

HO-CHUNK NATION COURT BULLETIN

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A Tribute to the Life of Wipamakerega (Donald Blackhawk), Traditional Court Justice, Warrior Clan, 1929-2007

By Samantha Greendeer



"Stay in here -- it will be good for you to hear this." A guiding voice came from across the smoke-filled and cold abandoned tribal administration building, then home of the Ho-Chunk Nation's Traditional Court.

A young Ho-Chunk boy, escorted by his mentor, came before the Ho-Chunk Nation Traditional Court and humbly took his seat. Donald Blackhawk, in his always-kind and approachable manner, asked him why he was there. The boy shyly replied, "Because I did something bad."

With generations of traditional knowledge, the Court sought the reason that the People failed this child rather than hastily ponder the appropriate sanction. Donald led the Court's position to instill in the boy faith and pride in his Ho-Chunk community, and helped him to understand how our kinship and clan structure are still very much intact for his nurturing, growth and security. The paperless Court infused the boy with instantaneous cultural immersion, awareness, love and respect. I never saw the boy in any sort of trouble again.

Devoted. Inspirational. Formidable. Patient. Unselfish.

These qualities sum up a long-time member of the Traditional Court and mortar in our Ho-Chunk community, Donald Blackhawk. Donald attentively assumed his role as a justice, counselor, instructor, mentor and friend for many, kindly rendering deep-rooted advice and guidance when it was needed the most.

Donald made his peaceful journey on December 16, 2007, near his home in St. Paul, Minnesota, where he lived with his wife, Georgelene Cavanaugh. Donald was born to Andrew and Lucy (Wilson) Blackhawk.

Beyond his service to the Nation on the Traditional Court, Donald provided Native American student counseling to the St. Paul Public School System, served as a board member for Multi-Cultural Services/Native American Studies – University of Minnesota, instructed Ho-Chunk Nation language classes, and generously offered cultural advice to many community organizations including

the Ho-Chunk Clan Mothers, Women's Auxillary, and Ho-Chunk Health Board.

I am one of many blessed by Donald's life. He taught me many precious and sacred Hocak words, our language, in the Nation's first Immersion Camp project. During the Nation's Spirit horse ride, I rode alongside him in a wagon. He laughed and played games with our children, enthralling them with stories of when our people relied on horses for our primary transportation from village to village. For my own professional development, he spent weekly hours advising and counseling me on the unwritten meaning and significance of our precious land base and sacred sites. He strategized their recovery, renewal and restoration to their former Ho-Chunk stewardship.

Donald was a man of reason and experience which showed in his work. He strengthened each and every person's mind through his teachings on how to reason through our day-to-day obstacles in our traditional way; to take a multi-dimensional approach, to consciously think with a deeper understanding and awareness of our environment and well-being. He rarely answered in the customary unilateral fashion taught to us through the Euro-American education system. Simply put, a question to Donald did not yield a simple answer, but constructed a course for an answer through a mix of stories, history lessons and our prospective future as Ho-Chunk People. Donald was truly a practitioner and keeper of our oral teachings, the fabric of who we are as Ho-Chunk.

Donald's life journey took many directions and his stories collectively painted the masterpiece of a modern Ho-Chunk leader. Underpinning each path was his zealous awareness of our survival and a determination for personal growth. He advised tribal leaders, keepers of our sacred medicines and land, lawyers, doctors, judges, children, students, teachers, professors, scientists, community leaders, foreign governments and many others on how to work together and find our common thread while preserving, nurturing and protecting the unique Ho-Chunk identity. These are rare gifts and talents.

Our Ho-Chunk community continues to be touched by Donald's adherence, celebration and revitalization of our Ho-Chunk culture. He has changed the lives of many in his often overlapping roles as a youth counselor, alcohol abuse counselor, Hocak language instructor, and cultural advisor. For the many of us that relied on his foundational teachings and ability to envision that our cultural heritage and way of life is living and breathing and *possible* in modern day life, we find his passing difficult. Donald has left a profound effect on our Ho-Chunk generation. He was truly a warrior of our Ho-Chunk heritage. We celebrate Donald's life and his memory.

Donald was right. It was good to hear this.

- Ms. Greendeer is a member of the Ho-Chunk and Wisconsin Bar Associations, and is an attorney with Whyte Hirschboeck Dudek S.C.



2002 Ho-Chunk Language Immersion Camp. Back row: Instructor George Stacy, Sr., Student Monte Green, Instructor Donald Blackhawk, Student Ritchie Brown, Front row: Student Carole (Mann) Lastrup, Student Samantha Greendeer, Student Ona Garvin and Instructor, Lila Blackdeer. Not shown: Bernadine Tallmadge. Hocak Worak © 2002. Used with permission.

The Honorable Donald Blackhawk imparted his knowledge of the Ho-Chunk language to the Nation, as well as to the Judiciary and court staff. In recognition of his legacy, as well as the declaration of *Ma Hocak Hojt'e ra* in 2008, the Bulletin will now regularly feature Ho-chunk phrases relevant to the practice of law and dispute resolution. In this issue:

Gajqga hijikarawi:
We are now beginning

Ha'ehi hirekšene:
A hearing

Jaske Nigijitana:
How can I help you?

THE FIRST ANNUAL ETHICS CLE

On December 14, 2007, the HCN Trial Court organized an Ethics Continuing Legal Education course on the duties of courts and attorneys to *Pro Se* litigants. *Pro Se* litigants are individuals who represent themselves in court proceedings, which are the majority of people before the Ho-Chunk Judiciary. Presentations included: **Prevailing Principles that Guide Pro Se Interaction in State Court** (by Staff Attorney Natalie Stites), **Ho-Chunk Nation Supreme Court Precedent Guiding Interaction with Pro Se Litigants** (by Chief Judge Matha and Judge Rockman) and **How Should Attorneys and Courts Deal with a Pro Se Litigant** (by Staff Attorney Nicole M. Homer). Attorneys from Black River Falls, Lunda Construction and Judicare, Inc., attended the CLE. The Court would like to organize this event on annual basis. Each presentation is available for viewing at www/ho-chunknation.com/?PageId=406.



Japguhega (Richard R. Mann) officially joins the Traditional Court. He represents the Warrior Clan. He lives in Tomah, Wisconsin. The Judiciary welcomes Mr. Mann. *Pinagigi*, for your service.

PROTECTING HO-CHUNK ELDERS

The Ho-Chunk Nation values, reveres and protects its elders. Recently, the Court addressed claims of non-repayment of debt after receiving elder referrals from the Tribal Aging Unit. Such claims represent a recognized form of elder exploitation. ELDER PROTECTION ACT OF 2001, 4 HCC § 1.5i(2); *see also* CLAIMS AGAINST PER CAPITA ORDINANCE, 2 HCC § 8.5a(5). Individuals should report any allegations of elder abuse, including exploitation, to the Department of Health & Social Services. 4 HCC § 1.4h(1), 6b. This prompt action will ensure a more timely investigation into the matter. 4 HCC § 1.4h(2-3), 12a. The Department of Justice shall subsequently file any and all necessary petitions with the Court, thereby reducing the burden upon the affected elder. 4 HCC § 1.20b.

A PILOT PROGRAM: THE JUDICIARY INTRODUCES “E-FILING”

The HCN Supreme Court recently approved changes to the *Rules for Civil Procedure* proposed by Chief Judge Todd R. Matha. These changes will allow attorneys with the Nation’s Department of Justice to electronically file pleadings and motions with the Trial Court. Chief Judge Matha comments, “Consistent with the convenience of the Court’s website for judicial forms, news and cases, this pilot program demonstrates the continual effort of the Judiciary to keep pace with technology and efficiency. I look forward to expanding this program.” The Ho-Chunk Nation Judiciary also regularly updates their website at www.wo-chunknation.com/?PageId=28.

UPDATES FROM OUTSIDE COURTS

UNITED STATES SUPREME COURT

Petition for Certiorari Granted

- *Plains Commerce Bank v. Long Family Land and Cattle Company, Inc. et al.*, No. 07-411, (granted Jan. 4, 2008).

Petition for Certiorari Denied

- *Jones v. Minnesota*, No. 07-412 (denied Jan. 7, 2008).
- *Mann v. Fong, North Dakota Tax Commissioner, et al.* No. 07-671 (denied January 7, 2008).
- *Houlton Band of Maliseet Indians v. Ryan*, No 07-354 (denied Nov. 26, 2007)
- *Aroostook Band of Micmacs v. Ryan*, No. 07-357 (denied November 26, 2007)

Petition for Certiorari Filed

- *MacArthur v. San Juan County*, No. 07-701 (filed Nov. 13, 2007)

UNITED STATES COURT OF APPEALS, 9TH CIRCUIT

Fidelity Exploration and Production Co. v. United States et al., No. 06-35307, 34 Indian L. Rep. 2283 (9th Cir., Nov. 6, 2007) The U.S. Court of Appeals for the Ninth Circuit holds that the statute of limitations had expired by the time a company with oil and gas leases issued by the State of Montana filed suit seeking to quiet title to a portion of the bed of the Tongue River in which the United States has a colorable claim to the western submerged riverbed

on behalf of the Northern Cheyenne Tribe such that the action is within the Indian lands exception to the government's waiver of sovereign immunity, and affirms the district court's dismissal of the action.

UNITED STATES COURT OF APPEALS, 10TH CIRCUIT

Governor of the State of Kansas et al. v Kempthorne et al., No. 06-3213, 34 Indian L. Rep. 2284 (10th Cir., Oct 24, 2007) While the U.S. Court of Appeals for the Tenth Circuit holds that the presence of the waiver of the United States' sovereign immunity should be determined as of the time the complaint was filed, the Tenth Circuit concludes that the district court lacks jurisdiction to decide the case because the land at issue had already been taken into trust by the Interior Secretary, and the Quiet Title Act expressly excepts lands held in trust for an Indian tribe from the Act's waiver of sovereign immunity, and thus dismisses the appeal and remands to the district court with instructions to vacate its judgment and dismiss the case without prejudice for lack of jurisdiction.

RECENT TRIAL COURT

DECISIONS

Decisions are separated between Trial Court and Supreme Court decisions and categorized by subject matter and date (from oldest to most recent). The following are summaries prepared by the Staff Attorney for the reader's benefit. They should in no way be used as substitution for citations to the actual court opinion.

Within the Trial Court, cases are categorized and docketed as one of the following: Child Support (CS or if filed prior to 1998, CV), Civil Garnishment (CG), Civil (CV), Criminal (CR), Custody (CU), Domestic Violence (DV), Family (FM), or Juvenile (JV). Within this index, case citations will appear in one of these categories and, in the event it may be helpful to the reader as a research tool, the cases may also be summarized in a separate topic area. Due to the great incidence of civil cases before the Court, the category for civil cases is divided into broad sub-categories. In some instances a decision may touch upon other topics that may not warrant a summary in this index, but the editor will use the indicator "other topic(s) covered," as a research aid for the reader.

RECENT DECISIONS AND RECENT FILINGS BOTH BEGIN WITH THE DATE WHERE THE PREVIOUS COURT BULLETIN LEFT OFF.

CHILD SUPPORT CASES

NOVEMBER 02, 2007

Jennifer M. Jones v. Lawrence E. Blackmon, CS 07-66 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Nov. 2, 2007) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

DECEMBER 10, 2007

Carrie Littlewolf v. Alan J. White Thunder, CS 06-22

Order (Suspension of Activity) (HCN Tr. Ct., Dec. 10, 2007) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease current child support withholding. The respondent failed to respond within the specified time frame. The Court ordered the cessation of current support withholding.

DECEMBER 28, 2007

Roger D. Wallace et al. v. Renea A. Perez, CS 00-29, 04-04 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct. Dec., 28, 2007) (Rockman, A).

The Court had to determine whether to grant petitioner's motion to modify current child support in CS 00-29. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion. The Court additionally performed an equitable adjustment due to the respondent's serial payor status.

Roger D. Wallace et al. v. Renea A. Perez, CS 00-29, 04-04 *Order (Enforcing Child Support - Wages)* (HCN Tr. Ct. Dec. 28, 2007) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

JANUARY 8, 2008

State of Wisconsin v. John F. Blackdeer, CS 02-46 *Order (Ceasing Withholding Per Capita - Child Support)* (HCN Tr. Ct., Jan. 8, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease current child support withholding. The Court ordered the cessation of current support withholding in CS 02-46 and continued withholding for CS 07-07.

JANUARY 9, 2008

State of Wisconsin ex. rel. Maureen Bighorn v. Harvey Holst, Jr., CS 04-61 *Order (Cessation of Withholding - Arrears)* (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding. The respondent failed to respond within the specified time frame. Thus, the Court ordered the cessation of withholding for arrears.

State of Wisconsin/Sauk Co. v. Stacy McMahan, CS 04-10 *Order (Cease Withholding Per Capita - Child Support)* (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding. The respondent failed to respond within the specified time frame. The Court ordered the cessation of withholding from the respondent's per capita.

State of Wisconsin v. Courage Kingswan, CS 06-41 Order (Cease Withholding Per Capita - Child Support) (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding. The respondent failed to respond within the specified time frame. The Court ordered the cessation of withholding from the respondent's per capita.

Maureen Bighorn v. Harvey Holst, Jr., CS 04-61 Order (Cessation of Withholding - Arrears) (HCN Tr. Ct., Jan. 9, 2008)(Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding for arrears. The respondent failed to respond within the specified time frame. The Court ordered the cessation of withholding from the respondent's per capita.

