



Fort McDowell Yavapai Nation Tribal Court

10755 N. Fort McDowell Rd, Suite 1, Fort McDowell, AZ. 85264 (480) 789-7604 Fax (480) 789-7605

Plaintiff's Guide Sheet for Protective Orders – Please Read Carefully

The following information is provided to further explain the protective order process. It is recommended but not required that the Plaintiff carry a copy of the protective order at all times.

1. You can request one of the following types of protective orders:

Order of Protection: An Order of Protection is used for a “family” relationship between you and the Defendant. This can include any of the following: 1) married now or in the past, 2) live together now or lived together in the past, 3) parent of a child in common, 4) one of you is pregnant by the other, 5) you are a relative (parent, child, in law, brother, sister, or grandparent, grandchild, step parent, child, grandparent or 6) current or previous romantic or sexual or 7) dating relationship. You must state when an act of domestic violence was threatened or committed against you within the last year. Children may be included on the order if there have been crimes committed against them. Pets may also be included on the order on Line 9 of the Petition. Orders of Protection are meant to protect you. They are not for child support or custody issues. You may also ask for exclusive use of the home you are living in when you share the home with the Defendant even when it is the Defendant’s home. Parent/Guardian may file on behalf of minor child.

Injunction Against Harassment: The Defendant has committed a series of acts (more than one) of harassment for no legitimate purpose other than to cause you serious alarm.

2. **One Defendant.** Each Petition must list only one Defendant.

3. **Service and Effect.** Protective Orders and Injunctions, Petitions, and supporting documentation must be served upon the Defendant. Once served it is enforceable by law enforcement in any state or tribal nation in the United States. there is no fee for Orders of Protection or Injunctions Against Harassment. Both orders are effective for one year from the date of service. The Court will instruct you as to how serve can be made.

4. **Protective Order Hearings:** Once served, the Defendant may request a hearing if he or she disagrees with the Order. If you do not appear for the hearing, the Order will be dismissed. You must notify the Court of any change in your contact information to assure you are notified of any hearing dates and times.

5. **Modifying or Dismissing the Protective Order.** Only the judge can modify or dismiss this protective order. If you File an additional action for maternity, paternity, annulment, legal separation or dissolution against the Defendant Advise the Court at once. Nothing you do can stop, change, or undo the protective order without Court’s approval.

6. **Plaintiff Contact:** Even if you initiate contact with the Defendant, the Defendant can be arrested for violating the protective order once it is issued and served. If the Defendant does not want you to contact him or her, he or she has a right to request a protective order against you. However, orders are not automatically granted upon request. Legal requirements must still be met.

7. **Law Enforcement Standby:** If you or the Defendant needs to get personal belongings from the other, you may ask that law enforcement be ordered to “standby” from the judge. “Standby” allows you or the Defendant to return once briefly with a law enforcement officer to obtain necessary personal belongings from the residence.

8. **Firearms:** You may request that the judge order the Defendant not possess firearms or ammunition.

9. **Counseling:** The Defendant can be ordered into counseling once he is served and had notice of or appears at a hearing.

10. **Confidentiality:** To comply with Federal law, no identifying information about you will be published in Court’s website.



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Case No _____

PRINT ALL INFORMATION ON THIS FORM AND ON THE PETITION.

Your Name

Your Address

Date of Birth

City, State, Zip

Day Time Telephone Number

Your Email Address (if available)

You may ask the Court to keep your address confidential if the defendant does not know where you live or work.

Please check the items you don't want to appear on the Petition or Order which will be served upon the Defendant.

Restrict: home address work address other address school address email

Your relationship to the Defendant is: (choose only the FIRST category that applies to your relationship.)

- Married now or in the past
- Live together now or lived together in the past
- Parent of a child in common
- One party is pregnant by the other
- Relative (parent, in law, brother, sister, grandparents etc.)
- Romantic or sexual relationship (current or previous)
- Dating but not a romantic or sexual relationship
- Other _____

DEFENDANT IDENTIFIERS

Defendant Name

Defendant Address

City, State, Zip

Defendant's Phone, Email address

5. The following persons should also be on this Order. As stated in number 4, the Defendant is a danger to them:

_____(/ /); _____(/ /);
Birth Date
_____(/ /); _____(/ /);

6. Defendant should be ordered to stay away from these locations, at all times even when I am not present.

- Home _____
- Work _____
- School _____
- Other: _____

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

8. If checked, order the Defendant to participate in domestic violence counseling or other counseling. This can be ordered only after a hearing of which Defendant had notice and an opportunity to participate.

9. Other: _____

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

Plaintiff

Attest: _____
Judge/Clerk/Notary

Date