

HO-CHUNK NATION COURT BULLETIN

April/May 2008 Issue



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Children's Trust Funds

Case Update July 2006-May 2008

Beginning in February 2002, the Court Bulletin has presented articles describing the process by which to petition the Court for release of monies from Trust Funds.¹ In this article, the Court again provides an update to the Children's Trust Fund (CTF) articles. Accordingly, the Court has examined all CTF decisions since the last update in July 2006.²

CTF Cases Involving Minor Children

Orthodontics:

The Court first granted a request to pay orthodontic expenses on March 27, 1998.³ The Court has consistently held that such expenses provide a "necessary health and welfare benefit to the child(ren)."⁴ Since the CTF Case Update in July 2006, the Court has granted a significant number of requests for orthodontia.⁵

Health:

The Court has granted funds to purchase eye wear and hearing aid devices, consistent with the analysis of the orthodontia cases. Providing evidence that insurance would not provide coverage, the petitioner in *McKinley* received funds for the purchase of hearing instruments.⁶ Addressing a more comprehensive health care expense in *Fletcher*, the Court released funds for the purchase of a therapeutic lap pool for a minor child with several neurological and physiological conditions.⁷

Automobiles:

The Court has received several requests for automobiles and automobile related expenses since the last update. Primarily, these requests have been from Adult CTF Beneficiaries (next issue); however on July 20, 2007, a petition was granted for automobile repair for a car previously purchased with CTF funds.⁸

In *Bush I*, the Court granted a release of funds to purchase an automobile and insurance to further the health and welfare needs of a child whose parents demonstrated financial need, and whom required transportation to treat a mental handicap.⁹ In *Bush II*, the Court recognized the petitioner did not honor the parental responsibility to maintain the vehicle and instead opted to assume the availability minor's child CTF account as a substitute for her parental obligation.¹⁰ However, the Court, while refusing to condone the petitioner's apparent decision, decided to protect the minor child's investment in the automobile and avoid the possibility of repossession by granting a release of funds to pay for the repairs to the vehicle.¹¹ The Court ordered the petitioner to partially reimburse the CTF account, and secure and maintain full automobile insurance for the vehicle.¹²

Clothing:

The Court recognizes that parents have the responsibility to meet a child's basic needs, including the need for clothing. Only a verifiable claim of poverty can justify a parent's failure to satisfy a child's basic necessities of life: "adequate food, clothing, shelter, medical care, education [and] supervision."¹³ Moreover, the Court has only granted such requests in the most egregious of circumstances, and limits such a release to \$500.00, the amount of funds allocated by the HCN Children and Family Services for minor children.¹⁴

In *Whiteagle*, the petitioner failed to satisfy the four prong test, and was not similarly situated with those cases in which the Court has granted clothing assistance in the past.¹⁵ Rather, the Court found that "school clothes" do not directly affect the education, health or welfare of a child, as the purchase of new clothing at the beginning of a school year is solely customary.¹⁶ Also, the petitioner failed to demonstrate exhaustion of other federal, state or tribal program that may have provided assistance to the minor child.¹⁷ Thus, the Court denied the petition.

Education:

In regards to requests for funds to pay for private school, the Court has typically required a showing that the public school system is inadequate to meet the needs of the minor child.¹⁸ There is now a line of cases that have granted release of funds for private school tuition consistent with this principle, while parents maintain the responsibility for boarding and other personal expenses of the minor child.¹⁹

Supplemental programs to public schooling are also considered by the Court. In *Whiteagle-Fintak*, the petitioner requested a release of funds for a private tutorial program that promised significant academic progress.²⁰ Having previously granted such a request, the Court granted the petition but declared the release somewhat excessive and pledged to closely scrutinize any similar repetitive request.²¹

However, in *Hopinkah*, the Court denied the petition, citing the lack of evidence to support a finding of need or exhaustion of other governmental programs that may be available to the minor child.²² The request was for a summer program at a university, sponsored by a private organization.²³ Despite the achievement that admission to the

program indicated, the petitioner failed to provide a detailed enough request, considering the child's satisfactory academic progress and age.²⁴

Housing:

Only the most exceptional and egregious circumstance warrant a release of funds by the Court for housing costs. Housing remains a core parental obligation to a minor child. However, in two cases, the Court granted funds for housing purposes. In *Lowe*, the Court recognized that an unemployed grandparent without parental contributions to three (3) grandchildren in her care should be granted a release of funds to pay back rent to a landlord to avoid eviction.²⁵ Thus, the Court released the funds, while requiring the petitioner to reimburse the CTFs for three-fifths of the release, corresponding to the household composition and consistent with the "rule of proportionality."²⁶

In *Brown*, the Court cited *Ness* and *Tarr* as precedent establishing the narrow exceptions for the release of CTF funds for housing purposes, which is to avoid the loss of a family home to foreclosure.²⁷ As in those cases, the petitioner in *Brown* confronted egregious and unforeseeable circumstances which had caused unemployment and subsequent delinquency in the mortgage payment.²⁸ In granting the petition, the Court erected the rule of proportionality and noted the fifteen years of prior investment in the family home by the petitioner.²⁹ Further, as in prior cases, the Court granted only a minimal release of funds.³⁰

Miscellaneous:

In *Littlejohn*, the petitioner requested a release of funds to secure legal counsel.³¹ Showing that the minor child was being tried as an adult and that no public defender would assign the case because of the presence of the CTF, the petitioner was granted the request for funds.³²

In *Rabdeau*, the petitioners requested a one-time release of funds from their three (3) minor children for a various indebtedness, including credit cards, personal loans, home repairs, utilities and personal expenses.³³ Considering that three of the five household members are disabled, and that all other resources had been exhausted, the Court granted a one-time release of funds to partially satisfy the petitioner's request.³⁴

The Next Issue of the Court Bulletin will include a summary of CTF decisions affecting Adult Beneficiaries.



NOTICE: PUBLIC COMMENT SOUGHT

THE HCN SUPREME COURT APPROVED A NEW DRAFT OF THE RULES OF APPELLATE PROCEDURE. THE SUBSTANCE OF THE AMENDMENT WOULD ALLOW THE SUPREME COURT TO DECIDE A MATTER, WITHOUT ORAL ARGUMENT, IF THE APPELLEE DOES NOT FILE A REPLY BRIEF. THE COURT WILL ADOPT THE NEW RULE ON JUNE 21, 2008. THE PUBLIC IS INVITED TO COMMENT AT THAT TIME. BEFORE THAT, WRITTEN COMMENTS CAN BE SENT TO THE CLERK OF THE SUPREME COURT, MARY K. ENDTHOFF, VIA EMAIL AT MARY.ENDTHOFF@HO-CHUNK.COM OR IN WRITING AT P.O. BOX 70, BLACK RIVER FALLS, WI 54615.



MARK YOUR CALENDARS!

GUARDIAN AD LITEM TRAINING: JULY 15-17, 2008

WE NEED YOU TO BE A GAL: DO IT FOR THE KIDS!

The *Ho-Chunk Nation Children and Family Act* requires that the Trial Court “appoint a guardian ad litem to protect the interests of the child,” in every juvenile case. 4 HCC § 3.20b. The Ho-Chunk Nation Judiciary currently seeks conscientious, caring and dependable individuals to fill this important role. A GAL serves as an independent advocate and informs the Court of a child’s interests in child protection actions and guardianship matters.

Guardians ad litem receive compensation for their services and reimbursement for accumulated expenses. The court will host an on-site GAL training session on July 15-17, 2008, at *Wa Ehi Hoci* in Black River Falls, Wisconsin. Wisconsin Judicare, Inc., will conduct the training which is free to tribal members

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:

Tejaki hinuk hoji wiwahici wa’u:
There is no excuse for domestic violence.

Hqke hanakixgynani:
They are not listening to each other.

Hunaxgynine:
You have been notified.



Wayne R. Falcon officially joins the Traditional Court. He represents the Native American Church. He lives in Black River Falls, Wisconsin. The Judiciary welcomes Mr. Falcon.
Pjinagigi, for your service.

and non-member tribal employees. Interested individuals are encouraged to attend. Current guardians at litem seeking to serve as a GAL for 2008-09 are required to attend under the *HCN Rules for Guardian Ad Litem** adopted by the Supreme Court. Available at www.ho-chunknation.com/?PageId=123. Further information regarding service as a G.A.L. is available from the Clerk of Court at (800) 434-4070 or (715) 284-2722. Pursuant to the *Rules*, prospective attendees must complete an application and schedule a brief interview, in addition to attending this training. Participation in the training course is limited to twenty (20) individuals.

The training session has received the support of the Executive Director of the Personnel Department, and tribal employees may receive paid Educational Leave to attend the course. Employees must request Educational Leave at least thirty (30) days in advance of the training as required by the *Employment Relations Act*. Approval of any such request remains within the discretion of the relevant departmental Executive Director. 6 HCC § 5.24a-b.

So, get your leave request into your supervisor, contact the Clerk of Courts, and attend this training on July 15-17, 2008. We need GALs for the Judiciary to serve the interests of Ho-Chunk children.

* This notice is published pursuant to *Rule II(a)*.



UPDATES FROM OUTSIDE COURTS

UNITED STATES SUPREME COURT

Cases Decided

- *Crawford v. Marion Co. Election Board*, No. 07-21 (decided April 28, 2008).

Petition for Certiorari Filed

- *Hawaii v. Office of Hawaiian Affairs*, No. 07-1372 (filed on April 29, 2008).

UNITED STATES COURT OF APPEALS, 8TH CIRCUIT

Hinsley v. Standing Rock Child Protective Services et al., No. 07-1435, 35 Indian L. Rep. 2041 (8th Cir., Feb. 5, 2008). The U.S. Court of Appeals for the Eighth Circuit affirms the district court's ruling finding that the discretionary function exception under the Federal Tort Claims Act applies to the decision of the Standing Rock Child Protective Services not to warn the appellant that her half-brother was a child molester before placing him in her home and his resulting sexual abuse of the appellant's daughter.

UNITED STATES COURT OF APPEALS, 9TH CIRCUIT

Klamath Tribe of Oregon et al. v. PacificCorp, No. 05-36010, *unpublished*, 35 Indian L. Rep. 2043 (9th Cir., Feb. 28, 2008). The U.S. Court of Appeal for the Ninth Circuit holds that the plaintiffs-appellants' treaty-based damages claims are foreclosed by the circuit court's ruling in *Skokomish Indian Tribe v. U.S.*, 410 F.3d 506 (9th Cir. 2005)

UNITED STATES COURT OF APPEALS, 10TH CIRCUIT

Governor of the State of Kansas et al. v. Kempthorne et al., No. 06-3213, 35 Indian L. Rep. 2044 (10th Cir., Jan. 30, 2008) The U.S. Court of Appeals for the Tenth Circuit concludes that because the United States had already taken the Shriner Tract into trust by the time the plaintiffs' complaint was filed, and the Quiet Title Act expressly excepts land held in trust for Indian tribes from its waiver of the United States' sovereign immunity, the district court lack jurisdiction to decide the case and the circuit court lacks jurisdiction to address the merits of the appeal 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.

United States v. Chee, No. 06-1449, 35 Indian L. Rep. 2050 (10th Cir., Jan. 29, 2008) The U.S. Court of Appeals for the Tenth Circuit affirms the conviction of a Navajo medicine man concluding that it was proper for the district court to apply the “position of trust” enhancement in determining the sentence for the crime.

UNITED STATES COURT OF APPEALS, 11TH CIRCUIT

Micosukee Tribe of Indians of Florida v. U.S. et al., No. 06-13309, 35 Indian L. Rep. 2060 (11th Cir., Feb. 15, 2008) The U.S. Court of Appeals for the Eleventh Circuit vacates the district court’s grant of summary judgment on the grounds that genuine issues of material fact exist regarding the reasonableness and adequacy of the Environmental Protection Agency’s (EPA) search and disclosure of documents responsive to the request, but affirms the district court’s order sustaining the EPA’s assertion of privileges and thus withholding documents under Exemption 5 of the Act and remands to the district court.

EASTERN DISTRICT OF CALIFORNIA

Cachil Dehe Band of Wintun Indians of the Colusa Indian Community v. California et al., No. 2:07-CV-01069-FCD-KJM, 35 Indian L. Rep. 3143 (S.D. Cal., Jan. 24, 2008) The U.S. District Court for the Eastern District of California grants plaintiff’s motion to file an amended complaint provided that the amended complaint adds the Governor of California as a party defendant to plaintiff’s proposed Third Claim for Relief in an action challenging the State of California’s alleged failure to negotiate in good faith concerning amendments to a tribal-state compact.

EASTERN DISTRICT OF NEW YORK

New York at al. v. Shinnecock Indian Nation et al., No. 03-CV-3243 (JFB) (ARL) and 03-CV-3466 (JFB) (ARL), 35 Indian L. Rep. 3162 (E.D.N.Y., Feb. 7, 2008) The U.S. District Court for the Eastern District of New York issues a permanent injunction but limits the injunction to the

construction and operation of a casino or gaming on non-reservation property known as “Westwoods,” by the Shinnecock Nation.

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

MARCH 3, 2008

Carolyn Brown et al. v. Sampson Anderson, CS 08-08-11 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Mar. 3, 2008) (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.

MARCH 4, 2008

Angela Marie Hoffman (Parker) v. Clinton Coy Sitze, CS 07-79 *Order (Motion Hearing)* (HCN Tr. Ct., Mar. 4, 2008) (Matha, T).

The Court granted a hearing for a motion submitted by the respondent on February 25, 2007.

State of Wisconsin v. Adam J. Legarde, CS 04-11 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct. Mar. 4, 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.

State of Wisconsin v. Jose Ortiz, CS 03-25 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct. Mar. 4, 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.

Jessica Cloud v. John D. Cloud, Sr., CS 03-34 *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., Mar. 4, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

MARCH 5, 2008

Amanda S. Jardine v. Kiel S. Roy, CS 07-68 *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., Mar. 5, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

Leora A. Naquayouma v. David M. Naquayouma, CS 04-56 *Order (Cease Withholding Child Support - Per Capita)* (HCN Tr. Ct., Mar. 5, 2008) (Matha, T).

The Court had to determine whether to grant the respondent's motion to suspend child support based on a change in the underlying foreign order. The Court granted the motion and suspended withholding in the instant case.

Eau Claire Co. Child Support Agency v. Harry I. Funmaker, CS 08-04 *Order (Cessation of Withholding - Arrears)* (HCN Tr. Ct., Mar. 5, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to suspend child support

withholding for arrears. As the arrearage debt was paid in full, the Court granted the motion.

MARCH 10, 2008

Heather Lee Mott et al. v. Scott Hindes, CS 08-16, CV 97-132, CV 04-47 *Judgment (Equitable Adjustment)* (HCN Tr. Ct., Mar. 10, 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.

MARCH 13, 2008

Angela Marie Hoffman (Parker) v. Clinton Coy Sitze, CS 07-79 *Order (Granting Telephonic Appearance)* (HCN Tr. Ct., Mar. 13, 2008) (Matha, T).

The Court granted a motion to appear by telephone submitted by the respondent.

Heather Lee Mott at al. v. Scott Hindes, CS 08-16, CV 97-132, CV 04-47 *Order (Erratum)* (HCN Tr. Ct., Mar. 13, 2008) (Matha, T).

The Court corrected clerical errors made in the previous order.

MARCH 27, 2008

Stephanie Antone (Cruz) v. Kevin Funmaker, CS 03-83 *Order (Suspension of Activity)* (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

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

Francesca Bird v. Patricia A. Nicholas, CS 07-85 *Order (Suspension of Activity)* (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

The Court had to decide whether to grant a suspension of child support withholding moved by the petitioner. Due to a stipulation agreed to by all the parties, the Court granted the motion.

State of Wisconsin v. Michael A. Hernandez, CS 01-37 *Order (Cessation of Withholding - Arrears)* (HCN Tr. Ct., Mar. 27, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to suspend child support withholding for arrears. As the arrearage debt has been paid in full, the Court granted the motion.

Blue Earth Co. ex rel. v. Joshua Raymond Armendariz, CS 07-09 Order (Modifying Child Support) (HCN Tr. Ct. Mar. 27, 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.

APRIL 2, 2008

State of Iowa ex rel. v. Elliott Funmaker, Sr., CS 05-59 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct. Apr. 2, 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.

Jan LaCount v. Curtis Pidgeon, CS 03-11 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 2, 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.

Debra Peters v. Curtis J. Pidgeon, CS 03-73 Order (Ceasing Current Child Support Withholding and Continuing Arrears) (HCN Tr. Ct., Apr. 2, 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 parties failed to provide proof of enrollment in high school, and thus, the Court ceased child support withholding, and continued arrears.

APRIL 4, 2008

State of Iowa ex rel. v. Marcus Sena, CS 03-78 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Apr. 4, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding.

State of Iowa ex rel. v. Darrell L. Sena, Jr., CS 02-21, 01-06 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Apr. 4, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding, and ceased arrears withholding in CS 02-21.

APRIL 7, 2008

Selina Littlewolf v. Rayce Pettibone, CS 07-86 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 7, 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 timely responded but failed to appear at the hearing, thus the Court granted recognition and enforcement of the foreign judgment.

Lutisha A. Jones v. Daniel L. Sams, CS 04-65 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 7, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify and enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion to reestablish child support withholding.

APRIL 14, 2008

Kathryn Newsom v. Dennis G. Lewis, Sr., CS 01-03 Order (Enforcing and Modifying Child Support) (HCN Tr. Ct. Apr. 14, 2008) (Rockman, A).

The Court had to determine whether to grant petitioner's motion to modify current child support, changing the source from wages to per capita. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

Bernice Barnes v. Maranda K. Keichberger, CS 08-23 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 14, 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 filed the *Petition*, and thus, assuming her acquiescence, the Court granted recognition and enforcement of the foreign judgment.

Angela Maria Regalia et al. v. Roger L. Houghton, Jr., CS 01-19, 06-32, 08-06 Default Judgment (Petition Granted and Equitable Adjustment) (HCN Tr. Ct., Apr. 14, 2008) (Rockman, A.).

The Court had to determine whether to enforce a standing foreign child support order against the

respondent's per capita payment. The respondent failed to respond within the specified time frame. The Court granted the petition and performed an equitable adjustment.

APRIL 15, 2008

Stacey L. Spry v. Levi Lincoln, CS 07-81 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 15, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent timely answered but failed to appear at the scheduled hearing. Thus, the Court granted recognition and enforcement of the foreign judgment.

In Re the Support of: Everett L. Moore v. Michelle Mendoza, CS 07-90 *Default Judgment (Enforcing Child Support)* (HCN Tr. Ct., Apr. 15, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify and enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion to reestablish child support withholding.

Brandon Wallner v. Adrienne G. Lewis, CS 07-60 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 15, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent timely answered but failed to appear at the scheduled hearing. Thus, the Court granted recognition and enforcement of the foreign judgment.

Danny R. Redfearn v. Susan A. Redfearn, CS 08-12 *Default Judgment (Enforcing Child Support)* (HCN Tr. Ct., Apr. 15, 2008) (Matha, T).

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

Amanda L. Wilson v. Kenneth L. Wilson, CS 07-87 *Default Judgment (Enforcing Child Support)* (HCN Tr. Ct., Apr. 15, 2008) (Matha, T).

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

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

Jennifer L. Kaebisch v. Michael R. Sheahan, CS 04-08 *Order (Enforcing and Modifying Child Support)* (HCN Tr. Ct. Apr. 15, 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 and thus, the Court granted the petition.

Stacey L. Spry v. Levi Lincoln, CS 07-81 *Order (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Apr. 15, 2008) (Rockman, A).

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

Forest Co. Potawatomi Child Support Agency ex rel. v. Corena Whitecloud, CS 05-09 *Judgment (Modifying and Enforcing Child Support)* (HCN Tr. Ct. Apr. 15, 2008) (Rockman, A).

The Court had to determine whether to grant respondent's motion to modify current child support. As the respondent filed the motion, her acquiescence was assumed by the Court, and the motion was granted.

APRIL 16, 2008

Gladys Sitting Eagle v. Joey Whitewing, CS 07-19 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Apr. 16, 2008) (Matha, T).

The Court had to determine whether to grant petitioner's motion to modify current child support, changing the source from wages to per capita. The respondent failed to respond within the specified time frame. The Court granted petitioner's uncontested motion.

Rebecca Nunway et al. v. Eldon Powless, CS 99-23, 08-07 *Default Judgment (Enforcing Current Child Support Against Per Capita)* (HCN Tr. Ct., Apr. 16, 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. The Court also performed an equitable adjustment reflecting the respondent's serial payor status.

Samantha Casarez et al. v. Edward C. Decorah, CS 00-36, 07-61 *Order (Equitable Adjustment)* (HCN Tr. Ct., Apr. 16, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion in CS 07-61. The respondent failed to timely answer, and the Court granted the motion. The Court also performed an equitable adjustment.

State of Wisconsin ex rel. v. Forrest M. Downey, Sr., CS 05-26, 05-33 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., Apr. 16, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion in CS 05-33 and reestablish child support withholding. The respondent failed to timely answer, and the Court granted the motion. The Court also performed an equitable adjustment.

APRIL 16, 2008

Casey Whitegull v. Harriet M. Whitegull, CV 97-61 *Notice (Child Turning Eighteen – Requiring Proof of Enrollment)* (HCN Tr. Ct., Apr. 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 and the Treasury Department to cease withholding unless it receives further orders from the Court.

APRIL 21, 2008

State of Wisconsin ex rel. v. Roberta L. Crowe, CV 97-76 *Notice (Child Turning Eighteen – Requiring Proof of Enrollment)* (HCN Tr. Ct., Apr. 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 and the Treasury Department to cease withholding unless it receives further orders from the Court.

Lanette R. Walker v. Kevin S. Walker, CS 98-60 *Notice (Child Turning Eighteen – Requiring Proof of Enrollment)* (HCN Tr. Ct., Apr. 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 and the Treasury Department to cease withholding unless it receives further orders from the Court.

Cynthia L. Satonica v. Patrick A. Edwards, CS 05-37 *Notice (Child Turning Eighteen – Requiring Proof of Enrollment)* (HCN Tr. Ct., Apr. 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 and the Treasury Department to cease withholding unless it receives further orders from the Court.

Angela Rounds v. Jerome J. Houston, CS 02-43 *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding.

Jan LaCount v. Curtis Pidgeon, CS 03-11 *Order (Continuing Current Child Support Withholding)* (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court granted a continuation of child support withholding after proof of enrollment was filed with the Court.

Eileen Snowball v. Martin A. Falcon, CS 99-55, CS 99-06 *Order (Cease Withholding Per Capita – Child Support)* (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court granted the respondent's uncontested motion to suspend child support withholding, as the minor children now reside with the respondent.

Montgomery J. Green v. Eliza M. Green, CS 02-30 *Order (Cease Withholding Per Capita – Child Support)* (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court granted the respondent's uncontested motion to suspend child support withholding, as the minor child now resides with the respondent.

State of Wisconsin ex rel. v. Eric R. Paulson, CS 08-15 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 21, 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.

APRIL 22, 2008

Pearl K. Mrotek v. Tanya K. Mrotek, CS 08-31 *Judgment (Enforcing Current Child Support Against Per Capita)* (HCN Tr. Ct., Apr. 22, 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 submitted the petition and her acquiescence was assumed, thus the Court granted recognition and enforcement of the foreign judgment.

APRIL 23, 2008

Cynthia Tack v. Mathew Thundercloud, CS 97-74 *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., Apr. 23, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding.

APRIL 25, 2008

State of Minnesota ex rel. v. Roy C. Bartlett, CS 08-26 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 25, 2008) (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.

Dane Co. Dept. of Human Servs. ex rel. v. Cheryl Laubmeier, CS 08-25 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 25, 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.

Margaret R. Newman Boardman v. Benjamin J. Boardman, CS 08-22 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 25, 2008) (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.

Sandra R. Ozuna. v. Michael A. Koran, CS 08-13 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 25, 2008) (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 appear at a scheduled hearing, thus the Court granted recognition and enforcement of the foreign judgment.

APRIL 29, 2008

State of Iowa ex rel. v. Marcus Sena, CS 03-78 *Order (Erratum)* (HCN Tr. Ct., Apr. 29, 2008) (Matha, T).

The Court corrected clerical errors contained in a previous order.

State of Wisconsin ex rel. v. Martin J. Cooper, CS 06-57 *Notice (Child Turning Eighteen – Requiring Proof of Enrollment)* (HCN Tr. Ct., Apr. 29, 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 and the Treasury Department to cease withholding unless it receives further orders from the Court.

APRIL 30, 2008

State of Minnesota ex rel. v. Roy C. Bartlett, CS 08-26 *Reissued Order: Default Judgment (Enforcing Current Child Support Against Per Capita)* (HCN Tr. Ct., Apr. 30, 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 failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. This order corrects the substantive errors contained in a previous order.

Lanette R. Walker v. Kevin S. Walker, CS 98-60 *Order (Proof of High School Enrollment Filed)* (HCN Tr. Ct., Apr. 30, 2008) (Matha, T).

The Court granted a continuation of child support withholding after proof of enrollment was filed with the Court.

Crystal I. Monteen-Martin v. Ronald D. Martin, CS 00-35 *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., Apr. 30, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding.

Jacqueline Stewart et al. v. Marcus Kerby, CS 08-17, 08-20 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Apr. 30, 2008) (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 appear at a scheduled hearing, thus the Court granted recognition and enforcement of the foreign judgment.

CIVIL GARNISHMENT CASES

MARCH 5, 2008

Sauk Prairie Memorial Hospital v. Kathy Steinhorst, CG 08-16 Order (Default Judgment) (HCN Tr. Ct., Mar. 5, 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. Kevin L. Kniprath, CG 08-17 Order (Default Judgment) (HCN Tr. Ct., Mar. 5, 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.

MARCH 7, 2008

Alliance Collection Agencies v. Bryan Ringer, CG 08-02 Order (Default Judgment) (HCN Tr. Ct., Mar. 7, 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.

Parkwood Eyecare Associates, CG 08-01 Order (Default Judgment) (HCN Tr. Ct., Mar. 7, 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.

Valued Services of Wisconsin, LLC v. Bryan Fry, CG 08-19 Order (Default Judgment) (HCN Tr. Ct., Mar. 7, 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.

Tomah Memorial Hospital v. Lucy Snake, CG 08-03 Order (Default Judgment) (HCN Tr. Ct., Mar. 7, 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.

MARCH 11, 2008

Madison Gas & Electric v. Clifton Jones, CG 08-20 Order (Petition Granted) (HCN Tr. Ct., Mar. 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 timely responded, and the petitioners subsequently noted agreement with a reduced weekly withholding arrangement. The Court granted the petitioner's request for relief.

MARCH 14, 2008

Creditor Recovery Services, LLC v. Donna R. Pabst, CG 08-23 Order (Default Judgment) (HCN Tr. Ct., Mar. 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Creditor Recovery Services, LLC v. Anthony G. Bielski, CG 08-22 Order (Default Judgment) (HCN Tr. Ct., Mar. 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

MARCH 27, 2008

Creditor Recovery Service, LCC v. Jerry D. McCrossen, CG 08-14 Order (Default Judgment) (HCN Tr. Ct., Mar. 27, 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.

Bayfield Financial v. Sarina L. Quaderer, CG 08-28 Order (Default Judgment) (HCN Tr. Ct., Mar. 27, 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 v. Promise J. Bakken, CG 08-27 Order (Default Judgment) (HCN Tr. Ct., Mar. 27, 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 the relief requested by the petitioner.

Madison Gas & Electric Company v. Cheryl Laubmeier, CG 08-24 Order (Default Judgment) (HCN Tr. Ct., Mar. 27, 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 the relief requested by the petitioner.

Peter A. Peterson, Jr. v. Ricki Hankins, CG 08-26 Order (Default Judgment) (HCN Tr. Ct., Mar. 27, 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 the relief requested by the petitioner.

APRIL 1, 2008

Alliance Collection Agencies v. Steven J. Stygar, CG 08-12 Order (Default Judgment) (HCN Tr. Ct., Apr. 1, 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, he failed to timely respond. Thus, the Court granted the relief requested by the petitioner.

APRIL 7, 2008

Sarah A. Lubben v. Mark A. Lubben, CG 08-36 Order (Default Judgment) (HCN Tr. Ct., Apr. 7, 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, he failed to timely respond. Thus, the Court granted the relief requested by the petitioner.