Amanda S. Jardine v. Kiel S. Roy, CS 07-68 Default Judgment (Enforcing Child Support - Wages) (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Forest Co. Potawatomi Tribal Court v. Terry Reany, CS 07-75 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to modify withholding against the respondent's wages. The respondent failed to timely respond, thus the Court granted the motion.

Dawn Bell v. Donnie Schaitel, CS 07-84 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

JANUARY 10, 2008

State of Wisconsin et al. v. Forrest Downey, Sr., CS 05-26, -33 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Jan. 10, 2008) (Matha, T).

The Court had to determine whether to grant petitioner's motion to modify current child support. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion. The Court additionally performed an equitable adjustment due to the respondent's serial payor status.

JANUARY 11, 2008

State of Wisconsin ex rel. Myra Jo Blackdeer v. Andrew J. Munden, CS 07-74 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T). The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin ex rel. Dana L. Hillisy v. Jerry D. Jones, CS 07-76 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin v. Barbara A. Lewis, CS 07-73 Default Judgment (Enforcing Against Per Capita) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin ex rel. Elisa F. Kosab v. Roger Thundercloud, CS 07-67 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin ex rel. Jessica Ritter v. Jason Amerson, CS 07-77 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Angela Marie (Hoffman) Parker v. Clinton Coy Sitze, CS 07-79 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Jennifer J. Whitedog v. Julius P. Whitedog, CS 07-83 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 11, 2008) (Matha, T.).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

JANUARY 14, 2008

Alexandra M. Snowball v. David R. Snowball, CS 06-20 *Order (Modifying and Enforcing Child Support - Arrears)* (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to modify. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

State of Wisconsin v. Joseph Grover, CS 07-89 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin ex rel. Erica Hawpotose v. Brandan J. Cloud, Sr., CS 07-88 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin ex rel. Clarissa J. Funmaker v. Truman H. Williams, Jr., CS 07-69 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Francesca J. Bird v. Patricia A. Nicholas, CS 07-85 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Roxanne E. Looker (née Doxater) v. Nathan R. Cloud, CS 01-01 *Order (Modifying and Enforcing Child Support Against Per Capita)* (HCN Tr. Ct. Jan. 14, 2008) (Matha, T).

The Court had to determine whether to grant petitioner's motion to modify current child support. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

State of Wisconsin ex rel. Myra Jo Blackdeer v. Andrew J. Munden, CS 07-74 *Order (Erratum)* (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court entered an Erratum Order to correct clerical mistakes in the previous order.

JANUARY 15, 2008

Heather Little Thunder v. Steven Kearnes, Sr., CS 07-20 *Order (Cessation of Withholding - Arrears)* (HCN Tr. Ct., Jan. 15, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding. The Court assumed the respondent's acquiescence, and ordered the cessation of withholding for arrears.

Josephine L. Shegonee v. Dianne L. Shegonee, CS 06-26 Order (Modifying and Enforcing Child Support – Arrears) (HCN Tr. Ct., Jan. 15, 2008) (Matha, T).

The Court had to determine whether to grant petitioner's motion to modify withholding for arrears. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion and performed an equitable adjustment.

Clarissa Pettibone v. Warrington G. Greengrass, CS 99-18 Order (Modifying and Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 15, 2008) (Rockman, A).

The Court had to determine whether to grant petitioner's motion to modify withholding for current child support. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

Sherri (Redcloud) Mann v. Maynard A. Rave, Sr., CV 96-37 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 15, 2008)

The Court had to determine whether to grant petitioner's motion to modify withholding for current child support. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

Bobbie Rae Gonzales v. Colin Wauqua, CS 07-62 Order (Enforcing Child Support) (HCN Tr. Ct., Jan. 15, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent timely responded, however, the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment.

Francesca J. Bird v. Patricia A. Nicholas CS 07-85 Reissued Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 16, 2008) (Matha, T).

The Court entered a Reissued Default Judgment to correct clerical mistakes in the previous order.

JANUARY 16, 2008

State of Wisconsin v. April D. Lincoln, CS 07-07, -39 Order (Ceasing and Enforcing Child Support Withholding Per Capita) (HCN Tr. Ct., Jan. 16, 2008)(Matha, T).

The Court had to determine whether to grant petitioners recent motion to modify in CS 07-39. The respondent failed to timely respond. The Court granted the motion, ceasing child support withholding in CS 07-39 and enforcing current child support in CS 07-07.

State of Wisconsin v. Diane Matchopatow (Whiteeagle), CS 99-40 Order (Cessation of Withholding – Child Support) (HCN Tr. Ct., Jan. 16, 2008)(Matha, T).

The Court had to decide whether to grant a suspension of child support withholding moved by the petitioner. The Court granted the motion.

Patrick Day v. Maryla A. Day, CS 03-75 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct. Jan. 16, 2008) (Rockman, A).

The Court had to determine whether to grant petitioner's motion to modify current child support. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

JANUARY 17, 2008

Mardell Barrett et al. v. Collin J. Cloud, CS 05-42, -52 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Jan. 17, 2008)(Matha, T).

The Court had to determine whether to grant a recent motion to modify. The Court granted the motion and performed an equitable adjustment.

State of Wisconsin ex rel. Melanie Allene Neadea, State of Wisconsin and Christee Thomas v. Jason H. Rave, CS 04-03, CS 07-44 Default Judgment (Modifying Child Support – Equitable Adjustment) (HCN Tr. Ct., Jan. 17, 2008)(Matha, T). The Court had to determine whether to enforce a standing foreign child support against the respondent's per capita. The respondent failed to timely answer, and the Court granted the petition. The Court also performed an equitable adjustment.

JANUARY 18, 2008

Hope B. Smith v. Mary R. Smith, CS 05-16, 06-48 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008)(Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The

Court ordered the parties to file proof of high school enrollment.

State of Wisconsin et al. v. Henry WhiteThunder, 01-25, CV 97-86 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

Evangeline Two Crow et al. v. Gregory Harrison, CS 97-153, 05-66 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

Roland R. Teubert v. Anita Alderman, CS 03-12 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

State of Wisconsin et al. v. Gene Cloud CS 98-36-38, CS 02-06 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008)(Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

Marcia J. Laubenheimer v. Dale D. Laubenheimer, CS 05-23 Notice (Child Turning Eighteen – Requiring

Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

Barbara J. Wilson et al. v. Robin E. McKee, CS 97-124 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008)(Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

Roxanne Johnson v. Loren James Rave, CS 97-25 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

JANUARY 21, 2008

Lot L. Smith v. Karen J. Smith, a/k/a Karen Combs, CS 97-33 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 21, 2008) (Rockman, A).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

State of Iowa et al. v. Marcus Sena, CS 02-35, CS 03-78 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 21, 2008) (Matha, T).

The minor child turned eighteen (18) years of age. In accordance with state law, the respondent's obligation ends when the children turns eighteen (18) years of age, unless the child is enrolled in high

school or its equivalent (excluding arrears). The Court ordered the parties to file proof of high school enrollment.

State of Wisconsin v. Barbara Lewis, CS 07-73 Order (Cessation of Withholding Per Capita)(HCN Tr. Ct., Jan. 21, 2008) (Matha, T).

The petitioner requested a termination of child support withholding in a recent motion to modify. Assuming the respondent's acquiescence, the Court ordered cessation of withholding.

Rose Delgado v. Edward Mendez, CS 98-69 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 21, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding.

Ann L. Decorah v. Rachael A. Decorah, CS 06-65 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., Jan. 21, 2008) (Matha, T).

The Court had to decide whether to dismiss a *Peition to Register and Enforce a Foreign Judgment/Order for Child Support*, after the petitioner failed to submit a certified copy of the arrears owed by the respondent. The Court dismissed the case, unless the petitioner demonstrates good cause before February 18, 2008.

JANUARY 22, 2008

State of Wisconsin et al., v. Stanley Whiteeagle, CV 97-87, CS 05-38 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 22, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding in Case No. CS 05-38.

State of Wisconsin v. Robert Cleveland, CS 00-33 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 22, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

JANUARY 24, 2008

Roxanne Johnson v. Loren James Rave, CS 97-25 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Jan. 24, 2008) (Matha, T).

The petitioner filed the required proof of enrollment in order to continue child support withholding.

State of Wisconsin et al. v. Henry WhiteThunder et al. CS 01-25, CV 97-86 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Jan. 24, 2008) (Matha, T).

The petitioner filed the required proof of enrollment in order to continue child support withholding.

JANUARY 28, 2008

Roland R. Teubert v. Anita Alderman, CS 03-12 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Jan. 28, 2008) (Matha, T).

The respondent filed the required proof of enrollment in order to continue child support withholding.

JANUARY 29, 2008

Menominee Tribe of Wisconsin Child Support Agency v. Jeffrey Rockman, CS 07-56, -64 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct. Jan. 29, 2008) (Rockman, A).

The Court had to determine whether to enforce standing foreign child support orders against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgments.

Colleen Hansen v. Jerry L. Park, CS 98-73 Order (Suspension of Activity) (HCN Tr. Ct., Jan. 29, 2008) (Matha, T).

The petitioner requested cessation of child support withholding in a recent motion, as the current child support and arrears withholding had been paid in full. Assuming the respondent's acquiescence, the Court ordered cessation of withholding for child support.

CIVIL GARNISHMENT CASES

NOVEMBER 2, 2007

Unifund Group v. Lynn Schommer, CG 07-49 Order (Petition Granted) (HCN Tr. Ct., Nov. 2, 2007) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent timely answered, articulating a generalized defense to the garnishment. The parties stipulated to a reduction in wage deduction, thus the Court granted the petition.

DECEMBER 18, 2007

Quick Cash Loans v. Melissa Johnson, CG 07-95 Order (Default Judgment) (HCN Tr. Ct., Dec. 18, 2007) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment.

The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Creditor Recovery Service, LLC v. David Rice, CG 07-96 Order (Default Judgment) (HCN Tr. Ct., Dec. 18, 2007) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Creditor Recovery Service v. Benjamin D. Rucinski, CG 07-92 Order (Default Judgment) (HCN Tr. Ct., Dec. 18, 2007) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Greater La Crosse Radiological v. Brian S. La Mere, CG 07-91 Order (Default Judgment) (HCN Tr. Ct., Dec. 18, 2007) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

DECEMBER 26, 2007

Creditor Recovery Service, LLC v. Crystal E. Chalepah, CG 07-84 Order (Default Judgment) (HCN Tr. Ct., Dec. 26, 2007) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

JANUARY 4, 2008

Black River Memorial Hospital v. Holly A. Pike, CG 07-98 Order (Default Judgment) (HCN Tr. Ct., Jan. 4, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Quick Cash Loans v. Richard Walker, CG 07-64 Order (Default Judgment) (HCN Tr. Ct., Jan. 4, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

JANUARY 10, 2008

University of Wisconsin Hospital & Clinics v. Gary M. Everly, CG 07-70 Order (Satisfaction of Judgment) (HCN Tr. Ct., Jan. 10, 2008) (Matha, T).

The Court recognizes petitioner's filing pursuant to HCN Rules of Civil Procedure, Rule 59, whereby the petitioner recognizes the satisfaction of the debt. The Court recognizes satisfaction of the debt, and closed the file if no objection was received within ten days of this decision.

JANUARY 11, 2008

Capital One Bank v. Cheryl Kivlin, CG 07-86 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court granted the petitioner's request to appear by telephone at the *Fact-Finding Hearing* on January 15, 2008.

JANUARY 24, 2008

Gregg Shimanski Realty, Inc. v. Bonnie Schulte, CG 07-94 Order (Default Judgment) (HCN Tr. Ct., Jan. 24, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court afforded the respondent the opportunity to object, however, she failed to timely respond. Thus, the Court granted a default judgment in favor of the petitioner.

CIVIL CASES

ADMINISTRATIVE APPEALS

DECEMBER 26, 2007

Jeneile Luebke v. Patricia Boyles c/o Ho-Chunk Nation Health Dept., CV 06-70 Order (Status Hearing)(HCN Tr. Ct., Dec. 26, 2007) (Rockman, A).

The Court *sua sponte* convened a *Status Hearing* due to non-compliance with a previous order, by the Grievance Review Board (GRB). Therefore, the Court

ordered the GRB to file with the Court a timeframe to adhere to the previous order by January 2, 2008.

JANUARY 2, 2008

Karen Litscher v. HCN GRB, CV 07-99 Scheduling Order (HCN Tr. Ct., Jan. 2, 2008) (Rockman, A).

The Court set a series of deadlines for the proceedings.

Karen Litscher v. HCN GRB, CV 07-100 Scheduling Order (HCN Tr. Ct., Jan. 2, 2008) (Rockman, A).

The Court set a series of deadlines for the proceedings.

Willard Lonetree v. Larry Garvin, in his official capacity as Executive Director of HCN Heritage Preservation, CV 07-04 Settlement Stipulation and Order (HCN Tr. Ct., Jan. 9, 2008) (Matha, T).

The Court reviewed the terms and conditions of the parties stipulation agreement and found them to be fair and reasonable.

Gale S. White v. Jean Day and HCN GRB, CV 07-54 Order (Affirming) (HCN Tr. Ct., Jan. 14, 2008) (Matha, T).

The Court had to determine whether to uphold the decision of the GRB. The Court found that the petitioner failed to exhaust her administrative remedies and thus, affirmed the agency action.

