

PETITION FOR PROTECTIVE ORDER	In the Court of the Quapaw Nation			
	Case No.			
	58150 E 66Rd Miami, OK 74354 ; (918) 542-1853			
Petitioner	Additional Petitioner Information			
	Name(s) and age(s) of minor family member(s)			
First Middle Last and/or on behalf of minor family member(s)				
vs.	Defendant Identifiers			
Defendant	SEX	RACE	DOB	HT
	EYES	HAIR	DISTINGUISHING FEATURES	
First Middle Last Relationship to Petitioner:	DRIVER'S LICENSE #		STATE	EXPIRES
Defendant's Address (Street address, City, State, Zip Code)	Other			

(Clerk: File Stamp Below)

Petitioner, being sworn, states as follows:

1. Petitioner's Relationship to the Defendant.

INSTRUCTIONS: Check all boxes that apply to the relationship between Petitioner and Defendant.

- | | |
|--|--|
| <input type="checkbox"/> Married | <input type="checkbox"/> Divorced |
| <input type="checkbox"/> Parent & Child | <input type="checkbox"/> Persons Related by Blood |
| <input type="checkbox"/> Persons Related by Marriage | <input type="checkbox"/> Present Spouse of an Ex-Spouse |
| <input type="checkbox"/> Persons Living Same Household | <input type="checkbox"/> Formerly Living in Same Household |
| <input type="checkbox"/> Biological Parents of Same Child | <input type="checkbox"/> Persons in a Previous Dating Relationship |
| <input type="checkbox"/> Victim of an Act of Sexual Nature | |

2. Statement of Jurisdiction.

INSTRUCTIONS: Check all boxes that apply.

- Petitioner is a resident of or is employed within the Indian country of the Quapaw Nation wherein this Petition is filed.
- Petitioner is a spouse or intimate partner of a member of the Quapaw Nation or an Indian who resides within the Indian country of the Nation wherein this Petition is filed.
- Defendant is a resident of or is employed within the Indian country of the Quapaw Nation wherein this Petition is filed.
- Defendant is a spouse or intimate partner of a member of the Quapaw Nation or an Indian who resides within the Indian country of the Quapaw Tribe of Oklahoma wherein this Petition is filed.

3. Actions of the Defendant.

INSTRUCTIONS: Check and complete one or more of the following. Fill in the blank lines of checked items.

- The Defendant has caused or has attempted to cause Domestic Violence or physical harm to:

Name(s): _____

- The Defendant has threatened imminent physical harm to:

Name(s): _____

According to the Quapaw Code, "Threatening" means words or conduct which place another in fear of bodily harm or property damage.

- The Defendant has harassed:

Name(s): _____

According to the Quapaw Code, "Harassment" is when a person, with the purpose to harass another person makes an electronic communication including, but not limited to, telephone calls, text messages, instant messaging, social media, or email without purpose or legitimate communication or with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to any individual or property; or insults, taunts or challenges another in a manner likely to provoke violence or disorderly response; or makes repeated communications anonymously or at extremely inconvenient hours, or in offensively coarse language; or subjects another to an offensive touching; or engages in any other course of alarming conduct serving no legitimate purpose.

5. Type of Order Requested.

INSTRUCTIONS: Check either A or B.

- A. Petitioner does not request an Emergency Ex Parte Protective Order, but does request the following relief, checked below, after notice and hearing, in a Final Order;

OR

- B. Petitioner does request an Emergency Ex Parte Order because it is necessary to protect the petitioner(s) from immediate and present danger of domestic abuse, stalking, or harassment. Petitioner requests the following relief, checked below, in the Ex Parte Order and, after notice and hearing, requests the same relief in a Final Order.

6. Relief Requested.

INSTRUCTIONS: Check EACH item which you are requesting from the Court.

1. Defendant should be prohibited from attempting or having **ANY CONTACT** whatsoever with the Petitioner, either in person, through others or by telephone, mail, electronic means, or any other manner, at any time or place unless specifically authorized by the Court
2. Defendant should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Petitioner, and from use, attempted use or threatened use of physical force against the Petitioner that would reasonably be expected to cause bodily injury.
3. Defendant should be prohibited from engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury to the Petitioner or the Petitioner's household members or relatives.
4. Defendant should be ordered to leave and remain away from the residence located at _____, on or before the _____ day of _____, 20____, at _____ a.m./p.m., and take no action to change utilities or telephone service.
5. The Court should order He-Tah to accompany the **Defendant** to the above residence to remove necessary clothing and personal effects, and remain in attendance until Defendant leaves the premises, and the Court should further order Defendant NOT to go to the above residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present.
6. The Court should Order Law Enforcement Officers to accompany the **Petitioner** (i.e. provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects, and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:

_____.

- 7. Order Defendant, who is a minor, to leave the residence located at (address, city, state):

by immediately placing Defendant in any type of care authorized for children taken into custody pursuant to the Quapaw Code.

Circle Age of Minor Defendant: 13 14 15 16 17

- 8. There is an existing child visitation order and the Court should suspend or modify child visitation to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody order.
- 9. The Defendant should be ordered to obtain domestic abuse counseling or treatment.
- 10. To protect an animal(s) owned by either of the parties or any child living in the household, the Court should order Defendant to have no contact with said animal(s) and order possession and exclusive care of said animal(s) to the Petitioner.
- 11. Petitioner makes application to monitor the location of the Defendant by computer or cellular inquiry. The Defendant should be ordered to use an active, real-time, twenty-four-hour GPS monitoring device.
- 12. Defendant should immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control and any concealed carry license.
- 13. The Defendant should be ordered to pay the court costs and service of process fees; no fees or costs shall be charged to the petitioner.
- 14. The Defendant should be ordered to pay the Petitioner's attorney's fees in the amount of \$ _____.
- 16. PETITIONER REQUESTS THE COURT TO ORDER THE FOLLOWING ADDITIONAL RELIEF:

7. Warnings to Petitioner.

- (1) Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury. The penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than three (3) years.

