



**YUROK
TRIBAL COURT**

**Notice of Hearing and
Temporary Restraining Order**

Form YTC – CH – 120

Clerk stamps date here when form is filed

(1) Name of person asking for protection:

Address: *(You may skip this if you have a lawyer or advocate. If you want your address to be private, give a mailing address instead):*

City: _____ State: _____ Zip: _____

Your telephone number *(optional)*: (____) _____

Your lawyer or advocate *(if you have one)*: *(Name, address, telephone number, and State Bar number)*:

Are you an enrolled member of a federally recognized Tribe?

Yes No If yes, which Tribe? *(Specify)*: _____

(2) Name of person to be restrained:

Description of the person: Sex: M F Weight: _____

Height: _____ Race: _____ Hair Color: _____

Eye Color: _____ Age: _____ Date of Birth: _____

Home Address *(if you know)*: _____

City: _____ State: _____ Zip: _____

Work Address *(if you know)*: _____

City: _____ State: _____ Zip: _____

Are they an enrolled member of a federally recognized Tribe? Yes No I don't know

If yes, which Tribe? *(Specify)*: _____

(3) **Notice of Hearing:**

(a) To the person in Item (2):

A hearing is scheduled at the time and place below on the Request for Orders to Stop Civil Harassment (attached), **WHICH MAY BE IN FORCE FOR UP TO 3 YEARS** against you to stop harassment.

On *(date)*: _____ at *(time)*: _____ a.m. p.m.

at the Yurok tribal Court, held at the Yurok Tribal Office at 190 Klamath Boulevard, Klamath, CA, 95548. *If you do not want the Court to make orders against you, file Form YTC-CH- 110 (Answer to Request for Orders to Stop Civil Harassment) and go to the Hearing and tell the Court why you disagree. You may bring witnesses and other evidence. If you do not go to this hearing, the Court may make restraining orders against you that could last up to 3 years.*

(b) To the person in Item (1):

If you fail to appear the Court may dismiss your request for orders to Stop Civil Harassment. Your temporary Restraining order – Civil harassment will expire at the time of the hearing unless extended by the Court and/or unless the Court makes Orders after Hearing.

**Yurok Tribal Court
Yurok Indian Reservation
190 Klamath Blvd.
P.O. Box 1027
Klamath, CA 95548**

Case Number:

This is a Court Order



Case Number: _____

Person Asking For Protection: _____

YOU MUST OBEY THE FOLLOWING ORDERS

(4) This is a Court Order

The Court (check a or b):

- a. Has scheduled the hearing stated in (3). No orders are issued against you at this time.
- b. Has scheduled the hearing stated in (3) and has issued the temporary orders against you specified on page 2.

If you do not obey these orders, you can be arrested and charged with a crime in state court or suffer severe consequences under the laws of the Yurok Tribe.

(5) Personal Conduct Orders

You must **not** do the following things to the people listed in (1) and (10):

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (directly or indirectly through another person), telephone, send messages, mail, e-mail or any other type of electronic message.
- c. Take any action, directly or through others, to obtain the addresses or locations of the persons in (1) and (10). *(If item c. is not checked, the Court has found good cause not to make this order.)*

Peaceful written contact through a lawyer, advocate or a process server or other person for service of legal papers related to a Court case is allowed and does not violate this order.

(6) Stay-Away Order

You must stay at least (specify): _____ yards away from:

- a. The person in (1)
- b. The people listed in (10)
- c. The home of the persons in (1) and (10)
- d. Jobs or workplaces of the persons in (1) and (10)
- e. Vehicle of person in (1)
- f. The protected children’s school or child care
- g. Other (specify): _____

This stay-away order does not prevent the person in (2) from going to or from that person’s home or place of employment.

(7) No Guns or Other Firearms

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

(8) Turn In or Sell Guns or Firearms

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the Court within 48 hours of receiving this order that proves guns have been turned in or sold. *(You may use Form YTC – CH – 145 for this.)*

(9) Other Orders (specify): _____

This is a Court Order



Case Number: _____

Person Asking For Protection: _____

(10) Other Protected Persons

List of the full names of all family and household members, and their relationship to the person in (1) protected by these orders:

INSTRUCTIONS FOR THE PROTECTED PERSON

To the person in (1) (*Write the name of the person in (1)*). _____

(11) Delivery to Law Enforcement

If the Court issues temporary restraining orders, by the close of business on the date this Order is made, you must make arraignments to deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below:

<u>Name of Law Enforcement Agency:</u>	<u>Address (City, State, Zip)</u>
<input type="checkbox"/> Yurok Tribal Police	247 Salmon Avenue, Klamath, Boulevard, Klamath, CA 95548
<input type="checkbox"/> Del Norte County Sheriff’s Department	650 5 th Street, Crescent City, CA 95531
<input type="checkbox"/> Humboldt County Sheriff’s Department	825 Fifth Street, Eureka California, 95518
<input type="checkbox"/> _____	_____

(12) No Fee for Service of Order by Law Enforcement or the Court’s Bailiff

The Yurok Tribe Department of Public Safety will serve this Order without charge because the person restrained is a Yurok Tribal Member.

Date: _____

▶ _____
Judicial Officer

This is a Court Order



Case Number: _____

Person Asking For Protection: _____

Warnings and Notices to the Restrained Person in (2)

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item (8) above. The Court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an Order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified it's existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the Court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

(Clerk will fill out this part)

—Clerk’s Certificate—

*Clerk’s Certificate
{seal}*

I certify that this *Notice of Hearing and Temporary Restraining Order* is a true and correct copy of the original on file in the Court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order