Capital City Properties v. Nina Greengrass, CG 08-11 Order (Default Judgment) (HCN Tr. Ct., Apr. 7, 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 the relief requested by the petitioner.

Sarah A. Lubben v. Mark A. Lubben, CG 08-36 Erratum Order (HCN Tr. Ct., Apr. 7, 2008) (Matha, T).

The Court corrected an oversight in a previous decision. The judgment should have reflected a timely response and born the title *Order (Petition Granted)*.

APRIL 21, 2008

Midland Credit MGT 2200 (WI-REG2) v. Toni R. McDonald, CG 08-30 Order (Default Judgment) (HCN Tr. Ct., Apr. 21, 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 the relief requested by the petitioner.

APRIL 25, 2008

Gunderson Clinic, Ltd. v. David A. & Patricia Hanson, CG 08-33 Order (Default Judgment) (HCN Tr. Ct., Apr. 25, 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 the relief requested by the petitioner.

Alliance Collection Agencies, Inc. v. Anthony Bielski, CG 08-18 Order (Default Judgment) (HCN Tr. Ct., Apr. 25, 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 the relief requested by the petitioner.

APRIL 29, 2008

Valued Services of Wisconsin, LCC v. Traci M. Gutt, CG 08-37 Order (Default Judgment) (HCN Tr. Ct., Apr. 29, 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 the relief requested by the petitioner.

Creditor Recovery Service, LCC v. David Downing, CG 08-38 Order (Default Judgment) (HCN Tr. Ct., Apr. 29, 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 the relief requested by the petitioner.

CIVIL CASES

APRIL 8, 2008

Andrea Pence v. Jill Pettibone, CV 08-05 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Apr. 8, 2008) (Matha, T).

The Court granted the petitioner's counsel's request for a telephonic appearance.

APRIL 21, 2008

Andrea Pence v. Jill Pettibone, CV 08-05 Order (Dismissal without Prejudice) (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court granted the plaintiff's request to withdraw her case prior to a scheduling conference.

ADMINISTRATIVE APPEALS

MARCH 11, 2008

Karen Litscher v. HCN GRB, CV 07-99-100 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Mar. 11, 2008) (Matha, T).

The Court granted the petitioner's counsel's request for a telephonic appearance.

Wayne Falcon v. Liz Haller et al., CV 07-44 Order (Discretionary Disclosure) (HCN Tr. Ct., Apr. 28, 2008) (Matha, T).

The Court made a discretionary closure to avoid the appearance of impropriety, identifying a first cousin relationship between the petitioner's adult children and the presiding judge. The Court asserted that the relationship does not represent a direct personal interest, and thus, either party may file a *Motion for Recusal* seeking judicial reassignment.

CHILDREN'S TRUST FUND (CTF)

MARCH 5, 2008

In the Interest of Minor Children: M.L., DOB 03/03/94, CV 07-25 Order (Contempt) (HCN Tr. Ct., Mar. 5, 2008) (Matha, T).

The Court previously released funds from the CTF account of the child for costs associated with orthodontia. Due to the failure of the petitioner to attend the *Show Cause Hearing*, the Court holds the

petitioner in contempt. The Court shall suspend a daily \$10.00 fine against the petitioner if she contacts the Court with timely accounting by April 7, 2008.

MARCH 6, 2008

In the Interest of Adult CTF Beneficiary: Cha-ska Prescott, DOB 05/16/86 v. HCN Office of Tribal Enrollment, CV 07-22 Order (Demanding Accounting) (HCN Tr. Ct., Mar. 6, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the petitioner for costs associated with an outstanding electric bill due to extreme and exigent circumstances. 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: S.A.W., DOB 03/17/94, by *Stacy A. Byerlay v. HCN Office of Tribal Enrollment* CV 07-86 Order (Requesting Additional Accounting) (HCN Tr. Ct., Mar. 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 a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the additional required accounting.

In the Interest of Minor Child: G.N., DOB 02/25/00, by *Julie Nakai v. HCN Office of Tribal Enrollment* CV 07-62 Order (Requesting Additional Accounting) (HCN Tr. Ct., Mar. 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 a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the additional required accounting.

MARCH 7, 2008

In the Interest of Minor Child: E.D.G., DOB 05/30/90, by *Barbara Goodbear v. HCN Office of Tribal Enrollment* CV 07-94 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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.A.P., DOB 10/6/90, by Pauline Ward v. HCN Office of Tribal Enrollment CV 07-81 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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: S.R., DOB 09/15/91, by Barbara Goodbear v. HCN Office of Tribal Enrollment CV 07-94 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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: S.R., DOB 09/15/91, by Regina Reel v. HCN Office of Tribal Enrollment CV 07-94 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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: K.R.F., DOB 06/28/92, by Kelly Funmaker v. HCN Office of Tribal Enrollment, CV 07-89 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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: Amos N. Gauthier, DOB 05/18/85 v. HCN Office of Tribal Enrollment, CV 07-71 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with birthing expenses and academic tuition. The petitioner failed to submit a full 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: Myra Jo Blackdeer, DOB 09/01/88 v. HCN Office of Tribal Enrollment, CV 07-58 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the adult beneficiary for rental assistance. The petitioner failed to submit a full 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: C.S., DOB 07/10/95, by Tara Snowball v. HCN Office of Tribal Enrollment, CV 05-81 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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: E.C.L. DOB 04/13/93, by Valerie L. Lyons v. HCN Office of Tribal Enrollment, CV 06-111 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 7, 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 a full 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: C.J.S., DOB 08/27/94, by Fredricka Miner v. HCN Office of Tribal Enrollment CV 07-96 Order (Requesting Additional Accounting) (HCN Tr. Ct., Mar. 7, 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 a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the additional required accounting.

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 (*Demanding Accounting*) (HCN Tr. Ct., Mar. 7, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the petitioner 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.

MARCH 11, 2008

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 (Accepting Accounting) (HCN Tr. Ct., Mar. 11, 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.

MARCH 12, 2008

In the Interest of Minor Child: A.P.G., DOB 12/26/91, by Violet Gardiner v. HCN Office of Tribal Enrollment, CV 08-02 Order (Dismissal without Prejudice) (HCN Tr. Ct., Mar. 12, 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: M.W., DOB 12/16/93 et al., by Rita Wolf v. HCN Office of Tribal Enrollment, CV 07-51 Order (Show Cause) (HCN Tr. Ct., Mar. 12, 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.

In the Interest of Minor Child: A.F., DOB 03/03/94, by Alona Bush v. HCN Office of Tribal Enrollment, CV 07-26 Order (Show Cause) (HCN Tr. Ct., Mar. 12, 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.

MARCH 13, 2008

In the Interest of Minor Child: K.G., DOB 10/13/98, by Clarissa Pettibone v. HCN Office of Tribal Enrollment, CV 08-10 Order (Petition Granted) (HCN Tr. Ct., Mar. 13, 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.

MARCH 26, 2008

In the Interest of Adult CTF Beneficiary: Tyler A. Cloud, DOB 10/31/87; In the Interest of Minor Child: T.A.C., DOB 02/19/90 by Orvilla R. White Eagle; and In the Interest of Minor Child: R.G.C., DOB 07/27/92 by June E. White Thunder, v. HCN Office of Tribal Enrollment, CV 05-92 Order (Suspending Contempt Fine) (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the beneficiaries, and found the petitioners in contempt of court for failure to provide acceptable accounting to the Court. A contempt fine of \$10.00 per day was ordered, which has been deducted from the per capita payments as a debt to the HCN. Regardless, petitioners have not fully accounted for the release of CTF monies, thus rendering the contempt fine ineffectual. The Court ordered the petitioners to provide outstanding accounting and directed the Treasury Department to maintain the accumulated fines within a designated account, which may be available for reimbursement to the petitioner upon a complete accounting.

In the Interest of Minor Child: S.A.W., DOB 03/17/94, by Stacy Byerlay v. HCN Office of Tribal Enrollment, CV 07-86 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 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: K.R.F., DOB 06/28/92, by Kelly Funmaker v. HCN Office of Tribal Enrollment, CV 07-89 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 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: C.L.M., DOB /26/98, by Karen L. Klongland v. HCN Office of Tribal Enrollment, CV 08-06 Order (Petition Granted) (HCN Tr. Ct., Mar. 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.

MARCH 27, 2008

In the Interest of Adult CTF Beneficiary: Amos N. Gauthier, DOB 05/18/85 v. HCN Office of Tribal Enrollment, CV 07-71 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

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

In the Interest of Minor Child: S.R., DOB 09/15/91, by Regina Reel v. HCN Office of Tribal Enrollment, CV 07-95 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 27, 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.

In the Interest of Minor Child: C.S., DOB 07/10/95, by Tara Snowball v. HCN Office of Tribal Enrollment, CV 05-81 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 27, 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.

In the Interest of Adult CTF Beneficiary: Krista N. Redcloud, DOB 11/04/89 v. HCN Office of Tribal Enrollment, CV 08-08 Order (Granting Petition) (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access CTF monies of an adult beneficiary for the purpose of purchasing an automobile. The petitioner demonstrated the

preliminary evidentiary showing for an automobile purchase, which includes but is not limited to the absence of an operable vehicle and possession of a valid driver's license. The Court granted the request.

MARCH 28, 2008

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 (Accepting Accounting) (HCN Tr. Ct., Mar. 28, 2008) (Matha, T).

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

MARCH 31, 2008

In the Interest of Minor Child: M.P., DOB 08/14/97, et al. by Mary Dharsi v. HCN Office of Tribal Enrollment, CV 08-09 Order (Dismissal without Prejudice) (HCN Tr. Ct., Mar. 31, 2008) (Rockman, A).

The Court scheduled a *Fact-Finding Hearing* to determine the merits of the petitioner's request. However, the petitioner filed her *Motion for Dismissal*, and therefore, the Court dismissed the instant case.

In the Interest of Minor Child: C.J.S., DOB 08/27/94, by Fredricka Miner v. HCN Office of Tribal Enrollment, CV 07-96 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 31, 2008) (Rockman, A).

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

APRIL 4, 2008

In the Interest of Minor Child: E.D.G., DOB 05/30/90, by Barbara Goodbear v. HCN Office of Tribal Enrollment, CV 07-94 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 4 2008) (Matha, T).

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

APRIL 18, 2008

In the Interest of Minor Child: G.E.M., DOB 08/25/95, by Lisa Warner, CFS Worker v. HCN Office of Tribal Enrollment, CV 08-10 Order (Petition Granted) (HCN Tr. Ct., Mar. 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.

APRIL 22, 2008

In the Interest of Minor Child: T.A.P., DOB 10/06/90, by Pauline Ward v. HCN Office of Tribal Enrollment, CV 07-81 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 22, 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 a full 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: S.E.B., DOB 01/05/90, by Rebecca Rodriquez v. HCN Office of Tribal Enrollment, CV 07-67 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 22, 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 a full 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: Myra Jo Blackdeer, DOB 09/01/88 v. HCN Office of Tribal Enrollment, CV 07-67 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 22, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the adult beneficiary for rental assistance. The petitioner failed to submit a full 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: E.C.L., DOB 04/13/93, by Valerie Lyons v. HCN Office of Tribal Enrollment, CV 07-111 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 22, 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 a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

APRIL 24, 2008

In the Interest of Minor Child: G.N., DOB 02/25/00, by Julie Nakai v. HCN Office of Tribal Enrollment, CV 07-62 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 24, 2008) (Rockman, A).

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

In the Interest of Minor Children: D.J.C., DOB 03/05/1996, et al. by Claudette Rabdeau and Joseph Czarnecki v. HCN Office of Tribal Enrollment, CV 07-42 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 24, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor children for costs associated with bills, loans and home repairs. The petitioner failed to submit a full 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: V.D.C., DOB 12/30/95 by Rachael L. Caronongan v. HCN Office of Tribal Enrollment, CV 07-63 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 24, 2008) (Matha, T).

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

APRIL 29, 2008

In the Interest of Adult CTF Beneficiary: Michael C. Murphy, DOB 05/02/84 v. HCN Office of Tribal Enrollment, CV 08-11 Order (Dismissal without Prejudice) (HCN Tr. Ct., Apr. 29, 2008) (Matha, T).

The Court scheduled a *Fact-Finding Hearing* to determine the merits of the petitioner's request. However, the petitioner failed to attend the hearing, and therefore, the Court dismissed the instant case.

 **CONTRACTS**

APRIL 14, 2008

HCN et al. v. Becky Walker, CV 07-70 Order (Satisfaction of Judgment) (HCN Tr. Ct., Apr. 14, 2008) (Rockman, A).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

APRIL 29, 2008

HCN et al. v. Rayce Pettibone, CV 07-76 Order (Dismissal without Prejudice) (HCN Tr. Ct., Apr. 29, 2008) (Matha, T).

The plaintiff moved the Court to withdraw the case prior to commencing a scheduling conference.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

EMPLOYMENT

NO DECISIONS AT THIS TIME.

ENROLLMENT

APRIL 8, 2008

Cornelius Decora, on behalf of (emancipated) minor children: J.D., DOB 09/17/85, et al. CV 03-25 Order (Granting Motion to Dismiss) (HCN Tr. Ct., Apr. 8, 2008) (Vele, K).

The Court granted the petitioner's voluntary motion for dismissal, upon a showing by the respondent that enrollment of the children named in the instant case would commence upon publication of their names in the HCN newspaper, the *Hocqk Worqk*.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

MARCH 14, 2008

In the Interest of B.G.S., DOB 02/07/80, by Teresa Iverson v. HCN Office of Tribal Enrollment, CV 06-34 Order (Motion Granted) (HCN Tr. Ct., Mar. 14, 2008) (Matha, T).

The Court had to determine whether funds from the ITF account of the adult incompetent can be released for costs associated with assisted vacation expenses. The Court granted a release of funds to accommodate the petitioner's request.

MARCH 27, 2008

In the Interest of R.L., DOB 08/04/53, by Office of State Guardian, Michael Sierra v. HCN Office of Tribal Enrollment, CV 07-55 Order (Motion Granted) (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

The Court had to determine whether a legal guardian may access monies from an ITF on behalf of adult incompetent member to pay for professional

guardianship fees. The Court granted a release of funds to satisfy the request.

APRIL 1, 2008

In the Interest of D.P.G., DOB 08/28/82, by Regina Taylor and Tony Salo v. HCN Office of Tribal Enrollment, CV 05-15 Order (Granting Motion & Motion Accounting) (HCN Tr. Ct., Apr. 1, 2008) (Matha, T).

The Court had to respond to the petitioners change in familial residence, necessitating a change in the designated service provider for the receipt of released funds for rent and utilities. The Court granted a release to satisfy the petitioner's request. Further, the Court ordered that the petitioner submit the required accounting for previous funds released for the purposes herein.

APRIL 24, 2008

In the Interest of Adult Incompetent: O.S.R. DOB 05/14/68, by Dr. Jeremy P. Rockman v. HCN Office of Tribal Enrollment, CV 97-117 Order (Motion Granted) (HCN Tr. Ct., Apr. 24, 2008) (Matha, T).

The Court had to determine whether a protective payee can access monies on behalf of an adult incompetent member to pay for legal expenses. Considering the specialized defense required by the adult incompetent, the Court granted the request.

APRIL 30, 2008

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., Apr. 30, 2008) (Rockman, A).

The Court previously released funds from the CTF account of the adult incompetent for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted a final receipt in a series of receipts, confirming the proper use of the funds. The Court accepted this accounting.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

NO DECISIONS AT THIS TIME.

FAMILY

 **DIVORCE****MARCH 19, 2008**

In re the Marriage of: Lori Pidgeon and Curtis Pidgeon, FM 07-06 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Mar. 19, 2008) (Rockman, A).

The Court granted petitioner's request for a telephonic appearance.

APRIL 15, 2008

In re the Marriage of: Michaela K. Goodbear and Jamie S. Goodbear, FM 08-02 FINAL JUDGMENT FOR DIVORCE (HCN Tr. Ct., Apr. 15, 2008) (Matha, T).

The Court granted the jointly filed *Petition for Divorce (Without Minor Children)*.

APRIL 22, 2008

In re the Marriage of: Melanie TwoBears and Brady TwoBears, FM 08-03 Order (Dismissal) (HCN Tr. Ct., Apr. 22, 2008) (Matha, T).

The Court granted the joint motion to dismiss the case.

APRIL 25, 2008

In re the Marriage of: Marlene A. Cleveland and Delbert Cleveland, FM 08-01 Order (Dismissal) (HCN Tr. Ct., Apr. 25, 2008) (Rockman, A).

The Court determined to dismiss the case without prejudice, based on the absence of communication from either party.

 **JUVENILE CASES****MARCH 4, 2008**

In the Interest of Minor Child: R.S., DOB 05/27/07, JV 07-56 Order (Establishment of Parental Child Support - Redacted) (HCN Tr. Ct., Mar. 4, 2008) (Matha, T).

The Court entered a redacted order for purposes of informing the Treasury Department of its obligations in this confidential juvenile case.

In the Interest of Minor Child: R.S., DOB 05/27/07, JV 07-56 Order (Establishment of Parental Child Support) (HCN Tr. Ct., Mar. 4, 2008) (Matha, T).

The Court had to determine whether to establish a child support obligation for the father of the minor child. The Court established child support withholding from the father's per capita distribution.

MARCH 5, 2008

In the Interest of Minor Children: L.D.C., DOB 03/14/97; M.R.C., DOB 10/11/99; C.J.K., DOB 10/11/99; C.J.K., DOB 02/08/04; C.H.K., DOB 06/20/05; JV 07-18-21 (CD) Order

(Acceptance of Consent Decree) (HCN Tr. Ct., Mar. 5, 2008) (Matha, T).

The Court had dismissed the underlying *Petition* without prejudice and conferred "Consent Decree" status upon the case file. A Trial shall not be scheduled in the instant case.

In the Interest of Minor Child: A.M.E.M., DOB 07/24/07, JV 07-36 Order (Granting Motion to Dismiss) HCN Tr. Ct., Mar. 5, 2008) (Matha, T).

The Court granted the Ho-Chunk Nation Child & Family Services (hereinafter CFS) request for dismissal.

MARCH 7, 2008

In the Interest of Minor Children: D.B.M., DOB 10/06/06; JV 07-45 Order (Child Protection Review Hearing & Status Hearing) (HCN Tr. Ct., Feb. 7, 2008) (Rockman, A).

The Court convened a *Review Hearing* in compliance with the HOČAK NATION CHILDREN AND FAMILY ACT (hereinafter CHILDREN'S ACT). At the hearing, the Court assessed compliance with the standing dispositional order, and determined to adopt additional dispositional requirements.

MARCH 10, 2008

In the Interest of Minor Child: P.D.R., DOB 08/24/90, JV 03-24 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 10, 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.

MARCH 12, 2008

In the Interest of Minor Children: K.B.M., DOB 10/29/03; G.E.M., DOB 08/25/95; A.D.M., DOB 04/25/97; L.A.M., DOB 12/16/00, JV 03-07-10 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 12, 2008) (Rockman, A).

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 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 (Vacating Previous Judgment) (HCN Tr. Ct., Mar. 12, 2008) (Matha, T).

The Court vacated a previous judgment anticipating execution of a consent decree in the instant case. Failing to execute a consent decree, the Court ordered CFS to continue to exercise legal custody over the minor children, and contact the Court to reschedule a *Trial*,

unless it secures a reversal of plea from the parent of the minor children.

In the Interest of Minor Children: K.M., DOB 04/09/93; M.S.B., DOB 09/14/99, JV 98-15, JV 03-12 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Mar. 12, 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.

MARCH 13, 2008

In the Interest of Minor Children: M.L.D., DOB 05/23/91; M.L.H., DOB 08/18/97; M.H., DOB 02/19/99; M.H., DOB 02/09/00; JV 05-15-18 Order (Permanent Guardianship Motion Denied) (HCN Tr. Ct., Mar. 13, 2008) (Rockman, A).

The Court had to determine whether to modify the temporary guardianship of the minor children. The Court found that an appointment from temporary to permanent was not in the children's best interests and will continue under a temporary status.

MARCH 14, 2008

In the Interest of Minor Children: E.L., DOB 10/11/96; R.G., DOB 04/21/03 JV 07-46, 07-47 Order (Paternal Dispositional Requirements) (HCN Tr. Ct., Mar. 14, 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. Paternal dispositions were established with the hope of returning legal custody to the parents.

MARCH 25, 2008

In the Interest of Minor Child: A.C., DOB 11/18/92; K.M., DOB 10/18/93; S.M., DOB 12/13/95 JV 07-09-11 Order (Requesting Guardian Ad Litem Opinion) (HCN Tr. Ct., Mar. 25, 2008) (Rockman, A).

The Court convened a *Guardianship Hearing* and requested that the GAL submit a report no later than April 2, 2008.

In the Interest of Minor Child: P.M.S., DOB 01/14/91; P.A.S., DOB 01/14/91, JV 98-06, 98-07 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 25, 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.

MARCH 27, 2008

In the Interest of Minor Child: A.L.A., DOB 06/18/04, JV 06-16 Order (Motion Granted) (HCN Tr. Ct., Mar. 27, 2008) (Rockman, A).

The Court had to determine whether to convert a temporary guardianship to a permanent guardianship. The Court granted the conversion, determining such a conversion was within the minor child's best interests.

In the Interest of Minor Child: S.S., DOB 04/23/98, JV 07-55 Order (Entrance of Plea) (HCN Tr. Ct., Mar. 27, 2008) (Matha, T).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the Court entered a plea of not guilty on behalf of the father due to his failure to attend the proceeding, and accordingly scheduled a *Trial*.

MARCH 28, 2008

In the Interest of Minor Child: D.B.M. DOB 10/06/06, JV 07-45 Order (Show Cause) (HCN Tr. Ct., Mar. 28, 2008) (Matha, T).

The Court ordered the father in the instant case to explain why the Court should not hold him in contempt for failure to comply with standing orders of the Court.

In the Interest of Minor Children: L.H.C., DOB 03/05/01; M.K., DOB 03/10/05, JV 07-43-44 Order (Dispositional Requirements) (HCN Tr. Ct., Mar. 28, 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 CFS. Dispositions were established with the hope of returning legal custody to the parents.

MARCH 31, 2008

In the Interest of Minor Child: K.M., DOB 04/09/93, et al., JV 98-15, 03-12 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Mar. 31, 2008) (Rockman, A).

The Court granted the petitioner's request for a telephonic appearance.

APRIL 1, 2008

In the Interest of Minor Child: T.L.B., DOB 04/06/04, JV 07-45 Order (Legal Custodian Designation) (HCN Tr. Ct., Apr. 1, 2008) (Matha, T).

The Court designated CFS the temporary guardian of the minor child for the purposes of obtaining services for the minor child.

APRIL 2, 2008

In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14 Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 2, 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.

APRIL 3, 2008

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 (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 3, 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: S.D.T., DOB 01/18/94, JV 07-06 Order (Termination of Jurisdiction) (HCN Tr. Ct., Apr. 3, 2008) (Matha, T). The Court determined that a reversion of legal custody to the mother was in the child's best interests. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

APRIL 4, 2008

In the Interest of Minor Child: J.C., DOB 06/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07, JV 07-04-05, 07-34 Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 4, 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 maintain the status quo.

APRIL 7, 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 (Appointment of Temporary Guardian) (HCN Tr. Ct., Apr. 7, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the minor children. The Court deemed such an appointment to be in the best interests of the children.

APRIL 14, 2008

In the Interest of Minor Children: A.A.F., DOB 01/10/92; E.M.F., DOB 03/27/93; M.R.F., DOB 01/25/99, JV 08-02-04 Order (Granting Emergency Legal and Physical Custody) (HCN Tr. Ct., Apr. 14, 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.

APRIL 16, 2008

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-08-05 Order (Granting Emergency Legal Custody) (HCN Tr. Ct., Apr. 16, 2008) (Rockman, A).

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 children's best interests.

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; J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-23-25, JV 07-53-54 Order (Establishment of Child Support) (HCN Tr. Ct., Apr. 16, 2008) (Matha, T).

The Court had to determine whether to establish a child support obligation for the mother of the minor children. The Court granted child support for the minor children's care.

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; J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-23-25, JV 07-53-54 Order (Establishment of Child Support- Redacted) (HCN Tr. Ct., Apr. 16, 2008) (Matha, T).

The Court entered a redacted order for purposes of informing the Treasury Department of its obligations in this confidential juvenile case.

APRIL 17, 2008

In the Interest of Minor Children: A.A.F., DOB 01/10/92; E.M.F., DOB 03/27/93; M.R.F., DOB 01/25/99, JV 08-02-04 Order (Dispositional Requirements) (HCN Tr. Ct., Apr. 17, 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. Dispositional Requirements were established with the hope of reunifying the family.

In the Interest of Minor Child: N.R.Y., DOB 07/06/91, JV 05-34 Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 17, 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 maintain the status quo.

APRIL 21, 2008

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 (Establishment of Child Support - Redacted) (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court entered a redacted order for purposes of informing the Treasury Department of its obligations in this confidential juvenile case.

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 (Establishment of Child Support) (HCN Tr. Ct., Apr. 21, 2008) (Matha, T).

The Court had to determine whether to establish a child support obligation for the mother of the minor children. The Court granted child support for the minor children's care.

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 (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 21, 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 maintain the status quo.

APRIL 24, 2008

In the Interest of Minor Children: K.M., DOB 04/09/93; M.S.B., DOB 09/14/99, JV 98-15, 03-12 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., Apr. 24, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the minor children. The Court deemed such an appointment to be in the best interests of the children.

In the Interest of Minor Child: Q.J.C., DOB 08/07/92, JV 06-06 Order (Submission of Best Interests Assessment) (HCN Tr. Ct., Apr. 24, 2008) (Matha, T).

The Court ordered CFS to perform a best interests assessment of the minor child, in response to the temporary guardians' request for conversion to a permanent guardianship.

In the Interest of Minor Child: S.S., DOB 04/23/98, JV 07-55 Order (Formal Trial) (HCN Tr. Ct., Apr. 24, 2008) (Matha, T).

The Court convened a Trial to determine whether the CFS could prove allegations in their *Petition*. The father

of the minor child failed to appear, and CFS demonstrated it could establish elements of the *Petition*. Thus, the court scheduled a *Dispositional Hearing*.

APRIL 25, 2008

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 (Deferral of Petition & Motion) (HCN Tr. Ct., Apr. 25, 2008) (Matha, T).

The Court had to determine whether a temporary guardian should be appointed for minor child T.L.B. The Court withheld judgment on such appointment until the next scheduled *Child Protection Review Hearing*. In regards to T.K.W., the Court had to determine whether resumption of physical custody by the mother was in the child's best interests, but found the request premature. The Court deferred judgment until the next scheduled *Child Protection Review Hearing*.

APRIL 28, 2008

In the Interest of Minor Children: S.S., DOB 04/23/98, JV 07-62-64 Order (Formal Trial) (HCN Tr. Ct., Apr. 28, 2008) (Rockman, A).

The Court convened a Trial to determine whether the CFS could prove allegations in their *Petition*. The father of the minor child failed to appear, and CFS demonstrated it could establish elements of the *Petition*. In addition, the mother of the minor children pled guilty and at a scheduled *Dispositional Hearing*, the Court adopted CFS's suggested dispositional requirements.

In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08 Order (Status Hearing)(HCN Tr. Ct., Apr. 28, 2008) (Rockman, A).

The Court convened a Status Hearing for the purposes of incorporating and updating the father of the minor child. The parent pled guilty to the *Petition*, and agreed to the proposed dispositional requirements. These requirements will hopefully lead to a return of legal custody to the parent.

APRIL 29, 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 (Interested Party) (HCN Tr. Ct., Apr. 29, 2008) (Rockman, A).

The Court identified the former GAL in the instant case as an interested party for the duration of the appeal process. A successor GAL shall be appointed and a *Status Hearing* scheduled *sua sponte*.



RECENT SUPREME COURT DECISIONS

MARCH 6, 2008

In the Interest of Minor Children: Y.M.R., DOB 08/19/04, et al., SU 07-13 Order to Show Cause (HCN S. Ct., Mar. 6, 2008). The Court ordered that the *Appellee* appear to show cause why the Court should not deliberate and decide the matter without her *Brief*, and noticed that the time is ripe for a decision to be entered in the instant case.

MARCH 12, 2008

In the Interest of Minor Children: Y.M.R., DOB 08/19/04, et al., SU 07-13 Order (Granting Appellant's Telephonic Appearance) (HCN S. Ct., Mar. 12, 2008). The Court ordered that the *Appellee* appear to show cause why the granted the Appellants' counsel's request to appear telephonically.

