

**CONFIDENTIAL DOMESTIC ABUSE PETITIONER/FAMILY VIOLENCE VICTIM DATA**

**The information on this page is confidential and will NOT be released to the Respondent. If the Court needs to contact you, we will use this information to do so. By law, a Petitioner is not required to provide their address or the physical location of their residence except directly to the Judge, in chambers (not recorded), if necessary for the Court to establish jurisdiction. If you do not provide any contact information the Court will not be able to contact you.**

**PETITIONER'S INFORMATION ("Petitioner" is the person you are asking the Court to protect):**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Parent/Guardian/Custodian/Representative of Petitioner: \_\_\_\_\_

Phone number(s) where you can be safely contacted about this Petition:

\_\_\_\_\_ Personal Cell Home phone Message only Work Phone

Is it safe to leave you a voice mail or text at this number? Yes No

\_\_\_\_\_ Personal Cell Home phone Message only Work Phone

Is it safe to leave you a voice mail at this number? Yes No

Optional. Mailing Address: \_\_\_\_\_

Optional. Physical residence: \_\_\_\_\_

Optional. Temporary residence: \_\_\_\_\_

Optional. Safe Personal Email address where the Court can send Petitioner(s) information/documents: \_\_\_\_\_

**Person who filed Petition on behalf of Petitioner(s): \*Only complete if it applies to your situation.**

Name: \_\_\_\_\_ Relationship to Petitioner(s): \_\_\_\_\_

Phone number: \_\_\_\_\_ Cell Home phone Message only Work Phone

Is it safe to leave a voice mail or text at this number? Yes No.

Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

----- Notice to Clerk: Fold here prior to making photocopies-----

**Child Victim Information \*Only complete if it applies to your situation**

List children identified in the Petition who had involvement/exposure to the domestic abuse.

Child's Name	DOB	Parents/Legal Guardians of Child

Who currently has physical custody of these children? \_\_\_\_\_

Residence or temporary location of the children: \_\_\_\_\_

Are the children safe in their current custody/location?  Yes  No  I don't know.

Was the involvement/exposure of the children to the domestic abuse reported to law enforcement and/or a child welfare agency (i.e., Navajo Nation Department of Family Services)?

No.  Yes. Reported to: \_\_\_\_\_ Date: \_\_\_\_\_

*Notice: Child victim information may be disclosed to Navajo Nation Department of Family Services and/or law enforcement if required pursuant to 9 N.N.C. §1117.*

This is not an application for an Emergency Protection Order.

IN THE FAMILY COURT OF THE NAVAJO NATION

JUDICIAL DISTRICT OF \_\_\_\_\_, NAVAJO NATION

DOCKET NO: \_\_\_\_\_

PRO SE PETITION FOR DOMESTIC ABUSE PROTECTION ORDER AND MOTION FOR (EX-PARTE) TEMPORARY PROTECTION ORDER

Who are you asking the Court to protect with a Protection Order? This is the "Petitioner." If minor children need to be protected, list only their initials and ages on this page.

PETITIONER(S): \_\_\_\_\_

Fill out the Confidential Domestic Abuse Petitioner/Family Violence Victim Data form (page 1) about this person, and any children involved. If you are asking for protection of more than one adult person, fill out a separate page 1 for each adult. The Confidential Domestic Abuse/Family Violence Victim Data form (page 1) will not be provided to the Respondent.

City, town, or Navajo Nation Chapter where Petitioner(s) live(s): \_\_\_\_\_

Does (a) Petitioner speak Navajo? [ ] Yes (bilingual) [ ] Yes (Navajo only) [ ] No.

Does (a) Petitioner want to appear by telephone for the hearing? [ ] No. [ ] Yes (for safety) [ ] Yes (other reason): \_\_\_\_\_

Who does the Petitioner need to be protected against? This is the "Respondent."

RESPONDENT: \_\_\_\_\_

What is the Respondent's relationship to the Petitioner(s)? \_\_\_\_\_ (Spouse, girlfriend, child, in-law, neighbor, clan relative, schoolmate, etc.)

RESPONDENT'S IDENTIFYING INFORMATION Provide all the information you can.

Table with 5 columns: SEX, RACE, DOB, Height, Weight; EYES, HAIR, INDIAN CENSUS #; DRIVERS LICENSE #, STATE, EXP DATE.

Is Respondent Currently in jail/prison? [ ] No [ ] Yes. Location: \_\_\_\_\_

Expected release date/time: \_\_\_\_\_

*This is not an application for an Emergency Protection Order.*

**RESPONDENT'S CONTACT INFORMATION**

Phone number: \_\_\_\_\_  Personal Cell  Home  Message only  Work

Employer/Physical address of work site: \_\_\_\_\_

Work Hours: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Same as Petitioner?  No  Yes

Physical Residence/Address: \_\_\_\_\_

GPS Coordinates of residence: \_\_\_\_\_

Same residence as Petitioner?  No  Yes.

If yes, has Respondent gone to stay elsewhere?  No  Yes.

