



## **INSTRUCTIONS FOR COMPLETING A "PETITION FOR A PERSONAL PROTECTION ORDER"**

A Personal Protection Order (PPO) is intended to ensure the safety and protection of all persons who are experiencing violence, threats of violence, stalking, harassment, or sexual abuse from or by another person.

**To request a PPO from the Tribal Court, you must complete a Petition for Personal Protection Order.**

By filling out a Petition for Personal Protection Order, you (the "petitioner") are asking the Tribal Court to issue an order prohibiting the other person (the "respondent") from doing certain things, such as making any contact with you and your child, coming near your personal residence or workplace, contacting you through third parties, making threats or harming you in any way, or causing damage to your property. If a protection order is issued and later violated by the respondent, he/she may be subject to arrest and other sanctions, including imprisonment.

**Pursuant to Tribal Code Chapter 34 - a protection order may only be issued if certain requirements are met.**

To be entitled to a protection order you must show the Court that you have experienced an intentional pattern of conduct (two or more instances) by the respondent that made you feel terrorized, frightened, intimidated, threatened, harassed, abused in any way or molested. You must also show that you have communicated to this person that you want their contact to stop.

To meet this standard, you will want to inform the Court of every instance of threatening or frightening behavior committed by the respondent, including non-physical acts that caused fear. Be as specific as possible, and include not only the most recent incident(s), but every incident that may have occurred in the past where you felt threatened or have been hurt.

Examples of unconsented contact may include such behaviors as following you, approaching or confronting you in public, appearing at your home or workplace, calling you repeatedly, sending you emails or letters, or delivering items to your home or workplace.

**If you are in immediate danger, you should ask the judge for an "ex-parte" order, which means the personal protection order, could be issued without waiting for a hearing.**

## Completing the Petition for Personal Protection Order

The Petition for a Personal Protection Order must be completed in full before it can be filed. Please read the instructions below and fill in the information on the form as accurately and thoroughly as possible.

1. Write **your** name, address, and telephone number in the “petitioner” box. If you are under 18 years of age, write in your age. Write the name, address, and telephone number of the person you want restrained in the “respondent” box; if he or she is under 18 years of age, write his/her age. **If you want your address and telephone number to be kept from the respondent, do not write down your address/contact information. Ask the clerk for a separate confidential address form.**
2. Enter the respondent’s personal identifying information. List as much information as you can that would help describe who the respondent is and what he looks like.
3. Indicate whether the respondent is an American Indian and his/her Tribal affiliation, if known.
4. Indicate whether or not there are any pending court cases between you and the respondent. If there are, please fill in the case number, the name of the tribe, the court, the county, the state where the action was filed, and the judge.
5. Answer questions #1 -#4 and check the appropriate boxes.
6. **Paragraph #5 -explain as thoroughly and in as much detail as possible** why you are asking for a personal protection order. Describe what has happened so the judge has enough facts to decide if a protection order should be issued. Describe any and all separate instances of abuse, threats, or any other acts that caused you to feel terrorized, frightened, intimidated, threatened, harassed, assaulted, sexually abused or molested. Include dates and places. Try to be specific. Use a separate sheet of paper and attach it to this form if necessary to complete what you want to tell the Judge.
7. **Paragraph #6 -check each box that you feel you need protection from.** You must be able to tell the judge why you need the protection you are requesting at the time of hearing.
8. **Paragraph #7 -check the box requesting an “ex-parte order”** if you believe the respondent might hurt you between now and the time a hearing may be granted, or if you believe that the respondent might hurt you when he/she is given notice of a scheduled hearing. An “ex-parte order” means you do not have to let the other party know in advance that you are asking the court for an order and you do not have to wait for a court hearing to get an order.  
**\*Note that if you are granted the ex-parte personal protection order, a hearing must be held within 14 days from the granting of the order. You and the respondent will need to be present at this hearing. A court officer will also be present. If you request an ex-parte order and the judge denies it, you may request to still proceed with the Petition and request a hearing. If you do not check the box for an ex-parte order, you will receive a court hearing before a protection order is granted.**
9. **Paragraph #8 -be sure to check one of the boxes.** \*This asks the Court to set a date for a hearing to consider granting a final protective order and other relief, and to send a summons to the respondent ordering him/her to return to court for that hearing. OR, it asks that the Court not set a date and dismiss the Petition, if denied ex parte.

10. If you are under 18 years old, you can have an adult petition the court for you, but it is not required. Check this box if you are having someone helping you file this form, and have him/her sign the petition.
11. Write in today's date and sign the form. Attach any additional evidence/documentation to the Petition that you would like the Judge to review. Copies of the Petition and all supporting documentation will be provided to the Respondent if the Petition is denied ex parte and is set for hearing.
12. When you have completed the form, provide it to the Court Clerk. He/she will process the Petition and provide a copy to you.
13. The Sault Tribe's Advocacy Resource Center is available to answer questions and to help complete and file the Petition. Their number is 906.632.1808.



## Request for Confidential Filing Address

If you fear that disclosing your address would put you in danger because you are the victim of sexual battery, aggravated child abuse, stalking, aggravated stalking, harassment, aggravated battery, or domestic violence, you should complete this portion of the form.

This form should be typed or printed in blue or black ink. After completing this form, you should file the original with the clerk and keep a copy for you records.

Please print your address below. This information will be kept confidential in the Sault Ste. Marie Chippewa Tribal Court.

### REQUEST FOR CONFIDENTIAL FILING ADDRESS

I, {full legal name} \_\_\_\_\_, request that the Court maintain and hold as confidential, the following address/contact information:

Address:

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone: (area code and number) \_\_\_\_\_

This request is being made for the purpose of keeping the location of my residence unknown for safety reasons

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

### CLERK'S CERTIFICATE AS TO REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, \_\_\_\_\_, as Clerk/Court Administrator of the SSM Chippewa Tribal Court, do hereby certify that I received and filed the above and will keep the above address confidential, subsequent to further order of the Court relative to such confidentiality.

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