MARCH 17, 2008

In the Interest of Minor Children: Y.M.R., DOB 08/19/04, et al., SU 07-13 Order to Show Cause Hearing (HCN S. Ct., Mar. 17, 2008). The Court rescheduled the previously scheduled hearing.

Sharon Williams v. Ho-Chunk Insurance Review Commission, SU 08-01 Order for Oral Argument (HCN S. Ct., Mar. 17, 2008). The Court scheduled *Oral Arguments*.

MARCH 18, 2008

Sharon Williams v. Ho-Chunk Insurance Review Commission, SU 08-01 Order for Oral Argument (HCN S. Ct., Mar. 17, 2008). The Court corrected a clerical error.

MARCH 21, 2008

Gale S. White v. Jean Day SU 08-02 Scheduling Order (HCN S. Ct., Mar. 21, 2008). The Court accepted the matter for appeal.

APRIL 18, 2008

Sharon Williams v. Ho-Chunk Insurance Review Commission, SU 08-01 Order Granting Postponement (HCN S. Ct., Apr. 18, 2008). The Court scheduled *Oral Arguments*.

APRIL 24, 2008

In the Interest of Minor Children: Y.M.R., DOB 08/19/04, et al., SU 07-13 Order (Denying Appellant's Telephonic Appearance) (HCN S. Ct., Apr. 24, 2008). The Court denied the appellants' counsel's request to appear by telephone.

APRIL 28, 2008

Gale S. White v. Jean Day SU 08-02 Scheduling Order (HCN S. Ct., Apr. 28, 2008). The Court scheduled *Oral Argument*.

In the Interest of Minor Children: Y.M.R., DOB 08/19/04, et al., SU 07-13 Order to Show Cause Hearing (HCN S. Ct., Apr. 28, 2008). The Court scheduled the hearing.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

MARCH 4, 2008

State of Wisconsin ex rel. v. Eric R. Paulson, CS 08-15 (Matha, T).

MARCH 6, 2008

Heather Lee Mott v. Scott Hindes, CS 08-16 (Matha, T).

MARCH 10, 2008

Jacqueline Stewart v. Marcus Kerby, CS 08-17 (Rockman, A).

Jennifer Lynn Mortiz v. Issac Clement Jackson, CS 08-18 (Rockman, A).

Deborra Jean Croissant v. Issac Clement Jackson, CS 08-19 (Rockman, A).

MARCH 14, 2008

Susan Golz v. Marcus J. Kerby, CS 08-20 (Rockman, A).

MARCH 27, 2008

Margaret E. Newman Boardman v. Benjamin Boardman, CS 08-22 (Rockman, A).

MARCH 28, 2008

Bernice Barnes v. Maranda Keichinger, CS 08-23 (Rockman, A).

APRIL 2, 2008

Denise Dennis v. Russell J. Mann, CS 08-24 (Matha, T).

APRIL 4, 2008

Dane Co. Dept. of Human Services v. Cheryl Laubmeier, CS 08-25 (Matha, T).

APRIL 7, 2008

State of Minnesota ex rel. v. Roy C. Bartlett, CS 08-26 (Matha, T).

APRIL 9, 2008

State of Wisconsin ex rel. v. David A. DeCoro, CS 08-27 (Rockman, A).

APRIL 16, 2008

State of Wisconsin ex rel. v. Wilfred H. Cloud, CS 08-28 (Matha, T).

APRIL 18, 2008

Debra A. Rynearson v. Donald H. Rynearson III, CS 08-29 (Matha, T).

APRIL 21, 2008

Marie C. Decora v. Francis T. Decora, CS 08-30 (Rockman, A).

APRIL 22, 2008

Pearl L. Mrotek v. Tonya L. Mrotek, CS 08-31 (Matha, T).

APRIL 24, 2008

State of Wisconsin v. Charles M. Smith, CS 08-32 (Rockman, A).

APRIL 30, 2008

Vicki L. McDonald v. Matthew L. Thundercloud, CS 08-33 (Matha, T).

 **CIVIL CASES**

MARCH 19, 2008

Michael C. Murphy v. HCN Office of Tribal Enrollment, CV 08-11 (Matha, T).

APRIL 14, 2008

In the Interest of Minor Child: G.E.M., DOB 08/25/98, by Lisa Warner, CFS Worker, CV 08-12 (Matha, T).

APRIL 18, 2008

In the Interest of Minor Child: M.W., DOB 01/28/02, by Bridget Morris, CV 08-13 (Matha, T).

APRIL 22, 2008

In the Interest of Minor Children: M.W., DOB 04/11/89; N.W., DOB 02/01/91, by Charles M. Whiteeagle, CV 08-14 (Rockman, A).

APRIL 29, 2008

In the Interest of Minor Child: G.A.Y., DOB 05/11/84., CV 08-15 (Matha, T).

 **CIVIL GARNISHMENT CASES**

APRIL 7, 2008

Value Services of WI v. Traci M. Gutt, CG 08-37 (Matha, T).

APRIL 9, 2008

Creditor Recovery Service LLC v. David Downing, CG 08-38 (Matha, T).

Caital One Bank v. Tammy M. McKittrick, CG 08-39 (Matha, T).

APRIL 29, 2008

Creditor Recovery Service LLC v. Bryan J. Ringer, CG 08-40 (Matha, T).

Creditor Recovery Service LLC v. Richard E. Walker, CG 08-41 (Matha, T).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

 **DIVORCE CASES**

NO FILINGS AT THIS TIME.

 **DOMESTIC VIOLENCE**

NO FILINGS AT THIS TIME.

 **JUVENILE CASES**

APRIL 14, 2008

In the Interest of Minor Children: A.A.F., DOB 04/14/08; E.M.F., DOB 03/27/93; M.R.F., DOB 01/25/99 JV 08-02, 08-03, 08-04 (Matha, T).

APRIL 16, 2008

In the Interest of Minor Child: A.C., DOB 10/16/08, JV 08-05 (Matha, T).

APRIL 18, 2008

In the Interest of Minor Children: C.S.C., DOB 11/22/97; K.K.C., DOB 11/04/99; K.A.C., JV 08-07, 08-08, 08-09 (Matha, T).

APRIL 24, 2008

In the Interest of Minor Child: A.E.O., DOB 02/23/01, JV 08-10 (Rockman, A).

RECENT SUPREME COURT FILINGS

MARCH 14, 2008

Gale S. White v. Jean Day, SU 08-02.



**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

Wayne Falcon
Dennis Funmaker
Cecil Garvin
Jim Greendeer
Douglas Greengrass
Richard Mann
Desmond Mike
Douglas Red Eagle
Preston Thompson, Jr.
Eugene Thundercloud
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
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)

¹ See Todd R. Matha, *Part I: A Survey of Children’s Trust Fund (CTF) Cases*, HO-CHUNK NATION COURT BULLETIN, March 2002, at 2-5; Todd R. Matha, *Part II: A Survey of Children’s Trust Fund(CTF) Cases*, HO-CHUNK NATION COURT BULLETIN, April/May 2002, at 2-6, *CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, December 2003, at 3-6.

² See *CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, July 2006, at 2-7; *CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, August 2006, at 2-7.

³ *In the Interest of Casey J. Tripp v. HCN Enrollment Dep't*, CV 98-10 (HCN Tr. Ct., Mar. 27, 1998).

⁴ *See CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, July 2006, at 2.

⁵ *In the Interest of Minor Child: G.N.*, DOB 02/25/00 by Julie Nakai v. HCN Office of Tribal Enrollment, CV 07-62 (HCN Tr. Ct., Nov. 9, 2007); *In the Interest of Minor Child: E.L.*, DOB 02/06/2001, by Shannon Petersen v. HCN Office of Tribal Enrollment, CV 07-72 (HCN Tr. Ct., Sept. 18, 2007).

⁶ *In the Interest of Minor Child: D.R.M.*, DOB 05/12/99, by Sherry McKinley v. HCN Office of Tribal Enrollment, CV 06-107 (HCN Tr. Ct., Nov. 15, 2006) at 8.

⁷ *In the Interest of G.F.*, DOB 03/01/93, by Mary Fletcher v. HCN Office of Tribal Enrollment, CV 05-102 (HCN Tr. Ct., Aug. 16, 2006) at 6.

⁸ *See In the Interest of Minor Child: A.F.*, DOB 01/13/96, by Alona Bush v. HCN Office of Tribal Enrollment, CV 05-83 (HCN Tr. Ct., Jan. 25, 2006) at 10.

⁹ *Id.*

¹⁰ *See In the Interest of Minor Child: A.F.*, DOB 01/13/96, by Alona Bush v. HCN Office of Tribal Enrollment, CV 07-26 (HCN Tr. Ct., Jul. 20, 2007) at 10.

¹¹ *Id.*

¹² *Id.* at 11.

¹³ HOCAK NATION CHILDREN AND FAMILY ACT, 4 HCC 3.5bb.

¹⁴ *See In the Interest of Minor Child: D.A.S.*, DOB 10/14/87, by Larry Swan v. HCN Office of Tribal Enrollment, CV 00-96 (HCN Tr. Ct., Dec. 18, 2000) (insufficient Social Security Income to satisfy clothing needs of twelve (12) year old child cared for by terminally ill single parent).

¹⁵ *See In the Interest of Minor Child: M.W.*, DOB 04/05/95, by Miriam Whiteagle v. HCN Office of Tribal Enrollment, CV 06-63 (HCN Tr. Ct., Sept. 5, 2006) at 8.

¹⁶ *Id.* at 9.

¹⁷ *Id.* at 10.

¹⁸ *See In the Interest of Minor Child: G.N.*, DOB 02/25/00, by Julie Nakai v. HCN Office of Tribal Enrollment, CV 07-62 (HCN Tr. Ct., Nov. 9, 2007) at 9 (private school tuition request denied because petitioner failed to substantiate expressed inadequacies of public schools).

¹⁹ *See In the Interest of Minor Child: T.W.*, DOB 04/09/93, by Sara WhiteEagle v. HCN Office of Tribal Enrollment, CV 06-30 (HCN Tr. Ct., Jul. 24, 2006); *see also In the Interest of Minor Child: B.K.W.B.* DOB 02/10/91, by Cara Lee Murphy v. HCN Office of Tribal Enrollment, CV 06-67 (HCN Tr. Ct., Jan. 19, 2007) (granting a one-time release for an outstanding tuition bill no longer attended by the minor child).

²⁰ *See In the Interest of Minor Child: M.W.*, DOB 07/09/95, by Melody Whiteagle-Fintak v. HCN Office of Tribal Enrollment, CV 07-23 (HCN Tr. Ct., Jun., 29, 2007).

²¹ *Id.* at 10.

²² *See In the Interest of Minor Child: D.H.*, DOB 06/07/95, by Marjorie Hopinkah v. HCN Office of Tribal Enrollment, CV 07-38 (HCN Tr. Ct., Jul., 27, 2007) at 9.

²³ *Id.* at 1.

²⁴ *Id.* at 9.

²⁵ *See In the Interest of Minor Children: M.L.P.*, DOB 05/21/95, and *D.M.P.*, DOB 07/21/99, by Barbara Lowe v. HCN Office of Tribal Enrollment, CV 07-06 (HCN Tr. Ct., Feb. 15, 2007) citing *In the Interest of Adult CTF Beneficiary: Tyler A. Cloud*, DOB 10/31/87, et al. v. HCN Office of Tribal Enrollment, CV 05-92 (HCN Tr. Ct., Jan. 11, 2006) at 10).

²⁶ *Id.* at 10-11.

²⁷ *See 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 (HCN Tr. Ct., Jan. 1, 2008) at 10-11.

²⁸ *Id.* at 11.

²⁹ *Id.*

³⁰ *Id.* at 12.

³¹ *See in the Interest of Minor Child: D.T.L.*, DOB 04/25/89, by Katherine Littlejohn v. HCN Office of Tribal Enrollment, CV 06-114 (HCN Tr. Ct., Feb. 2, 2007) at 1.

³² *Id.* at 5-6.

³³ *See in the Interest of Minor Children: D.J.C.*, DOB 03/05/96; *M.J.C.*, DOB 12/21/97; *J.M.C.*, DOB 09/03/00, by Claudette Rabdeau and Joseph Czarnecki v. HCN Office of Tribal Enrollment CV 07-42 (HCN Tr. Ct., Dec. 27, 2007).

³⁴ *Id.* at 13.

HO-CHUNK NATION COURT BULLETIN

June 2008 Issue



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Children's Trust Funds: Adult Beneficiaries Case Update July 2006-May 2008

Beginning in February 2002, the Court Bulletin has presented articles describing the process by which to petition the Court for release of monies from Trust Funds.¹ In this article, the Court again provides an update to the Children's Trust Fund (CTF) articles. Accordingly, the Court has examined all CTF decisions since the last update in July 2006.²

This is the second part of the latest update, and details cases involving adult CTF Beneficiaries. The Ho-Chunk Nation Legislature mandates retention of the corpus of a CTF until an adult member obtains either a high school diploma or the age of twenty-five (25) years. PER CAPITA ORDINANCE, 12.8b(1). This graduation requirement was erected in response to an actual or perceived drop in the graduation of Ho-Chunk youth. Adult CTF Beneficiaries are those individuals who did not receive their high school diplomas, and thus, are required to come before the Court to request access to their CTFs.

CTF Cases Involving Adult Beneficiaries

Automobiles

Since the last update, the Court has received several requests for automobiles and automobile related expenses from Adult CTF Beneficiaries.³

In *Sanford*, the Court denied a release of funds to purchase an automobile because the petitioner failed to demonstrate necessity.⁴ Moreover, the Court noted that it was merely inconvenient for the petitioner to rely on others for transportation, as the petitioner stated he was not seeking full-time employment or his high school equivalency diploma.⁵ The Court noted that while the petitioner did have a minor

child, the child had no special needs that supported a need for transportation above that of the petitioner's choices regarding education and employment.⁶

Another request for an automobile was denied unless the petitioner could provide documentation of educational progress at a local technical college.⁷ In another denial, the Court granted a release of monies for tuition and books,⁸ but declined to satisfy an automobile loan on behalf of the petitioner.⁹

The Court has also granted a number of requests related to automobiles. In *Littlegeorge*, the petitioner requested an automobile to address not only her own needs, but also the needs of her three (3) minor children. Thus, the Court focused on the needs of the children and the petitioner, and granted a release to ensure the health, education and welfare of all four individuals.¹⁰ In doing so, the Court recognized that gaining a high school diploma would also benefit the minor children, and that employment and reliable transportation were necessary to their collective well-being.¹¹

In *Red Cloud*, the petitioner requested an automobile in order to attend an alternative high school that required their students to be responsible for their own transportation. The Court granted the petition after she demonstrated the threshold requirements for an automobile request.¹² As the school required part-time employment and the petitioner anticipated graduating within approximately three (3) months, the Court recognized that a refusal to release such monies would detrimentally impact the petitioner's possibility of a timely graduation.¹³

As for automobile expenses, in *Cloud*, the Court granted a request for funds to pay for repairs.¹⁴ In this case, the petitioner had already obtained a GED, but wished to further her education by attending a local community college.¹⁵ Thus, the Court granted the petition, provided that the petitioner submits proof of enrollment, proof of financial assistance from the HCN Dept. of Labor, and a proof of a request for assistance from the HCN Dept. of Education.¹⁶

Education:

In *Gauthier*, the Court had to determine whether to grant a release of funds for purposes related to fines, personal loans, birthing expenses and high school tuition.¹⁷ The Court granted a release of funds to satisfy the petitioner's requests for high school tuition, and birthing expenses for his newborn.¹⁸ Requests for funds to address fines and personal indebtedness were noted as inappropriate, absent unusual mitigating circumstances.¹⁹ In another case, *Youngthunder*, the Court approved a release of funds to pay for the costs associated with high school tuition.²⁰

Miscellaneous:

In an extraordinary case, the Court granted releases of funds from two separate CTFs in order to pay for emergency housing and the replacement of personal belongings due to a residential fire.²¹ The unusual facts of the case involved the loss of their dwellings and its contents in a fire that affected eight (8) members of the petitioners' families.²² With the exception of funds for clothing and a television that did not represent a necessity, the Court granted a release of funds to pay for housing, appliances, furniture, insurance, electronics, and other miscellaneous expenses.²³

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

Nigijetana:
Can I help you?

Wagax kawazare:
Pay off your loan to me.

Hikinu wa'ų:
I made a mistake.

Že'eske haca wa'ųnqkşq:
That's the way I see it.

Hirakara ųne:
Be careful.

Hąke ne wa'ųni:
It's not my fault.

Mark Your Calendars! Do It for the Kids!

GAL Training July 15, 16, 17, 2008



The *Ho-Chunk Nation Children and Family Act* requires that the Trial Court “appoint a guardian ad litem to protect the interests of the child,” in every juvenile case. 4 HCC § 3.20b. The Ho-Chunk Nation Judiciary currently seeks conscientious, caring and dependable individuals to fill this important role. A GAL serves as an independent advocate and informs the Court of a child's interests in child protection actions and guardianship matters.

Guardians ad litem receive compensation for their services and reimbursement for accumulated expenses. The court will host an on-site GAL training session on July 15-17, 2008, at *Wa Ehi Hoci* in Black River Falls, Wisconsin. Wisconsin Judicare, Inc., will

HCN Employees: Get your leave request into your supervisor, contact the Clerk of Courts, and attend this training on July 15-17, 2008. We need GALs for the Judiciary to serve the interests of Ho-Chunk children.

~Pinagigi~

conduct the training which is free to tribal members and non-member tribal employees. Interested individuals are encouraged to attend. Current guardians ad litem seeking to serve as a GAL for 2008-09 are required to attend under the *HCN Rules for Guardian Ad Litem** adopted by the Supreme Court. Available at www.ho-chunknation.com/?Pagelid=123. Further information regarding service as a GAL is available from the Clerk of Court at (800) 434-4070 or (715) 284-2722. Pursuant to the *Rules*, prospective attendees must complete an application and schedule a brief interview, in addition to attending this training. Participation in the training course is limited to twenty (20) individuals.

The training session has received the support of the Executive Director of the Personnel Department, and tribal employees may receive paid Educational Leave to attend the course. Employees must request Educational Leave at least thirty (30) days in advance of the training as required by the *Employment Relations Act*. Approval of any such request remains within the discretion of the relevant departmental Executive Director. 6 HCC § 5.24a-b.



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

NO DECISIONS AT THIS TIME.

CIVIL GARNISHMENT CASES

MAY 2, 2008

Meriter Home Health v. Angeline Decorah, CG 07-101 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

University of Wisconsin Hospital & Clinic v. Angeline Decorah, CG 08-06 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

Marquette County EMS Department v. Janice M. Bowen, CG 08-79 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

Capital One Bank v. Tammy M. McKittrick, CG 08-39 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

Creditor Recovery Service, LLC v. Anthony G. Bielski, CG 08-22 Order (Satisfaction of Judgment) (HCN Tr. Ct., May 2, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The petitioner submitted a filing indicating the respondent had no further obligation. Thus, the Court recognized the debt as satisfied.

University of Wisconsin Board of Regents d/b/a University of Wisconsin – Eau Claire v. David Rice, CG 08-29 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

State Collection Service, Inc. v. Nina Greengrass, CG 08-21 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

Resurgence Financial, LLC v. Barbara Funmaker a/k/a Williams, CG 08-25 Order (Default Judgment) (HCN Tr. Ct., May 2, 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.

MAY 12, 2008

Creditor Recovery Services, LLC v. Anthony G. Bielski, CG 08-18 Order (Satisfaction of Judgment) (HCN Tr. Ct., May 12, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The petitioner submitted a filing indicating the respondent had no further obligation. Thus, the Court recognized the debt as satisfied.

MAY 19, 2008

Guy-Robert Detlefsen, Jr. v. Marjette M. Jadack, CG 08-32 Order (Petition Granted) (HCN Tr. Ct., May 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 timely responded and the petitioner subsequently stipulated to a withholding arrangement. Thus, the Court granted the request for relief requested by the petitioner.

MAY 21, 2008

Creditor Recovery Service, LLC v. Richard E. Walker, CG 07-101 Order (Default Judgment) (HCN Tr. Ct., May 21, 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.

MAY 28, 2008

Michelle Mason v. Anthony Van Riper, CG 08-43 Order (Default Judgment) (HCN Tr. Ct., May 28, 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.

Guy-Robert Detlefsen, Jr. v. Marjette M. Jadack, CG 08-32 Order (Retention of Judgment) (HCN Tr. Ct., May 28, 2008) (Matha, T).

The Court did not disturb its prior judgment since the respondent could not demonstrate an exemption to the garnishment.

CIVIL CASES

ADMINISTRATIVE APPEALS

MAY 8, 2008

Kerry M. Funmaker v. HCN Grievance Review Board, CV 08-18 Scheduling Order (HCN Tr. Ct., May 8, 2008) (Rockman, A).

The Court ordered the schedule for the case.

Kristin White Eagle v. HCN Grievance Review Board, CV 08-17 Scheduling Order (HCN Tr. Ct., May 8, 2008) (Rockman, A).

The Court ordered the schedule for the case.

MAY 12, 2008

Wayne Falcon v. Liz Haller et al., CV 07-44, CV 07-44 Order (Granting Motion for Recusal) (HCN Tr. Ct., May 12, 2008) (Matha, T).

The Court granted the respondent's Motion for Recusal to avoid the appearance of impropriety. The presiding judge shared an extended familial relationship with the petitioner's children.

CHILDREN'S TRUST FUND (CTF)

MAY 2, 2008

In the Interest of Minor Children: N.M., DOB 08/13/93 by Paula Mike, CV 07-85 Order (Petition Denied) (HCN Tr. Ct., May 2, 2008) (Rockman, A). The Court had to determine whether to release CTF monies to acquire an automobile. Due to the petitioner's failure to meet the necessity prong of the four-part balancing test, the request was denied.

MAY 6, 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 (Accepting Accounting) (HCN Tr. Ct., Mar. 6, 2008) (Matha, T).

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

MAY 19, 2008

In the Interest of Adult CTF Beneficiary: Cha-ska Prescott., DOB 05/16/86 v. HCN Office of Tribal Enrollment, CV 07-22 Order (Show Cause) (HCN Tr. Ct., May 19, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the Adult CTF Beneficiary for costs associated with an outstanding electric bill. 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 him in contempt of court.

In the Interest of Minor Child: V.D.C., DOB 12/30/95, by Rachael L. Caronongan v. HCN Office of Tribal Enrollment CV 07-63 Order (Accepting Accounting) (HCN Tr. Ct., May 19, 2008) (Rockman, A).

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

In the Interest of Minor Child: A.L.B., DOB 08/15/90, by Victoria D. Blackcoon v. HCN Office of Tribal Enrollment CV 08-03 Order (Requesting

Accounting) (HCN Tr. Ct., May 19, 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 a full 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: R.B., DOB 09/29/00, and C.B., DON 02/06/02, by Cheri L. Byhre v. HCN Office of Tribal Enrollment CV 08-07 Order (Petition Denied) (HCN Tr. Ct., May 19, 2008) (Rockman, A).

The Court had to determine whether to release CTF monies to pay for costs associated with private school tuition. Due to the petitioner's failure to meet the necessity prong of the four-part balancing test, the request was denied.

MAY 21, 2008

In the Interest of Adult CTF Beneficiary: Neva Littlegeorge., DOB 09/24/85 v. HCN Office of Tribal Enrollment CV 06-80 Order (Contempt) (HCN Tr. Ct., May 21, 2008) (Matha, T).

The Court had to determine whether to hold the petitioner in contempt of court for knowingly violating several judgments. The petitioner failed to attend the *Show Cause Hearing*, resulting in an inability to rebut the *prima facie* showing of contempt. Thus, the Court held the petitioner in contempt and imposed a reasonable remedial sanction.

MAY 22, 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 (Requesting Accounting) (HCN Tr. Ct., May 22, 2008) (Matha, T).

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

MAY 23, 2008

In the Interest of Minor Child: E.C.L., DOB 04/13/93, by Valerie L. Lyons v. HCN Office of Tribal Enrollment, CV 06-111 Order (Show Cause) (HCN Tr. Ct., May 23, 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.

MAY 27, 2008

In the Interest of Minor Children: M.W., DOB 04/11/89, and N.W., DOB 02/01/91, by Charles M. White Eagle v. HCN Office of Tribal Enrollment, CV 08-14 Order (Petition Granted) (HCN Tr. Ct., May 27, 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: A.L.B., DOB 08/15/90, by Victoria D. Blackcoon v. HCN Office of Tribal Enrollment, CV 07-71 Order (Accepting Accounting) (HCN Tr. Ct., May 27, 2008) (Matha, T).

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

MAY 28, 2008

In the Interest of Minor Child: B.E.W., DOB 03/26/98, by Joan E. Wilson v. HCN Office of Tribal Enrollment, CV 08-21 Order (Petition Granted) (HCN Tr. Ct., May 28, 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: P.J.L., DOB 10/13/95, by Heather S. Laird v. HCN Office of Tribal

Enrollment, CV 08-20 Order (Petition Granted) (HCN Tr. Ct., May 28, 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: E.C.L., DOB 04/13/93, by Valerie L. Lyons v. HCN Office of Tribal Enrollment, CV 06-111 Order (Accepting Accounting) (HCN Tr. Ct., May 28, 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 statement, confirming the proper use of the funds. The Court accepted this accounting.

 **CONTRACTS**

MAY 19, 2008

Jeneile Luebke v. Patricia Boyles c/o HCN Health Dept., CV 06-70 Order (Satisfaction of Judgment) (HCN Tr. Ct., May 19, 2008) (Rockman, A).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

MAY 20, 2008

HCN et al. v. Lionel Pettibone, CV 07-74 Order (Satisfaction of Judgment) (HCN Tr. Ct., May 20, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

MAY 21, 2008

HCN et al. v. Brandon Cloud, CV 07-78 Order (Satisfaction of Judgment) (HCN Tr. Ct., May 21, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

 **ELECTION MATTERS**

NO DECISIONS AT THIS TIME.

 **EMPLOYMENT**

MAY 21, 2008

Stanley J. Decorah v. HCN Workman's Compensation, CV 06-58 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., May 21, 2008) (Matha, T).

The Court dismissed the case due to inactivity.

MAY 22, 2008

Marlene C. Cloud et al. v. HCN et al., CV 06-31 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., May 22, 2008) (Matha, T).

The Court dismissed the case due to inactivity.

ENROLLMENT

MAY 22, 2008

Leilani J. Chamberlain v. Adam Hall, CV 05-109 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., May 22, 2008) (Matha, T).

The Court dismissed the case due to inactivity.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

MAY 9, 2008

In the Interest of Adult Incompetent: E.M.S., DOB 02/01/55, by Cecilia Sine v. HCN Office of Tribal Enrollment, CV 03-27 Order (Motion Granted) (HCN Tr. Ct., May 9, 2008) (Rockman, A).

The Court had to determine whether funds from the ITF account of the adult incompetent can be released for costs associated with new washer and dryer, as well as home repair costs. The Court granted a release of funds to accommodate the petitioner's request.

MAY 13, 2008

In the Interest of Adult Incompetent: O.S.R., DOB 05/14/68, by Dr. Jeremy P. Rockman v. HCN Office of Tribal Enrollment, CV 97-117 Order (Partially Granting Motion) (HCN Tr. Ct., May 13, 2008) (Matha, T).

The Court had to determine whether funds from the ITF account of the adult incompetent can be released for costs associated with an ongoing personal allowance and several other miscellaneous concerns. The Court granted a release of funds to accommodate the

petitioner's request, which had previously, and routinely, been granted in this case.

MAY 19, 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., May 19, 2008) (Matha, T).

The Court previously released funds from the CTF account of the adult incompetent for costs associated with ongoing guardianship service. The petitioner submitted a payment history statement, confirming the proper use of the funds. The Court accepted this accounting.

MAY 29, 2008

In the Interest of Adult Incompetent: W.E.S., DOB 12/23/36, by Frank E. Bichanich v. HCN Office of Tribal Enrollment, CV 04-22 Order (Motion Granted) (HCN Tr. Ct., Apr. 1, 2008) (Matha, T).

The petitioner requested a redirection of monies due to a change of address. The Court granted the request and reasserted the amount of its initial grant of monies for a personal allowance.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

MAY 15, 2008

Shelby Weso v. Virgil H. Smith, DV 08-02 Ex Parte Order for Protection (HCN Tr. Ct., May 15, 2008) (Matha, T).

The Court granted a temporary order for protection.