Sharon L. Williams v. Ho-Chunk Insurance Review Commission, CV 07-43 Order (Denying Motion to Clarify) (HCN Tr. Ct., Jan. 23, 2008) (Matha T).

The petitioner filed a *Motion to Clarify*, which prompted a timely answer by the respondent. The Court had previously reversed findings of the respondent, and was purposefully vague when directing the respondent to proceed with crafting a remedy, including damages, for the petitioner. Thus, the motion was denied.

 **CHILDREN'S TRUST FUND (CTF)**

DECEMBER 7, 2007

In the Interest of Minor Child: C.J.S., DOB 08/27/94, by Fredericka Miner v. HCN Office of Tribal Enrollment, CV 07-25 Order (Requesting Accounting) (HCN Tr. Ct., Oct. 4, 2007) (Rockman, A).

The Court had to determine whether a parent can access her child's CTF account to pay for costs associated with orthodontic procedures. The Court granted the request.

In the Interest of Minor Child: S.R., DOB 09/15/9, by Regina Reed v. HCN Office of Tribal Enrollment, CV 07-95 Order (Petition Granted) (HCN Tr. Ct., Dec. 7, 2007) (Matha, T).

The Court had to determine whether a parent can access her child's CTF account to pay for costs associated with orthodontic procedures. The Court granted the request.

In the Interest of Minor Child: E.D.G., DOB 05/30/99, by Barbara Goodbear v. HCN Office of Tribal Enrollment, CV 07-94 Order (Petition Granted) (HCN Tr. Ct., Dec. 7, 2007) (Matha, T). The Court had to determine whether a parent can access her child's CTF account to pay for costs associated with orthodontic procedures. The Court granted the request.

DECEMBER 11, 2007

In the Interest of Adult CTF Beneficiary: Alvin C. Winters, DOB 11/19/85 v. HCN Office of Tribal Enrollment, CV 07-25 Order (Dismissal without Prejudice) (HCN Tr. Ct., Dec. 11, 2007) (Matha, T).

The petitioner failed to appear at a hearing, and did not notify the Court of an inability to attend the proceeding. Therefore, the Court dismissed the case.

DECEMBER 21, 2007

In the Interest of Minor Children: M.W., DOB 12/16/93; Z.W., DOB 07/28/91; Z.W., DOB 01/02/98; S.W., DOB 11/15/99, by Rita Wolf v. HCN Office of Tribal Enrollment CV 07-51 Order (Requesting Accounting) (HCN Tr. Ct., Dec. 21, 2007) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with an automobile repair. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Minor Child: M.W., DOB 07/09/95, by Melody Whiteeagle-Fintak v. HCN Office of Tribal Enrollment, CV 07-23 Order (Demanding Accounting) (HCN Tr. Ct., Dec. 21, 2007) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with a professional tutoring program. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Adult CTF Beneficiary: Neva J. Littlegeorge, DOB 09/24/85 v. HCN Office of Tribal Enrollment, CV 06-80 Order (Requesting Accounting) (HCN Tr. Ct., Dec. 21, 2007) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

DECEMBER 26, 2007

In the Interest of Minor Child: P.M.K., DOB 04/22/96; M.N., DOB 08/13/93, by Paula Mike v. HCN Office of Tribal Enrollment, CV 07-90, CV 07-85 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Dec. 26, 2007) (Rockman, A).

The Court granted a telephonic appearance requested by the petitioner.

DECEMBER 27, 2007

In the Interest of Minor Children: D.J.C., DOB 03/25/96; M.J.C., DOB 12/21/1997; J.M.C., DOB 09/03/00, by Claudette Rabdeau and Joseph Czarnecki v. HCN Office of Tribal Enrollment, CV 07-42 Order (Petition Granted in Part) (HCN Tr. Ct., Dec. 27, 2007) (Rockman, A).

The Court had to determine whether to grant the parents access to monies on behalf of their minor children, for various bills, loans and home repairs. The Court partially granted the petition, for specified bills and home repairs.

JANUARY 2, 2008

In the Interest of Minor Child: E.L., DOB 02/16/01, by Shannon Petersen v. HCN Office of Tribal Enrollment, CV 07-72 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 2, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Minor Child: T.E.B., DOB 12/26/90, by HCN Children and Family Services v. HCN Office of Tribal Enrollment, CV 07-73 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 2, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

JANUARY 4, 2008

In the Interest of Minor Child: P.M.K., DOB 04/22/96, by Paula Mike v. HCN Office of Tribal Enrollment, CV 07-90 Order (Dismissal without Prejudice) (HCN Tr. Ct., Jan. 4, 2008) (Rockman, A).

The Court scheduled a *Fact-Finding Hearing* to determine the merits of the petitioner's request. However, the petitioner withdrew her request via facsimile, and the Court dismissed the case without prejudice.

JANUARY 7, 2008

In the Interest of Minor Child: B.S., DOB 01/05/93, by Rebecca Rodriguez v. HCN Office of Tribal Enrollment, CV 07-93 Order (Dismissal without Prejudice) (HCN Tr. Ct., Jan. 7, 2008) (Rockman, A).

The Court convened a *Fact-Finding Hearing* on November 19, 2007, to consider the merit of the petitioner's request. However, the petitioner failed to appear, and the Court dismissed the case.

JANUARY 11, 2008

In the Interest of Minor Child: S.E.B., DOB 01/05/90, by Rebecca Rodriguez v. HCN Office of Tribal Enrollment, CV 07-67 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

JANUARY 16, 2008

In the Interest of Minor Child: C.Y.B., DOB 05/04/92, by Charles A. Brown v. HCN Office of Tribal Enrollment, CV 07-91 Order (Petition Granted) (HCN Tr. Ct., Jan. 16, 2008) (Matha, T).

The Court had to determine whether a parent can access his child's CTF account to pay for costs associated with housing. The family faced an impending foreclosure action due to a loss of sustainable income. The Court granted the request,

although as a limited emergency measure, provided that the parent agree to a partial CTF reimbursement.

JANUARY 22, 2008

In the Interest of Adult CTF Beneficiary: Myra Jo Blackdeer, DOB 09/01/88 v. HCN Office of Tribal Enrollment, CV 07-58 Order (Denying Motion) (HCN Tr. Ct., Nov. 16, 2007) (Matha, T).

The Court had to determine whether an adult can access her CTF account to pay for costs associated with acquiring an automobile. The Court denied the request, but will reconsider her request upon documentation of educational efforts.

JANUARY 23, 2008

In the Interest of Minor Child: C.J.W.K., DOB 11/29/95, by Annie R. Winneshiek v. HCN Office of Tribal Enrollment, CV 07-59 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 23, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a patient ledger, confirming proper use of the funds. The Court accepted this accounting

In the Interest of Minor Child: M.I.D., DOB 04/05/01, by Terry T. Deloney v. HCN Office of Tribal Enrollment, CV 05-58 Order (Partial Release of Contempt Fine) (HCN Tr. Ct., Jan. 23, 2007) (Matha, T).

The Court had to whether to retain the entire contempt fine levied after the petitioner failed to submit an accounting prior to the date upon which the Court had indicated it would purge the fine. However, the fine compelled obedience with standing judicial directives, and thus, the Court declined to collect the majority of the petitioner's accrued contempt fine.

JANUARY 24, 2008

In the Interest of Minor Child: S.K.B., DOB 12/29/92, by Helene M. Bean v. HCN Office of Tribal Enrollment, CV 07-83 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 24, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a receipt, confirming proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: T.E.B., DOB 12/26/90, by HCN Children and Family Services v. HCN Office of Tribal Enrollment, CV 07-73 Order (Accepting

Accounting) (HCN Tr. Ct., Jan. 24, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a receipt, confirming proper use of the funds. The Court accepted this accounting.

JANUARY 28, 2008

In the Interest of Minor Child: E.L. DOB 01/28/08, by Shannon Petersen v. HCN Office of Tribal Enrollment, CV 07-72 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 28, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a receipt, confirming proper use of the funds. The Court accepted this accounting.

JANUARY 31, 2008

In the Interest of Minor Child: C.C.R., DOB 10/02/90, by Christian M. Roth v. HCN Office of Tribal Enrollment, CV 06-66 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 24, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

 **CONTRACTS**

DECEMBER 7, 2007

HCN et al. v. Brandon Cloud, CV 07-78 Order (Default Judgment) (HCN Tr. Ct., Dec. 7, 2007) (Matha, T).

The Court had to determine whether to grant the relief requested by the plaintiffs. The defendant failed to answer the *Complaint* despite proper service of process. Thus, the Court rendered a default judgment against the defendant, awarding the plaintiffs' permissible relief sought in the *Complaint*, i.e., a small claims money judgment.

JANUARY 28, 2008

Timothy G. Whiteagle v. Wade K. Blackdeer, District II Representative, former Vice-President et al., CV 07-24 Order (Addressing Defendant's Motion) (HCN Tr. Ct., Jan. 28, 2008) (Matha, T).

The Court had earlier suspended case activity in response to a motion by the plaintiff. Thus, the Court

shall establish a timeframe responsive to the defendant's motion at the anticipated *Status Hearing*.

Timothy G. Whiteagle v. Wade K. Blackdeer, District II Representative, former Vice-President et al., CV 07-24 Order (*Addressing Defendant's Motion*) (HCN Tr. Ct., Jan. 28, 2008) (Matha, T).

The Court had earlier suspended case activity in response to a motion by the plaintiff. Thus, the Court shall establish a timeframe responsive to the defendant's motion at the anticipated *Status Hearing*.

ELECTION MATTERS

DECEMBER 12, 2007

Timothy G. Whiteagle v. HCN Legislature et al., CV 07-84 Order (*Denying Motion for Preliminary Injunction*) (HCN Tr. Ct., Dec. 12, 2007) (Matha, T).

The Court had to determine whether to grant the plaintiff's request for a preliminary injunction, thereby effectively removing the President from his office. The plaintiff did not substantiate the type of ongoing harm necessary to justify the issuance of the interlocutory appeal. Thus, the Court refrained from granting the extraordinary relief request, and proceeded with the established scheduling of the instant case.

Timothy G. Whiteagle v. General Council et al. CV 07-82 Scheduling Order (HCN Tr. Ct., Dec. 12, 2007) (Matha, T).

The Court established deadlines to monitor and organize the procession of the instant case.

JANUARY 18, 2008

Timothy G. Whiteagle v. Wade K. Blackdeer, District II Representative, former Vice-President et al., CV 07-24 Order (*Granting Plaintiff's Motion*) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The plaintiff filed a *Motion Requesting Delay in Proceedings*, which was not timely answered by the respondents, thereby denoting acquiescence to the request. The Court suspended all case activity and removed all scheduled proceedings from the court calendar.

Timothy G. Whiteagle v. General Council Agency et al., CV 07-82 Order (*Granting Plaintiff's Motion*) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The plaintiff filed a *Motion Requesting Delay in Proceedings*, which was not timely answered by the respondents, thereby denoting acquiescence to the

request. The Court suspended all case activity and removed all scheduled proceedings from the court calendar.

Timothy G. Whiteagle v. Ho-Chunk Nation Legislature et al., CV 07-84 Order (*Granting Plaintiff's Motion*) (HCN Tr. Ct., Jan. 18, 2008) (Matha, T).

The plaintiff filed a *Motion Requesting Delay in Proceedings*, which was not timely answered by the respondents, thereby denoting acquiescence to the request. The Court suspended all case activity and removed all scheduled proceedings from the court calendar.

EMPLOYMENT

JANUARY 11, 2008

Joyce L. Warner v. Ho-Chunk Nation et al., CV 04-72 Order (*Granting Motion for Adjournment*) (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court granted the *Motion for Adjournment* submitted by the defendants, reflecting the mutual agreement of the parties.

ENROLLMENT

NO DECISIONS AT THIS TIME.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

DECEMBER 26, 2007

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/60, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (*Dismissal without Prejudice*) (HCN Tr. Ct., Dec. 26, 2007) (Rockman, A).

The Court dismissed the instant case, without prejudice, after the petitioner failed to appear at the *Fact-Finding Hearing*.

JANUARY 9, 2008

In the Interest of Adult Incompetent: H.C., DOB 04/04/34, by Elethe Nichols v. HCN Office of Tribal Enrollment, CV 05-72 Order (*Accepting Accounting*) (HCN Tr. Ct., Jan. 9, 2008) (Rockman, A).

The Court previously released funds from the ITF account of the adult incompetent for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted the final receipts in a series of receipts. The receipts

confirm proper use of the funds. The Court accepted this accounting.

JANUARY 30, 2008

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/60, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 30, 2008) (Rockman, A).

The Court previously released funds for ongoing guardian services. The petitioner submitted a payment history statement, which confirmed the proper use of funds.

In The Interest of Adult Incompetent: H.C., DOB 01/31/31, by Barbara Meltesen v. HCN Office of Tribal Enrollment, CV 05-72 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 30, 2008) (Matha, T).

The Court released funds for pay for ongoing nursing home care and professional guardianship service fees. The Court accepted a series of receipts which provided confirmation of the proper use of funds.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC VIOLENCE

NO DECISIONS AT THIS TIME.

FAMILY

DIVORCE

JANUARY 11, 2008

In re the Marriage of: Jerome M. Cloud v. Simone C. Cloud, FM 07-03 Final Judgment for Divorce (HCN Tr. Ct., Jan. 11, 2008) (Matha, T).

The Court had to determine whether to grant the petition for divorce submitted by the parties. The Court granted the divorce pursuant to this judgment.