- (2) It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties pursuant to the Quapaw Code.

8. Sworn Statement/Affirmation of Truth.

Petitioner, being first duly sworn on oath states: I have read the above and foregoing document, understand the meaning thereof, and declare, under penalty of perjury, that the facts and statements contained herein are true to the best of my knowledge and belief.

PETITIONER

Subscribed and sworn to before me this _____ day of _____, 20 ____.

Deputy Court Clerk, Judge or Notary

Petitioner requests the following law enforcement agencies receive a copy of any Protective Order entered herein:

Name of Agency or Agencies (use additional pages if necessary)

EMERGENCY ORDER OF PROTECTION	In the Court of the Quapaw Nation			
	Case No.			
	58150 E 66Rd Miami, OK 74354 ; (918) 542-1853			
Petitioner	Additional Petitioner Information			
	Name(s) and age(s) of minor family member(s)			
First Middle Last and/or on behalf of minor family member(s)				
vs.	Defendant Identifiers			
Defendant	SEX	RACE	DOB	HT
	EYES	HAIR	DISTINGUISHING FEATURES	
First Middle Last Relationship to Petitioner:	DRIVER'S LICENSE #		STATE	EXPIRES
Defendant's Address (Street address, City, State, Zip Code)	Other			

(Clerk: File Stamp Below)

THE COURT ORDERS AS FOLLOWS:

A. CAUTIONS:

- Weapon Involved—Type: _____
- Weapon Present on Property
- Unknown if Weapon Present

B. THE COURT FINDS AS FOLLOWS:

- (1) That it has jurisdiction over the parties and subject matter.
- (2) That the Defendant has been or will be provided with reasonable notice and opportunity to be heard.

- (3) That an Emergency Ex Parte Order is necessary to protect the Petitioner(s) from immediate and present danger of domestic abuse, stalking, or harassment.
- (4) Additional findings and terms of this Order follow on succeeding pages.

Hearing Ordered: The Court Orders the Defendant and Petitioner to appear before the Court of the Quapaw Tribe on the _____ day of _____, 20____, at _____ a.m./p.m., before Judge _____.

IF DEFENDANT FAILS TO APPEAR AT THE HEARING, THIS ORDER MAY BECOME A FINAL PROTECTIVE ORDER WITHOUT FURTHER NOTICE, AND OTHER RELIEF MAY BE GRANTED.

Validity: This Order shall have validity to the fullest extent of the Court's jurisdiction permitted under law, unless specifically modified or terminated by court with jurisdiction. This Order shall be enforced, even without registration or filing, by any court with jurisdiction, including the courts of the United States, any state, the District of Columbia, any U.S. Territory, or Indian tribe (18 U.S.C. § 2265). Crossing state, territorial or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. § 2262).

Duration: This Emergency Order shall remain in effect until after the full hearing is conducted.

C. RELIEF.

THE COURT FURTHER ORDERS THE FOLLOWING RELIEF (as specifically marked by checked boxes below):

- (1) Defendant is prohibited from attempting or having ANY CONTACT whatsoever with the Petitioner (hereinafter "protected person"), either in person, through others or by telephone, mail, electronic means; or any other manner; at any time or place unless specifically authorized by the Court.
- (2) Defendant is prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking, threatening, or otherwise interfering with the protected person(s), and from use, attempted use or threatened use of physical force against the protected person(s) that would reasonably be expected to cause bodily injury.
- (3) Defendant is prohibited from engaging in other conduct that would place the protected person(s) in reasonable fear of bodily injury to the protected person(s) or the protected person(s) household members or relatives.
- (4) Defendant is ordered to leave and remain away from the residence located at:

on or before the _____ day of _____, 20____, at _____ a.m./p.m., and take no action to change utilities or telephone service.
- (5a) If this Order is served upon Defendant at the residence to be vacated, Law Enforcement Officers shall remain at the residence until Defendant removes necessary clothing and personal effects and leaves the premises.
- (5b) If this Order is served upon Defendant at a location other than the residence to be vacated,

Law Enforcement Officers shall accompany the Defendant to the residence and remain in attendance until Defendant removes necessary clothing and personal effects and leaves the premises. Defendant is ordered NOT to go to the residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present as stated in this paragraph.

- (6) Law Enforcement Officers shall accompany the Petitioner (or provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:

- (7) Defendant who is a minor, is ordered to leave the residence located at (address, city, state) and shall be immediately placed in custody of _____, and a preliminary inquiry in a juvenile proceeding is hereby ordered to determine whether further Court action should be taken against the juvenile defendant.

Circle Age of Minor Defendant: 13 14 15 16 17

- (8) There is an existing visitation order, and in order to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody Order, the Court suspends or modifies child visitation as follows:

a. Visitation is suspended until another Court assumes jurisdiction and modifies.

b. All visitation must be supervised, and in the presence of the following supervisor: _____

c. Pickup/Delivery of children) for visitation shall be by/at:

d. Other;

- (9) Exclusive care and custody of certain animal(s) is awarded to the Petitioner. Defendant is ordered to have no contact with said animal(s) and is forbidden from taking, harming or disposing of said animal(s). The animal(s) subject to this Order are identified as follows:

- (10) Defendant shall immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control, and any concealed carry license, to the Marshal of the Quapaw Nation or a private attorney or to the following: _____.

- (11) IT IS FURTHER ORDERED:

JUDGE OF THE COURT

DATED THIS _____ DAY OF _____, 20____ .