FAMILY

DIVORCE

NO DECISIONS AT THIS TIME.

JUVENILE CASES

APRIL 28, 2008

In the Interest of Minor Child: D.M.C., DOB 04/22/08, JV 07-56 Order (Appointment of

Guardian ad litem) (HCN Tr. Ct., Apr. 28, 2008) (Matha, T).

The Court appointed a GAL to represents the interests of the minor child(ren).

MAY 5, 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 (Appointment of Guardian ad litem) (HCN Tr. Ct., May 5, 2008) (Rockman, A).

The Court appointed a GAL to represents the interests of the minor child(ren).

MAY 6, 2008

In the Interest of Minor Child: L.D.C., DOB 03/14/97, JV 07-18 Order (Granting Motion for Emergency Detainment) (HCN Tr. Ct., May 6, 2008) (Matha, T).

The Court had to determine whether to grant a motion by the petitioner to change the placement of the minor child in a secured shelter facility. The Court granted the request.

MAY 8, 2008

In the Interest of Minor Child: Q.J.C., DOB 03/14/97, JV 06-06 Order (Granting Telephonic Appearance) (HCN Tr. Ct., May 8, 2008) (Matha, T).

The Court granted the parties' request to appear by phone.

MAY 19, 2008

In the Interest of Minor Child: T.K.W., DOB 10/16/07, JV 07-42 Order (Legal Custodian Designation - Redacted) (HCN Tr. Ct., May 19, 2008) (Matha, T).

The Court designated CFS the temporary guardian of the minor child for the purpose of obtaining services for the minor child.

In the Interest of Minor Child: S.S., DOB 04/23/98, JV 07-55 Order (Paternal Dispositional Requirements) (HCN Tr. Ct., May 19, 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. Paternal dispositions were established with the hope of reunifying the family.

In the Interest of Minor Children: T.E.B., DOB 12/26/90, JV 06-17 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 19, 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.

MAY 20, 2008

In the Interest of Minor Child: Q.J.C., DOB 08/07/92, JV 06-06 Order (Motion Granted) (HCN Tr. Ct., May 20, 2008) (Matha, T).

The Court had to determine whether to convert a temporary guardianship to a permanent guardianship. The Court deemed the appointment within the minor child's best interests, and granted the motion.

MAY 27, 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 07-09-14 Order (Guardian Ad Litem Probation) (HCN Tr. Ct., May 27, 2008) (Rockman, A).

The Court placed the GAL on a sixty (60) day probation period as an alternative to removal. The Court ordered that the GAL communicate whether she wishes to continue as a GAL, and if so, required a report submission no later than July 28, 2008.

MAY 29, 2008

In the Interest of Minor Child: D.M.C., DOB 04/22/08, JV 08-13 Order (Entrance of Plea and Dispositional Requirements) (HCN Tr. Ct., May 29, 2008) (Matha, T).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, CFS requested an opportunity to secure voluntary pleas from the parents, which the Court granted. Subsequently, CFS submitted a filing indicating the parents' plea of no contest, and their stipulation to several dispositional requirements. Thus, the Court did not convene a dispositional hearing.

In the Interest of Minor Child: T.K.W., DOB 10/16/07, JV 07-42 Order (Legal Custodian

Designation - Redacted) (HCN Tr. Ct., May 29, 2008) (Matha, T).

The Court designated CFS the temporary guardian of the minor child for the purpose of obtaining services for the minor child.

MAY 30, 2008

In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14, Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., May 30, 2008) (Matha, T).

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: J.B., Jr., DOB 11/27/95; A.B., DOB 07/25/94, JV 01-06-07 Order (Dismissal without Prejudice) (HCN Tr. Ct., May 30, 2008) (Rockman, A).

The Court dismissed the instant case due to the mother's non-attendance at a *Motion Hearing*.

In the Interest of Minor Children: T.W-T., DOB 08-06, JV 08-06 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., May 30, 2008) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court deemed such an appointment to be in the best interests of the child.



RECENT SUPREME COURT DECISIONS

MAY 15, 2008

Thomas Quimby v. HCN et al., SU 07-08 Decision (HCN S. Ct., May 15, 2008).

The Court considered an appeal of the Trial Court's review of an adjudicative decision by the HCN Insurance Review Commission. The Trial Court decision was upheld by the Court, as the

Appellant failed to provide a basis for altering the agency's decision.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

MAY 8, 2008

Rebecca Abrego v. Javier P. Salas, CS 08-34 (Rockman, A).

MAY 21, 2008

Sharon Chamberlain v. Stacy Yellowcloud, CS 08-35 (Rockman, A).

MAY 27, 2008

State of Wisconsin ex rel. v. Jason Pettibone, CS 08-36 (Matha, T).

MAY 28, 2008

Carissa M. Livingston v. Darrell W. Burns, CS 08-37 (Matha, T).



CIVIL CASES

MAY 1, 2008

In the Interest of Minor Children: K.R., DOB 07/24/98; J.R., Jr., DOB 04/03/00; A.R., DOB 12/15/02; M.R., DOB 12/2/04, by Michelle S. Rave v. HCN Office of Tribal Enrollment, CV 08-16 (Matha, T).

MAY 8, 2008

Kristen White Eagle v. HCN Grievance Review Board, CV 08-17 (Matha, T).

Kerry M. Funmaker v. HCN Grievance Review Board, CV 08-18 (Rockman, A).

MAY 9, 2008

Summer Dawn Dick v. Jonette Pettibone, CV 08-19 (Rockman, A).

MAY 22, 2008

In the Interest of Minor Child: P.J.L, DOB 05/11/84, by Heather S. Laird v. HCN Office of Tribal Enrollment, CV 08-20 (Rockman, A).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

MAY 23, 2008

In the Interest of Minor Children: B.E.W., DOB 03/26/98, by Joan E. Wilson v. HCN Office of Tribal Enrollment, CV 08-21 (Rockman, A).

 **DIVORCE CASES**

NO FILINGS AT THIS TIME.

MAY 27, 2008

In the Interest of Minor Child: J.H.B., DOB 01/13/97, by Jean M. Stacy-Snow v. HCN Office of Tribal Enrollment, CV 08-22 (Matha, T).

 **DOMESTIC VIOLENCE/ABUSE**

MAY 15, 2008

Shelby Weso v. Virgil H. Smith, DV 08-02 (Matha, T).

MAY 30, 2008

In the Interest of Minor Child: B.E.J., DOB 04/06/92, by Terrence W. Johnson v. HCN Office of Tribal Enrollment, CV 08-23 (Matha, T). Valued Services of WI, LLC v. Sammy Griner, CG 08-47 (Matha, T).

Betty White v. Faye Greengrass, DV 08-03 (Matha, T).

 **JUVENILE CASES**

APRIL 25, 2008

In the Interest of Minor Child: D.M.C., DOB 04/22/08, JV 08-13 (Matha, T).

 **CIVIL GARNISHMENT CASES**

MAY 5, 2008

Alliance Collection Agencies v. Mary E. Combs, CG 08-42 (Matha, T).

MAY 5, 2008

In the Interest of Minor Child: D.W., DOB 11/06/91, JV 08-14 (Rockman, A).

MAY 8, 2008

Michelle Mason v. Anthony Van Riper, CG 08-43 (Matha, T).

MAY 21, 2008

In the Interest of Minor Child: D.W., DOB 09/30/98, JV 08-15 (Rockman, A).

MAY 22, 2008

Valued Services of WI, LLC v. Michelle Krowiorz, CG 08-44 (Matha, T).

MAY 27, 2008

In the Interest of Minor Child: N.R.W., DOB 03/10/91, JV 08-16 (Rockman, A).

Black River Memorial v. Patricia Turnmire, CG 08-45 (Matha, T).

In the Interest of Minor Child: D.L., DOB 08/08/94, JV 08-17 (Matha, T).

Black River Memorial v. Crystal S. Pettibone, CG 08-46 (Matha, T).

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

Wayne Falcon
Dennis Funmaker
Cecil Garvin
Jim Greendeer
Douglas Greengrass
Richard Mann
Desmond Mike
Douglas Red Eagle

Preston Thompson, Jr.
Eugene Thundercloud
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
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)

¹ See Todd R. Matha, *Part I: A Survey of Children's Trust Fund (CTF) Cases*, HO-CHUNK NATION COURT BULLETIN, March 2002, at 2-5; Todd R. Matha, *Part II: A Survey of Children's Trust Fund(CTF) Cases*, HO-CHUNK NATION COURT BULLETIN, April/May 2002, at 2-6, *CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, December 2003, at 3-6.

² See *CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, July 2006, at 2-7; *CTF Case Update*, HO-CHUNK NATION COURT BULLETIN, August 2006, at 2-7.

³ See *In the Interest of Adult CTF Beneficiary: Bruce Sanford, DOB 01/17/84 v. HCN Office of Tribal Enrollment*, CV 06-55 (HCN Tr. Ct., Dec. 11, 2006); *In the Interested of Adult CTF Beneficiary: Joseph R. Hammer, DOB 09/02/82 v HCN Office of Tribal Enrollment, and, In the Interest of Minor Child: K.T., DOB 09/25/8, by Roger Thundercloud v. HCN Office of Tribal Enrollment* (HCN Tr. Ct., Dec. 28, 2006); *In the Interest of Adult CTF Beneficiary: Neva J. Littlegeorge, DOB 09/24/85, CV 06-80* (HCN Tr. Ct., Feb. 2, 2007); *In the Interest of Adult CTF Beneficiary: Marvel Jean Cloud, DOB 12/12/82 v. HCN Office of Tribal Enrollment, CV 07-01* (HCN Tr. Ct., Mar. 6, 2007); *In the Interest of Adult CTF Beneficiary: Myra Jo Blackdeer, DOB 09/01/88 v. HCN Office of Tribal Enrollment, CV 07-58* (HCN Tr. Ct., Jan. 22, 2008); *In the Interest of Adult CTF Beneficiary: Trista L. Youngthunder, DOB 12/02/87 v. HCN Office of Tribal Enrollment, CV 08-01* (HCN Tr. Ct., Feb. 12, 2008); *In the Interest of Adult CTF Beneficiary v: Krista N. Red Cloud, DOB 11/04/89 v. HCN Office of Tribal Enrollment, CV 08-08* (HCN Tr. Ct., Mar. 27, 2008).

⁴ *Sanford* at 9.

⁵ *Id.*

⁶ *Id.*

⁷ *Blackdeer* at 2.

⁸ *Id.* at 8 (citing *In the Interest of Minor Child: N.J.L., DOB 09/24/85, by Sarah Littlegeorge v. HCN Office of Tribal Enrollment, CV 03-31* (HCN Tr. Ct., May 19, 2003)).

⁹ *Id.* at 8 (citing *In the Interest of Minor Child: S.S., DOB 07/30/82, by Sharon A. Porter v. HCN Tribal Enrollment, CV 03-31* (HCN Tr. Ct., May 19, 2003)).

¹⁰ *Littlegeorge* at 11.

¹¹ *Id.*

¹² *Red Cloud* at 7-8.

¹³ *Id.* at 10.

¹⁴ *Cloud* at 8.

¹⁵ *Id.*

¹⁶ *Id.* at 9.

¹⁷ *Gauthier* at 10-11.

¹⁸ *Id.* at 11 (citing *Porter* at 5).

¹⁹ *Id.*

²⁰ *Youngthunder* at 9.

²¹ *Hammer & Thundercloud* at 1.

²² *Id.* at 8.

²³ *Id.* at 16-17.

HO-CHUNK NATION COURT BULLETIN

July/August 2008 Issue



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Youth Participate in Mock Trial



From left to right: Associate Judge Amanda Rockman, Cora Redbird, Forrest Whiterabbit, Jasmine Funmaker, Margarita Hernandez-White, Victor DeLuna, Cody Sanchez, Keith Mountain, Law Clerk Natalie Stites, and Chief Judge Todd R. Matha. Jordan Merfeld (not pictured).

Through participating in an *Interactive Mock Trial* that was held at the tribal courthouse on Tuesday, August 12, 2008, Ho-Chunk youth were able to enhance skills such as public speaking, listening, reading, and critical thinking, while learning about HCN government and specifically, the Judicial Branch. Seven youth participants were organized by tribal member, Cecelia Kraus, for a day of legal and governmental learning at *Wa Ehi Hoci*. Cora Redbird, Forrest Whiterabbit, Jr., Jasmine Funmaker, Victor DeLuna, Keith Mountain, Cody Sanchez, Margarita Hernandez-White and Jordan Merfield participated.

The day began with an introduction to Ho-Chunk government by Cecelia Kraus. Next, Chief Judge Todd R. Matha introduced legal concepts that were involved in the hypothetical cases for the *Interactive Mock Trial*. Legal issues implicated by the *Mock Trial* included equal protection, sovereign and official immunity (Ex Parte Young doctrine);

justiciability issues such as standing, injury, political question, ripeness and mootness; ethics; subject matter jurisdiction; procedural due process; and exhaustion of administrative remedies. Though the participants did not reach every single legal issue presented by the mock case, Chief Judge Matha stated, "The youth performed very well in this mock trial. I hope this exercise inspires our youth to participate in their tribal government and pursue higher education."

Once the youth had an understanding of the Ho-Chunk legal system and the legal issues presented by the *Mock Trial*, such as tribal sovereignty, they broke out into two groups, the Plaintiffs and the Defendants. Then, after having lunch together, Chief Judge Matha presided over the mock proceedings, while Associate Judge Amanda Rockman and

Staff Attorney/Law Clerk Natalie Stites acted as counsel for the plaintiffs and defendants, respectively. All youth attending took the witness stand in seven different roles for both sides such as the HCN President, Vice-President, General Council Chairperson, and Tribal members including a Tribal Elder. The youth were questioned by counsel at length and the Chief Judge regularly interrupted the Mock Trial to explain certain issues or procedures to the youth. Judge Rockman noted that “the youth did exceptionally well on cross-examination, as we had not anticipated going to that area of questioning. I was very impressed with their ability to be spontaneous and improvise.”

The substance of the mock case involved complaints filed by tribal members against the Nation regarding two resolutions passed by a fictional General Council mandating Ho-Chunk language proficiency for emancipating minor children receiving their Children’s Trust Funds (CTFs) and for executive level employees of the Nation. In the first mock complaint, three tribal members (including two minor children and one Adult CTF Beneficiary) sued the Nation for implementing the language requirement for receipt of CTFs. In a second complaint, a tribal member sued the HCN to implement the language requirement for employees, stating it was unfair to implement one resolution and not the other.

The Trial Court hopes to continue to use the mock court case for future activities with youth and tribal members and was grateful for the opportunity to be involved in this day-long project. Ms. Kraus stated that, “The youth really enjoyed it. The day gave a positive perspective on what happens in the courts.”

The day ended with a tour of *Wa Ehi Hoci* and Wal-Mart gift cards that were handed out to the youth that participated in the Mock Trial. Following this, the youth handed out thank you cards expressing their appreciation to the Trial Court for this day. –HCN-

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

- **Hate hunacnigigina – I will lend you this.**
- **Wakikunini = To forget.**
- **Hiperes = To remember.**
- **Heske waše = She is right.**
- **New wa’u = It is my fault.**
- **Hake ne wa’uni = It is not my fault.**
- **Rugas = A bad mistake.**
- **Jagu waš’u = Why did you do that?**
- **Jagu’u hawa’u rakikitakwi = What is the argument about?**

PLAINS COMMERCE BANK V. LONG FAMILY CATTLE & LAND CO.

In *Plains Commerce Bank v. Longs Family Land & Cattle Co.* (see sidebar), the Court once again narrowly constricts the definition of tribal jurisdiction, but falls short of eviscerating tribal authority over non-Indians on reservations. But even while the U.S. Supreme Court steadily pecks at the inherent sovereignty of Indian tribes, tribal legal justice systems continue to undergird contemporary nation-building for tribal governments. Moreover, while tribal interests did not prevail in this particular case, the political landscape offers promising developments for Indian Country. In order to assist in understanding the implications of this decision for Indian Country, Carole Goldberg, Professor of Law and Director of the UCLA School of Law's Joint Degree Program in Law & American Indian Studies, a noted Indian law scholar, shared some of her thoughts on the decision with the HCN COURT BULLETIN.

1) *What impact does this decision have on tribal sovereignty?*

Even before the *Plains Commerce Bank v. Long Family Land and Cattle Co.* decision, the United States Supreme Court had narrowed its recognition of tribal sovereignty where non-Indians and non-Indian lands are concerned. For civil matters, the Court's 1981 decision in *Montana v. United States* had established a presumption against tribal jurisdiction over non-Indians on such land, rebuttable where the non-Indians had consensual relations with the Tribe or its members, or where tribal exigencies demanded. The Long family's tribal court suit against the Plains Commerce Bank, alleging discriminatory lending related to sale of fee land, was an attempt to overcome that presumption against tribal sovereignty, based on the Bank's consensual dealings with tribal members. By a 5-4 vote, the United States Supreme Court disallowed their suit, emphasizing that it addressed the sale of land. But the *Plains Commerce* decision does not broadly challenge tribal civil authority over non-Indian conduct on reservations, and indeed reaffirms tribal regulatory power when such conduct "implicates the tribe's sovereign interests" (slip opinion at 13). Thus, *Plains Commerce* should be read as a narrow carve-out from tribal civil powers regarding non-Indians, relating to the sale of non-Indian fee lands. As such, it resembles the Court's 2001 decision in *Nevada v. Hicks*, which disallowed tribal jurisdiction over suits against state officials for their conduct occurring on reservations. The most troubling aspect of *Plains Commerce* is the Court's willingness to continue carving out exceptions to tribal sovereignty. The Court seems to be pecking away at tribal sovereignty.

Case Info.: On June 25, 2008, the U.S. Supreme Court, overturning the 8th Circuit Court of Appeals, decided on a case that impacts the jurisdiction of tribal courts. **Facts:** Petitioner, Plains Commerce Bank (Bank), a non-Indian bank, sold land it owned in fee simple on a tribal reservation to non-Indians. Respondents, the Longs, an Indian couple who had been leasing the land with an option to purchase, claimed the Bank discriminated against them by selling the parcel to nonmembers of the Tribe on terms more favorable than the Bank offered to sell it to them. The couple sued in tribal court, alleging discrimination, breach-of-contract, and bad-faith claims. The Tribal Court found for the Longs, and proceeded to award damages. Subsequently, the district and appellate federal courts also affirmed the Tribal Court. **Holding:** The U.S. Supreme Court held that the Cheyenne River Sioux Tribal Court did not have jurisdiction to hear the respondent's discrimination claim because the Tribe lacked the civil authority to regulate the petitioner's sale of its fee lands, finding that as a general rule the Tribe has no authority itself, by way of tribal ordinance or actions in the tribal courts, to regulate the use of fee land, and further held that the second exception of *Montana v. United States*, 450 U.S. 544 (1981), was inapplicable to the case. **Conclusion:** Simply put, the Court held that the Tribal Court did not have the power to adjudicate the dispute between the Bank and the Longs, as the land was held in fee simple by non-Indians (also members of the Long family) since the General Allotment Act of 1901. Justice Ruth Ginsberg admirably dissented.

2) *How can tribal law address some of the issues raised in the decision?*

The *Plains Commerce* case underscores the importance of tribal land reacquisition programs. In this period of mortgage foreclosures and loan difficulties, opportunities may arise for tribes to acquire non-Indian lands on their reservations and return them to tribal ownership. With tribal ownership comes an enhanced prospect for the exercise of tribal sovereignty, notwithstanding cases such as *Plains Commerce*. Land reacquisition programs can take various forms. For example, Professor Stacy Leeds has suggested that tribes create revolving loan funds, offering loans to non-Indian landholders on reservations, on condition that those landholders grant ownership to the tribe upon their death. Tribal law can also articulate the case for the importance of tribal control over non-Indian conduct. For example, if one of the reasons for tribal anti-discrimination laws is the likelihood of Indians receiving racially-biased treatment in state courts, tribal law could document that bias. Finally, tribal law could require that any business seeking to do business with the tribe agree to submission to tribal law for all dealings on the reservation, whether or not with the tribe itself. The tribe would have to negotiate that term into its agreements with the outside businesses. In that way, the tribe could more effectively invoke the “consensual relations” exception to the presumption created in *Montana v. United States*.

3) *How does the decision bode for financial dealings between non-Indian institutions and tribal members on reservations?*

Given the narrow holding of the *Plains Commerce* decision, tribal members should not be affected in their dealings with non-Indian financial institutions unless the sale of fee land is involved. Furthermore, it is important to keep in mind that the *Plains Commerce* decision did not address tribal jurisdiction over the Long family’s breach of contract claim, only its discrimination claim. So, tribal members are still in a position to sue non-Indian financial institutions for breach of contract in tribal court, even where fee lands are involved. Regarding the sale of fee land, tribal members are left to rely on state and federal anti-discrimination laws if non-Indian financial institutions treat them unfairly.

4) *What impact will the decision have on your teaching?*

I and my co-authors of our casebook, *American Indian Law: Native Nations and the Federal System* (5th ed.), have included an edited version of the *Plains Commerce* opinion in the 2008-2009 Update we have circulated to law professors teaching federal Indian law. Because I view the decision as a relatively narrow one, that doesn’t substantially shift the Supreme Court’s unfortunate jurisprudence on tribal jurisdiction; I won’t make it a major focus. But because it is the first tribal jurisdiction decision to come out of the Court since the addition of Justices Roberts and Alito, and prompted a vigorous dissent by four Justices, I will use it to assess the current line-up and future prospects for judicial views on tribal sovereignty. –HCN–



UPDATES FROM OUTSIDE COURTS

UNITED STATES SUPREME COURT

Cases Decided

- *Plains Commerce Bank v. Long Family Land & Cattle Co.*, No. 07-411 (decided June 25, 2008).

Petition for Certiorari Filed

- *U.S. v. Navajo Nation*, No. 07-1410 (filed on May 13, 2008).
- *Ho-Chunk v. Wisconsin*, No. 07-1402 (filed May 13, 2008).
- *Thomas E. Kemp, Chairman, Oklahoma Tax Commission, et al. v. Osage Nation*, No. 07-1484 (filed May 27, 2008).
- *Matheson v. Gregorie*, No. 07-08-23 (filed July 1, 2008).
- *South Fork Band v. U.S.*, No. 08-100 (filed July 21, 2008).
- *Pocatello, Idaho v. Idaho*, No. 08-135 (filed May 27, 2008).
- *Lawrence v. Dept. of Interior*, No. 08-173 (filed August 11, 2008).

UNITED STATES COURT OF APPEALS, D.C. CIRCUIT

Michigan Gambling Opposition v. Kempthorne et al., No. 07-5092, 35 Indian L. Rep. 2087 (D.C. Cir.,

Apr. 29, 2008). The U.S. Court of Appeals for the District of Columbia affirms the district court's grant of summary judgment and holds that the Interior Department did not violate the National Environmental Policy Act and further holds that section 5 of the Indian Reorganization Act is not an unconstitutional delegation of legislative authority.

UNITED STATES COURT OF APPEALS, 9TH CIRCUIT

Marceau et al. v. Blackfeet Housing Authority, No. 04-35210, 35 Indian L. Rep. 2093 (9th Cir., July 21, 2006; amended Mar. 19, 2008). The U.S. Court of Appeal for the Ninth Circuit, agreeing with the tribal appellate court, that the Blackfeet Housing Authority waived its sovereign immunity to suit through the enabling ordinance that established the Housing Authority, hold that the Dept. of Housing and Urban Dev. Did not undertake a trust responsibility toward plaintiffs to construct, maintain or repair houses, and affirms the district court's dismissal of the case but reverses and remands plaintiffs' claims against the Housing Authority and its board members, and plaintiffs' claims under the Administrative Procedure Act.



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

JUNE 3, 2008

State of Wisconsin et al. v. John S. Cloud, CS 98-34 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., June 3, 2008) (Matha, T).

The Court recognized the proof of high school enrollment filed by the petitioner. Thus, the Court continued the current child support obligation until the anticipated date of high school graduation.

Debra Rynearson v. Donald H. Rynearson III, CS 08-29 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., June 3, 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.

Bernice Barnes v. Maranda K. Keichinger, CS 08-23 Reissued Order: Default Judgment (Enforcing Child Support) (HCN Tr. Ct., June 3, 2008) (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. This order was reissued to address an outstanding arrears obligation.

JUNE 4, 2008

Rebecca Abrego v. Javier P. Salas, CS 08-34 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., June 4, 2008) (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.

JUNE 5, 2008

Gina M. Snow v. Michael Smith, Jr., CS 07-65 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., June 5, 2008) (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.

Rebecca Abrego v. Javier P. Salas, CS 08-34 Order (Erratum) (HCN Tr. Ct., June 5, 2008) (Rockman, A).

The Court corrected a clerical mistake made in the previous Order.

JUNE 10, 2008

State of Wisconsin ex rel. v. Janice L. Harrison, CS 03-43 Order (Cease Withholding Per Capita – Child Support) (HCN Tr. Ct., June 10, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to suspend child support and arrears based on a change in the underlying foreign order. The Court granted the motion and suspended withholding in the instant case.

Sande E. Decorah-Ostenson v. Larry M. Ostenson, CS 06-52 Order (Cease Withholding Per Capita - Child Support) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court had to determine whether to grant the respondent's motion to suspend child support based on a change in the underlying foreign order. The Court granted the motion and suspended withholding in the instant case.

State of Wisconsin et al. v. Charles D. Hindsley, CS 07-38 Order (Denial of Petition) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court denied the *Petition*, as the child support deduction was ineligible for per capita deduction under the RECOGNITION OF FOREIGN CHILD SUPPORT ORDERS ACT.

JUNE 18, 2008

Sara Dobbs v. George O. Stacy, CS 07-57 Order (Denial of Post-Judgment Motion) (HCN Tr. Ct. June 18, 2008) (Matha, T).

The Court had to determine whether to grant petitioner's motion to bar respondent's legal counsel from further representing him in this open child support case on the basis of custom and tradition. The Traditional Court declared an absence of directly applicable custom and tradition, and the Court accordingly denied the petitioner's post-judgment motion.

Menominee Indian Tribe of Wis. CSA v. Annabelle Hill, CS 07-55 Order (*Granting Telephonic Appearance*) (HCN Tr. Ct., June 18, 2008) (Matha, T).

The Court granted a motion to appear by telephone submitted by the respondent.

JUNE 19, 2008

Forest Co. Potawatomi Tribal Court v. Terry Reany, CS 07-75 Order (*Cessation of Withholding*) (HCN Tr. Ct., June 19, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to suspend child support withholding. As the underlying court terminated the underlying order, the Court granted the motion.

State of Wisconsin ex rel. v. John M. Lowe, CS 06-51, 07-32 Order (*Cessation of Withholding - Arrears*) (HCN Tr. Ct., June 19, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to suspend child support withholding for arrears. As the arrearage debt was paid in full, the Court granted the motion.

State of Iowa ex rel. v. Jerome J. Houston, CS 02-42, 02-43 Order (*Cessation of Withholding - Arrears*) (HCN Tr. Ct., June 19, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to suspend child support withholding for arrears. As the arrearage debt was paid in full, the Court granted the motion.

JUNE 25, 2008

Denise Thiry v Ira Laes, and Michelle Kimps v. Ira Laes, CS 02-07, 05-61 Order (*Updating Arrearage Withholding*) (HCN Tr. Ct., June 25, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

JUNE 27, 2008

State of Wisconsin ex rel. v. Jason Pettibone, CS 08-36 Default Judgment (*Enforcing Child Support*) (HCN Tr. Ct., June 27, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the

respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

Marie C. Decora v. Francis T. Decora, CS 08-30 Default Judgment (*Enforcing Child Support*) (HCN Tr. Ct., June 27, 2008) (Rockman, A).

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

State of Wisconsin ex rel. v. Charles M. Smith, CS 08-32 Default Judgment (*Enforcing Child Support*) (HCN Tr. Ct., June 27, 2008) (Rockman, A).

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

Carissa M. Livingston v. Darrell W. Burns, CS 08-37 Default Judgment (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., June 27, 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.

JULY 2, 2008

State of Wisconsin ex rel. v. Kevin Vasquez, CS 99-19, Order (*Modifying Child Support*) (HCN Tr. Ct., July 2, 2008) (Matha, T).

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

State of Wisconsin ex rel. v. Bridget Whipple, CS 04-55, 05-61 Order (*Ceasing Current Child Support & Updating Arrearage Withholding*) (HCN Tr. Ct., July 2, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding, and ceased current child support withholding.