Physical location of Temporary Residence: \_\_\_\_\_

Description of House: \_\_\_\_\_

*Please draw a map to Respondent's residence and/or current temporary residence.*

North



*This is not an application for an Emergency Protection Order.*

Do you need a Temporary Protection Order right away, before the Respondent finds out about this Petition and before the hearing?  Yes.  No.

When was the most recent abuse by the Respondent? Date: \_\_\_\_\_ Time: \_\_\_\_\_

Where did this abuse happen? \_\_\_\_\_

Did the Respondent physically or emotionally injure the petitioner(s) or another victim, or damage property?  Yes.  No.

What do you think will happen if the Respondent finds out about this Petition before the Court issues a Protection Order?

\_\_\_\_\_  
\_\_\_\_\_

*The Judge will look at all the information provided with this Petition and decide whether an emergency exists which requires issuing a Temporary Protection Order before notice to the Respondent and a hearing. Based on the Judge's decision, the Court will issue either a Temporary Protection Order, or an Order denying a Temporary Protection Order. **Either way, a hearing will be set within fifteen (15) days.***

**Describe the Domestic Abuse.** What has the Respondent done that is domestic abuse? Check all that apply and give a short description. Include as much information as you can.:

Physical abuse: \_\_\_\_\_  
*Hurting a person's body or unwanted touching.*

Threatening: \_\_\_\_\_  
*Words or actions that made someone afraid a person would be harmed or property would be damaged.*

Coercion: \_\_\_\_\_  
*Using force or threats to get someone to do something they do not want to do, or to not do something they have a right to do.*

Confinement: \_\_\_\_\_  
*Make a person go where the person does not want to go or to stay where the person does not want to stay.*

Property damage: \_\_\_\_\_  
*Break, destroy, or cause harm to things or animals that belong to someone, including shared property.*

Emotional abuse: \_\_\_\_\_  
*Using harmful or unkind words or actions to cause emotional pain, fear, shame, or other bad feelings.*

This is not an application for an Emergency Protection Order.

Harassment: \_\_\_\_\_  
*Doing things to upset others like coming around where not wanted, bothering others with unwanted or unkind phone calls, texts, or online contact, unwelcome sexual talk; causing problems for you with others, etc.*

Sexual abuse: \_\_\_\_\_  
*Physical contact, or attempted physical contact, of a sexual nature with a minor child, or with an adult who did not consent.*

Other Unlawful Conduct: \_\_\_\_\_  
*Anything else Respondent did that is an offense or a tort under Navajo Nation law.*

When any of the abuse happened, was the Respondent drinking or using illegal drugs?  
 No       Yes       I don't know.

Did the Respondent use or possess weapons of any kind during the abuse?  
 No.    Yes.    I don't know.  
If yes, describe the weapon(s) (*knife, axe, stick, shotgun, rifle, make/model, serial number, etc.*):  
\_\_\_\_\_  
\_\_\_\_\_

Have the Navajo Nation Police taken the weapons from the Respondent?  
 No.    Yes.    I don't know.

Do you have any documents, such as a victim or witness statement, affidavit, police report, etc. which you can provide to the Court about the abuse?    No       Yes

*If yes, file the documents with the Petition if you want the Judge to look at them before deciding whether an emergency exists that requires issuing a Temporary Protection Order before notice to the Respondent and a hearing. Copies of any documents you file will be given to the Respondent.*

Are there other court cases or court orders involving both the Petitioner(s) and the Respondent related to the abuse or to the relief you are asking for?    Yes.       No.

*If yes, please give information on the case(s) and/or court order(s). A protection order will not be denied because there are other court cases and/or orders involving Petitioner(s) and Respondent.*

Court: \_\_\_\_\_  
 Navajo Nation     Federal     State/County     Other tribe

Date: \_\_\_\_\_ Order(s) that were issued: \_\_\_\_\_

**What relief do you want the Court to include in the Protection Order? Check all that apply:**

- No Further Abuse.** Order Respondent not to threaten, harass, or harm Petitioner(s), or commit any more acts of domestic abuse against Petitioner(s).
  
  - Possession of Residence.** Order Respondent to leave the home and grant Petitioner(s) **temporary** exclusive possession of the shared home even if Respondent owns the house/homesite/lease. **Temporary possession does not change ownership of the home.**
  
