

Petitioner's Packet



Paternity

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PLAINTIFF/PETITIONER'S CIVIL GUIDE

This guide is for informational purposes only and the accuracy of this information is not guaranteed. This information is not legal advice and is not a substitute for legal advice. Court Clerks cannot give you legal advice.

A civil case begins when the plaintiff/petitioner files a complaint/petition against a defendant/respondent with the Court. The complaint/petition is a statement of the “events complained of or the right sought to be declared or enforced and a statement of what relief is sought.” PTC 4.08.080

1. How do I file a civil complaint/petition?

STEP 1: Read this guide carefully

Read this guide, and the complaint/petition, carefully in its entirety before completing the complaint/petition.

STEP 2: Gather Documentation/Information

Locate documents and information that will help you complete the complaint/petition. This includes documents with information such as: dates that the events occurred, amounts in dispute, contact information for the defendant/respondent, etc.

STEP 3: Complete the Complaint/Petition

It is important to complete the complaint/petition with as much detail as possible so the judge has enough information to conduct an initial hearing. Accurately providing all the requested information will help prevent unnecessary delays in the process.

If, for genuine safety reasons, you are requesting your address to be confidential, then you must make this request to the Court while also providing your mailing address to the Court for service purposes. It is recommended that you file a Statement of Address form with this request and also leave your address blank on the petition to assist in ensuring that your address remains confidential.

STEP 4: File the Complaint/Petition

To file the complaint/petition with the Court, submit the complaint/petition, any supplemental documents, and pay the filing fee to the Court, located at 1451 East 31st St. Tacoma, WA 98404, during business hours (Monday through Friday 8:00 a.m. – 5:00 p.m., closed for holidays).

Step 4.1: Submit to the Court Clerk

Completed & signed complaint/petition

- Statement of Address
- Any supplemental documents
- Request for Court Clerk service (if applicable. *See* point 3-4)

Step 4.2: Pay the filing fee to the Court Clerk

- Pay the \$20 filing fee or
- File a motion to request a fee waiver (if applicable)

Step 4.3: Receive from the Court Clerk

- Your receipt or a copy of the order waiving filing fees
- A file-stamped copy of your filings
- A file-stamped copy of your notice of hearing with date

2. What happens after I file the petition?

You are responsible for ensuring the defendant/respondent is served, which means, you must have someone personally give copies of the following documents to them:

- (1) a copy of the complaint/petition and any supplemental documents that you filed with the Court.
- (2) the summons issued by the Court Clerk.
- (3) the notice of hearing issued by the Court Clerk

Delays in service will keep your case from moving forward. A case cannot go forward if the defendant/respondent is not served or is not served properly.

3. How do I serve the defendant/respondent?

You cannot serve the defendant/respondent yourself. But, you can have anyone over the age of 18, who is not a party to the case, serve the defendant/respondent. *Whoever serves the defendant/respondent must file proof of service with the Court.*

You can also **request that** the Court Clerk to serve the defendant/respondent by filling out a Request for Service form which is included in this packet. This method of service takes a minimum of 30 days. The Court Clerk can only serve the defendant/respondent if you provide a good address for them. To avoid delays be sure to provide an accurate address.

4. What happens if a defendant/respondent cannot be personally served and attempts by the Court Clerk to serve by mail fail?

If a defendant/respondent cannot be personally served or served by certified mail, return receipt requested, the plaintiff/petitioner can submit a Motion and Affidavit for Service by Publication to the Court. This form is available by request from the Court Clerk and are also available in

the lobby of the Court. This method of service is used only as a last resort and you must first make adequate, good faith efforts to locate the individual and a current address.

5. What happens at the initial hearing?

You must show up at the hearing. The judge will hear from the parties and based on the circumstances will make a decision on how to proceed.

6. What happens after the hearing?

What happens after the hearing depends on what the judge orders. Therefore, it is important to read any order issued by the judge and understand its contents because it will outline the next step in the process.