State of Wisconsin ex rel. v. Lawrence Waube, Jr., CS 08-42 Default Judgment (*Enforcing Child Support*) (HCN Tr. Ct., July 2, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the

respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment.

JULY 3, 2008

Darcy J.A. Funmaker v. Shannon D. Rave, CS 03-53, Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., July 2, 2008) (Matha, T).

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

Bow Lucero v. Jessica Snake, CS 07-37, Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 3, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

State of Wisconsin ex rel. v. Jason Pettibone, CS 08-36 Reissued Order: Default Judgment (Enforcing Child Support) (HCN Tr. Ct., July 3, 2008) (Rockman, A).

The Court re-issued this order due to previous error regarding the number of children in the instant case.

State of Wisconsin ex rel. v. Joseph I. Antone, CS 05-64, Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., July 3, 2008) (Matha, T).

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

State of Wisconsin ex rel. v. James V. Blackdeer, CS 05-70, CS 06-05, Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 3, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding in these two cases.

JULY 7, 2008

State of Wisconsin ex rel. v. Benjamin Gleilchauf, CS 08-40, Order (Enforcing Child Support) (HCN Tr. Ct., July 7, 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. v. Benjamin Gleilchauf, CS 08-40, Order (Erratum) (HCN Tr. Ct., July 7, 2008) (Matha, T).

The Court corrected a clerical mistake in the previous order.

Chelsey R. Hoffman v. Michael A. Cartwright, CS 08-39 Default Judgment (Denying Enforcing Child Support) (HCN Tr. Ct., July 7, 2008) (Rockman, A).

The Court denied the Petition, as the underlying order did not provide for child support under the parties' current circumstances.

JULY 8, 2008

Lisa J. Rave v. Brent R. St. Cyr, CS 97-97 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Matha, T).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

Sara WhiteEagle v. Timothy King, CS 97-24 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Matha, T).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

Michelle Lewis v. Roger B. Littlegeorge, CS 97-91 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

State of Wisconsin ex rel. v. Donald M. Cholka, CS 05-01, Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

State of Wisconsin et al. v. Patricia a. Whitecloud n/k/a Patricia A. Hindsley, CS 00-46 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

State of Wisconsin et al. v. David DeCora, CS 01-35 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court noticed the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

Myrna Littlewolf v. Carl F. McKee, CS 03-54 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court noticed the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

State of Wisconsin ex rel. v. Christopher Cloud, CS 99-10, Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding.

Vincent Hernandez v. Mary Hernandez, CS 01-28 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court noticed the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

State of Wisconsin, ex rel. v. Casey Fitzpatrick, CS 00-50 Order (Cessation of Withholding) (HCN Tr. Ct., July 8, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to suspend child support withholding. As the underlying court terminated the underlying order, the Court granted the motion.

JULY 10, 2008

Eliza M. Green v. Montgomery J. Green, Sr., CS 02-30 Default Judgment (Enforcing Child Support Against Wages) (HCN Tr. Ct., July 10, 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.

Eliza M. Green v. Montgomery J. Green, Sr., CS 02-30 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 10, 2008) (Matha, T).

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

Menominee Tribe of Wisconsin ex rel. v. Annabelle Hill, CS 07-55 Order (Enforcing Child Support) (HCN Tr. Ct., July 10, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent responded, and a hearing was held. The Court granted recognition and enforcement of the foreign judgment.

Nichi L. McDonald v. Matthew Thundercloud, CS 08-33 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., July 10, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent responded, and a hearing was held. The Court granted recognition and enforcement of the foreign judgment, against the respondent's wages rather than per capita payments.

JULY 11, 2008

State of Wisconsin ex rel. v. David A. DeCora, CS 02-26 & CS 08-27 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., July 11, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, and thus, the Court granted the relief requested by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

JULY 14, 2008

Michelle Cortez et al. v. Thomas L. Harrison, CS 07-04 & CS 08-14 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., July 14, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, and thus, the Court granted the relief requested by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

JULY 15, 2008

Carla R. L. Cornish et al. v. Luther A. Dixon, II, CS 99-11 & CS 99-12 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., July 15, 2008) (Rockman, A).

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

by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

State of Wisconsin ex rel. v. Stacy Yellowcloud, and Sharon Chamberlain v. Stacy Yellowcloud, CS 99-65 & CS 08-35 *Default Judgment (Equitable Adjustment)* (HCN Tr. Ct., July 15, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, and thus, the Court granted the relief requested by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

JULY 16, 2008

State of Wisconsin ex rel. v Tanya Rave aka/la Mrotek, Pearl Mrotek v. Tanya Rave aka/la Mrotek, CS 05-60 & CS 08-31 *Order (Equitable Adjustment)* (HCN Tr. Ct., July 16, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, and thus, the Court granted the relief requested by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

JULY 17, 2008

Beverly Skenandore v. Anthony M. Smith, Jr., CS 05-69 *Notice (Child Turning Eighteen – Requiring Proof of Enrollment)* (HCN Tr. Ct., July 17, 2008) (Rockman, A).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties to file proof of enrollment in high school to continue child support.

Dasa Marie Pappas et al. v. Wilfred H. Cloud, CS 01-29, 04-36, 08-28, *Default Judgment (Equitable Adjustment)* (HCN Tr. Ct., July 17, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, and thus, the Court granted the relief requested by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

Sherri (Redcloud) Mann v. Maynard Rave, Sr., CS 96-37 *Order (Cessation of Withholding)* (HCN Tr. Ct., July 17, 2008) (Rockman, A).

The Court granted the motion from the respondent indicating that all debt obligations have been paid in this case. Thus, the Court granted cessation of withholding.

Michelle Lewis v. Roger B. Littlegeorge, CV 97-91 *Order (Cessation & Updating Arrears)* (HCN Tr. Ct., July 17, 2008) (Rockman, A).

The Court updated the arrears owed for child support withholding, and ceased current child support withholding.

JULY 21, 2008

Lisa J. Rave v. Brent R. St. Cyr, CV 97-97, *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., July 21, 2008) (Matha, T).

The Court updated the arrears owed for child support withholding in these two cases.

JULY 22, 2008

Vincent Hernandez v. Mary Hernandez, CS 01-28 *Order (Proof of High School Enrollment Filed)* (HCN Tr. Ct., July 22, 2008) (Rockman, A).

The Court recognized the proof of high school enrollment filed by the petitioner. Thus, the Court continued the current child support obligation until the anticipated date of high school graduation.

CIVIL GARNISHMENT CASES

JUNE 10, 2008

Alliance Collection Agencies, Inc. v. Mary E. Combs, CG 08-42 *Order (Granting Telephonic Appearance)* (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court granted the petitioner's request to appear by phone.

Alliance Collection Agencies, Inc. v. Mary E. Combs, CG 08-42 *Order (Granting Telephonic Appearance)* (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court granted the respondent's request to appear by phone.

Quick Cash Loans v. Mary Locey, CG 04-128 *Order (Satisfaction of Judgment)* (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The petitioner submitted a

filing indicating the respondent had no further obligation. Thus, the Court recognized the debt as satisfied.

Black River Memorial v. Crystal S. Pettibone, CG 08-46 Order (Suspension of Activity) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court had to suspend all case file activity and permit the petitioner's to file a motion to resume activity is the respondent subsequently resumes employment.

JUNE 11, 2008

Creditor Recovery Service, LLC v. Brian J. Ringer, CG 08-40 Order (Requiring Amended Petition) (HCN Tr. Ct., June 11, 2008) (Matha, T).

Under Wisconsin law, no execution on a judgment shall issue after five (5) years of the rendition of the judgment. Thus, the Court ordered the petitioner to submit proof that the petitioner has revived the expired foreign judgment.

Meriter Home Health v. Angeline Decorah, CG 07-101 Order (Granting Post-Judgment Motion) (HCN Tr. Ct., June 11, 2008) (Matha, T).

Subsequent to the final judgment in the instant case, the respondent filed a document which the Court construed as a post-judgment motion. The respondent established an exemption to an earnings garnishment, and thus, the Court vacates the previous judgment and suspends the wage garnishment.

Valued Services of Wisconsin, LLC v. Michelle Krowiorz, CG 08-44 Order (Default Judgment) (HCN Tr. Ct., June 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.

JUNE 16, 2008

Midland Credit MGT 2200 (WI-REG2) v. Toni R. McDonald, CG 08-30 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 16, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The petitioner submitted a filing indicating the respondent had no further obligation. Thus, the Court recognized the debt as satisfied.

University of Wisconsin Hosp. & Clinic v. Angeline Decorah, CG 08-06 Order (Granting Post-Judgment Motion) (HCN Tr. Ct., June 16, 2008) (Matha, T).

Subsequent to the final judgment in the instant case, the respondent filed a document which the Court construed as a post-judgment motion. The respondent established an exemption to an earnings garnishment, and thus, the Court vacated the previous judgment and suspended the wage garnishment.

JUNE 19, 2008

Alliance Collection Agencies, Inc. v. Mary E. Combs CG 08-42 Order (Petition Granted) (HCN Tr. Ct., June 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 timely responded and a hearing was held. The Court granted the request for relief requested by the petitioner, despite the respondent's alleged exemption to execution of the garnishment.

JUNE 20, 2008

Black River Mem'l v. Patricia Turnmire, CG 08-45 Order (Granting Telephonic Appearance) (HCN Tr. Ct., June 20, 2008) (Matha, T).

The Court granted the petitioner counsel's request to appear by phone.

JUNE 30, 2008

Black River Memorial v. Patricia Turnmire, CG 08-45 Order (Petition Granted) (HCN Tr. Ct., June 30, 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 parties stipulated to a reduced weekly withholding arrangement. Thus, the Court granted the relief requested by the petitioner.

JULY 3, 2008

Alliance Collection Agencies, Inc. v. Cindy L. Redcloud, CG 08-53 Order (Voluntary Dismissal) (HCN Tr. Ct., July 3, 2008) (Matha, T).

The Court granted the petitioner's request to dismiss, as the respondent was relieved of any further obligation to the petitioner.

JULY 7, 2008

Asset Acceptance, LLC v. Charlene J. Bever, CG 08-49 Order (Default Judgment) (HCN Tr. Ct., July 7, 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.

JULY 17, 2008

HCN et al. v. Dawn Diana Makes Strong Move, CG 08-52 Order (Default Judgment) (HCN Tr. Ct., July 17, 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.

JULY 22, 2008

Alliance Collection Agencies, Inc. v. John P. McKeel, CG 05-49 Order (Granting Motion to Modify) (HCN Tr. Ct., July 22, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to modify. The respondent failed to timely response. And thus, the Court granted the petitioner's request for relief.

JULY 25, 2008

Alliance Collection Agencies, Inc. v. Kyle A. Garvin, CG 08-31 Order (Default Judgment) (HCN Tr. Ct., July 25, 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.

Valued Services of Wisconsin, LLC d/b/a Check Advance, #20120 v. Randeem Decorah, CG 08-35 Order (Default Judgment) (HCN Tr. Ct., July 25, 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.

Mile Bluff Clinic, LLP v. Sarah K. Virnig, CG 08-58 Order (Default Judgment) (HCN Tr. Ct., July 25, 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. Daniel S. Downing, CG 08-54 Order (Default Judgment) (HCN Tr. Ct., July 25, 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.

Gundersen Clinic, Ltd. v. Lucy Snake, CG 08-59 Order (Default Judgment) (HCN Tr. Ct., July 25, 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.

JULY 31, 2008

Quick Cash Loans v. Tracy Beversdorf, CG 08-60 Order (Default Judgment) (HCN Tr. Ct., July 31, 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.

Bayfield Financial v. Sarina L. Qauderer, CG 08-28 Order (Satisfaction of Judgment) (HCN Tr. Ct., July 31, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The petitioner submitted a filing indicating the respondent had no further obligation. Thus, the Court recognized the debt as satisfied.

Warren Loveland v. Luann Littlegeorge, CG 08-55 Order (Default Judgment) (HCN Tr. Ct., July 31, 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.

Lisa K. Topping v. Robert Mudd in his official capacity as General Manager of Ho-Chunk Casino, CG 04-102 Order (Satisfaction of Judgment) (HCN Tr. Ct., July 31, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The petitioner submitted a filing indicating the respondent had no further obligation. Thus, the Court recognized the debt as satisfied.

CIVIL CASES

JULY 30, 2008

Gerald Cleveland, Jr. v. HCN Legislators: Check Signers, CV 08-36 Order (Denial of Motions) (HCN Tr. Ct., July 30, 2008) (Matha, T).

The Court denied the respondent's motions for dismissal and a more definitive statement.



ADMINISTRATIVE APPEALS

JULY 8, 2008

Julie Schultz v. HCN Grievance Review Bd., CV 08-34 Scheduling Order (HCN Tr. Ct., July 8, 2008) (Matha, T).

The Court scheduled the proceedings for the instant case.

JULY 11, 2008

Janet Funmaker v. HCN Grievance Review Bd., CV 08-37 Scheduling Order (HCN Tr. Ct., July 11, 2008) (Matha, T).

The Court scheduled the proceedings for the instant case.

JULY 16, 2008

Tracy Cole v. HCN Grievance Review Bd., CV 08-39 Scheduling Order (HCN Tr. Ct., July 16, 2008) (Rockman, A).

The Court scheduled the proceedings for the instant case.

JULY 31, 2008

Kristin White Eagle v. HCN Grievance Bd., CG 08-17 Order (Granting Telephonic Appearance) (HCN Tr. Ct., July 31, 2008) (Matha, T).

The Court granted the petitioner counsel's request to appear by phone.

Julie Schultz v. HCN Grievance Bd., CG 08-34 Order (Granting Telephonic Appearance) (HCN Tr. Ct., July 31, 2008) (Matha, T).

The Court granted the petitioner counsel's request to appear by phone.

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

JUNE 4, 2008

In the Interest of Adult CTF Beneficiary: Geddy A. YellowThunder, DOB 05/11/84 v. HCN Office of Tribal Enrollment, CV 08-15 Order (Dismissal without Prejudice) (HCN Tr. Ct., June 4, 2008) (Matha, T).

The Court dismissed the instant case after the petitioner failed to appear at the *Fact-Finding Hearing* and did not notify the Court of an inability to attend the proceeding.

In the Interest of Minor Children: K.R., DOB 07/24/98; J.R., DOB 04/03/00; A.R., DOB 12/15/02; M.R., DOB 12/02/04, by Michelle S. Rave v. HCN Office of Tribal Enrollment, CV 08-16 (Order (Dismissal without Prejudice)) (HCN Tr. Ct., June 4, 2008) (Matha, T).

The petitioner failed to appear at the *Fact-Finding Hearing*, and did not notify the Court of an inability to attend the proceeding. Therefore, the Court dismissed the case, without prejudice, reflecting the status of this non-adversarial case.

In the Interest of Adult CTF Beneficiary: Cha-ska Prescott, DOB 05/16/86 v. HCN Office of Tribal Enrollment, CV 07-22 Order (Contempt) (HCN Tr. Ct., June 4, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the Adult CTF Beneficiary for costs associated with an outstanding electric bill. The petitioner has knowingly violated express terms of several judgments. The petitioner failed to attend the *Show Cause Hearing*, and thus, the Court held the petitioner in contempt.

JUNE 5, 2008

In the Interest of Minor Child: S.R., DOB 09/15/91, by Regina Reel v. HCN Office of Tribal Enrollment CV 07-95 Order (Motion Granted) (HCN Tr. Ct., June 5, 2008) (Matha, T).

The Court approved the petitioner's motion to release additional CTF monies to cover an unmet patient obligation.

JUNE 11, 2008

In the Interest of Minor Child: T.A.P., DOB 01/06/90, by Pauline Ward v. HCN Office of Tribal Enrollment CV 07-81 Order (Contempt) (HCN Tr. Ct., June 11, 2008) (Matha, T).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. After failing to attend a *Show Cause Hearing*, the petitioner could not rebut the *prima facie* showing of contempt, and thus, the Court held the petitioner in contempt.

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 (Contempt) (HCN Tr. Ct., June 11, 2008) (Matha, T).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. After failing to attend a *Show Cause Hearing*, the petitioner could not rebut the *prima facie* showing of contempt, and thus, the Court held the petitioner in contempt.

In the Interest of Minor Child: B.E.J., DOB 04/06/92, by Terrence Johnson v. HCN Office of Tribal Enrollment, CV 08-23 Order (Petition Granted) (HCN Tr. Ct., June 11, 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.

In the Interest of Minor Children: D.J.C., DOB 03/05/96; M.J.C., DOB 12/21/97; J.M.C., DOB 09/03/00, by Claudette Rabdeau and Joseph Czarnecki v. HCN Office of Tribal Enrollment CV 07-42 Order (Accepting Accounting) (HCN Tr. Ct., June 11, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with bills, loans, and home repairs. The petitioner submitted a receipt, confirming the proper use of the funds. The Court accepted this accounting.

JUNE 13, 2008

In the Interest of Minor Children: B.A., DOB 09/01/93; D.A., DOB 12/09/94; S.A., DOB 03/12/96, by Jamie Funmaker v. HCN Office of Tribal Enrollment, CV 08-04 Order (Requesting Accounting) (HCN Tr. Ct., June 13, 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 a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

JUNE 17, 2008

In the Interest of Minor Child: K.G., DOB 10/13/98, by Clarissa Pettibone v. HCN Office of Tribal Enrollment, CV 08-10 Order (Requesting Accounting) (HCN Tr. Ct., June 17, 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 a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

JUNE 18, 2008

In the Interest of Minor Child: T.A.P., DOB 01/06/90, by Pauline Ward v. HCN Office of Tribal Enrollment, CV 07-81 Order (Accepting Accounting) (HCN Tr. Ct., June 18, 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 receipt, confirming the proper use of the funds. The Court accepted this accounting, and purged the petitioner's finding of contempt.

In the Interest of Minor Children: B.A., DOB 09/01/93; D.A., DOB 12/09/94 and S.A., DOB 03/12/96, by Jamie Funmaker v. HCN Office of Tribal Enrollment, CV 08-04 Order (Accepting Accounting) (HCN Tr. Ct., June 18, 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 the proper use of the funds. The Court accepted this accounting.

JUNE 20, 2008

In the Interest of Minor Child: G.E.M., DOB 08/25/95, by Lisa Warner, CFS Social Worker v. HCN Office of Tribal Enrollment, CV 08-12 Order (Accepting Accounting) (HCN Tr. Ct., June 20, 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 ledger copy, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: G.E.M., DOB 08/25/95, by Lisa Warner, CFS Social Worker v. HCN Office of Tribal Enrollment, CV 08-12 Order (Accepting Accounting) (HCN Tr. Ct., June 20, 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 ledger copy, confirming the proper use of the funds. The Court accepted this accounting.

JUNE 23, 2008

In the Interest of Minor Child: M.W.M., DOB 04/11/89, by Bridget A. Morris v. HCN Office of Tribal Enrollment, CV 08-13 Order (Granting Petition) (HCN Tr. Ct., June 23, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child to purchase an automobile. Citing egregious and special circumstances regarding the health of the minor child, as well as the standard erected for consideration of an automobile request, the Court granted the petition.

JUNE 24, 2008

In the Interest of Minor Child: K.G., DOB 10/13/98, by Clarissa Pettibone v. HCN Office of Tribal Enrollment, CV 08-10 Order (Accepting Accounting) (HCN Tr. Ct., June 24, 2008) (Rockman, A).

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

In the Interest of Minor Child: C.Y.B., DOB 12/30/95, by Charles A. Brown v. HCN Office of Tribal Enrollment, CV 07-63 Order (Demanding Accounting) (HCN Tr. Ct. June 24, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with the

family mortgage. The petitioner has failed to provide accounting as directed by previous judgments. The Court demanded the required accounting.

JUNE 26, 2008

In the Interest of Minor Child: J.H.B., DOB 01/13/97, by Jean M. Stacy-Snow v. HCN Office of Tribal Enrollment, CV 08-22 Order (Petition Granted) (HCN Tr. Ct., June 26, 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.

JULY 7, 2008

In the Interest of Minor Child: D.D., DOB 04/27/96, by Kelvin Decorah v. HCN Office of Tribal Enrollment, CV 08-25 Order (Petition Granted) (HCN Tr. Ct., July 7, 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: J.M.C., DOB 08/26/93, by Myra Cunneen v. HCN Office of Tribal Enrollment, CV 08-27 Order (Petition Granted) (HCN Tr. Ct., July 7, 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.

In the Interest of Minor Child: B.P.S., DOB 11/21/00, by Jamie Scott v. HCN Office of Tribal Enrollment, CV 08-29 Order (Petition Granted) (HCN Tr. Ct., July 7, 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.

JULY 9, 2008

In the Interest of Minor Child: M.W., DOB 12/16/93, by Rita Wolf v. HCN Office of Tribal Enrollment, CV 07-51 Order (Accepting Accounting) (HCN Tr. Ct. July 9, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. Petitioner submitted a final account statement, confirming the proper use of funds, which the Court accepted.

JULY 17, 2008

In the Interest of Minor Child: N.K.T-S., DOB 12/20/91, by Susan L. Greengrass v. HCN Office of Tribal Enrollment, CV 08-35 Order (Petition Granted) (HCN Tr. Ct., July 17, 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.

JULY 25, 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 (Show Cause) (HCN Tr. Ct., July 25, 2008) (Matha, T).

The petitioner had failed to comply with judicial directives to account for a release of funds for costs associated with the family mortgage. Thus, the Court ordered a *Show Cause* hearing to allow the petitioner to explain why the Court should not hold him in contempt of Court.

JULY 28, 2008

In the Interest of Minor Child: P.J.L., DOB 10/13/95, by Heather S. Laird v. HCN Office of Tribal Enrollment, CV 08-20 Order (Accepting Accounting) (HCN Tr. Ct. July 28, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. Petitioner submitted a receipt, confirming the proper use of funds, which the Court accepted.

 **CONTRACTS**

JUNE 10, 2008

HCN Dept. of Housing v. Francina Williams et al. CV 07-05 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

HCN Dept. of Housing v. Andrew Funmaker et al., CV 02-70 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

JUNE 16, 2008

HCN Dept. of Business v. Stuart Taylor, Jr., CV 07-64 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 16, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

HCN Dept. of Business v. Michael Day, CV 05-103 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 16, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

HCN Dept. of Veterans Affairs v. Jason Ennis, CV 06-13 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 16, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

Ho-Chunk Casino Hotel & Convention Center v. Orrin Cloud, CV 06-37 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 16, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

HCN Dept. of Education v. Andrew Rave, CV 06-57 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 16, 2008) (Matha, T).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

JUNE 17, 2008

HCN Dept. of Veterans Affairs v. Joseph WhiteEagle, CV 07-32 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 17, 2008) (Rockman, A).

The Court determined that the defendant had fully satisfied the debt, upon a motion and evidence of payment submitted by the plaintiff.

JULY 7, 2008

HCN Dept. of Housing v. Terrence Johnson, CV 07-80 Scheduling Order (HCN Tr. Ct., July 7, 2008) (Matha, T).

The Court scheduled the procession of the instant case.

JULY 17, 2008

HCN Dept. of Labor v. Julia A. Hopinkah, CV 07-75 Order (Default Judgment) (HCN Tr. Ct., July 17, 2008) (Matha, T).

The Court granted the plaintiff's requested relief, as the defendant failed to answer the *Complaint*.

JULY 25, 2008

HCN Dept. of Business v. Claudio Palacio, CV 06-86 Order (Dismissal without Prejudice) (HCN Tr. Ct., July 25, 2008) (Matha, T).

The Court dismissed the instant case for failure to effectuate service of process.



ELECTION MATTERS

JULY 2, 2008

Stewart J. Miller v. HCN Election Board, CV 08-33 Scheduling Order (HCN Tr. Ct., July 2, 2008) (Rockman, A).

The Court scheduled the procession of the instant case.

JULY 9, 2008

Stewart J. Miller v. HCN Election Board, CV 08-33 Order (Notification to Interested Parties) (HCN Tr. Ct., July 9, 2008) (Rockman, A).

The Court, in its discretion, notified interested parties as to the filed election challenge.

Stewart J. Miller v. HCN Election Board, CV 08-33 Order (Preliminary Determinations) (HCN Tr. Ct., July 9, 2008) (Rockman, A).

The Court memorialized actions taken at the *Pre-Trial Hearing*.

JULY 9, 2008

Stewart J. Miller v. HCN Election Board, CV 08-33 Order (Election Challenge) (HCN Tr. Ct., July 21, 2008) (Rockman, A).

The Court addressed an election challenge to the June 22, 2008 Special Election for District V Legislator Seat # 1. The Court convened *Trial* to determine whether the plaintiff had satisfied the prevailing statutory burden of proof in this election challenge case. The plaintiff did not meet his burden, causing the Court to enter a judgment in favor of the defendants.



EMPLOYMENT

JULY 11, 2008

Susan F. Bogsgraff v. HCN Nation Dept. of Ins. and Paula Goulet v. HCN Ins. Rev. Comm'n, CV 06-99, CV 06-105 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., July 11, 2008) (Matha, T).

The Court remanded the instant cases, but the parties did not subsequently correspond with the Court regarding

these matters. Thus, the Court dismissed the cases, with prejudice, due to inactivity.

ENROLLMENT

JUNE 10, 2008

Leilani J. Chamberlain v. Adam Hall, CV 05-109 Stipulation & Order (Maintaining an Open Status) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court granted the parties' request to not dismiss the case.

HOUSING

JUNE 5, 2008

HCN et al. v. Robert Michael Mobley et al. CV 06-24 Order (Motion Denied) (HCN Tr. Ct., June 5, 2008) (Matha, T).

The Court had to determine whether to grant the post-judgment motion of the defendant. The plaintiffs objected largely on the basis of timeliness. The Court concurred, and denied the motion.

Mary Bernhardt v. HoCak Construction, LLC et al. CV 05-22 Remand Decision and Order (HCN Tr. Ct., July 18, 2008) (Vele, K).

The Court had to determine whether to grant the defendant's motion for summary judgment. The Court denied the motion due to unresolved factual issues.

INCOMPETENT'S TRUST FUND (ITF)

JUNE 10, 2008

In the Interest of Adult Incompetent: O.S.R., DOB 5/14/68, by Dr. Jeremy P. Rockman v. HCN Office of Tribal Enrollment, CV 97-117 Order (Addressing Concerns of Respondent) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court clarified issues regarding proper service of a motion filed by the petitioner.

JUNE 26, 2008

In the Interest of Adult Incompetent: E.M.S., DOB 02/01/55, by Cecilia Sine v. HCN Office of Tribal Enrollment, CV 03-27 Order (Accepting Accounting) (HCN Tr. Ct., June 26, 2008) (Rockman, A).

The petitioner submitted a series of account statements, invoices, receipts, etc., which the Court accepted as confirmation of the proper use of the ongoing living allowance funds.

JULY 2, 2008

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., July 2, 2008) (Matha, T).

The petitioner submitted a final receipt in a series of receipts, which the Court accepted as confirmation of the proper use of funds.

JULY 9, 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 (Motion Granted) (HCN Tr. Ct., July 9, 2008) (Rockman, A).

The petitioner requested access to monies on behalf of an adult incompetent member, to pay for annual residential LP gas costs.

JULY 25, 2008

In the Interest of Adult Incompetent: R.L., DOB 08/04/53, by Office of State Guardian, Michael Sierra v. HCN Office of Tribal Enrollment, CV 07-55 Order (Accepting Accounting) (HCN Tr. Ct., June 26, 2008) (Matha, T).

The petitioner submitted a financial report which the Court accepted as confirmation of the proper use of funds.

JULY 28, 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., July 28, 2008) (Matha, T).

The petitioner submitted an invoice which the Court accepted as confirmation of the proper use of funds.

RECALL/REMOVAL NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE PROCEEDINGS SHALL REMAIN CONFIDENTIAL.

FAMILY

DIVORCE

JULY 16, 2008

In Re the Marriage of Jacinda Jean Wilson and Greg Lee Wilson, FM 08-04 FINAL JUDGMENT FOR DIVORCE (HCN Tr. Ct., July 16, 2008) (Matha, T).

The Court granted the relief requested by the parties, and denied the request for spousal maintenance due to the

income and age of the parties as well as the duration of the marriage.

JUVENILE CASES

APRIL 28, 2008

In the Interest of Minor Children: C.S.C., DOB 11/22/97; K.K.C., DOB 11/04/99; and K.A.C., DOB 11/02/01, JV 08-07-09 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 28, 2008) (Matha, T).

The Court appointed GAL Teala Edwards to represent the interests of the minor child(ren).

