioners workplace; <input type="checkbox"/> the petitioners school; <input type="checkbox"/> the residence, workplace, daycare, or school of the minors, elders or vulnerable adults named above; <input type="checkbox"/> the residence, workplace, daycare, or school of the protected person(s) household members: _____ <input type="checkbox"/> Other location(s): _____ _____

Complete this lower section for any locations selected above:

- The home address of the protected person(s) is confidential.
- The petitioner waives confidentiality of the residential address of the protected person(s) which is: _____

- The workplace of the protected person(s) is confidential.
- The petitioner waives confidentiality of the workplace address of the protected person(s) which is: _____

- The daycare or school address of the protected person(s) is confidential.
- The petitioner waives confidentiality of the daycare or school address of the protected person(s) which is: _____

Respondent is **Prohibited** from removing the Petitioner or Minor, Elder or Vulnerable Adult listed above from the jurisdiction of this Court.

Other: _____

It is further ordered that the clerk of court shall forward a copy of this order on or before the next judicial day to KALISPEL TRIBAL POLICE DEPARTMENT and to PEND OREILLE COUNTY SUPERIOR COURT who shall forward a copy to the PEND OREILLE COUNTY SHERIFF'S OFFICE who shall enter the information into WACIC/NCIC, a computer-based criminal information system used by law enforcement.

SERVICE OF ORDER ON RESPONDENT:

- The Petitioner, Victim Advocate, or Attorney shall provide a copy of this order to:
 - _____ County Sheriff's Office **OR**
 - _____ Police Department **WHERE RESPONDENT LIVES** who shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service. **OR**
- Respondent appeared; further service is not required. **OR**
- Respondent resides on the Kalispel Reservation. (Court will coordinate service with KTP) **OR**
- An Order Allowing Service by Posting, Publication or Certified Mail was entered by this court. (Refer to Order for instructions on posting, publication or certified mail service requirements.)

RIGHTS OF PARTIES:

Elder or Vulnerable Adult: All parties are entitled to the following rights in all proceedings under Chapter 27 (Elder and Vulnerable Adult Code):

1. The Elder or Vulnerable Adult has the right to have a spokesperson or legal representative's advice and representation. A party may request a continuance of a proceeding to seek legal representation;
2. The opportunity to subpoena witnesses;
3. The opportunity to introduce, examine and cross-examine witnesses;
4. The opportunity to discover, offer and inspect evidence; and
5. The opportunity to present arguments and statements.

There is no right to a jury trial for any proceeding under this Chapter of the Code.

WARNINGS TO THE RESPONDENT:

Domestic Violence Protection Order: KLOC 8-6.08 – Violation of the provisions of this order with actual notice of its terms is a criminal offense under the Kalispel Law and Order Code and will subject a violator to arrest. Any assault that is a violation of this order and that does not amount to assault under the Kalispel Law and Order Code is a criminal offense. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a criminal offense. YOU CAN BE ARRESTED EVEN IF THE PERSONS WHO OBTAINED 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 upon written application.

For additional information regarding penalties for violation of orders, refer to the Kalispel Law and Order Code:

Domestic Violence: KLOC 8-6.12 and 8-6.13

Unlawful Harassment: KLOC 3A-4.07

Elder or Vulnerable Adult Protection Order: KLOC 27-12.11

EXPIRATION:

Domestic Violence Order: This Order for Protection **expires one year from the date the Judge signs this order.** KLOC 8-6.08(1)(l) – Length of duration of the order, not to exceed one year for permanent orders of protection. KLOC 8-6.15 – The petitioner may apply for renewal of the order by filing a petition for renewal at any time within the three months before the order expires.

Anti-Harassment Order: This Order for Protection **expires one year from the date the Judge signs this order OR** **the expiration date of this order is** _____.

KLOC 3A-4.02-The court shall not enter an order that is effective for more than one year if the order restrains the respondent from contacting the respondent's minor children. This limitation is not applicable to civil antiharassment protection orders issued pursuant to dissolution or legal separation actions, nonparental (third-party) child custody actions, or under the authority of any Uniform Parentage Act. KLOC 3A-4.03 – At any time within the three months before the expiration of the order, the petitioner may apply for a renewal of the order by filing a petition for renewal.

Elder or Vulnerable Adult Order: This Order for Protection **expires one year from the date the Judge signs this order.** KLOC 27-12.08 – Any relief granted by the order of protection, other than judgment for costs, shall be for a fixed period of not to exceed one year. The order may be extended at one-year intervals, as many times as necessary, to protect the Elder or Vulnerable Adult.) The extension may only be granted after a party files a petition seeking an extension (reissuance). The petition for extension (reissuance) must be filed within the three months before the order expires.

OPTIONAL: A Review Hearing will be set for _____ (date) at _____ (time).

DATED _____ at _____ AM / PM _____
Judge, Kalispel Tribal Court

Petitioner’s Signature

Respondent’s Signature (if present)
If respondent is present, service is completed.

