

\_\_\_\_\_ TRIBAL COURT

_____	)	
	)	
<b>Petitioner</b>	)	
	)	
<b>vs.</b>	)	
	)	
_____	)	<b>Case No.</b>
<b>Respondent.</b>	)	

**EMERGENCY (20-DAY) DOMESTIC VIOLENCE PROTECTIVE ORDER**

On \_\_\_\_\_, the \_\_\_\_\_ Tribal Court held a hearing on the Petitioner’s request for an Emergency domestic violence protective order.

Based on the evidence presented, the Court makes the following findings:

1.  The Petitioner is a member of \_\_\_\_\_ Tribe.  
[or]  
 The Petitioner is not a member of any Alaska Native or American Indian Tribe.
  
2.  The Respondent is a member of \_\_\_\_\_ Tribe.  
[or]  
 The Petitioner is not a member of any Alaska Native or American Indian Tribe.
  
3. The Court has jurisdiction over this matter for the following reasons:  
 Both the Petitioner and the Respondent are members of or eligible to be members of our Tribe.  
[or]

The Petitioner is a member of or eligible for membership in our Tribe. The Respondent is not a member of our Tribe but he/she presents a threat to the health, safety or welfare to the Petitioner and to the community (see below for further description).

[or]

The Petitioner is not a member of our Tribe but has asked the Court to hear this case. The Respondent is a member of a Tribe.

[or]

The Petitioner is not a member of our Tribe but has asked the Court to hear this case. The Respondent is not a member of our Tribe but he/she presents a threat to the health, safety or welfare to the Petitioner and to the community (see below for further description).

*If applicable*, Respondent is not a member of our Tribe but he/she poses the following threat to the community:

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4. The Petitioner and the Respondent have the following relationship:

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5. The Respondent  was  was not notified of this proceeding.

6. The Respondent  did  did not appear.

7. There is credible evidence that the Respondent committed an act of domestic violence against the Petitioner. The evidence of domestic violence includes the following:

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8. The Respondent presents an immediate threat to the health, safety or welfare of the Petitioner for the following reasons:

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For the above reasons, it is necessary to enter an Emergency Domestic Violence Protective Order.

**IT IS HEREBY ORDERED:**

The Respondent shall not threaten to commit or commit domestic violence, stalking or harassment against the Petitioner.

The Respondent shall not communicate directly or indirectly with the Petitioner.

This means no telephone calls, letters, emails, texts, posts, or in-person contact.

Exceptions (if any) : \_\_\_\_\_

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The Respondent shall stay away from the petitioner's home, school, place of employment, children's daycare and any other place frequented by the petitioner or members of the petitioner's household. This includes the following

locations/addresses:

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- The Respondent shall not follow the Petitioner in any type of motorized vehicle.
- The Respondent shall not enter any car, truck, bus, airplane, boat, or other vehicle in the possession of or occupied by the Petitioner.
- The Respondent shall stay \_\_\_\_\_ feet/miles from the Petitioner.
- The Respondent shall stay away from the Petitioner's residence. If this is also Respondent's residence, the Respondent shall move out of the home immediately, under the supervision of \_\_\_\_\_ (local law enforcement/safety officer/public official).
- The Petitioner shall have possession and use of vehicles and other essential personal items, including:

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- The Petitioner is hereby awarded temporary custody of the parties' children:

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

The Court finds that visitation  can  cannot be allowed at this time. Visitation shall be as follows: \_\_\_\_\_

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The Respondent shall pay support to the Petitioner for the care of the minor child/ren in the amount of \$\_\_\_\_\_ per \_\_\_\_\_. The first payment shall be due on \_\_\_\_\_.

(If married) the Respondent shall pay spousal support to the Petitioner in the amount of \$\_\_\_\_\_ per \_\_\_\_\_. The first payment shall be due on \_\_\_\_\_.

The Respondent shall pay medical or other expenses of the Petitioner that resulted from domestic violence committed by the Respondent in the amount of \$\_\_\_\_\_, due on \_\_\_\_\_.

The Respondent shall engage in:  personal or family counseling  substance-abuse counseling or treatment; and/or  a program for the rehabilitation of perpetrators of domestic violence.

The Respondent shall be prohibited from consuming alcohol, illegal drugs, and/or controlled substances that have not been properly prescribed.

Exclusion from the following tribal property:

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A peace officer shall accompany the Petitioner to the Petitioner's residence to obtain:

Possession of the residence;

Custody of the children; and/or

Possession of personal property specified above.

Other Orders:

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**NOTICE**

The Court shall hold a hearing on the Petitioner's request for a Long Term Protective Order hearing on: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. The hearing shall be held at the following location: \_\_\_\_\_ . The Tribal Court can be contacted at the following phone number: (907) \_\_\_\_\_. Please note that any party that wishes to appear telephonically at the hearing must obtain prior permission from the Tribal Court. At this hearing, the Court will hear from all parties present regarding Petitioner's request for a long term protective order. A long term protective order may be in effect for up to one year from the date of the hearing, unless the Court determines that for safety reasons it is necessary for the Petitioner and/or the Tribe to grant the protective order for a longer period.

**THIS EMERGENCY (20-DAY) DOMESTIC VIOLENCE PROTECTIVE ORDER  
SHALL BE IN EFFECT FOR 20 DAYS FROM THE DATE SIGNED BELOW.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Tribal Court Judge