MAY 30, 2008

In the Interest of Minor Children: C.S.C., DOB 11/22/97; K.K.C., DOB 11/04/99; and K.A.C., DOB 11/02/01, JV 08-07-09 Order (Establishment of Child Support – Redacted) (HCN Tr. Ct., May 30, 2008) (Matha, T).

The Court ordered child support to be paid by the father in this case. The father waived summons, and consented to the establishment of child support.

In the Interest of Minor Children: C.S.C., DOB 11/22/97; K.K.C., DOB 11/04/99; and K.A.C., DOB 11/02/01, JV 08-07-09 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., May 30, 2008).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court deemed such an appointment to be in the best interests of the child.

JUNE 2, 2008

In the Interest of Minor Child: D.W., DOB 9/30/98, JV 08-15 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., June 2, 2008) (Matha, T).

The Court appointed GAL Helen Harden to represent the interests of the minor child.

In the Interest of Minor Child: T.W.T., DOB 02/15/04, JV 08-06 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., June 2, 2008) (Matha, T).

The Court appointed GAL Helen Harden to represent the interests of the minor child.

JUNE 5, 2008

In the Interest of Minor Children: N.R.W., DOB 03/10/91 and D.J.L., DOB 08/08/94, JV 08-16-17 Order (Entrance of Plea) (HCN Tr. Ct., June 5, 2008) (Matha, T).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, a plea of not guilty was

entered on behalf of the guardian due to her failure to attend the hearing.

JUNE 10, 2008

In the Interest of Minor Child: H.M.A-S., DOB 06/10/08, JV 06-20 Order (Submission of Best Interests Assessment) (HCN Tr. Ct., June 10, 2008) (Matha, T).

The Court ordered the CFS to conduct an assessment of the best interests of the minor child, in compliance with the CHILDREN'S ACT.

JUNE 12, 2008

In the Interest of Minor Children: V.A.F., DOB 12/22/05; D.E.O., DOB 04/12/02; and A.E.O., DOB 02/23/01, JV 08-10-12, Order (Entrance of Plea) (HCN Tr. Ct., June 12, 2008) (Rockman, A).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, a plea of not guilty was entered on behalf of the father who failed to appear. Thus, a *Trial* was scheduled for this individual, and the other father in this action, who pleaded not guilty. The mother pleaded no contest, and accordingly, a *Dispositional Hearing* was scheduled.

JUNE 13, 2008

In the Interest of Minor Child: P.A.S., DOB 01/14/91, JV 98-07 CAPIAS ORDER (HCN Tr. Ct., June 13, 2008) (Rockman, A).

The Court authorized physical placement of the minor child in a secured facility for a period no longer than ten (10) days.

JUNE 18, 2008

In the Interest of Minor Children: V.A.F., DOB 12/22/05; D.E.O., DOB 04/12/02; and A.E.O., DOB 02/23/01, JV 08-10-12, Order (Dispositional Requirements) (HCN Tr. Ct., June 18, 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. Maternal dispositions were established with the hope of reunifying the family.

JUNE 24, 2008

In the Interest of Minor Children: A.S.P., DOB 02/15/05 and J.K.W., DOB 11/01/06, JV 07-60-61 Order (Establishment of Child Support- Redacted) (HCN Tr. Ct., June 24, 2008) (Matha, T).

The Court established child support withholding from the mother's per capita payment.

JUNE 26, 2008

In the Interest of Minor Child: P.A.S., DOB 01/14/91, JV 98-07 CAPIAS ORDER (HCN Tr. Ct., June 26, 2008) (Rockman, A).

The Court authorized physical placement of the minor child in a secured facility until a *Modification Hearing* takes place.

In the Interest of Minor Child: S.R.T., DOB 11/07/04, JV 08-01 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., June 26, 2008) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court deemed such an appointment to be in the best interests of the child.

JUNE 30, 2008

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-18-20 Order (Granting Emergency Temporary Physical and Legal Custody) (HCN Tr. Ct., June 30, 2008) (Rockman, A).

The Court had to determine whether to grant emergency temporary physical and legal custody of the minor children. Determining it was in the children's best interests, the Court granted the *Petition*.

In the Interest of Minor Children: N.R.W., DOB 03/10/91 and D.J.L., DOB 08/08/94, JV 08-16-17 Order (Reversal of Plea & Dispositional Requirements) (HCN Tr. Ct., June 30, 2008) (Matha, T).

The Court accepted a change in plea from not guilty to no contest as filed by the temporary guardian. Thus, the Court approved dispositional requirements submitted by the CFS for the temporary guardian, and scheduled a six-month review hearing.

In the Interest of Minor Children: T.L.B., DOB 04/06/04 and T.K.W., DOB 10/16/07, JV 07-41-42 Order (Denial of Motion to Modify) (HCN Tr. Ct., June 30, 2008) (Matha, T).

The Court had to determine whether to grant the motion to modify presented by the mother in the instant case. The Court denied her request for a return of physical custody, and required continued adherence to the transitional plan developed by CFS.

JULY 1, 2008

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-18-20 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., July 1, 2008) (Rockman, A).

The Court appointed GAL Helen Harden to represent the interests of the minor child(ren).

JULY 2, 2008

In the Interest of Minor Child: M.L.D., DOB 05/23/91, JV 05-14 Order (Voluntary Dismissal) (HCN Tr. Ct., July 2, 2008) (Rockman, A).

The Court dismissed the case without prejudice, granting the petitioner's request.

JULY 3, 2008

In the Interest of Minor Child: D.W., DOB 09/30/98, JV 08-15 Order (Appointment of a Temporary Guardian) (HCN Tr. Ct., July 3, 2008) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court deemed such an appointment to be in the best interests of the child.

JULY 7, 2008

In the Interest of Minor Child: P.D.R., DOB 08/24/90, JV 03-24 Order (Termination of Jurisdiction) (HCN Tr. Ct., July 7, 2008) (Matha, T).

The Court terminated jurisdiction over this case, due to the minor child reaching the age of majority.

JULY 9, 2008

In the Interest of Minor Children: P.M.S., DOB 01/14/91 and P.A.S., DOB 11/14/91, JV 98-06-07 Order (Requesting Guardian Ad Litem Opinion) (HCN Tr. Ct., July 9, 2008) (Rockman, A).

The Court requested GAL Susan Aasen to submit a report regarding the minor children's best interests as to the disposition recommendation by CFS.

JULY 14, 2008

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-18-20 Order (Entrance of Plea) (HCN Tr. Ct., July 14, 2008) (Rockman, A).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, a plea of guilty was entered by the parents of the minor children. Accordingly, a *Dispositional Hearing* was scheduled.

JULY 16, 2008

In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/94; and L.M.T., DOB 01/20/93, JV 07-62-64, Order (Dispositional Requirements) (HCN Tr. Ct., July 16, 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. Paternal dispositions were established with the hope of reunifying the family.

In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08, Order (Child Protection Review Hearing) (HCN Tr. Ct., July 16, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Children: T.W-T., DOB 02/15/04; and D.W., DOB 09/30/98, CS 08-06-15 Order (Establishment of Child Support - Redacted) (HCN Tr. Ct., July 16, 2008) (Matha, T).

The Court granted child support as requested by the temporary guardian. The order was redacted due to the confidential nature of juvenile proceedings, and sent to the appropriate entities.

In the Interest of Minor Children: T.W-T., DOB 02/15/04; and D.W., DOB 09/30/98, CS 08-06-15 Order (Establishment of Child Support) (HCN Tr. Ct., July 16, 2008) (Matha, T).

The Court granted child support as requested by the temporary guardian.

JULY 17, 2008

In the Interest of Minor Children: S.S., DOB 04/23/98; and R.S., DOB 05/25/07, JV 07-55-56, Order (Child Protection Review Hearing) (HCN Tr. Ct., July 17, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

JULY 21, 2008

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; and C.H.K., DOB 06/20/05 JV 07-18-21, Order (Formal Trial) (HCN Tr. Ct., July 21, 2008) (Matha, T).

The Court conducted a *Trial* to determine whether CFS could prove the allegations in its *Child/Family Protection Petition*. At the *Trial*, the Court determined that CFS had demonstrated a lack of compliance with the consent decree by the defendants. Thus, the Court ordered

dispositional requirements to be filed by CFS and scheduled a *Dispositional Hearing*.

JULY 23, 2008

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05, Order (Entrance of Plea) (HCN Tr. Ct., July 23, 2008) (Rockman, A).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05 Order (Entrance of Plea) (HCN Tr. Ct., July 23, 2008) (Rockman, A).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the parents of the minor children pleaded not guilty to the allegations of the *Petition*. Accordingly, a *Trial* was scheduled.

In the Interest of Minor Child: D.B.M., DOB 10/06/06, JV 07-45, Order (Child Protection Review Hearing) (HCN Tr. Ct., July 23, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

JULY 24, 2008

In the Interest of Minor Child: J.V., DOB 10/22/98 and S.V., DOB 09/03/99, JV 02-19-20, Order (Child Protection Review Hearing) (HCN Tr. Ct., July 24, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Children: V.A.F., DOB 12/22/05; D.E.O., DOB 04/12/02; and A.E.O., DOB 02/23/01, JV 08-10-12 Order (Reversal of Plea & Paternal Dispositional Requirements) (HCN Tr. Ct., July 24, 2008) (Rockman, A).

The Court accepted a change in plea from not guilty to no contest as filed by the fathers and mother. Thus, the Court approved dispositional requirements submitted by the CFS for the fathers of the minor children, and scheduled a six-month review hearing.

JULY 29, 2008

In the Interest of Minor Child: D.R.W., DOB 08/12/04, JV 05-07, Order (Child Protection Review Hearing) (HCN Tr. Ct., July 29, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

JULY 31, 2008

In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/94; and L.M.T., DOB 01/20/93, JV 08-62-64 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., July 31, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court deemed such an appointment to be in the best interests of the child.

In the Interest of Minor Children: M.L.D., DOB 05/23/91, JV 05-15 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., July 31, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court deemed such an appointment to be in the best interests of the child.



RECENT SUPREME COURT DECISIONS

JULY 15, 2008

Sharon L. Williams v. HCN Insurance Rev. Comm., SU 08-01, CV 07-43, Order for Oral Argument (HCN Tr. Ct., July 15, 2008) (Hunter, M).

The Court rescheduled *Oral Argument* due to scheduling conflicts of the attorneys.

JULY 29, 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; and V.A., DOB 02/28/00 SU 07-13, JV 06-09-12, Order for Oral Argument (HCN Tr.

Ct., July 29, 2008) (Hunter, M., Greendeer-Lee, J., Funmaker, D.).

The Court remanded one case to the Trial Court for further *Findings of Fact*, and found the remaining appeals to be moot.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

JUNE 3, 2008

Shawn Thompson v. Jacqueline Keahna, CS 08-38 (Rockman, A).

JUNE 17, 2008

Chelsey Hoffman v. Michael A. Cartwright, CS 08-40 (Rockman, A).

JUNE 24, 2008

State of Wisconsin ex rel. v. Benjamin Gleichauf, CS 08-40 (Matha, T).

JUNE 27, 2008

Alana Greengrass v. Stacy A. Yellowcloud, CS 08-42 (Matha, T).

JULY 1, 2008

Lindsey Whitegull v. Lawrence R. Waube, Jr., CS 08-41 (Rockman, A).

Jessica Carpenter v. David Rose, CS 08-43 (Rockman, A).

JULY 8, 2008

Melissa Johnson/Kent Co. FOC v. Christopher Johnson, CS 08-44 (Matha, T).

Pauline Dezurick v. Craig Moyer, CS 08-45 (Matha, T).

JULY 11, 2008

State of Wisconsin ex rel. v. Woody Bird, CS 08-46 (Matha, T).

Sheboygan Co. CSA v. Victoria Potter, CS 08-47 (Matha, T).

JULY 30, 2008

Heather B. Fisher v. Noel S. Hommerding, CS 08-48 (Rockman, A).

Menominee Indian Tribe of WI v. Jamie Kaquatosh, CS 08-49 (Rockman, A).

Menominee Indian Tribe of WI v. Jamie Kaquatosh, CS 08-50 (Rockman, A).

Sabrina M. Trader v. Ryan T. Rockman, CS 08-51 (Rockman, A).

Alfred Mahkimetas v. Neva Littlegeorge, CS 08-52 (Rockman, A).



CIVIL CASES

JUNE 3, 2008

In the Interest of Incompetent: L.R., DOB 03/04/50, by Adam Hall v. HCN Office of Tribal Enrollment, CV 08-24 (Rockman, A).

JUNE 18, 2008

In the Interest of Incompetent, D.D., DOB 04/27/96, by Kelvin Decorah, CV 08-25 (Rockman, A).

JUNE 24, 2008

Julie Schultz v. HCN et al., CV 08-26 (Matha, T).

JUNE 27, 2008

In the Interest of Minor Child: J.M.C., DOB 08/26/93, by Myra Cunneen v. HCN Office of Tribal Enrollment, CV 08-27 (Matha, T).

JUNE 30, 2008

In the Interest of Adult CTF Beneficiary: Mason Cooper, DOB 05/06/90 v. HCN Office of Tribal Enrollment, CV 08-28 (Rockman, A).

JULY 2, 2008

In the Interest of Minor Child: S.L.E., DOB 12/18/01; Z.T.E., DOB 12/20/04, by David Espinoza v. HCN Office of Tribal Enrollment, CV 08-30, 08-31 (Rockman, A).

Stewart Miller v. HCN Election Board in their official capacity, CV 08-33 (Rockman, A).

JULY 3, 2008

In the Interest of Minor Child: A.E.L., DOB 04/17/92, by April Lincoln v. HCN Office of Tribal Enrollment, CV 08-30, 08-31 (Rockman, A).

JULY 7, 2008

Julie Schultz v. HCN Grievance Review Board, CV 08-34 (Matha, T).

JULY 10, 2008

In the Interest of Minor Child: N.K.T.S., DOB 12/20/91 by Susie Greengrass v. HCN Office of Tribal Enrollment, CV 08-34 (Rockman, A).

Gerald Cleveland, Jr. v. HCN Legislature Check Signers et al., CV 08-36 (Matha, T).

JULY 11, 2008

Janet Funmaker v. HCN Grievance Review Board, CV 08-37 (Matha, T).

JULY 14, 2008

In the Interest of Minor Child: A.E.O., DOB 09/21/90, by Juanita Orozco-Roberts v. HCN Office of Tribal Enrollment, CV 08-38 (Rockman, A).

JULY 16, 2008

Tracy Cole v. HCN Grievance Review Board, CV 08-37 (Matha, T).

JULY 30, 2008

In the Interest of Minor Child: M.H-W., DOB 12/23/93, by Kathy S. White v. HCN Office of Tribal Enrollment, CV 08-40 (Rockman, A).

JULY 31, 2008

In the Interest of Minor Child: D.D., DOB 05/29/92, by Laurie Dorwin v. HCN Office of Tribal Enrollment, CV 08-41 (Rockman, A).



CIVIL GARNISHMENT CASES

JUNE 4, 2008

Alliance Collection Agencies v. Gary Goodenough, CG 08-48 (Matha, T).

Asset Acceptance, LCC v. Charlene J. Beaver, CG 08-49 (Matha, T).

JUNE 9, 2008

Steven Good v. Greg Blackcoon, CG 08-50 (Matha, T).

Juneau Co. DHS v. Genevieve Boolig, CG 08-51 (Matha, T).

HCN et al. v. Dawn D. Makes Strong Move CG 08-52 (Matha, T).

JUNE 17, 2008

Alliance Collection Agencies v. Cindy L. Redcloud, CG 08-53 (Matha, T).

Alliance Collection Agencies v. Daniel S. Downing, CG 08-54 (Matha, T).

Warren Loveland v. LuAnn Littlegeorge, CG 08-55 (Matha, T).

Warren Loveland v. Stephanie Littlegeorge, CG 08-56 (Matha, T).

JUNE 25, 2008

Ralph R. Schillinger v. Mary B. Locey, CG 08-57 (Matha, T).

JUNE 26, 2008

Mile Bluff Clinic LLP v. Sarah K. Virnig, CG 08-58 (Matha, T).

JULY 7, 2008

Gunderson Clinic LTD v. Lucy Snake, CG 08-59 (Matha, T).

Quick Cash Loans v. Tracy Beversdorf, CG 08-60 (Matha, T).

JULY 8, 2008

Creditor Recovery Service v. Hilary Johnson, CG 08-61 (Matha, T).

JULY 10, 2008

Creditor Recovery Service v. Wayne Malone, CG 08-62 (Matha, T).

Black River Falls Memorial Hosp. v. Char Hudson, CG 08-63 (Matha, T).

Alliance Collection Agencies v. Betty Granger, CG 08-64 (Matha, T).

Alliance Collection Agencies v. Paul Belcher, CG 08-65 (Matha, T).

Alliance Collection Agencies v. Marie Wolf, CG 08-66 (Matha, T).

Steven May v. Tara Swallow, CG 08-67 (Matha, T).

JULY 18, 2008

Alliance Collection Agencies v. Kathleen Radle, CG 08-68 (Matha, T).

Capitol One Bank v. Audrey Files, CG 08-69 (Matha, T).

Larry Smith v. Francina Williams, CG 08-70 (Matha, T).

JULY 24, 2008

Creditor Recovery Service v. Kiel S. Roy, CG 08-71 (Matha, T).

Valued Service of WI d/b/a Check Advance v. Laura Hartley, CG 08-71 (Matha, T).



JUVENILE CASES

JUNE 30, 2008

In the Interest of Minor Child: J.R.M., DOB 07/15/94, JV 08-18 (Rockman, A).

In the Interest of Minor Child: A.D.M., DOB 10/09/95, JV 08-19 (Rockman, A).

In the Interest of Minor Child: D.M.M., DOB 04/18/98, JV 08-20 (Rockman, A).



FAMILY CASES

NO FILINGS AT THIS TIME.



DOMESTIC VIOLENCE

NO FILINGS AT THIS TIME.

RECENT SUPREME COURT FILINGS

JULY 21, 2008

Marjette M. Jadack v. Guy Robert Detlefsen, CG 08-32, SU 08-03.



**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

Wayne Falcon
Dennis Funmaker
Cecil Garvin
Jim Greendeer
Douglas Greengrass
Richard Mann
Desmond Mike

Douglas Red Eagle
Preston Thompson, Jr.
Eugene Thundercloud
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
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)

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

September 2008 Issue



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HOCĄK WAXJA Ү NAҖ RA 5K



From left to right:
Associate Judge Amanda L. Rockman, Female Overall Winner Amy Dubray, and fmr. Justice Mark Butterfield.

The HCN Judiciary sponsored the Thirteenth Annual 5K Fun Run on August 30, 2008. Thirty-two (32) runners and walkers came to the event and were given gift bags and t-shirts for their participation. Gift bags included hats, water bottles, key chains, coffee cups, pens, tote bags, hygiene and health products, yo-yos, golf balls and other items. Supporters of the event included: Office of the President, Ho-Chunk Casino and Hotel, the Health Care Center and associated programs, Majestic Pines Casino and Hotel, Cinema Ho-Chunk, Dejope Bingo, and Rainbow Casino. Without these supporters, the Run simply would not be fun. Thank you!

There were six age categories, male and female, and the top three finishers in each category were awarded a medal, presented by Associate Judge Amanda L. Rockman. The overall

finishers, male and female, were Michael J. Decorah and Amy Dubray, both of Baraboo. They were each presented Pendleton blankets by former Associate Justice Mark D. Butterfield and Judge Rockman. One blanket was sponsored by the Office of the President, and the other was provided by the Judiciary. First place finishers in their respective age categories, and the eldest participant, Sharon Whitebear, each received complementary hotel stays. The three youth runners were awarded free movie tickets to Ho-Chunk Cinema. Judge Rockman stated, "For thirteen years, Ho-Chunks and our neighbors come out to the Run, and the Judiciary is proud to organize it."-HCN-

Welcome! New Staff Attorney/Law Clerk Joins the Trial Court



On September 2, 2008, Joshua O. Rees began his two year term as staff attorney for the Trial Court. Josh and his wife Courtney are the proud parents of three wonderful children, Matthew (9), Sariah (6) and Cody (2). Before getting married, Josh took two years off from school and spent the time doing full time volunteer work. One of the years was spent living on the Navajo Reservation, where he gained a great love for the Native people he served. After his graduation from the University of Wisconsin at Green Bay, Mr. Rees taught high school in Belle Chasse, LA. During this time, Josh decided to attend law school. Josh was awarded a Juris Doctor and a Bachelor of Civil Law in May of 2008. Josh is excited about being back in Wisconsin and looks forward to getting to know and work with the Courts and the people they serve. -HCN-



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:

- Heske hana – Can I do that?
- Hąke heske hinine – Don't do that!
- S'i gaja raji – You came late.
- Hąke s'i higi niaje – Do not be late.
- Hiske ranašį – Do you believe it?
- Ka'ó, hiske hiranajni – No, I do not believe it.
- Hiske hirainajne – Believe me.
- Higijirare – Help me.





13th Annual Ho-Chunk Nation Judiciary Law Day

Law Day is a community education effort for the Ho-Chunk Nation & the general public. It also serves as continuing legal education for the HCN Bar Association & others in the legal profession. Everyone is welcome!

AGENDA



9-12 p.m., Thurs., Oct. 9, 2008:
Appellate Role & Responsibilities:
Grounds for Recusal
Standards of Review
Timeliness of Decisions
Motions for Reconsideration

9-12 p.m., Fri., Oct. 10, 2008:
An Interactive Mock Trial: Navigating through a
Constitutional Case

- Law Day is held concurrently with the annual meeting of the Wisconsin Tribal Judge's Association, Inc. (WTJA).
- CLE Credits will be available to Wisconsin Attorneys.
- Chief Judge Todd R. Matha, Associate Judge Amanda L. Rockman, and Law Clerks Natalie Stites & Joshua O. Rees, presenters.
- Call the Ho-Chunk Nation Courthouse, *Wa Ehi Hoci*, at (800) 434-4070, for more information.





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

AUGUST 14, 2008

Sheboygan Child Support Agency et al. v. Victoria Potter, CS 08-47 Order (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., Aug. 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.

State of Wisconsin ex rel. v. Christopher Littlewolf, CS 97-112 Order (*Modifying Child Support*) (HCN Tr. Ct., Aug. 14, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion.

CIVIL GARNISHMENT CASES

AUGUST 1, 2008

Steven W. May v. Tara Swallow, CG 08-67 Order (*Default Judgment*) (HCN Tr. Ct., Aug. 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.

Black River Memorial v. Cheri Hudson, CG 08-63 Order (*Default Judgment*) (HCN Tr. Ct., Aug. 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.

Creditor Recovery Service, LLC v. Wayne Malone, CG 08-62 Order (*Default Judgment*) (HCN Tr. Ct., Aug. 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.

Warren Loveland v. Stephanie Littlegeorge, CG 08-56 Order (*Default Judgment*) (HCN Tr. Ct., Aug. 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.

AUGUST 6, 2008

Unifund Group v. Gary D. Goodenough, CG 08-48 Order (*Dismissal*) (HCN Tr. Ct., Aug. 6, 2008) (Matha, T).

The Court dismissed the instant case, granting the petitioner's request.

Valued Services of Wisconsin, LLC d/b/a Check Advance #20120 v. Sammy Griner, CG 08-47 Order (Default Judgment) (HCN Tr. Ct., Aug. 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.

AUGUST 11, 2008

Larry Smith v. Francina I. Williams, CG 08-70 Order (Default Judgment) (HCN Tr. Ct., Aug. 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.

Alliance Collection Agencies v. Paul L. Belcher, CG 08-65 Order (Granting Telephonic Appearance) (HCN Tr. Ct., August 11, 2008) (Matha, T).

The Court granted the petitioner's request to appear by telephone.

Alliance Collection Agencies, Inc. v. Marie A. Wulf, CG 08-66 Order (Default Judgment) (HCN Tr. Ct., Aug. 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.

AUGUST 18, 2008

Creditor Recovery Service, LLC v. Kiel S. Roy, CG 08-71 Order (Default Judgment) (HCN Tr. Ct., Aug. 18, 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.

Valued Services of Wisconsin d/b/a Check Advance v. Laura Hartley, CG 08-72 Order (Default Judgment) (HCN Tr. Ct., Aug. 18, 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.

AUGUST 21, 2008

Steven Good v. Greg Blackcoon, CG 08-50 Order (Petition Granted) (HCN Tr. Ct., Aug. 21, 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 petitioner subsequently agreed to a reduced weekly withholding arrangement. The Court, therefore, granted the request for relief of the petitioner.

AUGUST 22, 2008

Quick Cash Loans v. Tracy Beversdorf, CG 08-60 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 21, 2008) (Matha, T).

The Court petitioner filed a request to dismiss the instant action, and the Court accordingly dismissed the case without prejudice.

Alliance Collection Agencies, Inc. v. Lenny W. Cloud, CG 08-74 Order (Default Judgment) (HCN Tr. Ct., Aug. 22, 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. Kathleen S. Radle, CG 08-68 Order (Petition Granted) (HCN Tr. Ct., Aug. 22, 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, but did not provide a cognizable objection, thus the Court granted the petitioner's request for relief.

CIVIL CASES

ADMINISTRATIVE APPEALS

AUGUST 14, 2008

Cheryl Brinegar v. HCN Grievance Review Bd., CV 08-45 Scheduling Order (HCN Tr. Ct., Aug. 14, 2008) (Rockman, A).

The Court scheduled the proceedings for the instant case.

AUGUST 15, 2008

Wayne Falcon v. HCN Grievance Review Bd., CV 07-44 Order (Remand) (HCN Tr. Ct., Aug. 15, 2008) (Rockman, A).

The Court reversed the agency decision due to the supervisor's failure to afford the petitioner procedural due process and remanded to the Grievance Review Board.

AUGUST 26, 2008

Darren L. Brinegar v. HCN Grievance Review Bd., CV 08-50 Scheduling Order (HCN Tr. Ct., July 16, 2008) (Rockman, A).

The Court scheduled the proceedings for the instant case.

CHILDREN'S TRUST FUND (CTF)

AUGUST 11, 2008

In the Interest of Adult CTF Beneficiary: Krista N. Red Cloud, DOB 11/04/89 v. HCN Office of Tribal Enrollment, CV 08-08 Order (Requesting Accounting) (HCN Tr. Ct., Aug. 11, 2008) (Matha, T).

The Court previously released funds from the adult beneficiary's CTF account to pay for costs associated with the purchase of an automobile. The petitioner failed to submit a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

AUGUST 26, 2008

In the Interest of Minor Child: B.C.T., DOB 06/13/97, by Byron C. Thundercloud v. HCN Office of Tribal Enrollment, CV 08-48 Order (Petition Granted) (HCN Tr. Ct., Aug. 26, 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.

AUGUST 26, 2008

In the Interest of Minor Children: S.L.E., DOB 12/18/01 and Z.T.E., DOB 12/20/04, by David Espinoza v. HCN Office of Tribal Enrollment CV 08-30-31 Order (Petition Denied) (HCN Tr. Ct., Aug. 26, 2008) (Matha, T).

The Court denied the petitioner's request for a release of funds to pay for costs associated with private school tuition. The petitioner could not demonstrate exhaustion of a state entitlement, i.e., public school.

AUGUST 27, 2008

In the Interest of Minor Child: C.L.M., DOB 05/26/98, by Karen L. Klongland v. HCN Office of Tribal Enrollment, CV 08-06 Order (Requesting Accounting) (HCN Tr. Ct., Aug. 27, 2008) (Rockman, A).

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

AUGUST 29, 2008

In the Interest of Minor Child: A.E.L., DOB 04/17/92, by April D. Lincoln v. HCN Office of Tribal Enrollment, CV 08-32 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 29, 2008) (Matha, T).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

CONTRACTS

NO DECISIONS AT THIS TIME.

ELECTION MATTERS

AUGUST 5, 2008

Timothy G. Whiteagle v. Wade Blackdeer et al., CV 07-24 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 5, 2008) (Matha, T).

The Court granted the petitioner's request to withdraw the instant action.

AUGUST 6, 2008

Timothy G. Whiteagle v. HCN Legislature et al., CV 07-84 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 6, 2008) (Matha, T).

The Court granted the petitioner's request to withdraw the instant action.

Timothy G. Whiteagle v. General Council Agency et al., CV 07-82 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 6, 2008) (Matha, T).

The Court granted the petitioner's request to withdraw the instant action.

