



**IN THE TULALIP TRIBAL COURT
TULALIP INDIAN RESERVATION
TULALIP, WASHINGTON**

Petitioner (First, Middle, Last Name) DOB

vs.

Respondent (First, Middle, Last Name) DOB

NO. TUL-CV-PO-_____ - _____

**PETITION FOR SEXUAL ASSAULT
PROTECTION ORDER**

ADDRESS CONFIDENTIAL

<p>1. Petitioner is victim of nonconsensual or sexual conduct or nonconsensual sexual penetration committed by the respondent as described in the statement below.</p> <p><input type="checkbox"/> I am filing on behalf of myself and I am 18 years or older.</p> <p><input type="checkbox"/> I am filing on behalf of a minor, age _____. My relationship to the minor is _____. My name is _____.</p> <p><input type="checkbox"/> I am filing on behalf of a vulnerable adult as defined in TTC 4.30; 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 _____.</p>	<p>2. Petitioner lives within the exterior boundaries of the Tulalip Reservation; _____ county.</p> <p>3. Respondent's age is: <input type="checkbox"/> Under 16 <input type="checkbox"/> 16 or 17 <input type="checkbox"/> 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: _____ _____</p> <p>4. Is respondent a service member, or dependent of a service member? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> unknown</p> <p>5. Petitioner's relationship to respondent is: _____</p>
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6. Petitioner may serve 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 case 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, 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 of the respondent or others; (e) any intentional or knowing touching of the clothed or unclothed body of a child under the age of 13, if done for the purpose of sexual gratification or arousal of the respondent or others; and (f) any coerced or forced touching or fondling by a child under the age of thirteen, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others. **Sexual Penetration** means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

Statement: The respondent has committed a single act or acts of nonconsensual sexual conduct or nonconsensual sexual penetration, which give rise to a reasonable fear of future dangerous acts, for which relief is sought.

Describe any nonconsensual sexual conduct or nonconsensual sexual penetration, and the approximate date(s). Include any statements or actions of the respondent at the time of the incident(s) or at any other time that caused the petitioner fear:

Explain any additional reasons why this order should be issued immediately:

(Complete this section if the petitioner and the respondent are minors who attend the same school and petitioner requests the court to order the respondent not to attend the same school attended by the petitioner.) Describe any continuing physical danger or emotional distress to the petitioner caused by the respondent's attendance at the same school as the petitioner:

Other:

(Continue on separate page if necessary)

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 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:	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				Phone(s) w/Area Code	Need Interpreter? Yes or No
Street:					Language:
City:		State:	Zip:		

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
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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				Phone(s) w/Area Code	Need interpreter? Yes or No
Street:					Language:
City:		State:	Zip:		

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:	birth date:

IN THE TULALIP TRIBAL COURT
TULALIP INDIAN RESERVATION
TULALIP, WASHINGTON

TULALIP TRIBAL COURT Tulalip, Washington	NO. TUL-_____
Petitioner (Person to be protected) D.O.B	Temporary Sexual Assault Protection Order and Notice of Hearing
vs.	Clerk's Action Required Next Hearing Date/Time:
Respondent (Person to be restrained) D.O.B	At: Tulalip Tribal Court 6332 31st Avenue NE Suite B Tulalip, WA 98271 Tel. (360) 716-4773

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 18 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 item for this proceeding.
- Petitioner is a vulnerable adult as defined in TTC 4.30; or other adult who, because of age, disability, health, or inaccessibility, cannot file the petition.

2. Respondent is under 18 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 item 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:

3. 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.

<input type="checkbox"/> 4. Respondent is <i>Excluded</i> from the following places: <input type="checkbox"/> Petitioner's residence <input type="checkbox"/> Petitioner's workplace <input type="checkbox"/> Petitioner's school <input type="checkbox"/> Petitioner's day care <input type="checkbox"/> Other:
<input type="checkbox"/> 5. Respondent is <i>Prohibited</i> from knowingly coming within, or knowingly remaining within _____ (distance) of: <input type="checkbox"/> Petitioner's residence <input type="checkbox"/> Petitioner's workplace <input type="checkbox"/> Petitioner's school <input type="checkbox"/> Petitioner's day care <input type="checkbox"/> Other:
<input type="checkbox"/> 6. Other: <hr/> <hr/>

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 _____ <input type="checkbox"/> County Sheriff's Office <input type="checkbox"/> Tulalip Police Department <input type="checkbox"/> Police Department <i>Where Petitioner Lives</i> which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.
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Service
<input type="checkbox"/> The clerk of the court shall also forward a copy of the summons, petition, and order on or before the next judicial day to _____ <input type="checkbox"/> County Sheriff's Office <input type="checkbox"/> Tulalip Police Department <input type="checkbox"/> 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.
<input type="checkbox"/> The clerk of the court shall also forward a copy of the summons, petition and order on or before the next judicial day to _____ <input type="checkbox"/> County Sheriff's Office <input type="checkbox"/> Tulalip Police Department <input type="checkbox"/> Police Department Where Respondent Lives for service of the summons, petition and order upon _____
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 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.

This "**Temporary Order for Protection**" is effective until the next "Hearing" DATE shown below the caption on page 1.

Harassment protection orders issued by the Tulalip Tribal Court will be enforceable throughout the State of Washington pursuant to RCW 13.34.240, if pertaining to a child under 18, or Washington Civil Rule 82.S(c), provided it does not violate policy.

To ensure that harassment protection orders issued by the Tulalip Tribal Court are enforced outside of the boundaries of the Reservation, harassment protection orders issued in the courts of the State of Washington will be enforced within the boundaries of the Tulalip Reservation.

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

Hon. Judge

Presented by:

Signature of Petitioner

Signature of Person Filing on Behalf of the Petitioner

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