



PROTECTION ORDER RESPONDENT PACKET

Use these instructions if you are a Respondent filing a response to a protection order.

IMPORTANT: These instructions apply to Pro Se Parties (Parties without a lawyer) and do not apply to any other courts or any cases other than protection orders.

What to do: When you are served with legal documents you must respond right away. If you fail to respond, the Court may grant the other party's requests. If you are given sufficient notice of a protection order hearing and you do not attend, the petitioner will likely be granted the requested protection order.

Can someone help me complete these forms?

If you do not have an attorney, please contact the Tulalip Office of Civil Legal Aid, Pro Se

Navigator: Office: 6332 31st Ave NE, Suite B Tulalip, WA 98271

Phone: (360) 716- 4514

Email: tward@tulaliptribes-nsn.gov

The pro se navigator may be able to assist you in reviewing and completing the forms, but cannot provide legal advice.

You may also hire a private attorney at your own expense and effort. A list of attorneys licensed to practice law is available on the Tribal Court's website and from the Court Clerk's office.

Please note that Court Clerks are not allowed to give you legal advice and can only provide the forms.

FORMS:

This packet includes the following forms:

- Definitions of terms
 - Nothing needs to be filled out on this form. This is to explain the terms used in the protection order forms.
- Response to petition for protection order
 - Fill out this form as soon as you are served with the petitioner's temporary order or petition for a protection order. In this document you can either agree to the protection order or object to it and provide your side of the story, including any documentation that supports your statement.
- Declaration and proof of weapons to surrender
 - Fill out this form only if the court ordered you to surrender any firearms or weapons in your possession.



- Declaration of no weapons to surrender
 - Fill out this form only if the court ordered you to surrender firearms or weapons but you do not have any such weapons.
- Motion to modify or terminate protection order
 - Fill out this form to request a change to the protection order currently in place or to request that the protection order be terminated.

HOW TO FILE

All responses, pleadings, and motions must be filed **IN PERSON** with the Court Clerk at the Tulalip Tribal Courthouse at 6332 31st Ave. NE Suite B, Tulalip, WA 98217 by 4pm.

PROCESS OF A PROTECTION ORDER

When a protective order petition is filed, there are two steps:

1. Temporary order –if the petitioner meet the requirements for a temporary protection order, the judge will issue a temporary order and schedule a full hearing. The temporary order will remain in place until the full hearing is completed and the court decides if a final protection order should be issued.
 2. Hearing – During the full hearing, a judge may hear testimony from both parties and will look at other evidence to determine whether a final protection order should be issued. A final protection order is effective for at least one year but can be longer depending on the case.
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RESPONSE TO A PETITION FOR A PROTECTIVE ORDER

You should have been provided with a copy of the petition and any temporary orders. **READ THEM CAREFULLY.** You may use the form enclosed with this packet or submit your own written response. These forms were designed to meet the requirements of Tulalip law as of the date they were issued. You are responsible for reviewing the law and any changes that may have been enacted after the version of these forms was adopted.

PROTECTIVE ORDER HEARING

The petitioner must appear at the scheduled hearing, otherwise the judge will dismiss the petition and temporary order if one is currently in place. If the restrained person does not appear, the hearing may be continued if the restrained person was not served, but it may end in a default judgment in which the petitioner is granted what they requested in the petition if you do not appear and the Court finds you were properly served. It is very important that you attend the hearing.



HOW TO FILL OUT FORMS:

Please either type or print clearly on forms to make sure that court officials and law enforcement can read your response or petition.

- **Response to petition for protection order**
 - **Page 1:**
 - Receipt of documents: Check all that apply.
 - Response: Check all that apply. If you do not object to a protection order being in place that is different than what the petitioner has stated in their petition, explain the terms of the order that you would prefer in the space provided.
 - Statement: Present your statement about what happened in the space provided. If you need additional space, you may attach more pages. If you do so, check the box indicating that there are more pages to the document.
 - **Page 2:**
 - If you have evidence that supports your story, attach it and indicate what kinds of documents they are by checking the boxes provided.
 - **Page 3:**
 - Sign and date the response.
 - **Page 4:**
 - Declaration of service: Fill out when you have mailed the petitioner the information.
- **Declaration and proof of weapons to surrender**
 - Fill out this form only if the court ordered you to surrender any firearms or weapons in your possession. You must file this form after you have complied with the order and turned in any weapons you have to law enforcement. You must attach the receipt that the law enforcement agency will provide you with when you surrender your weapons.
 - Sign and date the form.
- **Declaration of no weapons to surrender**
 - Sign and date this form only if the court ordered you to surrender firearms or weapons but you do not have any such weapons.
 - Make sure that you read and understand the restrictions to purchase or receive any firearms or obtain a concealed pistol license until the court allows you to. You can be



found in contempt of court and charged with a crime if you obtain weapons or firearms after signing this form, even if, at the time of signing, you did not possess any weapons or firearms.

- **Motion to modify or terminate protection order**

- Page 1: Fill out requested information with specific details regarding why you want to modify or terminate the protection order. The judge relies on your written statements to understand what has happened in your case and needs details to understand why they should make changes to the order that is in place.
- Page 2: Include any supporting documentation if needed.
- Page 3: Sign and date the petition.
- Page 4: Declaration of service: Fill out when you have mailed the petitioner the information.

- **Motion to reinstate weapons**

- If the Court ordered you to surrender weapons and prohibited you from possessing them, you may request the Court to lift the weapon prohibition and reinstate your firearm rights by filing a motion to reinstate firearm/weapons rights.
- Complete the *Motion and Declaration to Restore Firearms/Weapons Rights (TTC 4.25)*.
- Page 1 – Case Information: Write in the case information – the protected person, the petitioner, and your name, and the case number in the top box.
- Page 1 – Respondent Name and Protective Order issuance date: Write your name after “Comes Now” and the date the Court issued the protective order against you.
- Page 1 - Sign and date the motion and complete the contact information. If your attorney prepared this form, the attorney must sign as well.
- Page 2 – Declaration. Write your name after “Comes Now” and check all the boxes that apply to your situation. You may need to write in the date the protective order against you expired or the date it was terminated. Provide a copy of the order showing the expiration date or terminate date. Write in the date and city and state where you signed the declaration and sign and print your name at the bottom.

END OF INSTRUCTIONS