**IN THE COURTS OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

_____ *Full Name(s) of minor child(ren) or vulnerable Tribal adult*

_____ *DOB(s) of minor child(ren) or vulnerable Tribal adult*

=====

_____,
_____,
Plaintiff(s)/Petitioner(s),

v.

_____,
_____,
Defendant(s)/Respondent(s).

Case No. _____

**ADDRESS AUTHORIZATION FOR
SERVICE BY:**

FIRST CLASS MAIL

EMAIL

OTHER: _____

YOU MUST COMPLETE THIS FORM IF YOU ARE A PARTY TO THIS CASE

My name is _____, and I am a party to this case.

I authorize to accept service by all parties and the court of all future pleadings, papers, and court orders for this case to the following address:

FIRST CLASS MAIL:

EMAIL: _____

OTHER: _____

(Optional) I also authorize to accept legal papers at the following:

Case No. _____

Address Authorization for Service

Page 1 of 2

I understand that it is my responsibility to inform this Court and the other party if my address changes while this case remains open. I must also provide the other party with a copy of a Notice of Address Change and file this with this Court.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

**IN THE COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In the matter of:

_____,
DOB: _____
Minor Child.

=====

_____,
Petitioner,

v.

_____,
Respondent.

Case No. _____

**PETITION TO ESTABLISH
PATERNITY**

COMES NOW, _____, Petitioner, and requests this Court to establish paternity for the above named minor.

Petitioner Information

1. Name: _____
Relationship to the minor: _____
Birth Date: _____

2. Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe.
 Eligible for membership in the _____ Tribe.
 Considered Indian by the community.
 Other _____.

Respondent Information

1. Name: _____
Relationship to the minor: _____
Physical Address: _____
Mailing Address: _____

Phone: _____

Birth Date: _____

Minor's Information

1. Name: _____

Birth Date: _____

- 2. Enrolled member of the Puyallup Tribe.
- Eligible for membership in the Puyallup Tribe.
- Enrolled member of the _____ Tribe.
- Eligible for membership in the _____ Tribe.
- Considered Indian by the community.
- Other _____.

3. Minor resides with:

- Mother
- Alleged father
- Guardian(s): _____
- Other: _____

Facts Supporting Petitioner's Request

1. The respondent is the father of the minor. He has acknowledged his paternity of the minor. Attached is the following evidence of respondent's paternity:

- Birth Certificate
- Voluntary Declaration of Paternity
- Blood test results
- Other: _____

The respondent is the alleged father of the minor. He has not acknowledged his paternity of the minor.

The respondent is the mother.

Other: _____

2. Please provide any additional information you wish the Court to consider.

Relief Requested

I am requesting the following action from the Court:

- Declare _____ the father.
- Order _____ to undergo blood testing to establish paternity.
- Other: _____

**** DO NOT SIGN UNTIL DIRECTED TO DO SO BY THE NOTARY PUBLIC ****

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Attorney/Advocate Bar No. (if applicable)

/s/ _____
Print Name – Party Electronic Signature

Date

Signed and sworn to before me on _____, by _____.

Date

Affiant

Notary _____
Signature

Notary Public in and for the

State of: _____

County of: _____

My commission expires: _____

Affix stamp or seal

Co-Party Signature (if any)

Attorney/Advocate Bar No. (if applicable)

/s/ _____
Print Name – Party Electronic Signature

Date

Signed and sworn to before me on _____, by _____.

Date

Affiant

Notary _____
Signature

Notary Public in and for the

State of: _____

County of: _____

My commission expires: _____

Affix stamp or seal

The Defendant(s)/Respondent(s) last known mailing address(es) is(are):

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

**IF THE CERTIFIED MAIL IS RETURNED AS “UNDELIVERABLE,” “UNCLAIMED,”
OR FOR OTHER REASONS, THE COURT CLERK WILL NOT ATTEMPT
REDELIVERY (EXCEPT DUE TO TYPOGRAPHICAL ERROR) UNLESS A NEW
REQUEST FORM IS FILED WITH AN UPDATED MAILING ADDRESS.**

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)