EMPLOYMENT

AUGUST 15, 2008

Summer Dick v. Jonette Pettibone, CV 08-47 Scheduling Order (HCN Tr. Ct., Aug. 15, 2008) (Rockman, A).

The Court scheduled the procession of the instant case.

Joyce L. Warner v. HCN et al., CV 04-72 Order (Determination upon Remand) (HCN Tr. Ct., Aug. 15, 2008) (Matha, T).

The Court identified legal issues for the parties to brief the Court on, subject to a deadline. Specifically, the Court requested memoranda on whether an employee must receive predeprivation minimum procedural due process in the context of a demotion and whether the legislative limited waiver of sovereign immunity allows for money damages in the same context.

AUGUST 18, 2008

Marlene C. Cloud et al. v. HCN et al., CV 06-31 Order (Granting Permission to Reschedule) (HCN Tr. Ct., Aug. 18, 2008) (Matha, T).

The Court permitted the plaintiffs to reschedule the matter in light of an uncontested request to do so.

ENROLLMENT

AUGUST 6, 2008

Leilani J. Chamberlain v. Adam Hall, CV 05-109 Order (Motion Hearing) (HCN Tr. Ct., Aug. 6, 2008) (Matha, T).

The Court granted the petitioner's ability to argue the merits of a submitted *Motion*, and provided the defendant with an opportunity to offer a response.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

AUGUST 6, 2008

In the Interest of Adult Incompetent: B.G.S., DOB 02/07/80, by Teresa Iverson v. HCN Office of Tribal

Enrollment, CV 06-34 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 6, 2008) (Matha, T).

The petitioner submitted receipts which the Court accepted as confirmation of the proper use of funds for an assisted vacation.

AUGUST 22, 2008

In the Interest of Adult Incompetent: L.R., DOB 03/04/56, by Adam Hall v. HCN Office of Tribal Enrollment, CV 08-24 Order (Motion Denied) (HCN Tr. Ct., Aug. 22, 2008) (Rockman, A).

The Court denied the release of funds to satisfy the petitioner's request due to the infancy of the ITF and lack of funds.

AUGUST 26, 2008

In the Interest of Adult Incompetent: B.G.S., DOB 02/07/80, by Teresa Iverson v. HCN Office of Tribal Enrollment, CV 06-34 Order (Motion Granted) (HCN Tr. Ct., Aug. 26, 2008) (Matha, T).

The Court must determine whether the legal guardian can access monies for the costs associated with ongoing residential care. The Court granted the request.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL ELDER-RELATED DECISIONS SHALL REMAIN CONFIDENTIAL. ONE (1) DECISION WAS ISSUED ON AUGUST 28, 2008.

FAMILY

DIVORCE

NO DECISIONS AT THIS TIME.

JUVENILE CASES

APRIL 28, 2008

In the Interest of Minor Children: A.A.F., DOB 1/10/92; E.M.F., DOB 3/27; and M.R.F., DOB 1/25/99, JV 08-02-04 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 28, 2008) (Matha, T).

The Court appointed GAL Teala Edwards to represent the interests of the minor child(ren).

AUGUST 5, 2008

In the Interest of Minor Children: A.S.P., DOB 02/15/05, and J.K.W., DOB 11/01/06, JV 07-60-61 Order (Erratum) (HCN Tr. Ct., Aug. 5, 2008) (Rockman, A).

The Court corrected a clerical error in a prior order.

AUGUST 6, 2008

In the Interest of Minor Children: A.S.P., DOB 02/15/05, and J.K.W., DOB 11/01/06, JV 07-60-61 Reissued Order (Erratum) (HCN Tr. Ct., Aug. 6, 2008) (Rockman, A).

The Court corrected a clerical error in a prior order.

In the Interest of Minor Child: J.R.P., DOB 02/27/92, JV 07-55-56, Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 6, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

AUGUST 7, 2008

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-18-20, Order (Dispositional Requirements) (HCN Tr. Ct., Aug. 7, 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. Maternal dispositions were established with the hope of reunifying the family.

AUGUST 8, 2008

In the Interest of Minor Child: S.V., DOB 09/03/99, JV 02-20 Order (Termination of Jurisdiction) (HCN Tr. Ct., Aug. 8, 2008) (Matha, T).

The Court terminated its jurisdiction over the instant case.

AUGUST 15, 2008

In the Interest of Minor Child: H.L.D., DOB 08/15/08, JV 02-15 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Aug. 15, 2008) (Matha, T).

The Court appointed GAL Francesca Bird to represent the interests of the minor child.

AUGUST 20, 2008

In the Interest of Minor Child: T.E.B., DOB 08/20/08, JV 06-17 CAPIAS ORDER (HCN Tr. Ct., Aug. 20, 2008) (Matha, T).

The Court authorized CFS to coordinate pick-up by the local police department to deliver the minor child to a secured juvenile facility.

In the Interest of Minor Child: N.A.D., DOB 09/21/90, 95 CU 17 Order (Termination of Jurisdiction) (HCN Tr. Ct., Aug. 20, 2008) (Rockman, A).

The Court terminated jurisdiction over the instant case.

In the Interest of Minor Child: A.A., DOB 03/23/98, JV 06-11 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Aug. 20, 2008) (Rockman, A).

The Court appointed GAL Michelle Oravez to represent the interests of the minor child.

AUGUST 27, 2008

In the Interest of Minor Child: J.R.P., DOB 02/27/92, JV 03-01, Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Aug. 27, 2008) (Matha, T).

The Court requested HCN Children & Family Services (CFS) to prepare and submit a guardianship report and home study to the Court.

AUGUST 28, 2008

In the Interest of Minor Child: A.E.O., DOB 02/23/01, JV 08-10-12, Order (Granting Telephone Appearance) (HCN Tr. Ct., Aug. 28, 2008) (Rockman, A).

The Court granted the minor child's father's request to appear by telephone.

In the Interest of Minor Children: P.M.S., DOB 01/14/91, and P.A.S., DOB 01/14/91, JV 98-06-07, Order (Guardian At Litem Probation) (HCN Tr. Ct., Aug. 28, 2008) (Rockman, A).

The Court placed the GAL appointed to this case on probation due to lack of communication or submission of a report to the Court.

AUGUST 29, 2008

In the Interest of Minor Child: H.M.A-S., DOB 05/22/04, JV 06-20 Order (Motion Granted) (HCN Tr. Ct., Aug. 29, 2008) (Rockman, A).

The Court had to determine whether to convert a temporary guardianship of the minor child to a permanent guardianship. The Court deemed such an appointment to be in the best interests of the child, and granted the request for a permanent appointment.



RECENT SUPREME COURT DECISIONS

AUGUST 4, 2008

Gale S. White v. Jean Ann Day, SU 08-02, CV 07-54, Decision (HCN Tr. Ct., Aug. 4, 2008) (Hunter, M.).

The Court found the Trial Court had erred in affirming the GRB decision and failing to consider whether the appellant's due process rights were violated. The Court reversed and remanded to the Trial Court for further proceedings consistent with this decision.

AUGUST 25, 2008

Marjerette M. Jadack v. Guy Robert Detlefsen, SU 08-03, CG 08-32 Order Denying Appeal (HCN Tr. Ct., Aug. 25, 2008) (Greendeer-Lee, J.).

The Court denied the appeal for failure to state a claim or basis for an appeal.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

AUGUST 1, 2008

Angela F. Long v. Truman Williams, CS 08-53 (Rockman, A).

AUGUST 12, 2008

Willia Redcloud v. Moses Cleveland, CS 08-54 (Rockman, A).

AUGUST 22, 2008

Wisconsin Foster Care v. Janis A. Long, CS 08-55 (Matha, T).

AUGUST 26, 2008

Heather Eklund v. Isaiah Funmaker, CS 08-56 (Rockman, A).

AUGUST 27, 2008

State of Wisconsin ex rel. v. Levi Smith, Sr., CS 08-57 (Rockman, A).



CIVIL CASES

AUGUST 1, 2008

In the Interest of Minor Child: J.B.K., DOB 1/17/04, by Danielle Knak v. HCN Office of Tribal Enrollment, CV 08-42 (Rockman, A).

AUGUST 11, 2008

In the Interest of Minor Child: J.J.S., DOB 03/08/95, by Jennifer Kaebisch v. HCN Office of Tribal Enrollment CV 08-43 (Rockman, A).

AUGUST 14, 2008

In the Interest of Minor Children: Z.W., DOB 07/28/91 and M.W., DOB 12/16/93, by Rita Wolf v. HCN Office of Tribal Enrollment CV 08-44 (Rockman, A).

Cheryl Brinegar v HCN Grievance Review Bd., CV 08-45 (Matha, T).

AUGUST 15, 2008

In the Interest of Minor Children: D.J.R., DOB 04/05/97 and K.M.L.R, DOB 11/28/98, by Darcy Funmaker v. HCN Office of Tribal Enrollment CV 08-46 (Rockman, A).

Summer Dick v. Jonette Pettibone, CV 08-47 (Rockman, A).

AUGUST 21, 2008

In the Interest of Minor Child: B.C.T., DOB 06/13/97, by Byron C. Thundercloud v. HCN Office of Tribal Enrollment, CV 08-48 (Matha, T).

AUGUST 25, 2008

In the Interest of Minor Child: R.G.C., DOB 07/27/90, by June White Thunder v. HCN Office of Tribal Enrollment, CV 08-49 (Rockman, A).

AUGUST 26, 2008

Darren L. Brinegar v. HCN Grievance Review Board, CV 08-50 (Rockman, A).

In the Interest of Minor Child: W.B., DOB 09/20/94, by Debra K. Crowe v. HCN Office of Tribal Enrollment, CV 08-51 (Rockman, A).

 **CIVIL GARNISHMENT CASES**

AUGUST 1, 2008

Alliance Collection Agencies v. Jennifer Zoromski, CG 08-73 (Matha, T).

Alliance Collection Agencies v. Lenny Cloud, CG 08-49 (Matha, T).

AUGUST 11, 2008

Quick Cash Loans v. Kelly Medina, CG 08-75 (Matha, T).

AUGUST 12, 2008

Creditor Recovery Service v. Rosemary R. Blackhawk, CG 08-76 (Matha, T).

Black River Memorial Hosp. v. Terri Clemmerson, CG 08-77 (Matha, T).

UW Medical Foundation v. Clifton Jones, CG 08-78 (Matha, T).

AUGUST 18, 2008

Valued Services of WI, LLC d/b/a Check Advance, CG 08-79 (Matha, T).

AUGUST 26, 2008

Creditor Recovery Services v. Richard E. Walker, CG 08-80 (Matha, T).

Creditor Recovery Services v. Missy J. Redcloud, CG 08-81 (Matha, T).

AUGUST 27, 2008

Jeffrey M. Julian v. Melissa Thunder, CG 08-82 (Matha, T).

 **JUVENILE CASES**

AUGUST 26, 2008

In the Interest of Minor Child: S.E.C., DOB 02/25/96, JV 08-21 (Rockman, A).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

 **DOMESTIC VIOLENCE**

ELDER-RELATED FILINGS SHALL BE KEPT CONFIDENTIAL. TWO (2) CASES WERE FILED BY PETITIONERS.

RECENT SUPREME COURT FILINGS

NO FILINGS AT THIS TIME.

* 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)



**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
Wayne Falcon
Dennis Funmaker
Cecil Garvin
Jim Greendeer
Douglas Greengrass
Richard Mann
Desmond Mike

Douglas Red Eagle
Preston Thompson, Jr.
Eugene Thundercloud
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 Falcon
Administrative Assistant – Rosalie Kakkak
Bailiff – Al Carrimon
Law Clerk/Staff Attorney – Natalie Stites (Ed.)
Law Clerk/Staff Attorney – Joshua O. Rees

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

October/November/December 2008



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HAPPY HOLIDAYS



THE HCN JUDICIARY EXTENDS
A WARM SEASONS GREETINGS
TO YOU AND YOURS.

13TH ANNUAL LAW DAY



back row (left to right): Sokaogon Chippewa Associate Judge Chris McGeshick, WTJA President/Oneida Appeals Commissioner Leland Wigg-Ninham, WTJA Vice President/Ho-Chunk Nation Chief Judge Todd R. Matha, Fox Valley Technical College Tribal Program Coordinator David Raasch, Forest County Potawatomi Tribal Court Advisor Attorney Paul Stenzel, Bad River Chippewa Associate Judge Joseph Corbine.

front row (left to right): Ho-Chunk Nation Staff Attorney/Law Clerk Natalie Stites, Oneida Appeals Commissioner Sandra Skenadore, Ho-Chunk Nation Staff Attorney/Law Clerk Joshua O. Rees, Forest County Potawatomi Chief Judge Eugene White-Fish, WTJA Treasurer/Lac du Flambeau Chippewa Chief Judge Alice Soulier, Ho-Chunk Nation Associate Judge Amanda L. Rockman, Wisconsin Judicare Indian Law Office Director Attorney James Botsford.

On October 9 & 10, 2008, the HCN Trial Court hosted the thirteenth annual "Law Day," designed as a continuing legal education program for legal practitioners, and a community education event for tribal members. Law Day was held in conjunction with a quarterly meeting of the Wisconsin Tribal Judge's

Association, Inc. On Thursday, the discussion topic was “Appellate Roles & Responsibilities,” with sub-topics on: Moving for Reconsideration, Grounds for Recusal, Standards of Review and Timeliness of Decisions.

On Friday, attendees participated in an “Interactive Mock Trial,” arguing and deliberating on a fictional case of constitutional dimensions, involving a Ho-Chunk language requirement for the release of trusts funds to tribal members. Tribal judges, tribal members, and court staff participated in this year’s Law Day. The Wisconsin Supreme Court Board of Bar Examiners awarded 6.5 credits this year to the program, which was extended from the prior half day length to a full day’s length this year. –HCN–



JUDGE LISTER VISITS HCN COURTHOUSE

On September 17, 2008, the newly appointed judge for the Jackson County Circuit Court stopped by to visit with Trial Court Judges Matha and Rockman. Judge Thomas Lister was appointed by Wisconsin Governor Doyle on July 22, 2008. Previously, Judge Lister ran a private practice in Jackson County for twenty years. The Trial Court judges gave Judge Lister a tour of the courthouse, while discussing issues of mutual concern between the county and the Nation. –HCN–



From L-R: Associate Judge Rockman, Judge Thomas Lister of Jackson Co. Circuit Court, and Chief Judge 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:

Children’s Trust Fund
Nĭkjaĭ žura kisi

Diploma - Wagax haja hoišip

Money - žura

Savings - žura stohi

Higher Education
Wagax haje hohąksi

Education - wagax haja



Just Saying No:

When is it proper to decline or withdraw from client representation?

December 12, 2008 @ Wa Ehi Hoci
8:30a.m. – noon

Ethics CLE Credits

(No Cost to Attendees)

It is our objective to help shed light on ethical dilemmas and principles regarding refusal and termination of client representation as it relates to SCR 20.1.16.¹ “Just Saying No” will last for three (3) hours and cover four (4) sub-areas of the topic concerning refusal and withdrawal:

8:30 – 9:15

Mandatory Refusal or Withdrawal

Joshua Rees – Staff Attorney/Law Clerk

9:25 – 10:10

Discretionary Refusal or Withdrawal

Hon. Amanda L. Rockman – Associate Trial Court Judge

10:20 – 11:05

Court Mandated Continuance of Representation

Hon. Todd R. Matha – Chief Trial Court

11:15 - noon Protecting Clients Interests

Natalie Stites – Staff Attorney/Law Clerk

¹ The Ho-Chunk Nation Supreme Court has adopted the Wisconsin *Rules of Professional Conduct for Attorneys* for usage in this jurisdiction. *In Re Adoption of Rules of Prof'l Conduct for Att'ys*, SU 96-?? (HCN S. Ct., Aug. 31, 1996).



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

JULY 1, 2008

Blue Earth Co., MN et al. v. Joshua Raymond Armendariz, CS 07-09 Order (*Modifying Child Support*) (HCN Tr. Ct., July 1, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion.

State of Wisconsin ex rel. v. Adrienne G. Lewis, CS 07-60, Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., July 1, 2008) (Matha, T).

The Court had to determine whether to change the source of withholding and enforce a 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.

Judith Ann Harbin Lujan v. Clinton Thunderchief, CS 05-72 Order (*Cease Withholding Child Support & Continuing Arrears Withholding*) (HCN Tr. Ct., July 1, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to suspend child support withholding. As the underlying court terminated the underlying order, the Court granted the motion.

Amanda L. Wilson v. Kenneth L. Wilson, CS 07-87 Order (*Erratum*) (HCN Tr. Ct., July 1, 2008) (Matha, T).

The Court corrected a clerical mistake in a previous Order.

State of Wisconsin ex rel. v. Yo Na Montelongo, CS 03-77 Order (*Modifying and Enforcing Child Support*) (HCN Tr. Ct., July 1, 2008) (Rockman, A).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion.

Kay S. Thompson v. Kerry L. Thompson, CS 07-11 Order (*Cessation of Withholding*) (HCN Tr. Ct., July 1, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to cease per capita withholding. The Court ceased withholding against the respondent's per capita payments.

Marissa Lynn Dickey (Youngthunder) v. Michael Blaine Youngthunder, Sr., CS 06-40 Order (*Arrearage Withholding*) (HCN Tr. Ct., July 1, 2008) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

Neil T. McAndrew v. Lisa Miner McAndrew, CV 97-14 Order (*Cessation of Current Child Support*) (HCN Tr. Ct., July 1, 2008) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments.

Deborra Jean Croissant v. Issac Clement Jackson, CS 08-47 Order (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., July 1, 2008) (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.

State of Wisconsin ex rel. v. Wilfrid Cleveland, CS 03-19 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., July 1, 2008) (Rockman, A).

The Court had to determine whether to change the source of withholding from per capita payments to wages. The respondent failed to timely respond, thus the Court granted the motion to modify.

SEPTEMBER 5, 2008

Vonetta F. Merritt v. George I. Merritt, CS 08-04 Order (Erratum) (HCN Tr. Ct., Sept. 5, 2008) (Matha, T).

The Court corrected a clerical mistake in a previous Order.

Carissa M. Livingston v. Darrell W. Burns, CS 08-37 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Sept. 5, 2008) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

Vonetta F. Merritt v. George I. Merritt, CS 08-04 Order (Modifying Child Support Against Wages) (HCN Tr. Ct., Sept. 5, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion to modify. The respondent failed to timely respond, thus, the Court granted the petitioner's requested relief.

SEPTEMBER 18, 2008

Willa RedCloud v. Moses Cleveland, CS 08-54 Order (Suspending Action) (HCN Tr. Ct., Sept. 18, 2008) (Matha, T).

The Court suspended the child support action, having granted child support in the concurrent guardianship proceeding. The foreign jurisdiction indicated a forthcoming dismissal order will be issued, considering the Nation's continuing jurisdiction over the minor children.

SEPTEMBER 22, 2008

Courtney Funmaker v. Greg Whitegull, CS 06-23 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Sept. 22, 2008) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

Darcy Funmaker v. Shannon D. Rave, CS 03-53 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Sept. 22, 2008) (Rockman, A).

The Court had to determine whether to grant a recent motion to modify against the respondent's wages. The respondent noted his acquiescence to the modification, thus the Court granted recognition and enforcement of the foreign judgment.

Victoria Hill v. Kelly Logan, CS 01-27 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 22, 2008) (Rockman, A).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

State of Wisconsin ex rel. v. Daniel Bird, CS 03-51 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 22, 2008) (Matha, T).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

SEPTEMBER 23, 2008

Kenda Tarr v. Anthony Mullen, CS 01-14 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 23, 2008) (Rockman, A).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

SEPTEMBER 26, 2008

Tari Pettibone v. Gregory Bird, CS 02-09 Order (Cessation of Child Support Withholding) (HCN Tr. Ct., Sept. 26, 2008) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments.

SEPTEMBER 29, 2008

Kenneth Loose v. Jennifer Jones, CS 03-09 Order (Cessation of Child Support Withholding) (HCN Tr. Ct., Sept. 29, 2008) (Matha, T).

The Court ceased withholding from the respondent's per capita payments.

State of Wisconsin ex rel. v. Isaiah M. Funmaker, CS 07-54 Order (Cessation of Withholding- Arrears) (HCN Tr. Ct., Sept. 29, 2008) (Matha, T).

The Court ceased withholding from the respondent's per capita payments for arrears.

State of Wisconsin ex rel. v. Jackie E. Snow, CS 02-53 Order (Cessation of Withholding- Arrears) (HCN Tr. Ct., Sept. 29, 2008) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments for arrears.

State of Wisconsin ex rel. v. Carrie Knapp, CS 04-62 Order (Cease Child Support Withholding) (HCN Tr. Ct., Sept. 29, 2008) (Matha, T).

Upon motion by the petitioner, the Court ceased withholding from the respondent's per capita payments and/or wages.

State of Wisconsin ex rel. v. Adam J. Legarde, CS 04-11 Order (Cessation of Withholding- Arrears) (HCN Tr. Ct., Sept. 29, 2008) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments for arrears.

OCTOBER 1, 2008

Waukesha Co. Child Support Division ex rel. v. Timothy M. Kistner, CS 08-01 Order (Modifying Child Support Against Wages) (HCN Tr. Ct., Oct. 1, 2008) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion to modify. The respondent's acquiescence was assumed due to his agreement with the underlying court order and thus, the Court granted the petitioner's requested relief.

OCTOBER 9, 2008

State of Wisconsin ex rel. v. Rosemarie Powless, CS 97-82 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 9, 2008) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

Shawano Co. ex rel. et al. v. Daniel E. Bird, CS 03-51, 06-49 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Oct. 9, 2008) (Rockman, A).

The petitioner in CS 03-51 filed proof of high school enrollment, and thus, the Court continued child support withholding through August 2009.

Jill Hartlev v. Wendland O. White, CS 04-24 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

The petitioner filed proof of high school enrollment, and thus, the Court continued child support withholding through August 2009.

OCTOBER 13, 2008

Sawyer Co. ex rel. v. Woody Bird, CS 08-46 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Oct. 13, 2008) (Matha, T).

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

State of Wisconsin ex rel. v. Myron D. Cloud, CS 01-04 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

State of Wisconsin v. Sheba R. Whitegull, CS 08-62 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Oct. 13, 2008) (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.

Melissa Johnson/Kent Co. Friend of Court v. Christopher Johnson, CS 08-44 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Oct. 13, 2008) (Matha, T).

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

Jackson Co. Child Support Agency ex rel. v. Harriet M. Hopinkah, CS 08-59 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

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

Lynn Marie Coomes v. Phillip Anthony Coomes, CS 03-33 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

Heather B. Fisher v. Noel J. Hommerding, CS 08-48 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

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

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

OCTOBER 14, 2008

Tammy L. Blackdeer v. Clifford T. Blackdeer, CS 97-82 Order (Enforcing Arrearage Withholding) (HCN Tr. Ct., Oct. 14, 2008) (Matha, T).

The Court enforced arrears withholding after submission of an account statement indicating a specified amount of arrears.

Ramsey Co. Child Support Agency of the State of Minnesota ex rel. v. Craig S. Moyer, CS 08-45 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 14, 2008) (Matha, T).

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

Marathon Co. Child Support Agency ex rel. v. Janis Long, CS 08-55 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 14, 2008) (Matha, T).

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

La Crosse Co. Child Support Agency ex rel. v. Russell J. Mann, CS 08-24 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 14, 2008) (Matha, T).

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

Menominee Indian Tribal Child Support Agency ex rel. v. Neva Littlegeorge, CS 08-52 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 14, 2008) (Rockman, A).

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

Menominee Indian Tribal Child Support Agency ex rel. v. Neva Littlegeorge, CS 08-52 Default Judgment (Enforcing Child

Support Against Wages) (HCN Tr. Ct., Oct. 14, 2008) (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, and thus, the Court granted a default judgment in favor of the petitioner.

State of Wisconsin ex rel. v. Patricia A. Whitecloud a/k/a Patricia A. Hindsley, CS 00-46 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 14, 2008) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

OCTOBER 15, 2008

Menominee Indian Tribal Child Support Agency ex rel. v. Ryan T. Rockman, CS 08-51 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 15, 2008) (Rockman, A).

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

Clarissa Pettibone v. Warrington G. Greengrass, CS 99-18 Order (Cessation of Withholding) (HCN Tr. Ct., Oct. 15, 2008) (Matha, T).

Upon motion by the respondent, the Court ceased withholding from the respondent's per capita payments. The underlying foreign court order suspended the current child support obligation.

Child Support Enforcement Agency of Jackson Co., State of Ohio ex rel. v. David Rose, CS 08-43 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 15, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, but did acquiesce to the foreign judgment in a subsequent correspondence to the Court. Thus, the Court granted recognition and enforcement of the foreign judgment.

Barbara Funmaker et al. v. John L. Whitewater, CV 97-148, CS 06-27 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 15, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

State of Wisconsin et al. v. Lohman E. Cloud, CS 00-19, 05-63 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 15, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

State of Wisconsin et al. v. Leah K. Fiske, f/k/a Leah L. Topping, CS 99-05, CS 03-68 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 15, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

OCTOBER 16, 2008

Blue Earth Co., MN et al. v. Joshua Raymond Armendariz, CS 07-09 Order (Modifying Child Support) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion.

Millie Smith et al. v. Kevin M. Smith, CV 97-51, CS 99-60 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion and performed an equitable adjustment due to the respondent's serial payor status.

Sauk Co. Child Support Agency ex rel. v. April D. Lincoln, CS 07-07 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion.

Sauk Co. Child Support Agency ex rel. v. Michelle L. Mendoza, CS 07-90 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion.

State of Iowa ex rel. v. Luther Aaron Dixon II, CS 99-11, -12 Erratum Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Sept. 5, 2008) (Rockman, A).

The Court corrected clerical mistakes in a previous Order.

State of Wisconsin ex rel. et al. v. Stacy Yellowcloud, CS 99-65, -35, -41 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

State of Wisconsin ex rel. et al. v. Truman H. Williams, CS 07-69, 08-41, CS 08-53 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

State of Wisconsin ex rel. v. Adrienne G. Lewis, CS 07-60, 08-60 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

Menominee Tribal Child Support Agency ex rel. v. Jamie R. Kaquatosh, CS 08-49, -50, Default Judgment (Equitable Adjustment) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

Olmstead Co., State of Minnesota ex rel. v. Roy C. Bartlett, CS 08-26 Order (Cessation of Withholding) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

Upon motion by the petitioner, the Court ceased withholding from the respondent's per capita payments. The underlying foreign court order suspended the current child support obligation against per capita, as wage

withholding had been instituted against the respondent in a foreign jurisdiction.

Victoria Hill et al. v. Kelly Logan, CS 01-27, CS 05-50 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

The petitioner in CS 01-27 filed proof of high school enrollment, and thus, the Court continued child support withholding through August 2009.

OCTOBER 17, 2008

State of Wisconsin ex rel. v. John F. Blackdeer, CS 02-46, 07-70 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Oct. 17, 2008) (Matha, T).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, thus the Court granted the motion. The Court additionally performed an equitable adjustment due to the respondent's serial payer status.

Tammy L. Blackdeer v. Clifford T. Blackdeer, CS 99-67 Order (Erratum & Rescission) (HCN Tr. Ct., Oct. 17, 2008) (Matha, T).

The Court rescinded a previous order awarding an arrearage payment to the petitioner, as the petitioner did not afford the respondent proper service of their motion.

State of Wisconsin ex rel. v. Joseph Hackey, CS 99-35, 02-01 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 17, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

State of Wisconsin ex rel. v. David Decora, CS 01-35, 02-26, 08-27 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Oct. 17, 2008) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

OCTOBER 22, 2008

Kathleen Waukau et al. v. Eldon Powless, CV 96-93, CS 99-22, -23, CS 03-65, 08-07 Order (Updating Arrears) (HCN Tr. Ct., Oct. 22, 2008) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

OCTOBER 24, 2008

Michelle Lewis et al. v. Roger B. Littlegeorge, CV 97-91, CS 99-44, -57, -63 Order (Updating Arrears and Cessation of Withholding) (HCN Tr. Ct., Oct. 24, 2008) (Rockman, A).

The Court updating the balance of back child support owed by the respondent in one case, and ceased current child support due to emancipation in another case.

OCTOBER 28, 2008

Lana Lane Lincoln v. Jon Eric Miner, CS 99-62 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Oct. 28, 2008) (Rockman, A).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

Eliza M. Green v. Montgomery J. Green, Sr., CS 02-30 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Oct. 28, 2008) (Matha, T).