JUVENILE CASES

NOVEMBER 5, 2007

In the Interest of Minor Children: T.J.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-41-42 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Nov. 5, 2007) (Matha, T).

The Court had to determine whether to appoint an emergency temporary custodian for the minor

children. The Court deemed such an appointment to be within the minor children's best interests.

NOVEMBER 9, 2007

In the Interest of Minor Children: L.H.C., DOB 03/05/0; M.K., DOB 03/10/05, JV 07-43-44 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Nov. 9, 2007) (Matha, T).

The Court had to determine whether to appoint an emergency temporary custodian for the minor children. The Court deemed such an appointment to be within the minor children's best interests.

NOVEMBER 19, 2007

In the Interest of Minor Children: L.H.C., DOB 03/05/01; M.K., DOB 03/10/05, JV 07-43-44 Order (Entrance of Plea) (HCN Tr. Ct., Nov. 19, 2007) (Matha, T).

The Court convened a *Plea Hearing* for the purpose of determining whether the parents wished to contest the allegations contained in the *Child/Family Protection Petition* (hereinafter *Petition*) filed by HCN Children and Family Services (hereinafter CFS). The parents entered pleas of not guilty. The Court accordingly scheduled a *Trial*.

NOVEMBER 21, 2007

In the Interest of Minor Children: E.L., DOB 10/11/96; R.G., DOB 04/21/03 JV 07-46-47 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Nov. 21, 2007) (Matha, T).

The Court had to determine whether to appoint an emergency temporary custodian for the minor children. The Court deemed such an appointment to be within the minor children's best interests.

NOVEMBER 29, 2007

In the Interest of Minor Child: E.I.V., DOB 11/22/07, JV 07-52 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Nov. 29, 2007) (Matha, T).

The Court had to determine whether to appoint an emergency temporary custodian for the minor child. The Court deemed such an appointment to be within the minor child's best interests.

In the Interest of Minor Children: K.R.D-R, DOB 09/09/92; T.J.D-R., DOB 12/23/96; E.E.D-R., DOB 04/12/97; A.B.L.D-R., DOB 07/03/99, JV 07-48-51 Order (Submission of Traditional Relatives List) (HCN Tr. Ct., Nov. 29, 2007) (Matha, T).

In accordance with the HOCAK NATION CHILDREN AND FAMILY ACT (hereinafter CHILDREN'S ACT), the Court

requested CFS to prepare and submit a list of the minor children's traditional relatives.

In the Interest of Minor Children: K.R.D-R, DOB 09/09/92; T.J.D-R, DOB 12/23/96; E.E.D-R, DOB 04/12/97; A.B.L.D-R, DOB 07/03/99, JV 07-48-51 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Nov. 29, 2007) (Matha, T).

The Court scheduled a *Guardianship Hearing* after a *Petition* was filed. In accordance with the CHILDREN'S ACT § 3.5c(1), the Court requested CFS to prepare and submit a guardianship report and home study to the Court.

In the Interest of Minor Children: E.L., DOB 10/11/96; R.G., DOB 04/21/03, JV 07-46-47 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Nov. 29, 2007) (Matha, T).

The Court appointed a GAL in this matter.

DECEMBER 3, 2007

In the Interest of Minor Children: E.L., DOB 10/11/96; R.G., DOB 04/21/03, JV 07-46-47 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 3, 2007) (Matha, T).

The Court convened a *Plea Hearing* for the purpose of determining whether the parents wished to contest the allegations contained in the *Petition* filed by CFS. The mother entered a plea of guilty, and the Court entered a plea of not guilty for the fathers who failed to appear. The Court accordingly scheduled a *Trial* for those individuals.

DECEMBER 4, 2007

In the Interest of Minor Child: S.J.R., DOB 03/31/99, JV 00-01 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Dec. 4, 2007) (Matha, T).

The Court appointed a GAL in this matter.

In the Interest of Minor Children: J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-53-54, Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Dec. 4, 2007) (Matha, T).

The Court appointed a GAL in this matter.

In the Interest of Minor Children: K.R.D-R, DOB 09/09/92; T.J.D-R, DOB 12/23/96; E.E.D-R, DOB 04/12/97; A.B.L.D-R, DOB 07/03/99, JV 07-48-51 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Dec. 4, 2007) (Matha, T).

The Court appointed a GAL in this matter.

DECEMBER 6, 2007

In the Interest of Minor Child: D.B.M., DOB 10/06/07, JV 07-45 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Dec. 6, 2007) (Matha, T).

The Court had to determine whether to appoint an emergency temporary custodian for the minor child. The Court deemed such an appointment to be within the minor child's best interests.

DECEMBER 11, 2007

In the Interest of Minor Children: T.I.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-41-42 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Dec. 11, 2007) (Matha, T).

The Court appointed a GAL in this matter.

In the Interest of Minor Children: J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-53-54 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 11, 2007) (Matha, T).

The Court convened a *Plea Hearing* for the purpose of determining whether the parents wished to contest the allegations contained in the *Petition* filed by CFS. The Court entered pleas of not guilty for the parent, after the parent failed to appear. The Court accordingly scheduled a *Trial*.

In the Interest of Minor Children: S.S., DOB 04/23/98, R.S., DOB 05/25/07, JV 07-55-56 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Dec. 11, 2007) (Matha, T).

The Court had to determine whether to appoint an emergency temporary custodian for the minor children. The Court deemed such an appointment to be within the minor children's best interests.

DECEMBER 12, 2007

In the Interest of Minor Child: E.I.V., DOB 11/22/07, JV 07-52 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 12, 2007) (Matha, T).

The Court convened a *Plea Hearing* for the purpose of determining whether the minor parent wished to contest the allegations contained in the *Child/Family Protection Petition* filed by CFS. The Court entered pleas of not guilty for the parent, after the parent failed to appear. The Court accordingly scheduled a *Trial*.

DECEMBER 13, 2007

In the Interest of Minor Child: D.B.M., DOB 10/06/06, JV 07-45 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Dec. 13, 2007) (Rockman, A).

The Court appointed a GAL in this matter.

DECEMBER 13, 2007

In the Interest of Minor Children: Y.M.R., DOB 08/19/04; Y.J.R., DOB 06/24/05; A.A., DOB 03/23/98; V.A., DOB 02/28/00, JV 06-09-12 Order (Conditional Termination of Jurisdiction) (HCN Tr. Ct., Dec. 13, 2007) (Rockman, A).

The Court terminated jurisdiction over the instant case as of June 13, 2008, in accordance with CHILDREN'S ACT, § 3.16d, 40a. The parent has substantially complied with the dispositional requirements, thus, the Court found no further grounds for continued jurisdiction.

In the Interest of Minor Child: D.B.M., DOB 10/06/07, JV 07-45 Order (Appointment of Guardian at litem) (HCN Tr. Ct., Dec. 13, 2007) (Matha, T).

The Court appointed a GAL in this matter.

DECEMBER 14, 2007

In the Interest of Minor Children: T.J.B. DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-41-42 Order (Appointment of Guardian at litem) (HCN Tr. Ct., Dec. 14, 2007) (Matha, T).

The Court appointed a GAL in this matter.

DECEMBER 18, 2007

In the Interest of Minor Children: T.L.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-57-58 Order (Submission of Traditional Relatives List) (HCN Tr. Ct., Dec. 18, 2007) (Matha, T).

In accordance with the CHILDREN'S ACT, the Court requested CFS to prepare and submit a list of the minor children's traditional relatives.

In the Interest of Minor Children: T.L.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-57-58 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Dec. 18, 2007) (Matha, T).

In accordance with the CHILDREN'S ACT § 3.5c(1), the Court requested CFS to prepare and submit a guardianship report and home study to the Court.

DECEMBER 19, 2007

In the Interest of Minor Children: L.D.C., DOB 03/14/97; M.R.C., DOB 10/11/99; C.J.K., DOB 02/08/04; C.H.K., DOB 06/20/05, JV 07-18-21 Order (Granting Motion to Recess) (HCN Tr. Ct., Dec. 19, 2007) (Matha, T).

The Court granted the *Motion to Recess*, submitted after the parties mutually requested to continue the proceeding for purposes of entering into a negotiated settlement.

In The Interest of Minor Child: A.M.E.M., DOB 07/24/07, JV 07-36 Order (Continuance of Plea Hearing) (HCN Tr. Ct., Dec. 19, 2007)

The Court convened a *Plea Hearing* for the purposes of determining whether the parents wished to contest the allegations continued in the *Petition* filed by HCN CFS. The parents requested a continuance after the Court advised them of their rights as set forth in the CHILDREN'S ACT, § 3.22d.

DECEMBER 20, 2007

In the Interest of Minor Children: T.L.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-57-58 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 20, 2007) (Matha, T).

The Court convened a *Plea Hearing* for the purposes of determining whether the parents of minor children wished to contest the allegations contained in the *Petition*. After the Court advised the parent of her rights under the CHILDREN'S ACT § 3.22d., the mother entered a plea of not guilty, and the Court entered a not guilty plea on behalf of the absent fathers. The Court accordingly schedules a *Trial*.

DECEMBER 21, 2007

In the Interest of Minor Children: S.S., DOB 04/23/98, R.S., DOB 05/25/07, JV 07-55-56 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 21, 2007) (Matha, T).

The Court convened a *Plea Hearing* for the purposes of determining whether the parents of minor children wished to contest the allegations contained in the *Petition*. The parent entered a plea of not guilty after the Court advised the parent of her rights under the CHILDREN'S ACT § 3.22d., and the Court accordingly schedules *Trial*.

DECEMBER 26, 2007

In the Interest of Minor Children: A.S.P., DOB 02/15/05; J.K.W., DOB 11/01/06, JV 07-60-61 Order (Submission of Traditional Relatives List) (HCN Tr. Ct., Dec. 26, 2007) (Rockman, A).

In accordance with the CHILDREN'S ACT, the Court requested CFS to prepare and submit a list of the minor children's traditional relatives.

In the Interest of Minor Children: A.S.P., DOB 02/15/05; J.K.W., DOB 11/01/06, JV 07-60-61 Order (Submission of Guardianship Report and Home Study List) (HCN Tr. Ct., Dec. 26, 2007) (Rockman, A).

In accordance with the CHILDREN'S ACT § 3.5c(1), the Court requested CFS to prepare and submit a guardianship report and home study to the Court.

JANUARY 2, 2008

In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/1994; L.M.T., DOB 01/20/93, JV 07-62-64 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Jan. 2, 2008) (Rockman, A).

The Court had to determine whether to appoint an emergency temporary custodian for the minor children. The Court deemed such an appointment to be within the minor children's best interests.

JANUARY 3, 2008

In The Interest of Minor Child: K.V.F., DOB 01/15/90, JV 03-17 Order (Termination of Jurisdiction) (HCN Tr. Ct., Jan. 3, 2008) (Matha, T).

The minor child has obtained the age of majority. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

In the Interest of Minor Children: S.S., DOB 04/23/98, R.S., DOB 05/25/07, JV 07-55-56 Order (Notification of Plea Hearing) (HCN Tr. Ct., Jan. 3, 2008) (Matha, T).

An amended *Petition* necessitated separate Plea Hearings for the fathers of the minor children.

JANUARY 4, 2008

In the Interest of Minor Children: J.V., DOB 10/22/98, S.V., DOB 09/03/99, JV 02-19-20 Order (Child Protection Review Hearing) (HCN Tr. Ct., Jan. 4, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. The Court had to assess the extent of compliance with the dispositional order. The Court determined to maintain the status quo.

In the Interest of Minor Children: R.A.R., DOB 07/30/95; R.G.R., DOB 02/10/99; N.A.R., DOB 11/25/96, JV 07-23-25 Order (Maternal Dispositional Requirements)(HCN Tr. Ct., Jan. 4, 2008) (Matha, T).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.

JANUARY 7, 2008

In the Interest of Minor Children: S.S., DOB 04/23/98, R.S., DOB 05/25/07, JV 07-55-56 Order (Reversal of Plea) (HCN Tr. Ct., Jan. 7, 2008) (Matha, T).

The Court accepted the motion by the mother of the minor children to change her initial plea of not guilty, to guilty or no contest. Thus, the Court removed the *Trial* date from the court calendar, and instead, will hold a *Dispositional Hearing* on behalf of the mother during allocated time.

JANUARY 8, 2008

In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/1994; L.M.T., DOB 01/20/93, JV 07-62-64 Order (Entrance of Plea) (HCN Tr. Ct., Jan. 8, 2008) (Rockman, A).

The Court convened a *Plea Hearing* for the purposes of determining whether the parents of minor children wished to contest the allegations contained in the *Petition*. The parent entered a plea of not guilty after the Court advised the parent of her rights under the CHILDREN'S ACT § 3.22d., and the Court accordingly schedules *Trial*.

In the Interest of Minor Children: A.S.P., DOB 02/15/05; J.K.W., DOB 11/01/06, JV 07-60-61 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 8, 2008) (Rockman, A).

The Court appointed a GAL in this matter.

JANUARY 9, 2008

In the Interest of Minor Children: S.C., DOB 03/04/91; A.H., DOB 11/01/06; E.I.V., DOB 11/22/07, JV 07-03-07-52 Order (Dispositional Requirements) (HCN Tr. Ct., Jan. 9, 2008) (Rockman, A).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.

JANUARY 10, 2008

In the Interest of Minor Children: J.C., DOB 08/01/92, C.L., DOB 05/30/01, JV 07-53-54 Order (Formal Trial) (HCN Tr. Ct., Jan. 10, 2008) (Matha, T).