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

Case No.

Proof of Service

- Type of Protection Order Case:**
- Domestic Violence
 - Anti-Harassment
 - Elder or Vulnerable Adult

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"/> Petition for Order for Protection	<input type="checkbox"/> Order for Protection
<input type="checkbox"/> Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Motion to Modify or Terminate Order for Protection
<input type="checkbox"/> Child Custody Information Sheet	<input type="checkbox"/> Order Modifying or Terminating Order for Protection
<input type="checkbox"/> Notice to Elder or Vulnerable Adult	<input type="checkbox"/> Petition for Reissuance of Order for Protection and <input type="checkbox"/> Notice of Hearing
<input type="checkbox"/> Consent to Personal and Subject Matter Jurisdiction	<input type="checkbox"/> Ex Parte Temporary Order for Reissuance of Order for Protection and Notice of Hearing
<input type="checkbox"/> Petition for Reissuance of Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Order on Reissuance of Order for Protection
<input type="checkbox"/> Courts Reissuance of Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Courts Reissuance of Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Other: _____

3. I was unable to complete personal service on the Respondent; Protected Elder or Vulnerable Adult. 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 _____ (name) with the documents identified in section 2.
- a. I personally served the documents on _____ (date) at _____ (time) AM / PM at this address: _____.
- b. I served the documents by certified mail, return receipt requested. I have included a copy of the signed green receipt or returned mail; will file a copy of the signed green receipt or returned mail with the Court once received.
- i. Date mailed: _____.
- ii. Address mailed to: _____

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 if they are applicable to your case.

Please refer to the instructions page at the beginning of this packet, and your Petition, to determine if they are required.

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

Case No.

Child Custody Information

- Type of Protection Order Case:**
- Domestic Violence**
 - Anti-Harassment**
 - Elder or Vulnerable Adult**

Only complete this form if you are asking to protect any of the restrained person’s children who are listed in section 5 of the Petition for Order for Protection.

Does Kalispel Tribal Court have jurisdiction (authority) over the children listed in section 5 of the Petition? Before the court can protect a child, you must tell the court about the children’s connection to the Kalispel Tribe of Indians.

1. Do the children currently live with you? Yes No
If no, with whom do the children live? _____

2. Do you know of *any* other litigation concerning custody or visitation with the children in this court or any other court? Yes No - If yes, file a copy of the order with this document.

3. Do you know of any persons, other than you and the respondent, who claim rights of custody or visitation with the children? Yes No
If yes, list their names and relationship to the children: _____

<input type="checkbox"/>	The children are Kalispel Tribal Members or descendants of a Kalispel Tribal Member.
<input type="checkbox"/>	The children are enrolled in another Tribe and reside on the Kalispel Reservation.
<input type="checkbox"/>	Kalispel Tribal Court has made a child custody, parenting plan, residential schedule, or visitation determination in this matter before and retains jurisdiction.
<input type="checkbox"/>	The Kalispel Reservation is the home reservation of the children because: <ul style="list-style-type: none"> <input type="checkbox"/> the children lived on the Kalispel reservation with a parent or person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding. <input type="checkbox"/> the children are less than six months old and have lived on the Kalispel reservation with a parent or a person acting as a parent since birth. <input type="checkbox"/> any absences from the Kalispel reservation have been only temporary.
<input type="checkbox"/>	This court has temporary emergency jurisdiction over this proceeding because the children are present on the Kalispel Reservation and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse.

Date: _____

Signature of Petitioner

Print Name

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

Case No. _____

Consent to Personal and Subject Matter Jurisdiction

Type of Protection Order Case:

- Domestic Violence**
- Anti-Harassment**
- Elder or Vulnerable Adult**

My name is _____, and I am the Petitioner; Respondent; Elder or Vulnerable Adult, and I 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

KALISPEL TRIBAL COURT

A Vulnerable Adult (Person to be Protected)

Petitioner//Plaintiff (Person who filed the Petition)

Respondent/Defendant (Person to be Restrained)

Case No.

Notice to Elder or Vulnerable Adult

Type of Protection Order Case:

Elder or Vulnerable Adult

Hearing Date: _____ Hearing Time: _____ AM / PM Hearing Location: <input type="checkbox"/> Cusick (22 Camas Flat Rd) <input type="checkbox"/> Airway Heights (100 N Hayford Rd-Behind NQRC)
<p>Parties who wish to request a virtual or telephonic appearance MUST request approval from the Judge in advance of the hearing.</p> <p>If approved by the Judge, use the Microsoft Teams information below: Video/Audio by computer or smartphone: Meeting ID: 218 655 493 540 / Passcode: 7pXj6Y Audio only by telephone: Dial 1-332-249-0601 / Phone Conference ID: 572 304 243#</p>

**NOTICE TO THE ELDER OR VULNERABLE ADULT
 IMPORTANT – PLEASE READ CAREFULLY**

The Petitioner has filed a Petition for an Order for Protection on your behalf against the Respondent. If this protection order is granted, the judge may grant the request as stated in the petition. This may require the Respondent to stay away from you and not talk to you, or not handle your money. If the protection order is granted, it can last up to 1 year. A petition can be filed to extend (reissue) the protection order anytime within three months of the expiration date of the order.

