



**LEECH LAKE BAND OF OJIBWE
IN TRIBAL COURT**

190 Sailstar Dr. NW
Cass Lake, MN 56633
218-335-3682/3586

Civil Division

In the Matter of:

Petitioner (first, middle, last)

vs.

Respondent (first, middle, last)

**PETITIONER'S AFFIDAVIT AND PETITION
FOR HARASSMENT/RESTRAINING ORDER**

CASE NO. _____

I understand that I am under oath/affirmation and I must tell the truth. I state that:

1. I am the Petitioner in this case. The victim of the harassment is me a minor child for whom I am the parent, legal guardian or stepparent. (If you are the guardian, attach a copy of the order appointing you.) The name of each victim, other than me, is: _____

How does each victim know the Respondent and what is their relationship? _____

If you are filing on behalf of another person, what is your relationship to each victim? _____

2. a) How many restraining orders have been in effect, ordering Respondent to stay away from the victims you included at #1 above? none one two or more. For each restraining order provide:

Court File Number, if known	County and State, and/or Reservation where the court is located

b) Does Respondent have a current Harassment Restraining Order or Order for Protection against you?

Yes, Case File Number (if known) _____ No, I am not aware of any.

3. The following court cases involve me and the Respondent in issues of child custody or parenting time:

Court File Number, if known	County and State and/or Reservation where the court is located

4. Respondent has harassed the victim(s) as follows:

- Check all boxes that apply and give the date and details of each incident.
- To get a Restraining order, you must describe actions that meet the legal definition of harassment found in the Leech Lake Band of Ojibwe Judicial Code: Title XX: Civil Harassment and Stalking. See section 104 for the definition of harassment.
- One incident of physical or sexual assault can meet the definition of harassment. For any other act, there must be more than one incident.
- If you need more space, attach a full sheet of paper and continue your description there. Do not write on the back.

Respondent physically or sexually assaulted the victim as follows: _____

Respondent has followed, pursued or stalked the victim as follows: _____

Respondent made uninvited visits to the victim as follows: _____

Respondent made harassing phone calls to the victim as follows: _____

Respondent made threats to the victim as follows: _____

Respondent frightened the victim with threatening behavior as follows: _____

Respondent broke into and entered the victim's residence as follows: _____

Respondent damaged the victim's property as follows: _____

Respondent stole property from the victim as follows: _____

Respondent took pictures of the victim without permission as follows: _____

More than once, Respondent has done acts that meet the legal definition of “targeted residential picketing” by: _____

I told Respondent not to come to certain public events that I or the children attend because: _____

After that, Respondent attended public events I/we attended: (List dates, places and name of events)

These acts by Respondent show a pattern of attending public events while knowing that attending is harassing to me/children.

Other: _____

5. Describe the effect the harassment has upon the victim’s safety, security or privacy:

6. Do you believe the harassment will continue? Why?

7. I ask the Court to issue a Restraining Order as follows: *Check all boxes (a through e) that apply.*

a. Respondent shall not harass me minor child(ren) for whom I am the parent, legal guardian, or stepparent. List the full names of the minor children included in this

Petition: _____

b. Respondent shall have no contact with me the minor child(ren) listed above.

c. Respondent shall stay away from where I/we live (address) _____

d. Respondent shall stay away from my/the victim's job site located at _____

e. Other: _____

8. Court Hearing

Petitioner: Read these Notices about a Hearing

- You have a right to request a court hearing.
- If the Judge dismisses your case because it has no merit, no hearing will be held.
- The Judge can issue a Restraining Order without a court hearing if the Judge finds there is immediate and present danger of harassment.
- If the Judge issues a Restraining Order without a hearing, the Respondent can request a hearing within 30 days of the date the Restraining Order is issued. If Respondent requests a hearing, the court will notify you by mail at least five days before the hearing date.
- If there is a hearing, you must attend the hearing and prove that the statements in your Petition & Affidavit are true, and that Respondent's actions are harassment, as defined by the Leech Lake Band of Ojibwe Judicial Code: Title XX: Civil Harassment & Stalking Code.

Choose a. or b.

a. I am not requesting a court hearing at this time.

But if the court denies my request for a restraining order because the court finds there is no immediate and present danger of harassment, then (check one)

I want I don't want a court hearing.

OR

b. I am requesting a court hearing.

9. I request a Restraining Order for a length of:

2 years

Until the following date: _____, which is less than 2 years from today.

Up to 50 years because:

I have two or more prior restraining orders against Respondent (listed at #2 above.)

Respondent has violated a prior or existing restraining order between us on two or more occasions.

I understand the court will likely schedule a court hearing for any request over 2 years.

Dated: _____

Signature (sign only in front of notary public or court administrator.)

Name _____

Address _____

City/State/Zip _____

Telephone (_____) _____

Notice: If your address or telephone changes, you must give Court Administration your new information right away, in writing.

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

Notary Public \ Tribal Court Administrator

Law Enforcement Information Sheet
HARASSMENT/RESTRAINING ORDERS

**Instructions to Petitioner:
IMPORTANT! Please read carefully!**

The Leech Lake Tribal Police Department or the Sheriff will serve your Harassment/Restraining Order on the Respondent. The Respondent will not know about this Order and any hearing cannot be held without locating and giving these papers to Respondent, so it is important to give law enforcement information that will help locate Respondent and avoid delay.

You are **NOT** required to give all the information requested on this information sheet. If you do not give this information, it may be more difficult to locate the Respondent and it could make service more dangerous or difficult.

This information is confidential. You may call the Leech Lake Police Department to find out if your papers have been served.

Instructions to Court Administrator and Law Enforcement:

Do NOT serve or show this sheet to the restrained person!
Do NOT FILE in the court file. Give this form to law enforcement.

Court: Leech Lake Tribal Court
190 Sailstar Dr. NW
Cass Lake, MN 56633
218-335-3682/3586

Case No. _____

Respondent Information (This is the person that you want the court to restrain.)

Full name: _____

Home Address: _____

City State Zip

Phone: (____) _____ Gender: Female Male

Nickname or Alias: _____ Relationship to Protected Person: _____

Directions: _____

Respondent's Physical Description

Birthdate: _____ Race: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____ Glasses: No Yes

Beard: No Yes Moustache: No Yes Picture Attached: No Yes

Tattoos: _____

Scars: _____

Other identifying characteristics: _____

Does Respondent have a valid driver's license? No Yes

Vehicle Description:

Make & Model: _____ Color: _____ Year: _____

License No.: _____ State Name on License Plate: _____

Other Helpful Information:

Does the Respondent have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? No Yes. If yes, describe: _____

Does Respondent have any weapons? No Yes Unknown. If yes, describe weapons and location of weapons if known: _____

Is the Respondent likely to react violently when served? Yes No Unknown