  - Stay Away.** Order Respondent to:
    - Stay away from Petitioner(s).
    - Not enter or hang around outside the following locations:
      - Petitioner's home or home where a Petitioner is temporarily staying;
      - Petitioner's place of work, and/or school:  
Specific Locations: \_\_\_\_\_
      - Any of Petitioner's family or clan member's residence(s), place(s) of work, or school.  
Specific locations: \_\_\_\_\_
    - Leave and remain away from another area described as:  
\_\_\_\_\_
- 
- No Contact.** Order Respondent not to contact Petitioner(s) in person, in writing, by phone, by text, online (social media, etc.), or through others as long as the order is in effect.
- 
- Rent/Mortgage Payments.** Order Respondent to **temporarily** pay rent or mortgage on a home Petitioner lives in, which Respondent is obligated to pay for.  
*Attach to Petition or bring to hearing a copy of any lease or mortgage document showing Respondent is responsible for paying rent or mortgage.*
- 
- Alternative Housing.** Order Respondent to pay for **temporary** housing/shelter for Petitioner because Petitioner(s) cannot remain in the home due to the danger of domestic abuse.  
*Bring to the hearing receipts, lease, etc. Do not attach to the Petition.*
- 
- Child Custody.** Order that Petitioner(s) be awarded immediate **temporary** custody of the identified minor child(ren) in need of protection until further order of the Court.
  - There has never been a court order about legal custody and/or paternity of the children.  
*Attach to the Petition or bring to the hearing any documents you have that show Petitioner(s) is the parent of the child(ren) and/or has custody of the child(ren), such as Birth Certificates, proof of child support, affidavits, etc.*
  - There is a Court order for custody or guardianship of the child(ren).  
*Attach a copy of the Order to the Petition or bring a copy to the hearing, if you have it.*

Court: \_\_\_\_\_ Date of most recent Order: \_\_\_\_\_

This is not an application for an Emergency Protection Order.

**Visitation.** After a Hearing, issue an order for visitation with the minor child(ren) that will protect the Petitioner(s) and/or the children against further abuse by Respondent.  
*Attach to the Petition or bring to the hearing any existing visitation orders or agreements.*

**Child Support/Payment of Support.** After a Hearing, order Respondent to pay **temporary** child support for the minor child(ren). Petitioner's gross monthly income is \$\_\_\_\_\_;  
Respondent's gross monthly income is \$\_\_\_\_\_.  
*Attach to the Petition or bring to the hearing any prior child support orders/agreements.  
Bring to hearing any proof of income (recent pay stubs, tax returns, etc.).*

**Monetary Compensation:** Order Respondent to pay Petitioner(s) for the following expenses caused as **a direct result** of the Respondent's acts of abuse:

Medical expenses, including mental health or traditional healing: \$\_\_\_\_\_

Lost earnings or other income: \$\_\_\_\_\_

Cost of repair or replacement of property \$\_\_\_\_\_

Moving or other travel expenses: \$\_\_\_\_\_

Attorney's fees: \$\_\_\_\_\_

Other: \_\_\_\_\_ \$\_\_\_\_\_

*Bring to the hearing documents such as receipts, invoices, itemized lists, & estimates.*

**Possession of Personal Property:** Order Respondent to immediately return the following items of personal property or pets to the **temporary** possession of Petitioner(s):  Itemized list attached; or:

\_\_\_\_\_  
*Temporary possession does not change ownership of personal property.*

**Non-Disposition of Property.** Order Respondent **temporarily** not to transfer, remove, restrict, or otherwise remove (sell, pawn, hide, destroy, damage, consent to repossession, fail to make payments, etc.) the following property owned by both Respondent and Petitioner:  Itemized list attached;  
or: \_\_\_\_\_

**Counseling.** Order Respondent to attend counseling for issues related to the domestic abuse, including joint counseling if a Petitioner agrees to participate.

**Substance Abuse Treatment.** Order Respondent to obtain substance abuse treatment.

**Payment of costs of counseling.** Order Respondent to pay the cost of any counseling/treatment for Respondent or Petitioner(s) related to the domestic abuse.

This is not an application for an Emergency Protection Order.

- Law Enforcement Supervision of Return to Residence.** Order a police officer to go with the Petitioner(s) to the home shared with the Respondent to:
  - Take physical custody of the minor child(ren).
  - Get personal property/belongings.
  - Make Respondent leave the home and return keys.
- Security or Bond:** Order the Respondent to post a bond, deposit money with the Court, or pledge property as security to ensure the Respondent obeys the Protection Order.
- Confidentiality.** Keep Petitioner’s home address and physical location confidential (*do not give them to Respondent*) in any court cases involving both Petitioner(s) and Respondent.
- Victims’ Rights.** Enforce Petitioner’s rights as a victim of family violence if Respondent is charged with any criminal offenses under the Navajo Nation Violence Against Families Act where Petitioner(s) or children in Petitioner’s legal custody are named as victims.
- Other relief,** as follows: \_\_\_\_\_

**Referral to Peacemaking Program.** *The Peacemaking Program is separate from the Family Court. It uses traditional Diné methods to resolve conflicts. The parties, their families, and other interested persons can participate. Either party can ask at any time to stop the Peacemaking process and return the case to the Family Court for a hearing.*

Do you want this case sent to Peacemaking?    Yes.                       No.

**VERIFICATION OF PETITION**

I, (*print name*) \_\_\_\_\_ am the Petitioner or person filing on behalf of the Petitioner(s). I have read the petition, and verify by my witnessed signature that everything in the petition and documents filed with this Petition is to my knowledge and belief true and correct. I understand that if I intentionally or knowingly make a false statement in a petition I may be prosecuted for criminal contempt of court or other offenses under Navajo Nation or Federal law.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Witnessed by: \_\_\_\_\_  
Navajo Bar Member or Court Clerk

\_\_\_\_\_  
Date

OR: Notary stamp: