



YUOK TRIBAL COURT

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HOW CAN A CIVIL HARASSMENT RESTRAINING ORDER HELP ME? (Form YTC-CH-150)

What is a Civil Harassment Restraining Order?

It is a court order.

What does the order do?

The court can order you to:

- Not contact the person who asked for the order
- Stay away from that person and the person's home and workplace
- Not have any guns while the order is in effect

Who can ask for a Civil Harassment Restraining Order?

A person who is worried about safety because they are being:

- Stalked
- Harassed
- Sexually assaulted *or*
- Threatened with violence

How long does the order last?

If the Court makes a temporary order, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. The order could last for up to 2 years.

What if I don't obey the order?

The Tribal Law Enforcement officer can arrest you. You can go to jail and pay a fine.

What if I do not agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out Form YTRO-110 before your hearing date and file it with the court.

Do I have to serve the other person with a copy of my answer?

Yes. Have someone – other than yourself – mail a copy of completed form YTRO-110 to the person who asked for the order (or that person's lawyer or advocate). (This is called "Service.") The person who serves the form by mail must fill out Form YTRO-130, *Proof of Service by Mail*. Make a copy of the proof of service and file it with the court clerk.

Should I go to the court hearing?

Yes. Go to court on the date listed on form YTRO-120. If you do not go to court, the judge can make orders without hearing from you.

Do I need a lawyer?

No. But it is a good idea. Ask the court about legal services and self-help centers in your county.

Will I see the person who asked for the order at the court hearing?

If the person goes to the hearing, yes. Do not talk to that person unless the judge says you can.

Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case. But if possible, you should also bring the witnesses' written statements of what they saw or heard to the hearing. Their statements must be made under penalty of perjury.

Can I bring someone with me to court?

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer or advocate (if you have one) can speak for you.

Need more information?

Ask the court clerk about free or low-cost legal help.