

INSTRUCTIONS FOR IN PRO PER MOTION AND NOTICE OF HEARING

Motions are governed by GTB Tribal Court Rule (GTBCR) 4.119. You should fill out the motion form as completely and as accurately as possible. Feel free to use additional sheets and attach them to your motion if necessary. By signing the motion form, you are certifying that the facts you have stated in your motion are true to the best of your knowledge, information, and belief.

Please state what the problem or issue is that you are having regarding this case, and what action you would like the Court to take (i.e. what relief you are asking from the Court). Be as specific as possible.

Please do not fill out the Notice of Hearing section. That section will be completed by the Court Clerk.

A \$20.00 motion fee must be filed with the motion. If you are indigent or on public assistance and cannot afford the motion fee, you may file a separate written request to have the Court waive the motion fee.

You will be given a copy of this Motion to keep for your own records and a second copy that you must send to the opposing party or parties, or that party's attorney. You may send the opposing party their copy by ordinary U.S. mail, you may personally serve the copy, or you may have a process server or law enforcement officer serve it for you. In any case, you must submit a completed proof of service to the Court at or before the time of the hearing scheduled on your motion. If you fail to file completed proof of service, this Court may adjourn the hearing, or may dismiss your motion for failing to properly serve the other party. GTB Tribal Court Rules governing service of motions in civil cases are GTBCR 4.199(C).

If you do not appear in Court on the date and time designated on this form, it is likely that the Court will dismiss the motion, and the Court may enter an order sanctioning you.

The Tribal Court clerks are not permitted to give legal advice and are limited as to what questions they may answer. If you have questions of a legal nature, you should contact an attorney. The Tribal Court staff is permitted to provide you with a list of attorneys who often practice before the Tribal Court. If you are a defendant in a criminal case, you may file an Application for a Court Appointed Attorney with the Court. You may be ordered to eventually reimburse the Court for all the costs of your Court Appointed Attorney.

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS TRIBAL COURT	IN PRO PER MOTION AND NOTICE OF HEARING	CASE NO.
---	--	----------

2605 N. WEST BAY SHORE DRIVE, PESHAWBESTOWN, MI 49682 (231)534-7050 TribalCourt@gtb-nsn.gov (231)534-7051 fax

Petitioner name, address, phone number	vs	Respondent name, address, phone number
Petitioner attorney/lay advocate name, address, phone number		Respondent attorney/lay advocate name, address, phone number

MOTION

1. My name is: _____
2. My address is: _____

3. The best phone number to reach me during the day is: _____
4. My email address is: _____
5. I have a problem regarding this case, which is (attach separate sheets if necessary):

6. I would like the Court to take the following action regarding the above problem (attach separate sheets if necessary):

I hereby certify under penalty of perjury that the statements above are true to the best of my knowledge, information, and belief.

Dated: _____

Signature of Moving Party: _____

<p>Notice of Hearing (to be completed by the Court Clerk)</p> <p>A hearing has been set on this motion for the _____ day of _____, 20____, at _____ am/pm, at the Grand Traverse Band of Ottawa and Chippewa Indians Tribal Court, 2605 N. West Bay Shore Drive, Peshawbestown, MI 49682. ALL PARTIES TO THIS CASE MUST APPEAR AT THIS TIME AND PLACE. Failure to appear may result in a judgment or order being entered against you. THIS IS YOUR NOTICE OF HEARING. NO FURTHER NOTICES WILL BE SENT.</p> <p>Dated: _____ Tribal Court Clerk/Deputy Clerk _____</p>

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS TRIBAL COURT	IN PRO PER MOTION AND NOTICE OF HEARING	CASE NO.
---	--	----------

2605 N. WEST BAY SHORE DRIVE, PESHAWBESTOWN, MI 49682 (231)534-7050 TribalCourt@gtb-nsn.gov (231)534-7051 fax

The applicant's petition has been denied for the following reasons: _____

The applicant's motion is granted.

The applicant's motion is granted. In addition: _____

Other: _____

Dated: _____

 Grand Traverse Band of Ottawa and Chippewa Indians Tribal Court Judge

Notice of Hearing
 (to be completed by the Court Clerk)

A hearing has been set on this motion for the _____ day of _____, 20____, at _____ am/pm, at the Grand Traverse Band of Ottawa and Chippewa Indians Tribal Court, 2605 N. West Bay Shore Drive, Peshawbestown, MI 49682. ALL PARTIES TO THIS CASE MUST APPEAR AT THIS TIME AND PLACE. Failure to appear may result in a judgment or order being entered against you. THIS IS YOUR NOTICE OF HEARING. NO FURTHER NOTICES WILL BE SENT.

Dated: _____ Tribal Court Clerk/Deputy Clerk _____

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS TRIBAL COURT	IN PRO PER MOTION AND NOTICE OF HEARING	CASE NO.
---	--	----------

2605 N. WEST BAY SHORE DRIVE, PESHAWBESTOWN, MI 49682 (231)534-7050 TribalCourt@gtb-nsn.gov (231)534-7051 fax

PROOF OF SERVICE	NOTICE OF HEARING
------------------	-------------------

TO MOVING PARTY OR PROCESS SERVER: You must serve the copies of the notice of hearing and file proof of service with the Court Clerk. If you are unable to complete service, you must return this original and all copies to the Court Clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

- | | | |
|---|-----------|--|
| <input type="checkbox"/> PARTY OR OFFICER CERTIFICATE | OR | <input type="checkbox"/> AFFIDAVIT OF PROCESS SERVER |
| I certify that I am a sheriff, deputy sheriff, bailiff, appointed Court Officer, or Attorney for a party [GTBCR 4.104(A)(2)], and that (notary not required). | | Being first duly sworn, I state that I am legally competent adult who is not a party or an officer of a corporate party, and that (notary not required). |
| <input type="checkbox"/> I served a copy of the notice of hearing by: | OR | <input type="checkbox"/> registered or certified mail (copy of return receipt attached). |
| <input type="checkbox"/> personal service | | |

Defendant's name	Complete Address(es) or Service	Day, Date, Time
Law Enforcement Agency	Complete Address(es) or Service	Day, Date, Time

After diligent search, and inquiry, I have been unable to find and serve the defendant. I have made the following efforts in attempting to serve process:

I have personally attempted to serve a copy of the notice of hearing on:

Name

at: _____

Address

and have been unable to complete service because the address was incorrect at the time of filing.

Service Fee \$	Miles Traveled \$	_____ Signature
Mileage Fee \$	Total Fee \$	
		_____ Title

Subscribed and sworn to before me on this ____ day of ____, in the year ____ before me _____, a Notary Public in and for the County of _____, State of _____, personally appeared _____, who proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument and acknowledged he/she executed same.

Notary Public _____

In and For County _____ State of _____

Acting in County of _____

My Commission Expires on _____

(seal)

Acknowledgment of Service

I acknowledge that I have received a copy of the notice of hearing on _____
Day, date, time

_____ on behalf of _____
Signature