The Court convened a *Trial* to determine whether CFS could prove the allegations within its *Petition* by a preponderance of the evidence. CFS must file a *Petition* in the event a party either violates the terms of a consent decree or fails to satisfy the terms prior to the expiration of the consent decree. CFS demonstrated that it could establish the elements of

the *Petition*, leading the Court to schedule a *Dispositional Hearing*.

In the Interest of Minor Children: K.R.D-R, DOB 09/09/92; T.J.D-R, DOB 12/23/96; E.E.D-R, DOB 04/12/97; A.B.L.D-R, DOB 07/03/99, JV 07-48-51 Order (Voluntary Dismissal) (HCN Tr. Ct., Jan. 10, 2008) (Matha, T).

The Court dismissed the instant case without prejudice, after the petitioner withdrew her initial *Petition for Temporary Guardianship*.

In the Interest of Minor Children: D.J.L., DOB 08/08/94; N.R.W., DOB 03/10/91, JV 07-27-28 Order (Establishment of Child Support) (HCN Tr. Ct., Jan. 10, 2008) (Matha, T).

The Court established child support against both parents at the request of the legal custodian of the minor children.

In the Interest of Minor Children: D.J.L., DOB 08/08/94; N.R.W., DOB 03/10/91, JV 07-27-28 Order (Establishment of Child Support-Redacted) (HCN Tr. Ct., Jan. 10, 2008) (Matha, T).

The Court established child support against both parents at the request of the legal custodian of the minor children. This order was redacted to protect the identity and confidentiality of the minor children involved.

JANUARY 11, 2008

In the Interest of Minor Children: Y.M.R., DOB 08/19/04; Y.J.R., DOB 06/24/05; A.A., DOB 03/23/98; V.A., DOB 02/28/00, JV 06-09-12 Order (Responding to Motion) (HCN Tr. Ct., Jan. 11, 2008) (Rockman, A).

The Court had to respond to a motion made by the parent of the minor children. As the motion related directly to the execution of the final judgment, the Court cannot directly address the matter because it is on appeal. The Court, however, asked CFS to allay the parent's concerns, by corresponding with her as soon as practicable.

JANUARY 17, 2008

In the Matter of Children: J.L., DOB 12/14/89; R.L., DOB 04/27/91; C.L., DOB 01/28/93, JV 97-07-08 Order (Modifying Child Support – Per Capita) (HCN Tr. Ct., Jan. 17, 2008) (Rockman, A).

The Court adjusted the child support withholding because one of the minor children is now emancipated.

In the Interest of Minor Children: T.L.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-57-58 Order (Voluntary Dismissal) (HCN Tr. Ct., Jan. 17, 2008) (Matha, T).

The petitioner moved the Court to withdraw her *Petition for Temporary Guardianship*, and the Court granted her request.

JANUARY 19, 2008

In the Interest of Minor Child: E.I.V., DOB 11/22/07, JV 07-52 Order (Dispositional Requirements) (HCN Tr. Ct., Nov. 29, 2007) (Matha, T).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.

JANUARY 21, 2008

In the Interest of Minor Children: T.L.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-41-42 Order (Dispositional Requirements) (HCN Tr. Ct., Jan. 21, 2008) (Matha, T).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.

JANUARY 22, 2008

In the Interest of Minor Children: S.S., DOB 04/23/98; R.S., DOB 05/25/07, JV 07-55-56 Order (Entrance of Plea & Dispositional Requirements) (HCN Tr. Ct., Jan. 22, 2008) (Matha, T).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family. This hearing also served as a *Plea Hearing* for the father of the younger child, who entered a plea of not guilty.

JANUARY 29, 2008

In the Interest of Minor Child: S.R.T., DOB 11/07/04, JV 08-01 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Jan. 29, 2008) (Rockman, A).

In accordance with the CHILDREN'S ACT § 3.5c(1), the Court requested CFS to prepare and submit a guardianship report and home study to the Court.

In the Interest of Minor Child: T.L.Y., DOB 12/02/87, CV 08-01 Order (Submission of Traditional Relatives List) (HCN Tr. Ct., Jan. 29, 2008) (Rockman, A).

In accordance with the CHILDREN'S ACT, the Court requested CFS to prepare and submit a list of the minor children's traditional relatives.

In the Interest of Minor Child: T.L.Y., DOB 12/02/87, CV 08-01 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Jan. 29, 2008) (Rockman, A).

The petitioner filed a *Petitioner for Permanent Guardianship* with the Court. The Court subsequently scheduled a *Guardianship Hearing*. In accordance with the CHILDREN'S ACT § 3.5c(1), the Court requested CFS to prepare and submit a guardianship report and home study to the Court.

JANUARY 30, 2008

In the Interest of Minor Children: A.S.P., DOB 02/15/05; J.K.W., DOB 11/01/06, JV 07-60-61 Order (Voluntary Dismissal) (HCN Tr. Ct., Jan. 30, 2008) (Rockman, A).

The petitioner moved the Court to withdraw her *Petition for Temporary Guardianship*, and the Court granted her request.

JANUARY 31, 2008

In the Interest of Minor Children: J.G.S., DOB 08/29/93; J.S.R., DOB 05/09/96; J.B.R., DOB 08/03/94, JV 07-37-39 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., Jan. 31, 2008) (Rockman, A).

The Court had to determine whether to appoint a successor temporary guardian of the minor child, pursuant to the CHILDREN'S ACT. The Court deemed that such an appointment was within the minor children's best interests.

In the Interest of Minor Children: R.C.S. DOB 06/07/98; B.L.S., DOB 09/26/00; A.M.M., DOB 11/01/02, JV 06-29-32 Order (Case Closure) (HCN Tr. Ct., Jan. 31, 2008) (Rockman, A).

The Court previously dismissed the underlying action and conferred "Consent Decree" status upon the case files. CFS submitted a *Status Report* indicating that the mother had substantially complied with the recommendations as set forth within the Consent Decree. Thus, the Court closes the consent decree designated files.



RECENT SUPREME COURT DECISIONS

Thomas Quimby v. Ho-Chunk Nation et al., SU 07-08 Scheduling Order (HCN S. Ct., Dec. 4, 2007)
The Court accepted the matter for appeal, stayed the final judgment of the Trial Court and ordered the parties to file briefs with the Court.

In the Interest of Minor Children: Y.M.R., DOB 8/19/04; Y.J.R., DOB 06/24/05; A.A., DOB 03/23/98; V.A., DOB 02-28-00, SU 07-13 Scheduling Order (HCN S. Ct., Jan. 4, 2008).

The Court accepted the matter for appeal, ordered the parties to file briefs in accordance with Rule 12 of the *HCN Rules of Appellate Procedure*, and reserved decision on whether to hold *Oral Arguments*.

In the Interest of Minor Children: Y.M.R., DOB 8/19/04; Y.J.R., DOB 06/24/05; A.A., DOB 03/23/98; V.A., DOB 02/28/00, SU 07-13 Order Granting Stay (HCN S. Ct., Jan. 21, 2008).

The Court ordered (*sua sponte*) to stay the *Order (Conditional Termination of Jurisdiction)* (HCN Tr. Ct., Dec. 13, 2007), pursuant to Rule 68 of the *HCN Rules of Civil Procedure*.

Sharon Williams v. Ho-Chunk Insurance Review Commission, SU 08-01 Scheduling Order (HCN S. Ct., Jan. 18, 2008).

The Court accepted the matter for appeal, stayed the final judgment of the Trial Court, and ordered the parties to submit briefs in accordance with *HCN Rules of Appellate Procedure*.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

DECEMBER 07, 2007

Selina Littlewolf v. Rayce Pettibone, CS 07-86 (Rockman, A).

DECEMBER 11, 2007

Amanda Wilson v. Kenneth L. Wilson, CS 07-87 (MATHA, T).

DECEMBER 21, 2007

Erica Hawpotose v. Brandon J. Cloud, CS 07-88 (Matha, T).

Kristen M. McNabb v. Joseph G. Grover, CS 07-89 (Matha, T).

James Monroe v. Michelle Mendoza, CS 07-90 (Matha, T).

JANUARY 8, 2008

In Re the Support of: M.N.K. v. Timothy M. Kistner, CS 08-01 (Matha, T).

JANUARY 15, 2008

Christine E. Kircher v. Thomas H. Kircher, CS 08-02 (Rockman, A).

JANUARY 21, 2008

Terry Deloney v. Cyndi D. Mann, CS 08-03 (Matha, T).

JANUARY 23, 2008

Vonetta F. Merritt v. George J. Merritt, CS 08-04 (Matha, T).

Ellen M. Estes v. Adam Estes, CS 08-05 (Matha, T).

JANUARY 29, 2008

Summer R. Decorah v. Roger L. Houghton, Jr., CS 08-06 (Rockman, A).

Eva B. Powless v. Eldon D. Powless, CS 08-07 (Rockman, A).

JANUARY 30, 2008

Terri L. Murray v. Sampson Anderson, CS 08-08 (Rockman, A).

Carolyn Brown v. Sampson Anderson, CS 08-09 (Rockman, A).

Michele Davis v. Sampson Anderson, CS 08-10 (Rockman, A).

Lisa Masino v. Sampson Anderson, CS 08-11 (Rockman, A).



CIVIL CASES

DECEMBER 4, 2007

In the Interest of Minor Child: C.J.S. DOB 08/27/94 by Fredericka Miner, CV 07-96 (Rockman, A).

DECEMBER 10, 2007

In the Interest of Minor Child: T.J.P. DOB 07/07/1990 by Deanna K. Penland, CV 07-97 (Matha, T).

DECEMBER 14, 2007

In the Interest of Minor Children: J.M.N. DOB 07/02/93, M.T.N., DOB 07/04/95 by (Matha, T).

DECEMBER 28, 2007

Karen Litscher v HCN Grievance Review Board, CV 07-99 (Matha, T).

Karen Litscher v. HCN Grievance Review Board, CV 07-100 (Matha, T).

JANUARY 17, 2008

In the Interest of Minor Child: T.L.Y., DOB 12/02/87, CV 08-01 (Rockman, A).

JANUARY 23, 2008

In the Interest of Minor Child: A.P.G. DOB 12/26/91, CV 08-02 (Matha, T).



CIVIL GARNISHMENT CASES

DECEMBER 12, 2007

Capitol One Bank v. Brady TwoBears, CG 07-97 (Matha, T).

Black River Falls Memorial Hospital v. Holy Pike, CG 07-98 (Matha, T).

Alliance Collection Agencies v. Tamela J. Shubert, CG 07-99 (Matha, T).

DECEMBER 17, 2007

Cuevas Properties v. Audrey Files, CG 07-100 (Matha, T).

Meritier Home Health v. Angeline Decorah, CG 07-101 (Matha, T).

JANUARY 8, 2008

Parkwood EyeCare Associates v. Karen L. Roy, CG 08-01 (Matha, T).

Alliance Collection Agencies v. Bryan J. Ringer, CG 08-02 (Matha, T).

JANUARY 15, 2008

Tomah Memorial v. Lucy Snake, CG 08-03 (Matha, T).

JANUARY 18, 2008

Black River Memorial v. Ricky and Kate Folkers, CG 08-04 (Matha, T).

Videoland of LaCrosse v. Rose A. Lemke, CG 08-06 (Matha, T).

JANUARY 23, 2008

UW Hospital & Clinic v. Angeline Decorah, CG 08-06 (Matha, T).

Creditor Recovery Services Water Works and Lighting Commission v. Benjamin D. Rucinski, CG 08-07 (Matha, T).

Gerald M. Voelker v. Missy Redcloud, CG 08-08 (Matha, T).

JANUARY 29, 2008

Gunderson Lutheran Vision Center v. Duane W. Kling Jr., CG 08-09 (Matha, T).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

 **DOMESTIC VIOLENCE**

NO FILINGS AT THIS TIME.

 **JUVENILE CASES**

DECEMBER 10, 2007

In the Interest of Minor Child: S.S. DOB 04/23/98, JV 07-55 (Matha, T).

In the Interest of Minor Child: R.S., DOB 05/25/07, JV 07-56 (Matha, T).

DECEMBER 12, 2007

In the Interest of Minor Child: T.L.B. DOB 04/06/04, JV 07-57 (Matha, T).

In the Interest of Minor Child: T.K.W., DOB 10/16/07, JV 07-58 (Matha, T).

DECEMBER 21, 2007

In the Interest of Minor Child: A.S.P., DOB 02/15/05, JV 07-60 (Rockman, A).

In the Interest of Minor Child: J.K.W., DOB 11/1/06, JV 07-61 (Rockman, A).

DECEMBER 28, 2007

In the Interest of Minor Children: L.L.T., DOB 06/23/96; *R.R.T.*, DOB 03/16/1994; *L.M.T.*, DOB 01/20/93, JV 07-62-64 (Rockman, A).

JANUARY 29, 2008

IN the Interest of Minor Child: S.R.T., DOB 11/07/04, JV 08-01 (Matha, T).

RECENT SUPREME COURT

FILINGS

NOVEMBER 17, 2007

Sharon Williams, v. Ho-Chunk Insurance Review Commission, SU 08-01.

NOVEMBER 26, 2007

Thomas Quimby v. Ho-Chunk Nation and HCN et al., SU 07-08.

DECEMBER 17, 2007

In the Interest of Minor Children: Y.M.R., DOB 8/19/04, *Y.J.R.*, DOB 06/24/05, *A.A.*, DOB 03/23/98, *V.A.*, DOB 02/28/00, SU 07-13.

