

TRESPASS PROCEEDING

FORMS PACKET

This procedure is available only if the Respondent(s) does not have a basis for a claim that the Respondent(s) has a right to be on the property. Otherwise, use the Eviction Procedure forms (UD – P1).

More information is located in Chapter 3.03 of the Lummi Code of Law

A. Forms Packet

The forms packet contains the following documents:

- Petition to Stop Civil Trespass
- Civil Summons
- Civil Trespass Order
- Contact Information Form

B. "ACCESS TO THE COURT - Instructions for Civil Cases"

Pick up a copy of this information sheet and review it for the procedures to follow in civil cases.

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4 **IN THE TRIBAL COURT**
5 **FOR THE LUMMI NATION, WASHINGTON**

6
7 _____,
8 Petitioner,
9 vs.
10 _____,
11 Respondent
12 _____,
13 Respondent
14 _____,
15 Respondent

Case No.: _____

PETITION TO STOP CIVIL TRESPASS

14 I request the Court to issue an order that the above-named persons may not come upon my
15 property and must remove any of their belongings from my property. In support of this Petition,
16 I stated as follows:

17 I. I own rent property located on the Lummi Indian Reservation at the following
18 address:

19 II. The above-named Respondent(s) have no legal right to be on that property or to store
20 possessions on that property.

21 III. I want possessions belonging to the above-named Respondent(s) to be removed from that
22 property, specifically including the following objects, belonging to the following person(s):

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Dated: _____

Petitioner

Print or Type Name

Address

City, State, Zip Code

Telephone Number

III. DECLARATION

I declare under penalty of perjury under all applicable civil and criminal laws that 1) I have read this Petition or it has been read to me; and 2) I understand the contents of the Petition and believe the contents to be true and correct to the best of my knowledge, information, and belief, formed after reasonable inquiry. Below is the address at which I can receive all legal documents, and I understand I have the duty to update this address with the court if it changes.

Dated: _____

Signature of Petitioner

Print or Type Name

Address

City, State, Zip Code

Telephone Number

**IN THE TRIBAL COURT
FOR THE LUMMI NATION, WASHINGTON**

_____ Plaintiff / Petitioner, vs. _____ Defendant / Respondent	Case No.: _____ CIVIL SUMMONS (21 DAYS)
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TO: NAMED DEFENDANT / RESPONDENT:

YOU ARE HEREBY GIVEN NOTICE that a complaint / petition has been filed in the above-named court. A copy is attached to this summons.

In order to defend against this lawsuit, you must respond to the complaint / petition by (1) filing a written response with the court, and serving the plaintiff / petitioner as shown; or (2) contacting the Clerk of Court and stating that you will appear in court to respond orally on the record. The Court prefers that you make a written response. Your written response must state whether you oppose the complaint/ petition and your reasons. If you do not take either action within **21 days** after the date this summons was served on you, the court may enter an order of default against you and, without further notice to you, grant the request made in the complaint / petition.

For your convenience, an Answer Form is available at the Courthouse. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response, if any, may be made by the deadline.

This summons is issued pursuant to Lummi Code of Laws 3.03.030 – 3.03.070.

Dated: _____

_____ [PLAINTIFF / PETITIONER'S SIGNATURE]

_____ [PRINTED NAME]

FILE ORIGINAL OF YOUR RESPONSE
WITH THE CLERK OF THE COURT AT:

SERVE A COPY OF YOUR RESPONSE TO:

Lummi Nation Tribal Court 2616 Kwina Road Bellingham, WA 98226	Plaintiff / Petitioner: _____ Address _____ City, State, Zip Code _____
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CIVIL SUMMONS

Court Form AB - 04 6/23/11

Lummi Tribal Court
 2616 Kwina Road
 Bellingham, WA 98226
 (360) 384-2305

1
2
3 **IN THE TRIBAL COURT**
4 **FOR THE LUMMI NATION, WASHINGTON**

5 _____,
6 Petitioner,
7 vs.
8 _____,
9 Respondent
10 _____,
11 Respondent
12 _____,
13 Respondent

Case No.: _____ CVTR _____

ORDER PROHIBITING CIVIL TRESPASS

14 This matter came before the court on ____ / ____ / ____ for hearing on the
15 petitioner's Petition to Stop Civil Trespass. Having reviewed the file and records herein, and
16 having heard any opposition to the petition, the court enters the following Findings of Fact,
17 Conclusions of Law, and Order.

18 **FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

19 1) The Petitioner owns rents property located on the Lummi Indian
20 Reservation at the following address: _____

21 2) The above-named Respondent(s) have no legal right to be on that property or to
22 store possessions on that property.

23 **ORDER**

24 **IT IS THEREFORE ORDERED that**

25 1) The above-named Respondent(s) are barred from the property described above.
Failure to obey this order may result in civil sanctions and/or charges of Criminal Trespass or
Disobedience of Lawful Orders of Court.

ORDER PROHIBITING CIVIL TRESPASS

Page 1

Court Form TR- 03 8/24/11

Lummi Tribal Court
2616 Kwina Road
Bellingham, WA 98226
(360) 384-2305

1 2) The above-named Respondent(s) must remove their possessions from that property,
2 specifically including the following objects, belonging to the following person(s):

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4 _____
5 _____
6 _____

7 DATED this ____th day of _____, 20__

8
9 _____
10 Judge
11 Lummi Tribal Court

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