

**NON-REMOVABLE MILLE LACS BAND OF OJIBWE  
IN THE COURT OF CENTRAL JURISDICTION**

In the Matter of:

Case File No. \_\_\_\_\_

\_\_\_\_\_  
Petitioner.

On behalf of:

Other persons needing protection (first, middle, last name)

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

**PETITION FOR  
HARASSMENT RESTRAINING  
ORDER (HRO)**

(Minn. Stat. 609.748)

and for her/himself

v.

\_\_\_\_\_  
Respondent.

This is a Petition for a Harassment Restraining Order (HRO). "Harassment" is defined by Minn. Stat. 609.748(a).

**1. PETITIONER'S INFORMATION** (you)

Name: (first, middle, last)
Date of Birth: (month/day/year)
Mille Lac Band of Ojibwe Member? <input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Home Address:</i> <input type="checkbox"/> I am requesting that my address <u>be kept confidential</u> by submitting the completed <i>Confidential Address/Phone Request</i> form to the Court. ( <b>Note:</b> If you choose this option, DO NOT fill your address below.)
<input type="checkbox"/> I am <u>not</u> requesting that my address be kept confidential. My address is: Street:  
City, State, Zip Code

I am requesting that my phone number be kept confidential by submitting a separate completed *Confidential Address/Phone Request* form to the Court. (**Note:** If you choose this option, DO NOT fill your phone number below.)

I am not requesting that my phone number be kept confidential. My phone number is:  
(        )

*Email Notification of Service*

I ask to be notified by email, in addition to regular U.S. mail, when the Respondent is served with the HRO. I AM AWARE THAT THIS EMAIL ADDRESS WILL BE SEEN BY THE RESPONDENT.

Petitioner's Email Address:

**2. JURISDICTION**

I am the Petitioner in this action requesting the Court issue an HRO on behalf of myself and/or on behalf of a minor(s) pursuant to Minn. Stat. 609.748 because I am/we have been subjected to the Respondent's harassment.

**3. WHO NEEDS PROTECTION?**

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

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

Name (first, middle, last)	Date of Birth	Lives with you?
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

**4. RESPONDENT INFORMATION:** (Person you want protection from.)

Name: (first, middle, last)	
Date of Birth: (month/day/year):	Age or approximate age:
Mille Lacs Band of Ojibwe Member? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Street:	
City, State, Zip Code	
If the Respondent is under the age of 18, provide name of Parent/Guardian:	

If the Respondent is under the age of 18, provide address of Parent/Guardian:  Street:	<input type="checkbox"/> Same as Respondent
City, State, Zip Code	
<b>Note:</b> If Respondent is under 18 years old, service must be made on Respondent <b>and</b> Respondent's parent or guardian	

**5. RELATIONSHIP WITH RESPONDENT**

How does the person(s) needing protection know the Respondent? (Check all that apply.)

- Married
- Divorced
- Currently living together
- Lived together in the past
- Have a child(ren) together
- Have an unborn child together
- Respondent is the parent
- Respondent is the child
- Other, please explain \_\_\_\_\_

Does Respondent work or attend school at the same place as you (or others listed in #3 above)?

- Yes, work  
  Yes, school  
  No, neither work or school

**6. OTHER RESTRAINING OR PROTECTION ORDERS**

Is there an HRO or Order for Protection From Abuse (OFP) **in effect now** between you and anyone else listed in #3 above and the Respondent?  Yes (attach copy)    No

If **Yes**, when does the order expire? \_\_\_\_\_

What county or tribal court issued the order? \_\_\_\_\_

What is the Court File or Case Number? \_\_\_\_\_

**7. OTHER COURT CASES**

Now, or in the past, have you (or other persons listed in #3) and Respondent been **jointly** involved in other family court cases, domestic abuse criminal cases, or harassment restraining order cases?

- Yes  
  No (If no, skip to #8.)

If **Yes**, check the box to show what type of case (current or closed) you and the Respondent have (or had). Check all that apply:

- Divorce    Custody    Paternity    Child Support    Child Protection
- Domestic Abuse criminal charges/conviction    Protection from Abuse Order
- Prior Harassment Restraining Order

Case Type	Case Number	State, County, Tribe	Year Filed

**8. ACTS OF HARASSMENT**

Respondent has harassed the Petitioner(s) (the person or persons listed in #3 above) as follows:

- Check all boxes that apply and give the date and details of each incident. If exact date is not known, give a date range.
- To get an HRO, you must describe actions that meet Minnesota’s legal definition of harassment.
- If you need more space, include additional pages and continue your description there. If filing on paper, do not write on the back of any page.    **Check if additional pages attached.**