WISCONSIN TRIBAL JUDGES ASSOCIATION
 (Eleven federally recognized tribes within the State of Wisconsin)

NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION
 (Region 10 — Illinois, Indiana, Michigan, Minnesota, and Wisconsin)



**HO-CHUNK NATION COURT SYSTEM
 JUDICIARY AND STAFF**

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 Joan Greendeer-Lee, Associate Justice
 Dennis Funmaker, Associate Justice
 Clerk of Court, Supreme Court– Mary K. Endthoff

Traditional Court – Earl Blackdeer
 Dennis Funmaker
 Cecil Garvin
 Jim Greendeer
 Douglas Greengrass
 Richard Mann
 Desmond Mike
 Douglas Red Eagle
 Preston Thompson, Jr.
 Eugene Thundercloud
 Morgan White Eagle
 Clayton Winneshiek

Trial Court – Todd R. Matha, Chief Judge
 Amanda L. Rockman, Associate Judge
 Clerk of Court, Trial Court – Marcella Cloud
 Assistant Clerk of Court, Trial Court – Selina Joshua
 Assistant Clerk of Court, Trial Court – Margaret Wilkerson
 Administrative Assistant – Rosalie Kakkak
 Bailiff – *vacant*
 Judicial Law Clerk/Staff Attorney – Natalie Stites (Ed.)

* The Ho-Chunk Nation Judiciary and its officers are active participants in the following organizations:

HCN Judiciary Fee Schedule

Filing Fees

- *Complaint*.....\$50.00
- *Petition for Release of Per Capita Distribution (Children's Trust Fund)*.....\$50.00
- *Motion to Appear Pro Hac Vice*.....\$35.00
- Appellate Filing Fee.....\$50.00
- *Petition to Register and Enforce Foreign Judgment/Order*\$20.00
- Marriage License Fee.....\$50.00

Court Fees

- Copying\$0.10/page
- Faxing\$0.25/page (sending & receiving)
- CD of Hearings\$12.50/CD
- Deposition Videotape\$10.00/tape
- Certified Copies.....\$0.50/page
- Equipment Rental\$5.00/hour
- Admission to Practice\$50.00

Legal Citation Forms

The following are example citation forms by legal reference and citation description.

Ho-Chunk Nation Constitution

Constitution, Article Number, Section, Subsection.
 HCN CONST., Art. II, Sec. (or §) 1(a).

Ho-Chunk Nation Code

Ordinance/Act Name Title Number HCC Section.
 ELDER PROTECTION ACT, 4 HCC § 1.
 EMPLOYMENT RELATIONS ACT, 6 HCC § 5.
(for detailed citation information consult LEGISLATIVE ORGANIZATION ACT, 2 HCC § 11.36)

HCN Supreme Court Case Law

Case Name, Case Number (HCN S. Ct., month, day, year).
Johnson v. Department Inc., SU 96-21 (HCN S. Ct., Aug. 14, 1996).

HCN Trial Court Case Law

Case Name, Case Number (HCN Tr. Ct., month, day, year)

Jane Doe v. Bob Smith, CV 99-01 (HCN Tr. Ct., Nov. 1, 1999).

Ho-Chunk Nation Rules of Civil Procedure

HCN R. Civ. P. 19(B)

HO-CHUNK NATION COURT BULLETIN

March 2008 Issue



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Hours of Operation:
Monday through Friday
8:00 a.m. – 4:30 p.m. (except holidays)

Wisconsin Supreme Court Chief Justice Visits *Wa Ehi Hoci*



On January 24, 2008, Wisconsin Supreme Court Chief Justice Shirley Abrahamson toured Jackson County. After meeting with county and tribal officials and legal practitioners, the Chief Justice stopped by the *Wa Ehi Hoci* to visit the Ho-Chunk Nation Judiciary. Chief Judge Todd R. Matha presented information about the development of the Ho-Chunk Judiciary, and introduced her to members of the Traditional Court. When meeting with members of the Traditional Court in their chambers, Chief Justice Abrahamson discussed the unique nature of the Traditional Court and its role in the HCN Judiciary.

Pictured above, the Chief Justice shakes hands with Traditional Court member, Preston Thompson, Jr. Below, from left to right, Associate Judge Amanda L. Rockman, the Chief Justice, and Chief Judge Todd R. Matha.



In recognition of *Ma Hocqk Hojt'e ra* in 2008, the Bulletin regularly features Ho-chunk phrases relevant to the practice of law and dispute resolution. In this issue:

Hanakixgywire:
Listen to each other

Kikanak:
Marriage

Hqkene waynj:
I am innocent



Two couples were married in the Ho-Chunk Nation Trial Court on February 14, 2008, by Judge Amanda L. Rockman. Congratulations to:

Antoinette Marie Jacobs & Scott Allen Funmaker

-and-

Angie Louise Shegonee & Robert Allen Jacobs



HÅKE HINUK HOJININE : PROTECTION FROM DOMESTIC ABUSE IN THE HCN TRIAL COURT

The Trial Court recently created a new brochure intended to provide guidance to individuals seeking protection orders from the Court for Domestic Abuse. In 2000, the HCN Legislature adopted the *Domestic Abuse Act*, declaring domestic abuse “a serious crime against the victim, family and the Nation.” 4 HCC § 5.2b. The Nation seeks to protect families and individuals from abuse and violence, and a protection order is one tool towards that end. This brochure poses ten (10) questions and answers, defining domestic abuse under Ho-Chunk law, as well as addressing privacy concerns. An excerpt from the brochure answers questions such as:

- What is Domestic Abuse?
- Who is a Family or Household Member?
- How soon does the Petitioner need to file after the Alleged Abuse occurs?

If you have any additional questions and seek to file a *Petition for an Order for Protection*, please contact the staff attorney or Clerk of Courts for additional information. The brochure is available at www.ho-chunknation.com/?PageId=383.

Stay tuned: A comprehensive update on Children and Incompetent Trust Funds (CTF/ITF) will be in our next Bulletin!

UPDATES FROM OUTSIDE COURTS

UNITED STATES SUPREME COURT

Petition for Certiorari Granted

- *Carciere v. Kempthorne*, No. 07-526, (granted Feb. 28, 2008).

Petition for Certiorari Denied

- *MacArthur v. San Juan County*, No. 07-701 (denied Feb. 18, 2007)

Petition for Certiorari Filed

- *Kickapoo Traditional Tribe of Texas v. Texas*, No.07-1109 (filed on Feb. 25, 2008).
- *Carls v. Blue Lake Housing Authority*, No. 07-1037 (filed Feb. 7, 2008).

UNITED STATES COURT OF APPEALS, 9TH CIRCUIT

Alvarado et al. v. Table Mountain Rancheria et al., No. 06-15351, 35 Indian L. Rep. 2001 (9th Cir., Nov. 29, 2007). The U.S. Court of Appeals for the Ninth Circuit affirms the district court's dismissal of an action by individuals who unsuccessfully petitioned the Table Mountain Tribal Council to admit them as tribal members of the Table Mountain Rancheria on grounds that the district court lacked subject matter jurisdiction over the action even if Table Mountain is not immune from suit.

UNITED STATES COURT OF APPEALS, 10TH CIRCUIT

Pino et al. v. United States, No. 06-7108, 35 Indian L. Rep. 2006 (10th Cir., Oct. 29, 2007) In a wrongful death action against the Indian Health Service, the U.S. Court of

Appeals for the Tenth Circuit certifies the question to the Oklahoma Supreme Court asking the Court to provide guidance on whether, as of September 1-2, 2003, the Oklahoma Wrongful Death Statute, Okla. Stat. tit. 12 § 1053 afforded a cause of action for the wrongful death of a nonviable stillborn fetus.

EASTERN DISTRICT OF NEW YORK

New York et al. v. Shinnecock Indian Nation et al., No. 03-CV-3243 (JFB) (ARL) and 03-CV-3466 (JFB) (AFL), 35 Indian L. Rep. 5012 (E.D.N.Y., Oct. 30, 2007) The Court granted the plaintiff's motion for a permanent injunction preventing the development of a casino that is not in full compliance with New York and Southampton Town laws and regulations, on the grounds that the Shinnecock Nation's aboriginal title to the land was extinguished in the 17th century, the development is barred under the U.S. Supreme Court's ruling in *City of Sherrill v. Oneida Indian Nation*, 544 U.S. 197 (2005); because the tribe is not a federally-recognized tribe nor are its lands "Indian lands" for the purposes of the Indian Gaming Regulatory Act; the tribe must comply with state and local laws; and the operation of a casino would violate New York's anti-gaming laws.

IOWA SUPREME COURT

In the Interest of A.W. and S.W., Woodbury Co. Attorney et al. v. Iowa Attorney General et al., No. 06-1074, 35 Indian L. Rep. 5013 (Iowa Sup. Ct., Nov. 30, 2007) The Iowa Supreme Court held that the Iowa Indian Children Welfare Act definition of "Indian child" violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and thus reverses the juvenile court's ruling granting the Winnebago Tribe's petition to intervene in a child-in-need-of-assistance proceeding, finding that the children are ethnic Indian children who are ineligible for membership in the Tribe.

RECENT TRIAL COURT DECISIONS

Decisions are separated between Trial Court and Supreme Court decisions and categorized by subject matter and date (from oldest to most recent). The following are summaries prepared by the Staff Attorney for the reader's benefit. They should in no way be used as substitution for citations to the actual court opinion.

Within the Trial Court, cases are categorized and docketed as one of the following: Child Support (CS or if filed prior to 1998, CV), Civil Garnishment (CG), Civil (CV), Criminal (CR), Custody (CU), Domestic Violence (DV), Family (FM), or Juvenile (JV). Within this index, case citations will appear in one of these categories and, in the event it may be helpful to the reader as a research tool, the cases may also be summarized in a separate topic area. Due to the great incidence of civil cases before the Court, the category for civil cases is divided into broad sub-categories. In some instances a decision may touch upon other topics that may not warrant a summary in this index, but the editor will use the indicator "other topic(s) covered," as a research aid for the reader.

RECENT DECISIONS AND RECENT FILINGS BOTH BEGIN WITH THE DATE WHERE THE PREVIOUS COURT BULLETIN LEFT OFF.

CHILD SUPPORT CASES

FEBRUARY 4, 2008

Stacy L. Spry v. Levi A. Lincoln, CS 07-81 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Feb. 2, 2008) (Rockman, A).

The Court granted a telephonic appearance for a child support witness.

FEBRUARY 12, 2008

State of Wisconsin/Jackson Co. v. Robin E. McKee, CS 97-124 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Feb. 12, 2008) (Matha, T).

The respondent filed the required proof of high school enrollment to continue to receive child support.

Terry Deloney v. Cyndi Mann, CS 08-03 Default Judgment (Enforcing Child Support) (HCN Tr. Ct. Feb. 12, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin v. Robert Cleveland, CS 00-33 Order (Ceasing Child Support and Enforcing Arrears) (HCN Tr. Ct. Feb. 12, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion to modify. The Court assumed the respondent's acquiescence to the motion and granted the motion.

FEBRUARY 13, 2008

State of Wisconsin/Tammie J. Lamb v. Bryan J. Ringer, CS 07-80 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin v. Timothy M. Kistner, CS 08-01 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Christine E. Kircher v. Thomas H. Kircher, CS 08-02 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

FEBRUARY 14, 2008

Vonda I. Merritt v. George I. Merritt, CS 08-04 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Feb. 14, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely

respond, thus the Court granted recognition and enforcement of the foreign judgment.

FEBRUARY 19, 2008

Ellen M. Estes v. Adam K. Estes, CS 08-05 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Feb. 19, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

 **CIVIL GARNISHMENT CASES**

FEBRUARY 1, 2008

Capital One Bank v. Brady TwoBears, CG 07-97 Order (Default Judgment) (HCN Tr. Ct., Feb. 1, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

FEBRUARY 6, 2008

Cuevas Properties v. Audrey Files, CG 07-100 Order (Default Judgment) (HCN Tr. Ct., Feb. 6, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

FEBRUARY 11, 2008

Videoland of La Crosse v. Rose A. Lemke, CG 08-05 Order (Default Judgment) (HCN Tr. Ct., Feb. 11, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Black River Memorial v. Ricky & Kate Folkers, CG 08-04 Order (Default Judgment) (HCN Tr. Ct., Feb. 12, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

FEBRUARY 13, 2008

Creditor Recovery Service v. Benjamin D. Rucinski, CG 08-07 Order (Default Judgment) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Gerald M. Voelker v. Missy Red Cloud, CG 08-08 Order (Requiring Amended Petition) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The Court required proof that petitioner had revived the foreign judgment under applicable Wisconsin state law. The petitioner was granted twenty (20) days to file an Amended Petition.

FEBRUARY 14, 2008

Capital One Bank v. Cheryl Kivlin, CG 07-86 Order (Petition Granted) (HCN Tr. Ct., Feb. 14, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent timely responded, and the petitioners subsequently noted agreement with a reduced weekly withholding arrangement. The Court granted the petitioner's request for relief.