Under the law you have certain rights.

1. You have the right to go to the court hearing. At the court hearing, the judge will decide whether or not you need protection.
2. You have the right to tell the judge that you agree or disagree with the petition.
3. You have the right to have a spokesperson or legal representative’s advice and representation. A party may request a continuance of a proceeding to seek legal representation;
4. You have the right to present evidence.
5. The opportunity to subpoena witnesses;
6. The opportunity to introduce, examine and cross-examine witnesses;
7. The opportunity to discover, offer and inspect evidence; and
8. The opportunity to present arguments and statements.

There is no right to a jury trial for any proceeding under this Chapter of the Code.

At the hearing, the judge may:

- Grant the order for protection;
- Dismiss the petition or parts of it;
- Get more information to decide if you are unable to protect yourself or your property due to incapacity, undue influence, or duress; or
- Require a guardianship petition be filed. If a guardianship petition is filed, you have the right to have a lawyer appointed for you and you will have other rights.

The next hearing date and time is located below the caption on page one.

KLOC 27-12.05: Personal service of this Notice (summons) and Petition (complaint) must be served on the Elder or Vulnerable Adult, and the Kalispel Tribe Elder and Vulnerable Adult Services Director not less than five (5) days prior to the hearing. If timely service cannot be made, the Court may set a new hearing date. If personal service cannot be made after reasonable efforts, the Court may allow another form of service as set out in KLOC Chapter 3.

Proof of service must be filed with the Court.

DATED _____

Court Clerk, Kalispel Tribal Court

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

Case No.

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

Type of Protection Order Case:

- Domestic Violence**
- Anti-Harassment**
- Elder or Vulnerable**

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"/> Petition for Order for Protection	<input type="checkbox"/> Order for Protection
<input type="checkbox"/> Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Motion to Modify or Terminate Order for Protection
<input type="checkbox"/> Child Custody Information Sheet	<input type="checkbox"/> Order Modifying or Terminating Order for Protection
<input type="checkbox"/> Notice to Elder or Vulnerable Adult	<input type="checkbox"/> Petition for Reissuance of Order for Protection and <input type="checkbox"/> Notice of Hearing
<input type="checkbox"/> Consent to Personal and Subject Matter Jurisdiction	<input type="checkbox"/> Ex Parte Temporary Order for Reissuance of Order for Protection and Notice of Hearing
<input type="checkbox"/> Petition for Reissuance of Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Order on Reissuance of Order for Protection
<input type="checkbox"/> Courts Reissuance of Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Courts Reissuance of Ex Parte Temporary Order for Protection and Notice of Hearing	<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 the respondent has left the reservation or state, why you believe they are avoiding being served, or why you are unable to complete personal service:

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):

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: _____

Signature

Print Name

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

Case No.

Order Allowing Service by Posting, Publication or Certified Mail

Type of Protection Order Case:

- Domestic Violence**
- Anti-Harassment**
- Elder or Vulnerable**

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 Notice of Hearing (Summons) with a copy of the Petition (Complaint) 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"/> Petition for Order for Protection	<input type="checkbox"/> Order for Protection
<input type="checkbox"/> Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Motion to Modify or Terminate Order for Protection
<input type="checkbox"/> Child Custody Information Sheet	<input type="checkbox"/> Order Modifying or Terminating Order for Protection
<input type="checkbox"/> Notice to Elder or Vulnerable Adult	<input type="checkbox"/> Petition for Reissuance of Order for Protection and <input type="checkbox"/> Notice of Hearing
<input type="checkbox"/> Consent to Personal and Subject Matter Jurisdiction	<input type="checkbox"/> Ex Parte Temporary Order for Reissuance of Order for Protection and Notice of Hearing
<input type="checkbox"/> Petition for Reissuance of Ex Parte Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Order on Reissuance of Order for Protection
<input type="checkbox"/> Courts Reissuance of Temporary Order for Protection and Notice of Hearing	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Courts Reissuance of Ex Parte Temporary Order for Protection and Notice of Hearing	<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 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.

HEARING SCHEDULE

Domestic Violence – KLOC 8-6.07: A hearing will be scheduled within 14 days. If timely service cannot be made, the court may set a new hearing date.

Antiharassment- KLOC 3A-3.01: A hearing will be scheduled within 14 days, or 24 days if the court has permitted service by publication pursuant to KLOC 3-5.01. The ex parte order may be reissued.

Elder or Vulnerable Adult – KLOC 27-12.05: A hearing will be scheduled within 14 days. If timely service cannot be made, the court may set a new hearing date.

ORDER APPROVED:

Date

Judge, Kalispel Tribal Court