**a.** Respondent physically or sexually assaulted the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**b.** Respondent has followed, monitored, or pursued the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**c.** Respondent made uninvited visits to the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**d.** Respondent made harassing phone calls or sent harassing text messages to the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**e.** Respondent made threats to the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**f.** Respondent frightened the Petitioner with threatening behavior as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**g.** Respondent broke into and entered the Petitioner's residence as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**h.** Respondent damaged the Petitioner's property as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**i.** Respondent stole property from the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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**j.** Respondent took pictures of the Petitioner without permission as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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- k.** Respondent shared private sexual images of the Petitioner without permission as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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- l.** Respondent used the Petitioner’s personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the Petitioner as follows:

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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

Dates (or date range): \_\_\_\_\_

Incidents details: \_\_\_\_\_

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- n.** Respondent has been told not to come to certain public events that the Petitioner attends because: \_\_\_\_\_

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After that, Respondent attended public events that the victim attended: (List dates, places, and names of events: \_\_\_\_\_

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These acts by Respondent show a pattern of attending public events while knowing that attending is harassing to the Petitioner.

- o.** Respondent used social media to harass the Petitioner as follows::

Date (or date range): \_\_\_\_\_

Incident details: \_\_\_\_\_

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- p.** Respondent has done other acts of harassment as follows::

Dates (or date range): \_\_\_\_\_

Incidents details: \_\_\_\_\_

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**9. EFFECTS UPON PETITIONER**

Describe the effect of Respondent’s harassment has upon the Petitioner’s safety, security, or privacy:

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**10. POTENTIAL FUTURE HARASSMENT**

Do you believe the harassment will continue?  Yes  No

Why? \_\_\_\_\_

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**11. REQUESTS FOR RELIEF**

I request that the Court issue an HRO with the following relief: *(Check all that apply.)*

- a.** Respondent shall not harass::
  - me
  - minor children for whom I am the parent, legal guardian, or stepparent
  - an adult ward for whom I am the legal guardian
  
- b.** Respondent shall have no contact with:
  - me  the minor children listed in # 3 above  an adult ward listed in # 3 above
  
- c.** Respondent shall stay away from where I/we live (when Respondent knows the address):
  - My address is confidential. (**Note:** The Court cannot order Respondent to stay away from a specific address when Respondent does not know that address.)

**or**

  - My home address as listed in #1 above.
  - A reasonable distance or area surrounding my home, specifically as follows:

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Respondent shall stay away from home of \_\_\_\_\_  
[protected person(s)]

The address is confidential

or

The home address at: \_\_\_\_\_

A reasonable distance or area surrounding this home, specifically as follows:  
\_\_\_\_\_  
\_\_\_\_\_

d. Respondent shall not call or enter  Petitioner's  \_\_\_\_\_'s  
workplace including all land, parking lots and buildings at:

Employer Name: \_\_\_\_\_

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

Except as follows: \_\_\_\_\_

Does Petitioner have another workplace?  Yes  No If yes:

Employer Name: \_\_\_\_\_

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

Except as follows: \_\_\_\_\_

e. Other relief requested:  
\_\_\_\_\_  
\_\_\_\_\_

### NOTICE OF COURT HEARING

*Petitioner:* Please read this Notice:

- You have a right to request a court hearing. The court will schedule a hearing. Personal service of this Petition must be provided to the Respondent not less than five (5) days before the hearing.
- If you do not request a hearing, the Respondent may request hearing. Notice of the hearing date will be provided to you by mail at least five (5) days before the hearing.
- If the judicial officer dismisses your case because it has no merit, no hearing will be held.
- The judge can issue a HRO *without* a court hearing if the judge finds that there is immediate and present danger of harassment (this is called an *ex parte order*).
- If the judge issues an HRO without a hearing, the Respondent can request a hearing within 20 days of the date the Petition is served. If the Respondent requests a hearing, the court will notify you by mail at least five (5) days before the hearing date.
- If there is a hearing, you must attend and prove that the statements in your Petition are true, and that the Respondent's actions meet the legal definition of harassment.

## 12. HEARING REQUEST

Choose **a.** or **b.**

- a.** I am not requesting a court hearing at this time. But if the court denies my request for an HRO because the court finds there is no immediate and present danger of harassment, then I  want  I don't want a court hearing.

or

- b.** I am requesting a court hearing.

## 13. LENGTH OF RESTRAINING ORDER

I request an HRO for a length of:

- Until the following date, \_\_\_\_\_, which is less than two (2) years from today.
- Two (2) years
- Up to fifty (50) years because:
- I have two (2) or more prior restraining orders against Respondent (listed at #6 or #7 above).
  - Respondent has violated prior or existing restraining orders between us on two or more occasions.

## 13. REQUEST FOR TEMPORARY *EX PARTE* ORDER

- I believe that there is an immediate and present danger of harassment, and I request that the Court issue a temporary HRO without a hearing. I understand that the temporary restraining order is in effect only until a hearing, if requested by the Respondent, is held.
- I do not believe that there is an immediate and present danger of harassment and I am not requesting a temporary HRO without a hearing.

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### AFFIDAVIT

I declare under penalty of perjury that the information provided in this *Petition for Harassment Restraining Order* and any attached information is true to the best of my knowledge, information, and belief.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Petitioner's Printed Name