FEBRUARY 19, 2008

Gunderson Lutheran Vision Center v. Duane W. Kling, Jr., CG 08-09 Order (Default Judgment) (HCN Tr. Ct., Feb. 19, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. David A. Downing, CG 08-10 Order (Default Judgment) (HCN Tr. Ct., Feb. 19, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Barbara & Rodney Rave, CG 08-13 Order (Default Judgment) (HCN Tr. Ct., Feb. 19, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Payday Loan Store v. Terri Keturi, CG 08-15 Order (Default Judgment) (HCN Tr. Ct., Feb. 19, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

FEBRUARY 20, 2008

Alliance Collection Agencies, CG 07-99 Order (Default Judgment) (HCN Tr. Ct., Feb. 20, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court afforded the respondent the opportunity to object, however, she failed to appear at the scheduled hearing. Thus, the Court granted the relief requested by the petitioner.

 **CIVIL CASES**

 **ADMINISTRATIVE APPEALS**

FEBRUARY 15, 2008

Wayne Falcon v. HCN GRB, CV 07-44 Order (Denial of Motion) (HCN Tr. Ct., Feb. 15, 2008) (Matha, T).

The petitioner filed a *Motion Requesting Status Conference*. The Court denied the *Motion*, while validating the petitioner's concern, and ordered the petitioner to file his *Initial Brief* on or before March 3, 2008.

FEBRUARY 18, 2008

Karen Litscher v. HCN GRB, CV 07-99 Order (Partially Granting Motion) (HCN Tr. Ct., Feb. 18, 2008) (Matha, T).

The petitioner filed a *Motion to Re-set Scheduling Order*. The Court partially granted the *Motion*. The Court ordered the respondent to file a portion of the administrative record on or before February 22, 2008, and ordered the petitioner to file her *Initial Brief* on or before March 21, 2008.

Karen Litscher v. HCN GRB, CV 07-100 Order (Partially Granting Motion) (HCN Tr. Ct., Feb. 18, 2008) (Matha, T).

The petitioner filed a *Motion to Re-set Scheduling Order*. The Court partially granted the *Motion*. The Court ordered the respondent to file a portion of the administrative record on or before February 22, 2008, and ordered the petitioner to file her *Initial Brief* on or before March 21, 2008.

 **CHILDREN'S TRUST FUND (CTF)**

FEBRUARY 1, 2008

In the Interest of Minor Child: M.W., DOB 07/09/95, by Melody Whiteeagle-Fintak v. HCN Office of Tribal Enrollment, CV 07-23 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 1, 2008) (Matha, T).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a payment history, confirming the proper use of the funds. The Court accepted this accounting.

FEBRUARY 5, 2008

In the Interest of Minor Children: G.H., DOB 08/08/00, and G.H., DOB 06/29/01, by Eleanor Decorah v. HCN Office of Tribal Enrollment, CV 07-68 Order (Dismissal without Prejudice) (HCN Tr. Ct., Feb. 5, 2008) (Matha, T).

The Court scheduled a *Fact-Finding Hearing* to determine the merits of the petitioner's request. However, the petitioner failed to appear, and the Court dismissed the case without prejudice.

FEBRUARY 6, 2008

In the Interest of Minor Child: T.J.B., DOB 07/07/90, by Deanna Penland v. HCN Office of Tribal Enrollment, CV 07-97 Order (Dismissal without Prejudice) (HCN Tr. Ct., Feb. 6, 2008) (Matha, T).

The Court scheduled a *Fact-Finding Hearing* to determine the merits of the petitioner's request. However, the petitioner failed to appear, and the Court dismissed the case without prejudice.

In the Interest of Minor Child: A.T.R., DOB 09/27/96, by Tina L. Boisen v. HCN Office of Tribal Enrollment CV 07-69 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 6, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Minor Child: L.B., DOB 05/04/1999, by Carly Lincoln v. HCN Office of Tribal Enrollment, CV 07-52 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 6, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a

payment history, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: L.B., DOB 05/04/1999, by Carly Lincoln v. HCN Office of Tribal Enrollment, CV 07-52 Order (Motion Granted) (HCN Tr. Ct., Feb. 6, 2008) (Rockman, A).

The Court had to determine whether to grant the parent access to additional monies on behalf of the minor child for costs associated with orthodontic procedures. The Court granted the motion.

FEBRUARY 11, 2008

In the Interest of Adult CTF Beneficiary: Neva J. Littlegeorge, DOB 09/24/85 v. HCN Office of Tribal Enrollment, CV 06-80 Order (Demanding Accounting) (HCN Tr. Ct., Feb. 11, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the petitioner for costs associated with the purchase of an automobile. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Minor Children: M.W., DOB 12/16/93; Z.W., DOB 07/28/91; Z.W. DOB 01/02/98; and S.W., DOB 11/15/99, by Rita Wolf v. HCN Office of Tribal Enrollment, CV 07-51 Order (Demanding Accounting) (HCN Tr. Ct., Feb. 11, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor children for costs associated with the purchase of an automobile. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Minor Child: A.F., DOB 01/13/96, by Alona Bush v. HCN Office of Tribal Enrollment, CV 07-26 Order (Demanding Accounting) (HCN Tr. Ct., Feb. 11, 2008) (Matha, T).

The Court previously released funds from the CTF account of the minor child for costs associated with automobile repair. The petitioner failed to submit an accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

In the Interest of Minor Child: M.L., DOB 03/03/94, by Christine Luke v. HCN Office of Tribal Enrollment, CV 07-25 Order (Show Cause) (HCN Tr. Ct., Feb. 11, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner has not responded to the most recent judicial directive, and thus, the Court shall convene a *Show Cause Hearing* to allow the petitioner the opportunity to explain why the Court should not hold her in contempt of court.

FEBRUARY 12, 2008

In the Interest of Adult CTF Beneficiary: Trista L. Youngthunder, DOB 12/02/87 v. HCN Office of Tribal Enrollment, CV 08-01 Order (Granting Petition) (HCN Tr. Ct., Feb. 12, 2008) (Rockman, A).

The Court had to determine whether to grant an adult access to her CTF for the purpose of paying for tuition costs associated with completing her high school studies. The Court granted the petition.

FEBRUARY 13, 2008

In the Interest of Minor Child: A.L.B., DOB 08/15/90, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 08-01 Order (Petition Granted) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child for costs associated with orthodontic procedures. The Court granted the petition.

FEBRUARY 14, 2008

In the Interest of Minor Child: L.B., DOB 05/04/1999, by Carly Lincoln v. HCN Office of Tribal Enrollment, CV 07-52 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 14, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a payment history, confirming the proper use of the funds. The Court accepted this accounting.

FEBRUARY 19, 2008

In the Interest of Minor Child: J.M.N., DOB 07/02/93, and M.T.N., DOB 07/04/95, by Ramona McDonald v. HCN Office of Tribal Enrollment, CV 07-98 Order (Dismissal without Prejudice) (HCN Tr. Ct., Feb. 19, 2008) (Matha, T).

The Court scheduled a *Fact-Finding Hearing* to determine the merits of the petitioner's request. However, the petitioner failed to appear, and the Court dismissed the case without prejudice.

FEBRUARY 20, 2008

In the Interest of Minor Child: H.D., DOB 03/23/95, and K.D., DOB 09/05/96, by Richard Dakota v. HCN Office of

Tribal Enrollment, CV 07-53 Order (Conditional Dismissal without Prejudice) (HCN Tr. Ct., Feb. 20, 2008) (Matha, T).

The petitioner was ordered by the Court to present evidence of exhaustion of tribal resources pursuant to applicable law before it would consider at CTF request. The petitioner has failed to submit such documentation. Thus, the Court will dismiss the cause of action without inactivity in excess of six (6) months, unless the petitioner demonstrates good cause to the contrary in writing on or before March 20, 2008.

FEBRUARY 26, 2008

In the Interest of Minor Children: B.A., DOB 09/01/93, and D.A., DOB 12/09/1994, by Jamie Funmaker v. HCN Office of Tribal Enrollment, CV 08-04 Order (Petition Granted) (HCN Tr. Ct., Feb. 26, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child for costs associated with orthodontic procedures. The Court granted the petition.

In the Interest of Minor Child: C.C.R., DOB 10/02/90, by Christian M. Roth v. HCN Office of Tribal Enrollment, CV 06-66 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 26, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a payment history, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: E.M.H., DOB 07/08/1997, by Patricia A. Houghton v. HCN Office of Tribal Enrollment, CV 07-92 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 26, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the child for costs associated with orthodontic procedures. The petitioner submitted a payment history, confirming the proper use of the funds. The Court accepted this accounting.

 **CONTRACTS**

FEBRUARY 11, 2008

HCN et al. v. Marlon White Eagle, CV 07-88 Order (Default Judgment) (HCN Tr. Ct., Feb. 11, 2008) (Matha, T).

The Court had to determine whether to grant the relief requested by the plaintiffs. The defendant failed to answer the *Complaint* despite proper service of process. Thus, the Court rendered a default judgment against the

defendant, awarding the plaintiffs' permissible relief sought in the *Complaint*, *i.e.*, a claim by the HCN Business Department.

FEBRUARY 20, 2008

HCN et al. v. Bank of America, N.A., CV 02-93 Order (Conditional Dismissal without Prejudice) (HCN Tr. Ct., Feb. 20, 2008) (Matha, T).

The Court informed the parties that the Court shall dismiss the cause of action on the basis of case inactivity unless the plaintiff demonstrates good cause to the contrary. The plaintiff had failed to submit status updates to the Court since May 2007.

 **ELECTION MATTERS**

NO DECISIONS AT THIS TIME.

 **EMPLOYMENT**

NO DECISIONS AT THIS TIME.

 **ENROLLMENT**

NO DECISIONS AT THIS TIME.

 **HOUSING**

FEBRUARY 4, 2008

HCN Housing Dept. v. Wendy Jo Williams, CV 07-60 Order (Default Judgment) (HCN Tr. Ct., Feb. 4, 2008) (Rockman, A).

The Court had to determine whether to grant the relief requested by plaintiff. The defendant failed to answer, and thus, the Court rendered a default judgment in favor of the plaintiff.

FEBRUARY 26, 2008

HCN Property Mgmt. v. Troy Nakai and Sonia Roberts, CV 05-88 Order (Satisfaction of Judgment) (HCN Tr. Ct., Feb. 26, 2008) (Rockman, A).

The defendants have satisfied their debt to the Nation.

 **INCOMPETENT'S TRUST FUND (ITF)**

FEBRUARY 4, 2008

In the Interest of Adult Incompetent: B.P.O., DOB 04/03/34, by Elethe Nichols v. HCN Office of Tribal Enrollment, CV 96-46 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 4, 2008) (Rockman, A).

The Court previously released funds from the ITF account of the adult incompetent for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted the

final receipts in a series of receipts. The receipts confirm proper use of the funds. The Court accepted this accounting.

 **DIVORCE**
NO DECISIONS AT THIS TIME.

FEBRUARY 13, 2008

In the Interest of Adult Incompetent: O.S.R., DOB 05/14/68, by Jean Ann Day v. HCN Office of Tribal Enrollment, CV 97-117 Order (Motion Granted) (HCN Tr. Ct., Feb. 13, 2008) (Rockman, A).

The Court had to determine whether a protective payee can access monies from an ITF on behalf of adult incompetent member to pay for an ongoing personal allowance, associated service fee and outstanding family Christmas gift. The Court granted a release to satisfy the petitioner's request.

FEBRUARY 26, 2008

In the Interest of Adult Incompetent: L.L.L., DOB 09/18/1948 by Bertha Lowe v. HCN Office of Tribal Enrollment, CV 06-108 Order (Motion Granted) (HCN Tr. Ct., Feb. 26, 2008) (Rockman, A).

The Court had to determine whether a legal guardian can access monies from an ITF on behalf of adult incompetent member to pay for costs associated with property taxes and outstanding debts owed to various vendors.

FEBRUARY 28, 2008

In the Interest of Adult Incompetent: O.S.R. DOB 05/14/68, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Appointing Successor Protective Payee) (HCN Tr. Ct., Feb. 28, 2008) (Rockman, A).

The Court had to determine whether to accept the resignation of an adult incompetent member's protective payee. The Court granted the request to resign due, in part, to the presence of a willing successor.

 **RECALL/REMOVAL**
NO DECISIONS AT THIS TIME.

 **DOMESTIC ABUSE**

FEBRUARY 25, 2008

Tiffany L. DeCora v. Henry Mustache DV 08-01 Final Order for Protection (HCN Tr. Ct., Feb. 25, 2008) (Rockman, A).

The Court granted a *Final Order for Protection*.

 **FAMILY**

 **JUVENILE CASES**

FEBRUARY 1, 2008

In the Interest of Minor Children: S.M., DOB 11/18/92; K.M., DOB 10/18/93; S.M., DOB 12/13/95; A.M., DOB 09/16/01; A.M., DOB 06/16/04; A.M., DOB 03/14/06, JV 07-41-42 Order (Dispositional Requirements) (HCN Tr. Ct., Nov. 5, 2007) (Rockman, A).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by Children & Family Services (hereinafter CFS). Dispositions were established with the hope of reunification of the family.

FEBRUARY 4, 2008

In the Interest of Minor Child: D.S.S., DOB 07/12/99, JV 03-15 Order (Termination of Temporary Guardianship) (HCN Tr. Ct., Feb. 4, 2008) (Rockman, A).

The Court had to determine whether to terminate the temporary guardian of the minor child. The parties did not reveal any impediment to the mother's resumption of legal custody, thus, the Court revoked guardianship and terminated jurisdiction.

FEBRUARY 5, 2008

In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 5, 2008) (Matha, T).

