

**BOIS FORTE TRIBAL CIVIL COURT
BOIS FORTE BAND OF CHIPPEWA
MINNESOTA CHIPPEWA TRIBE**

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

Court File Number: _____

IN THE MATTER OF:

Petitioner Full Name:
(First, Middle, Last, Suffix)

vs.

Respondent Full Name:
(First, Middle, Last, Suffix)

The undersigned Petitioner, being sworn on oath, states that:

I am the Petitioner in this action. I am requesting that the Bois Forte Tribal Court issue a Harassment Restraining Order against the Respondent because I, and/or my minor children or a person for whom I am the legal guardian, am/is a victim of harassment.

1. Petitioner Information.

Petitioner Full Name: _____

Petitioner Date of Birth: _____

Petitioner Enrollment Status:

Enrolled -Tribe: _____ Descendant Not Enrolled

Petitioner Address:

Street: _____ Apt: _____

City, State, Zip Code: _____

Mailing Address if different: _____

Email: _____

Petitioner Telephone Number(s): _____

I **am** requesting that my address/email/telephone number(s) be kept confidential, and I am submitting a completed *Confidential Address/Email/Phone Request* form with this Petition.

OR

I am **not** requesting that my address/email/telephone number(s) be kept confidential.

2. Respondent Information.

Respondent Full Name: _____

Respondent Date of Birth: _____

Respondent Enrollment Status:

Enrolled -Tribe: _____

Descendant Not Enrolled Unknown

Respondent Address: --*We need to have an address to serve respondent.*

Street: _____ Apt: _____

City, State, Zip Code: _____

Mailing Address if different: _____

Email: _____

Respondent Telephone Number(s): _____

Is Respondent under the age of 18? Yes (Answer questions below) No- move to next section.

*If Respondent is under 18 years old, service will be made on Respondent **and** Respondent's parent or guardian.*

Respondent's Parent/Guardian Full Name: _____

Parent/Guardian Address: _____

3. Who Needs Protection?

The following individuals are victims of harassment:

- Me (Petitioner)
- My minor children
- A person for whom I am the legal guardian (*attach Guardianship Order*)

For anyone you checked above, other than yourself, please fill out the following:

Full Name(s) (first, middle, last, suffix)	Date of Birth	Tribal Enrollment	Lives with you?	How is this person related to you?	How is this person related to Respondent?
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

How does the Petitioner know the Respondent? *(check all boxes that apply):*

- Married. Marriage date: _____
- Divorced. Marriage date: _____ Divorce date: _____
- Currently living together since (date): _____
- Used to lived together from _____ to _____
- Have a child(ren) together
- Have an unborn child together
- Related by blood
- Significant romantic or sexual relationship. *(if checked, answer items below):*
The relationship lasted from? (date): _____
How often did you have contact with Respondent during that time? _____

4. Acts of Harassment:

Pursuant to the Bois Forte Tribal Code, “harassment” means repeated, intrusive, or unwanted acts, words, gestures, or other communications that are intended to adversely affect the safety, security, or privacy of another, regardless of the relationship between the actor and the victim. *See Bois Forte Tribal Code, Section 608.01.*

Describe the harassing act(s) that the Respondent is or has committed against the victim(s). **For each harassing act, please include the date or date range of the incident.** Check all that apply and describe in detail.

Respondent has made uninvited visits to the victim as follows:

Respondent has made harassing phone calls and/or messages to the victim as follows

Respondent has followed, monitored, or pursued the victim as follows:

Respondent has made threats to or frightened the victim as follows:

Respondent has displayed assaultive behavior to the victim as follows:

Respondent has called the victim abusive names as follows:

Respondent has damaged victim's property as follows:

Respondent has broken into and entered the victim's residence as follows:

Respondent has stolen property from the victim as follows:

Respondent has taken pictures of the victim without permission as follows:

Respondent has used social media to harass the victim as follows:

Other: Please List

How has the harassment affected the victim's safety, security, or privacy?

Do you believe the harassment will continue? Yes (*Describe why below*) No

I have attached to this petition the following supporting documents: Please list and describe:

I have not attached any further supporting documents.

5. Request for Relief

Based on this Affidavit and Petition, I request the following relief: (*Check all that apply*):

I request that the Court issue an *Ex Parte* Temporary Harassment Restraining Order ("Exparte HRO").

1. I understand that a Ex Parte HRO is a temporary order that is issued prior to the Respondent being served this Petition and prior to the Court holding a hearing and will expire in 30 days.
2. I understand that the Court may grant a Ex Parte HRO if, based on the information I have provided in this Petition, the Court finds that there is an *immediate and present danger of harassment*.
3. I understand that a Ex Parte HRO is temporary and will be valid only until a hearing is held, at which time the parties will present evidence to the Court and the Court will decide whether or not to grant a Harassment Restraining Order.
4. I understand that if the Court does not find there is an immediate and present danger of harassment and does not grant a Ex Parte HRO, then I will still be required to appear at the hearing in order to further request the Court to grant a Harassment Restraining Order.

I request that the Court order the Respondent not to harass Petitioner and/or Petitioner's minor child(ren) or ward(s).

I request that the Court order the Respondent to have no contact with Petitioner and/or Petitioner's minor child(ren) or ward(s).

I request that the Court issue a Harassment Restraining Order at the hearing.

I declare under penalty of perjury that the information provided in this document and any attached information is true to the best of my knowledge, information, and belief.

Date: _____

Signature of Petitioner

Print Name: _____