

WRIT OF EXECUTION

Purpose: This form is used by the court to issue an order instructing the tribal police to seize certain property belonging to a judgment debtor so that a civil court judgment can be satisfied.

How: After the judgment creditor files a petition for a writ of execution, a hearing is usually scheduled on the petition.

At the hearing, the court's main concern is to determine what type of property, which is subject to execution under the law, is being held by the judgment creditor and to decide if, under the law, the court can issue a writ of execution.

Once the court is satisfied that an informal settlement is out of the question and the judgment debtor does have property available for execution, the court will generally issue the writ of execution.

The clerk completes the writ according to the judge's instructions. The Writ is then turned over to the tribal police for execution and the police will then make proof/return of service after they have done as ordered.

Copies: The original and copy is given to the police for execution. After execution, the original with proof of service is stored in the court case file.
A copy is given to the judgment debtor and judgment creditor.
A copy is also stored in the court case file.

FORT PECK TRIBAL COURT
ASSINIBOINE AND SIOUX TRIBES
FORT PECK INDIAN RESERVATION
POPLAR/WOLF POINT, MONTANA

_____,
PLAINTIFF,

Vs.

_____,
DEFENDANT.

)
)
)
) WRIT OF EXECUTION
)
) CASE NO. _____
)
)
)
)

On the _____ day of _____, 20____, the Court issued judgment against the defendant in the above-entitled matter in the amount of \$_____.

Further, the judgment remains unsatisfied.

Now, the Tribal police are ordered to seize the following personal property of the defendant: _____

The Tribal police are further ordered to make return of service after they have done as ordered.

Dated this _____ day of _____, 20____.

TRIBAL COURT JUDGE

ATTEST: _____
Clerk of Court