The Court convened a *Review Hearing* in compliance with the HOCAK NATION CHILDREN AND FAMILY ACT (hereinafter CHILDREN'S ACT). At the hearing, the Court assessed compliance with the December 10, 2007 dispositional order, and determined to maintain the status quo.

FEBRUARY 5, 2008

In the Interest of Minor Child: A.H.E.M., DOB 07/24/07, JV 07-36 Order (Entrance of Plea) (HCN Tr. Ct., Feb. 5, 2008) (Matha, T).

The Court convened a *Plea Hearing* for the purpose of determining whether the parents wished to contest the allegations contained in the *Petition* filed by CFS. The Court entered a plea of not guilty for the parents who failed to appear. The Court accordingly scheduled a *Trial* for those individuals.

FEBRUARY 6, 2008

In the Interest of In the Interest of Minor Children: L.L.TB., DOB 06/23/96; R.R.TB., DOB 03/16/1994; L.M.TB., DOB 01/20/93, JV 07-62-64 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Feb. 6, 2008) (Matha, T).

The Court appointed a GAL in this matter, in accordance with the CHILDREN'S ACT.

FEBRUARY 7, 2008

In the Interest of Minor Children: J.R.P., DOB 02/27/92; L.M.P., DOB 05/12/90, JV 03-01-02 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 7, 2008) (Matha, T).

The Court convened a *Review Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the Court assessed compliance with the standing dispositional order, and determined to maintain the status quo.

In the Interest of Minor Child: L.M.P., JV 03-01 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 7, 2008) (Matha, T).

The minor child has obtained the age of majority. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

In the Interest of Minor Children: T.I.B., DOB 04/06/04; T.K.W., DOB 10/16/07, JV 07-41-42 Order (Formal Trial) (HCN Tr. Ct., Feb. 7, 2008) (Matha, T).

The Court convened a *Trial* to determine whether CFS could prove the allegations within its *Petition* by a preponderance of the evidence. The father of the younger child failed to appear, but CFS was required to satisfy its burden of proof. CFS demonstrated that it could establish the elements of the *Petition*, leading the Court to schedule a *Dispositional Hearing*.

In the Interest of Minor Children: J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-45 Order (Dispositional Requirements) (HCN Tr. Ct., Feb. 7, 2007) (Matha, T).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.

FEBRUARY 12, 2008

In the Interest of In the Interest of Minor Child: S.R.T., DOB 11/07/04, JV 08-01 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Feb. 12, 2008) (Matha, T).

The Court appointed a GAL in this matter.

In the Interest of Minor Child: T.J.B. DOB 05/30/06, JV 06-15 Order (Appointment of Second Permanent Guardian) (HCN Tr. Ct., Feb. 12, 2008) (Matha, T).

The Court appointed the spouse of the first permanent guardian as a second permanent guardian.

FEBRUARY 13, 2008

In the Interest of Minor Child: S.M.N., DOB 02/17/90, 95-CU-15 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The minor child has obtained the age of majority. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

In the Interest of Minor Child: L.J.R., DOB 02/17/90, JV 01-05 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 13, 2008) (Matha, T).

The minor child has obtained the age of majority. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

In the Interest of Minor Child: R.B., DOB 06/23/95, JV 02-18 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 13, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing* to assess the extent of compliance with its dispositional order. The Court determined to conditionally terminate its jurisdiction over the case.

FEBRUARY 14, 2008

In the Interest of Minor Children: S.S. DOB 04/23/98, R.S., DOB 05/25/07, JV 07-55-56 Order (Continuance of Plea Hearing and Formal Trial) (HCN Tr. Ct., Feb. 14, 2008) (Matha, T).

At the plea hearing, the father of one of the minor children requested a continuance after the Court advised the parent of his rights under the CHILDREN'S ACT. The court granted his request, and rescheduled the plea hearing so as to provide the father with an opportunity to obtain legal representation. The proceeding also served as a *Trial* for the father of the other minor, who failed to attend. CFS demonstrated it could partially establish the elements of the *Amended Petition*, and the Court scheduled a *Dispositional Hearing*.

In the Interest of Minor Child: D.B.M., DOB 10/06/2006, JV 07-45 Order (Requiring Clarification) (HCN Tr. Ct., Feb. 14, 2008) (Rockman, A).

The Court required the Department of Justice to clarify the jurisdictional standing of the case, as the case was transferred from a foreign court.

FEBRUARY 27, 2008

In the Interest of Minor Child: J.L., DOB 12/14/89, JV 97-06 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 27, 2008) (Matha, T).

The minor child has obtained the age of majority. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

In the Interest of Minor Children: A.S.P., DOB 02/15/05; J.K.W., DOB 11/01/06, JV 07-60-61 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Feb. 27, 2008) (Rockman, A).

The Court granted reconsideration of the petitioner's motion for temporary guardianship of the minor children. The Court requested that CFS prepare and submit a guardianship report and home study to the Court in accordance with the CHILDREN'S ACT.

In the Interest of Minor Children: A.S.P., DOB 02/15/05; J.K.W., DOB 11/01/06, JV 07-60-61 Order (Submission of Traditional Relatives List) (HCN Tr. Ct., Feb. 27, 2008) (Rockman, A).

The Court requested that CFS prepare and submit a list of traditional relatives, in accordance with the CHILDREN'S ACT.

In the Interest of Minor Children: T.L.B., DOB 04/06/04; T.K.W., DOB 10/06/07, JV 07-41-42 Order (Parental Dispositional Requirements) (HCN Tr. Ct., Feb. 27, 2008) (Matha, T).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.

FEBRUARY 28, 2008

In the Interest of Minor Child: R.B., DOB 06/23/95, JV 06-05 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 28, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing* to assess the extent of compliance with its dispositional order. The Court determined to conditionally terminate its jurisdiction over the case.

In the Interest of Minor Child: P.D.R., DOB 08/24/90, JV 03-24 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Feb. 28, 2008) (Rockman, A).

The Court appointed a GAL in this matter.

In the Interest of Minor Children: E.L., DOB 10/11/96; R.G., DOB 04/21/03, JV 07-46-47 Order (Formal Trial and Maternal Dispositional Requirements) (HCN Tr. Ct., Feb. 28, 2008) (Rockman, A).

The Court conducted a *Dispositional Hearing*. At the *Hearing*, the Court had to assess the extent and scope of the dispositional recommendations proposed by CFS. Dispositions were established with the hope of reunification of the family.



RECENT SUPREME COURT DECISIONS

FEBRUARY 25, 2008

Thomas Quimby v. Ho-Chunk Nation et al., SU 07-08 *Order for Oral Argument* (HCN S. Ct., Feb. 25, 2008). The matter is scheduled for *Oral Argument* on March 15, 2008. The parties will be allowed twenty (20) minutes for argument.



RECENT TRIAL COURT FILINGS

 **CHILD SUPPORT CASES**

FEBRUARY 21, 2008

Danny Redfern v. Susan A. Redfern, CS 08-12 (Matha, T).

FEBRUARY 25, 2008

Sandra Osuna v. Michael Koran, CS 8-13 (Matha, T).

FEBRUARY 29, 2008

Sarah J. Pyawsit v. Thomas L. Harrison, CS 08-14 (Rockman, A).

 **CIVIL CASES**

FEBRUARY 7, 2008

In the Interest of Minor Child: A.L.B. DOB 08/15/90, by Victoria Blackcoon, CV 08-03 (Matha, T).

FEBRUARY 8, 2008

In the Interest of Minor Children: C.C. DOB 10/28/91; B.A., DOB 09/01/93; D.A., DOB 12/09/94, by Jamie Funmaker, CV 08-04 (Matha, T).

Andrea Pence v. Jill Pettibone, CV 08-05 (Matha, T).

FEBRUARY 12, 2008

In the Interest of Minor Child: C.L.M., DOB 05/26/98, by Karen Klondland, CV 08-06 (Rockman, A).

FEBRUARY 13, 2008

In the Interest of Minor Children: R.B., DOB 09/29/00; C.B., DOB 02/06/02, by Cheryl Byhrem, CV 08-07 (Rockman, A).

FEBRUARY 20, 2008

In the Interest of Minor Child: K.R., DOB 11/04/89, by Sherri Mann, CV 08-08 (Matha, T).

FEBRUARY 27, 2008

In the Interest of Minor Child: M.P., DOB 08/14/97; N.P. DOB 11/17/99, by Mary Darhsi, CV 08-09 (Rockman, A).

FEBRUARY 29, 2008

In the Interest of Minor Child: K.G. DOB 10/13/98, by Clarissa Pettibone, CV 08-10 (Rockman, A).

 **CIVIL GARNISHMENT CASES**

FEBRUARY 12, 2008

Sauk Prairie Memorial Hosp. v. Kathy Steinhorst, CG 08-16 (Matha, T).

Alliance Collection Agencies v. Kevin L. Kniprath, CG 08-17 (Matha, T).

FEBRUARY 13, 2008

Alliance Collection Agencies v. Anthony Bielski, CG 08-18 (Matha, T).

FEBRUARY 14, 2008

Valued Services of WI, LLC v. Bryan Fry, CG 08-19 (Matha, T).

FEBRUARY 19, 2008

State Collection Service v. Clifton Jones, CG 08-20 (Matha, T).

State Collection Services v. Nina Greengrass, CG 08-21 (Matha, T).

FEBRUARY 20, 2008

Creditor Recovery Services v. Anthony G. Bielski, CG 08-22 (Matha, T).

Creditor Recovery Services v. Donna R. Pabst, CG 08-23 (Matha, T).

FEBRUARY 25, 2008

Madison Gas and Electric Co. v. Cheryl Laubmeier, CG 08-24 (Matha, T).

FEBRUARY 26, 2008

Resurgence Financial, LLC v. Barbara Funmaker, CG 08-25 (Matha, T).

FEBRUARY 29, 2008

Peter A. Peterson, Jr. v. Rocki Hankins, CG 08-26 (Matha, T).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

 **DIVORCE CASES**

JANUARY 14, 2008

Marlene Cleveland v. Delbert Cleveland, FM 08-01 (Rockman, A).

JANUARY 23, 2008

Michaela Goodbear v. Jamie Goodbear, FM 08-02 (Matha, T).

JANUARY 25, 2008

Melanie R. Twobears v. Brady Twobears, FM 08-03 (Matha, T).

 **DOMESTIC VIOLENCE**

FEBRUARY 15, 2008

Tiffani Decora v. Henry Mustache, DV 08-01 (Rockman, A).

RECENT SUPREME COURT FILINGS

NO FILINGS AT THIS TIME.



**HO-CHUNK NATION COURT SYSTEM
JUDICIARY AND STAFF**

Supreme Court – Mary Jo B. Hunter, Chief Justice
Joan Greendeer-Lee, Associate Justice
Dennis Funmaker, Associate Justice
Clerk of Court, Supreme Court– Mary K. Endthoff

Traditional Court – Earl Blackdeer
Dennis Funmaker

Cecil Garvin
Jim Greendeer
Douglas Greengrass
Richard Mann
Desmond Mike
Douglas Red Eagle
Preston Thompson, Jr.
Eugene Thundercloud
Morgan White Eagle
Clayton Winneshiek

Trial Court – Todd R. Matha, Chief Judge
Amanda L. Rockman, Associate Judge
Clerk of Court, Trial Court – Marcella Cloud
Assistant Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Wilkerson
Administrative Assistant – Rosalie Kakkak
Bailiff – Al Carrimon
Judicial Law Clerk/Staff Attorney – Natalie Stites (Ed.)

* The Ho-Chunk Nation Judiciary and its officers are active participants in the following organizations:

WISCONSIN TRIBAL JUDGES ASSOCIATION
(Eleven federally recognized tribes within the State of Wisconsin)

NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION

(Region 10 — Illinois, Indiana, Michigan, Minnesota, and Wisconsin)

HCN Judiciary Fee Schedule

Filing Fees

- *Complaint*.....\$50.00
- *Petition for Release of Per Capita Distribution* (Children’s Trust Fund).....\$50.00
- *Motion to Appear Pro Hac Vice*.....\$35.00
- Appellate Filing Fee.....\$50.00
- *Petition to Register and Enforce Foreign Judgment/Order*\$20.00
- Marriage License Fee.....\$50.00

Court Fees

- Copying\$0.10/page
- Faxing\$0.25/page (sending & receiving)
- CD of Hearings\$12.50/CD
- Deposition Videotape\$10.00/tape
- Certified Copies.....\$0.50/page
- Equipment Rental\$5.00/hour
- Admission to Practice \$50.00

Legal Citation Forms

The following are example citation forms by legal reference and citation description.

Ho-Chunk Nation Constitution

Constitution, Article Number, Section, Subsection.
HCN CONST., Art. II, Sec. (or §) 1(a).

Ho-Chunk Nation Code

Ordinance/Act Name Title Number HCC Section.
ELDER PROTECTION ACT, 4 HCC § 1.
EMPLOYMENT RELATIONS ACT, 6 HCC § 5.
(for detailed citation information consult LEGISLATIVE ORGANIZATION ACT, 2 HCC § 11.36)

HCN Supreme Court Case Law

Case Name, Case Number (HCN S. Ct., month, day, year).
Johnson v. Department Inc., SU 96-21 (HCN S. Ct., Aug. 14, 1996).

HCN Trial Court Case Law

Case Name, Case Number (HCN Tr. Ct., month, day, year)
Jane Doe v. Bob Smith, CV 99-01 (HCN Tr. Ct., Nov. 1, 1999).

Ho-Chunk Nation Rules of Civil Procedure

HCN R. Civ. P. 19(B)