The Court notified the parties of the minor child's pending emancipation, and ordered the parties file proof of enrollment in high school to continue child support.

State of Wisconsin ex rel. v. Wilfrid Cleveland, CS 03-19 Order (Cessation of Withholding) (HCN Tr. Ct., Oct. 28, 2008) (Rockman, A).

The Court ceased withholding from the respondent's per capita, in order to effectuate a change in the source of withholding contained in a prior order.

State of Wisconsin ex rel. v. Bernard Mountain, CS 08-63 Order (Impounding Per Capita) (HCN Tr. Ct., Oct. 29, 2008) (Rockman, A).

The Court impounded the affected per capita funds until such times as the parties present the Court with a certified foreign court order addressing the change of circumstances raised by the petitioner in a hearing regarding the instant case.

NOVEMBER 5, 2008

Eliza M. Green v. Montgomery J. Green, Sr., CS 02-30 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Nov. 5, 2008) (Matha, T).

The petitioner filed proof of high school enrollment, and thus, the Court continued child support withholding through August 2009.

NOVEMBER 17, 2008

State of Wisconsin ex rel. v. Brent M. Funmaker, CV 97-18 Order (Modifying Child Support Against Wages) (HCN Tr. Ct., Nov. 17, 2008) (Rockman, A).

The Court had to determine whether to grant a recent motion to modify against the respondent's wages. The respondent failed to timely respond but acquiesced to the underlying judgment, thus the Court granted the motion.

State of Wisconsin ex rel. v. Brent M. Funmaker, CV 97-18 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Nov. 17, 2008) (Rockman, A).

The Court had to determine whether to grant a recent motion to modify against the respondent's per capita payments. The respondent failed to timely respond, but acquiesced to the underlying judgment, thus the Court granted the motion.

Carmen Waldschmidt v. Craig Waldschmidt, CS 08-70 Default Judgment (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 17, 2008) (Matha, T).

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

State of Wisconsin ex rel. v. Steven J. Rodriquez, CS 08-58 Default Judgment (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 17, 2008) (Rockman, A).

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

CIVIL GARNISHMENT

CASES

JULY 1, 2008

Juneau Co. Dept. of Human Services v. Genevieve Bollig, CG 08-51 Order (Default Judgment) (HCN Tr. Ct., Jul. 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.

SEPTEMBER 9, 2008

Creditor Recovery Service, LLC v. Richard E. Walker, CG 08-80 Order (Default Judgment) (HCN Tr. Ct., Sept. 9, 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.

Valued Service of Wisconsin, LLC d/b/a Check Advance v. Carl B. Jungenberg, CG 08-79 Order (Default Judgment) (HCN Tr. Ct., Sept. 9, 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. Terri Clemmerson, CG 08-77 Order (Default Judgment) (HCN Tr. Ct., Sept. 9, 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.

Creditor Recovery Service, LLC v. Rosemary R. Blackhawk, CG 08-76 Order (Default Judgment) (HCN Tr. Ct., Sept. 9, 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. Kelly Medina, CG 08-75 Order (Default Judgment) (HCN Tr. Ct., Sept. 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.

Sarah A. Lubben v. Mark A. Lubben, CG 08-36 Order (Modified Judgment) (HCN Tr. Ct., Sept. 9, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court had earlier entered a decision to effectuate a wage assignment. The petitioner requested a modification in conjunction with a final divorce decree. The respondent failed to respond, and thus, the petitioner was granted the requested relief.

SEPTEMBER 10, 2008

Alliance Collection Agencies v. Paul L. Belcher, CG 08-65 Order (Petition Denied) (HCN Tr. Ct., Sept. 10, 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 filed a response and alleged recognized exemptions to the execution of the garnishment. Accordingly, the Court denied the *Petition*.

Capital One Bank v. Audrey R. Files, CG 08-69 Order (Petition Granted) (HCN Tr. Ct., Aug. 18, 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, but failed to provide a

cognizable objection to the foreign judgment. Thus, the Court granted the *Petition*.

SEPTEMBER 22, 2008

Jeffrey M. Julian v. Melissa Thunder, CG 08-82 Order (Default Judgment) (HCN Tr. Ct., Sept. 22, 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.

Creditor Recovery Service, LLC v. Missy J. Redcloud, CG 08-81 Order (Default Judgment) (HCN Tr. Ct., Sept. 22, 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.

SEPTEMBER 25, 2008

Guy-Robert Detlefsen, Jr. v. Marjette M. Jadack, CG 08-22 Order (Granting Motion to Modify) (HCN Tr. Ct., Sept. 25, 2008) (Matha, T).

The Court granted the petitioner's motion to modify, discontinuing withholding in the instant case until further notice.

SEPTEMBER 29, 2008

Tomah Memorial Hospital v. Stephanie Littlegeorge, CG 08-83 Order (Default Judgment) (HCN Tr. Ct., Sept. 29, 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. Betty Granger, CG 08-64 Order (Default Judgment) (HCN Tr. Ct., Sept. 29, 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. et al. v. Marjette M. Jadick, CG 08-85 Order (Dismissal) (HCN Tr. Ct., Sept. 29, 2008) (Matha, T).

The Court granted the *Motion for Dismissal* moved by the petitioner.

OCTOBER 13, 2008

UW Medical Foundation v. Clifton Jones, CG 08-78 Order (Default Judgment) (HCN Tr. Ct., Oct. 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.

OCTOBER 16, 2008

Ron's Refrigeration & Air Conditioning, Inc. v. Debra Ismailjoski, CG 08-88 Order (Default Judgment) (HCN Tr. Ct., Oct. 16, 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.

Creditor Recovery Service, LCC v. David Rice, CG 08-87 Order (Default Judgment) (HCN Tr. Ct., Oct. 16, 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. Leah R. Rice, CG 06-43 Order (Granting Motion to Modify) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court granted the petitioner's motion to modify, in order to collect additional post-judgment interest until satisfaction of the principal foreign judgment.

OCTOBER 20, 2008

Black River Memorial v. Cheri Hudson, CG 08-63 Order (Satisfaction of Judgment) (HCN Tr. Ct., Oct. 20, 2008) (Matha, T).

The Court recognized satisfaction of the debt in the instant case, upon a filing indicating the judgment has been paid in full.

OCTOBER 28, 2008

Credit Recovery Service, LCC v. Hillary Johnson, CG 08-61 Order (Default Judgment) (HCN Tr. Ct., Oct. 28, 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 v. Jennifer A. Zoromski, CG 08-73 Order (Default Judgment) (HCN Tr. Ct., Oct. 28, 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.

Ralph R. Schillinger v. Mary B. Locey, CG 08-57 Order (Default Judgment) (HCN Tr. Ct., Oct. 28, 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.

Ron's Refrigeration & Air Conditioning, Inc. v. Debra Ismailjoski, CG 08-88 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Oct. 28, 2008) (Matha, T).

The Court granted the petitioner's request to appear by telephone.

OCTOBER 29, 2008

Black River Memorial v. Ricky J. & Kate Folkers, CG 08-92 Order (Default Judgment) (HCN Tr. Ct., Oct. 29, 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.

OCTOBER 31, 2008

Mile Bluff Clinic, LLP v. Janice M. Brown, CG 08-93 Order (Default Judgment) (HCN Tr. Ct., Oct. 31, 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. Sonia L. Smedbron, CG 08-94 Order (Default Judgment) (HCN Tr. Ct., Oct. 31, 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.

Creditor Recovery Service, LCC v. Paul Belcher, CG 08-89 Order (Default Judgment) (HCN Tr. Ct., Oct. 31, 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.

NOVEMBER 6, 2008

Ron's Refrigeration & Air Conditioning v. Debra Ismailjoski, CG 08-88 Order (Post-Judgment Motion Granted) (HCN Tr. Ct., Nov. 6, 2008) (Matha, T).

The Court previously granted full faith and credit and/or comity to a foreign judgment. The respondent filed a post-judgment motion, asserting the underlying judgment does not specify her as a party, and independent defenses. The Court suspended the wage garnishment until these matters are resolved by the foreign court.

Alliance Collection Agencies, Inc. v. Sonia L. Smedbron, CG 08-94 Order (Satisfaction of Judgment) (HCN Tr. Ct., Nov. 6, 2008) (Matha, T).

The Court recognized the satisfaction of the debt obligation, and closed the file absent any timely objection from the parties.

NOVEMBER 14, 2008

Valued Services of Wisconsin, LCC d/b/a Check Advance #202120 v. Janelle Hopinkah, CG 08-95 Order (Default Judgment) (HCN Tr. Ct., Nov. 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Warren Loveland v. Stephanie Littlegeorge, CG 08-96 Order (Default Judgment) (HCN Tr. Ct., Nov. 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.



CIVIL CASES

SEPTEMBER 18, 2008

Gerald Cleveland, Jr. v. Ho-Chunk Nation Legislators: Check Signers., CV 08-36 Scheduling Order (HCN Tr. Ct., Sept. 18, 2008) (Matha, T).

The Court scheduled the proceedings for the instant case.

NOVEMBER 18, 2008

Gerald Cleveland, Jr. v. HCN Legislature and Check Signers, CV 08-36 Amended Scheduling Order (HCN Tr. Ct., Nov. 18, 2008) (Matha, T).

The Court scheduled the proceedings for the instant case.

NOVEMBER 19, 2008

Julie Schultz v. Robert Funmaker et al., CV 08-26 Order (Default Judgment) (HCN Tr. Ct., Nov. 19, 2008) (Matha, T).

The Court has to determine whether to grant the relief request by the petitioner. The respondent failed to answer the initial petition, despite proper service. Thus, the Court rendered a default judgment against the respondent and awarded the petitioner the relief sought under the initial petition.

ADMINISTRATIVE APPEALS

JULY 1, 2008

Kerry Funmaker v. HCN Grievance Review Bd., CV 08-18 Scheduling Order (HCN Tr. Ct., July 1, 2008) (Rockman, A).
The Court scheduled the proceedings for the instant case.

SEPTEMBER 4, 2008

Susan F. Bosgraff et al. v. HCN et al., CV 06-99, CV 06-105, Order (Mandating Administrative Hearing) (HCN Tr. Ct., Sept. 4, 2008) (Rockman, A).

The Court ordered an administrative hearing in the instant cases to address a previous *Order (Remand)*.

SEPTEMBER 22, 2008

Karen Litscher v. HCN Grievance Review Bd., CV 07-99-100 Order (Partial Affirmance and Remand) (HCN Tr. Ct., Sept. 22, 2008) (Matha, T).

In CV 07-99, the Court partially affirmed the administrative decision and awarded a degree of damages conceded to by the respondent. In CV 07-100, the Court was not able to determine the extent of procedural due process violation from the administrative record, and accordingly remanded the case for reconsideration.

NOVEMBER 4, 2008

Cheryl Brinegar v. HCN Grievance Review Bd., CV 08-45 Scheduling Order (HCN Tr. Ct., Nov. 4, 2008) (Rockman, A).

The Court scheduled the proceedings for the instant case.

NOVEMBER 18, 2008

Kenneth Lee Twin v. HCN Grievance Review Bd. et al., CV 08-79 Scheduling Order (HCN Tr. Ct., Nov. 18, 2008) (Matha, T).

The Court scheduled the proceedings for the instant case.

Karen Litscher v. HCN Grievance Review Bd. et al., CV 08-80 Scheduling Order (HCN Tr. Ct., Nov. 18, 2008) (Matha, T).

The Court scheduled the proceedings for the instant case.

CHILDREN'S TRUST FUND (CTF)

SEPTEMBER 2, 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 (Accepting Accounting) (HCN Tr. Ct., Sept. 2, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with continuing education. Petitioner submitted a receipt, confirming the proper use of funds, which the Court accepted.

SEPTEMBER 10, 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 (Contempt) (HCN Tr. Ct., Sept. 10, 2008) (Matha, T).

The Court previously released funds from the CTF account of the minor child for costs associated with housing assistance. After failing to attend a *Show Cause Hearing*, the petitioner could not rebut the *prima facie* showing of contempt, and thus, the Court held the petitioner in contempt.

In the Interest of Minor Child: A.E.O., DOB 09/21/90, by Juanita Orozco Roberts v. HCN Office of Tribal Enrollment, CV 08-38 Order (Partial Granting of Petition) (HCN Tr. Ct., Sept. 10, 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 the purchase of clothing, a computer, senior registration, class ring and senior portraits. The Court partially granted the petition for clothing, due to the special circumstances of the child.

In the Interest of Minor Child: J.J.S., DOB 03/08/95, by Jennifer Kaebisch v. HCN Office of Tribal Enrollment, CV 08-43 Order (Petition Granted) (HCN Tr. Ct., Sept. 11, 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 orthodontia procedures. The Court granted the petition.

SEPTEMBER 12, 2008

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 (Partial Release of Contempt Fine) (HCN Tr. Ct., Sept. 12, 2008) (Matha, T).

The Court had to determine whether to retain the entire contempt fine that accrued in the instant case. The petitioner failed to submit timely accounting, and instead

submitted the proper accounting five (5) months later. The Court diminished the contempt fine in accordance with standing practice.

SEPTEMBER 15, 2008

In the Interest of Adult CTF Beneficiary: Krista N. Redcloud, DOB 11/04/89 v. HCN Office of Tribal Enrollment, CV 08-08 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 15, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with purchase of an automobile. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

SEPTEMBER 25, 2008

In the Interest of Decedent: Cerridwyn Maire Ursula Brigid Roseanne Lujan, aka Kerry Lujan, DOB 05/17/89, by Judith H. Lujan v. HCN Office of Tribal Enrollment, CV 08-53 Order (Releasing Children's Trust Fund to Estate) (HCN Tr. Ct., Sept. 25, 2008) (Rockman, A).

The Court had to determine whether to release the monies from a decedent tribal member's CTF to the estate. The Court directed the release of the CTF to the court-appointed representative of the estate.

SEPTEMBER 30, 2008

In the Interest of Minor Child: T.R.F., DOB 07/13/00 v. HCN Office of Tribal Enrollment, CV 08-58 Order (Petition Granted) (HCN Tr. Ct., Sept. 30, 2008) (Matha, T).

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

OCTOBER 2, 2008

In the Interest of Minor Child: D.D., DOB 04/27/96, by Kelvin Decorah v. HCN Office of Tribal Enrollment, CV 08-25 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 2, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with purchase of orthodontia. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

In the Interest of Adult CTF Beneficiary: Mason Cooper, DOB 05/06/1990 v. HCN Office of Tribal Enrollment CV 08-28 Order (Denial of Petition) (HCN Tr. Ct., Oct. 2, 2008) (Rockman, A).

The Court denied the petitioner's request for a release of funds to pay for costs associated with criminal and/or civil

finances. The petitioner could not demonstrate benefits to his health, welfare or education.

OCTOBER 13, 2008

In the Interest of Minor Child: D.R.O., DOB 01/12/1996, by Victoria J. Ortiz v. HCN Office of Tribal Enrollment, CV 08-64 Order (Petition Granted) (HCN Tr. Ct., Oct. 13, 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 orthodontia procedures. The Court granted the petition.

OCTOBER 14, 2008

In the Interest of Minor Child: J.J.S., DOB 03/08/1995, by Jennifer Kaebisch v. HCN Office of Tribal Enrollment, CV 08-43 Order (Motion Granted) (HCN Tr. Ct., Oct. 14, 2008) (Rockman, A).

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

OCTOBER 16, 2008

In the Interest of Adult CTF Beneficiary: Caleb G. Funmaker, DOB 03/03/1997 v. HCN Office of Tribal Enrollment, CV 08-52 Order (Petition Granted) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to access CTF monies to secure funds for attainment of his high school diploma. The Court granted the petition.

OCTOBER 20, 2008

In the Interest of Adult CTF Beneficiary: Lynn St. Cyr, DOB 11/25/1988 v. HCN Office of Tribal Enrollment, CV 08-54 Order (Dismissal without Prejudice) (HCN Tr. Ct., Oct. 20, 2008) (Rockman, A).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

In the Interest of Minor Child: E.D.P., DOB 07/21/99, by Eva Begaye Powless v. HCN Office of Tribal Enrollment, CV 08-55 Order (Dismissal without Prejudice) (HCN Tr. Ct., Oct. 20, 2008) (Matha, T).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

In the Interest of Minor Child: M.H.W., DOB 12/23/1993, by Kathy S. White v. HCN Office of Tribal Enrollment, CV 08-40 Order (Petition Denied) (HCN Tr. Ct., Oct. 20, 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 modeling school. The Court denied the petition, for failure to meet the threshold requirements for release of funds, specifically demonstrating necessity not merely want or desire.

OCTOBER 27, 2008

In the Interest of Minor Child: A.E.O, DOB 09/21/90, by Juanita Orozco Roberts v. HCN Office of Tribal Enrollment, CV 08-38 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 27, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with purchase of clothing. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

OCTOBER 28, 2008

In the Interest of Minor Child: W.B., DOB 09/20/1994, by Debra K. Crowe v. HCN Office of Tribal Enrollment, CV 08-51 Order (Dismissal without Prejudice) (HCN Tr. Ct., Oct. 28, 2008) (Rockman, A).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

In the Interest of Minor Child: A.J.K., DOB 12/28/94, by Michelle Brito v. HCN Office of Tribal Enrollment, CV 08-61 Order (Dismissal without Prejudice) (HCN Tr. Ct., Oct. 28, 2008) (Matha, T).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

In the Interest of Minor Child: F.V.W., DOB 10/22/04, by Felicia Jo Wanna v. HCN Office of Tribal Enrollment, CV 08-59 Order (Petition Granted) (HCN Tr. Ct., Oct. 28, 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 orthodontia procedures. The Court granted the petition.

OCTOBER 29, 2008

In the Interest of Adult CTF Beneficiary: Herman Jones, DOB 11/25/88 v. HCN Office of Tribal Enrollment, CV 08-63 Order

(Dismissal without Prejudice) (HCN Tr. Ct., Oct. 29, 2008) (Rockman, A).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

OCTOBER 30, 2008

In the Interest of Minor Child: L.W., DOB 08/10/02, by Ardith Snowball v. HCN Office of Tribal Enrollment, CV 08-43 Order (Petition Granted) (HCN Tr. Ct., Oct. 30, 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 oral surgery. The Court granted the petition.

OCTOBER 31, 2008

In the Interest of Minor Child: E.J.B., DOB 05/19/99, by Myra Jo Price v. HCN Office of Tribal Enrollment, CV 08-60 Order (Conditional Granting of Petition) (HCN Tr. Ct., Oct. 31, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to access additional CTF monies of the minor child for costs associated with a professional tutoring program. The Court granted the petition, provided the petitioner demonstrates exhaustion of tribal resources.

NOVEMBER 5, 2008

In the Interest of Minor Child: K.R.S., DOB 01/01/1995, by Rita Pillsbury v. HCN Office of Tribal Enrollment, CV 08-75 Order (Petition Granted) (HCN Tr. Ct., Nov. 5, 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.

NOVEMBER 6, 2008

In the Interest of Minor Child: E.J.B., DOB 05/19/99, by Myra Jo Price v. HCN Office of Tribal Enrollment, CV 08-60 Order (Addendum to Judgment) (HCN Tr. Ct., Nov. 6, 2008) (Matha, T).

The petitioner submitted documentation demonstrating exhaustion of tribal resource. Thus, the Court released the requested monies for the purposes of a professional tutoring program.

In the Interest of Minor Children: D.J.A.R., DOB 04/05/97 and K.M.L.R., DOB 11/28/98, by Darcy Funmaker v. HCN Office of

Tribal Enrollment, CV 08-46 Order (Petition Granted) (HCN Tr. Ct., Nov. 6, 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.

NOVEMBER 10, 2008

In the Interest of Minor Child: J.H.B., DOB 01/13/97, by Jean M. Stacy-Snow v. HCN Office of Tribal Enrollment, CV 08-22 Order (Requesting Accounting) (HCN Tr. Ct., Nov. 10, 2008) (Matha, T).

The Court previously released funds from the ITF accounts of the minor child for costs associated with orthodontic procedures. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: A.M.C., DOB 06/02/96, by Sherie L. Crowley v. HCN Office of Tribal Enrollment, CV 08-72 Order (Petition Granted) (HCN Tr. Ct., Nov. 10, 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.

In the Interest of Minor Child: T.R.P., DOB 11/20/92, by Lori Ann Pettibone v. HCN Office of Tribal Enrollment, CV 08-76 Order (Petition Granted) (HCN Tr. Ct., Nov. 10, 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.

NOVEMBER 17, 2008

In the Interest of Minor Children: M.W., DOB 12/16/93, and Z.W., DOB 07/28/91, by Rita Wolf v. HCN Office of Tribal Enrollment, CV 08-44 Order (Petition Granted in Part) (HCN Tr. Ct., Nov. 17, 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 eye care and private schooling. The Court partially granted the petition for eye care, but denied the request for monies for private school.

In the Interest of Minor Child: A.A.W., DOB 09/14/97, by Angelina Waeye v. HCN Office of Tribal Enrollment, CV 08-66 Order (Petition Granted) (HCN Tr. Ct., Nov. 17, 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 and individual psychotherapy. The Court granted the petition.

NOVEMBER 19, 2008

In the Interest of Minor Child: J.H.B., DOB 01/13/97, by Jean M. Stacy-Snow v. HCN Office of Tribal Enrollment, CV 08-22 Order (Accepting Accounting) (HCN Tr. Ct., Nov. 19, 2008) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with purchase of clothing. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

CONTRACTS

SEPTEMBER 12, 2008

Ho-Chunk Nation et al. v. Jesse L. Snowball, CV 05-51, Order (Satisfaction of Judgment) (HCN Tr. Ct., Sept. 12, 2008) (Matha, T).

The Court recognized satisfaction of the debt obligation, and informed the parties of its intent to close the file.

SEPTEMBER 15, 2008

Ho-Chunk Nation Whitetail Crossing – Tomah et al. v. Patricia Letourneau, CV 02-13, Order (Satisfaction of Judgment) (HCN Tr. Ct., Sept. 15, 2008) (Matha, T).

The Court recognized satisfaction of the debt obligation, and informed the parties of its intent to close the file.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

EMPLOYMENT

SEPTEMBER 9, 2008

Kenneth Lee Twin v. Douglas Greengrass et al., CV 04-90 Scheduling Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., Sept. 9, 2008) (Rockman, A).

The Court dismissed the cause of action with prejudice due to case inactivity in excess of six (6) months.

SEPTEMBER 11, 2008

Marlene C. Cloud et al. v. HCN et al., CV 06-31 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Sept. 11, 2008) (Matha, T).

The Court granted the plaintiff's counsel request to appear by telephone.

SEPTEMBER 17, 2008

Joyce L. Warner v. HCN et al., CV 04-72 Order (Granting Continuance) (HCN Tr. Ct., Sept. 17, 2008) (Matha, T).

The Court granted the plaintiff's motion to extend a filing deadline.

OCTOBER 2, 2008

Summer Dawn Dick v. Jonette Pettibone, CV 08-19 Order (Motion Denied) (HCN Tr. Ct., Oct. 2, 2008) (Rockman, A). The Court denied the defendant's Motion to Dismiss, and scheduled deadlines for filings with the Court.



ENROLLMENT

SEPTEMBER 8, 2008

Leilani J. Chamberlain v. Adam Hall, CV 05-109 Stipulation and Order for Continuance (HCN Tr. Ct., Sept. 8, 2008) (Matha, T).

The Court granted the parties' request to postpone further court proceedings in order to discuss possible resolution of the case.

OCTOBER 28, 2008

Joseph L. Decorah v. Office of Enrollment/Adam Hall, CV 05-109 Order (Dismissal)(HCN Tr. Ct., Oct. 29, 2008) (Rockman, A).

The Court granted the parties Joint Motion to Dismiss.



HOUSING

OCTOBER 29, 2008

Ho-Chunk Nation et al. v. Robert Michael Mobley, CV 06-24 Writ of Assistance (HCN Tr. Ct., Oct. 29, 2008) (Matha, T).

The Court responded to the plaintiff's request for assistance in foreclosure, to have ownership conferred over the premises presently occupied by the defendant. Thus, the Court ordered the local law enforcement agency to assist in the ejection and removal of the defendant from the premises.



INCOMPETENT'S TRUST FUND (ITF)

SEPTEMBER 4, 2008

In the Interest of Ward: R.G., DOB 10/08/1962, by LE Phillips – Career Development Ctr. – Corp. Guardian v. HCN Office of Tribal Enrollment, CV 96-49 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 4, 2008) (Rockman, A).

The petitioner submitted receipts which the Court accepted as confirmation of the proper use of funds.

SEPTEMBER 10, 2008

In the Interest of Adult Incompetent: D.P.G., DOB 08/29/82, by Regina Taylor and Tony Salo v. HCN Office of Tribal Enrollment, CV 05-15 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 10, 2008) (Matha, T).

The Court previously released funds from the ITF accounts of the adult incompetent for costs associated with a proportionate amount of rental assistance. Petitioner submitted correspondences, confirming the proper use of funds, which the Court accepted.

OCTOBER 2, 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., Oct. 2, 2008) (Rockman, A).

The petitioner submitted receipts which the Court accepted as confirmation of the proper use of funds.

OCTOBER 13, 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 (Motion Granted) (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

The Court must determine whether to grant the petitioner's request to cease withholding for a particular service provider. The Court granted the motion.

OCTOBER 20, 2008

In the Interest of Adult Incompetent: D.P.G., DOB 08/28/82, by Regina Taylor and Tony Salo v. HCN Office of Tribal Enrollment, CV 05-15 Order (Motion Granted) (HCN Tr. Ct., Oct. 20, 2008) (Rockman, A).

The Court must determine whether to modify the quarterly allowance established on behalf of the incompetent, thereby granting the guardians increased access to the ITF. The Court granted the request, albeit conditionally with regard to a reimbursement for the purchase of a pet for the ward.

OCTOBER 20, 2008

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., Oct. 20, 2008) (Rockman, A).

The petitioner submitted receipts which the Court accepted as confirmation of the proper use of funds.

NOVEMBER 4, 2008

In the Interest of Adult Incompetent: L.R., DOB 03/04/1956, by Adam Hall v. HCN Office of Tribal Enrollment, CV 08-24 Order (Motion Dismissed) (HCN Tr. Ct., Nov. 4, 2008) (Rockman, A).

The petitioner failed to appear at a Fact-Finding Hearing, and thus, the Court dismissed the pending Motion without prejudice.

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

 **DOMESTIC ABUSE**

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. FIVE (5) DECISIONS WERE ISSUED FROM SEPTEMBER 1, 2008 THROUGH NOVEMBER 26, 2008.

 **FAMILY**

 **DIVORCE**
NO DECISIONS AT THIS TIME.

 **JUVENILE CASES**

SEPTEMBER 3, 2008

In the Interest of Minor Children: E.L., DOB 10/11/96, et al., JV 07-46-47 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Sept. 3, 2008) (Matha, T).

The Court granted the request of a party to appear by telephone for a *Child Protection Review Hearing*.

In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14 Order (Request for Supplemental Information) (HCN Tr. Ct., Sept. 3, 2008) (Matha, T).

The Court required a detailed explanation from Ho-Chunk Nation Children & Family Services (hereinafter, CFS) as to why a paternal traditional relative's household proves unsuitable or not in the best interests of the minor child.

SEPTEMBER 4, 2008

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; J.C., DOB 08/01/92 and C.L., DOB 05/30/01, JV 07-23, -25, -53, -54 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Sept. 4, 2008) (Matha, T).

The Court appointed GAL Teala Edwards to represent the interests of the minor children.

In the Interest of Minor Child: T.L.B., DOB 04/06/04, and T.K.W., DOB 10/16/07, JV 07-41-42 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Sept. 4, 2008) (Matha, T).

The Court appointed GAL Teala Edwards to represent the interests of the minor children.

In the Interest of Minor Child: S.S., DOB 04/23/98, and R.S., DOB 10/16/07, JV 07-55-56 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Sept. 4, 2008) (Matha, T).

The Court appointed GAL Teala Edwards to represent the interests of the minor children.

SEPTEMBER 5, 2008

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; and J.C., DOB 08/01/92, JV 07-23, -25, -53, -54 Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 5, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Children: C.L., DOB 05/30/01, JV 07-54 Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 5, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Child: S.E.C., DOB 02/25/96, JV 08-21 Order (Entrance of Plea) (HCN Tr. Ct., Sept. 5, 2008) (Rockman, A).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered pleas of not guilty on behalf of parents who failed to attend the proceeding.

In the Interest of Minor Child: H.L.D., DOB 05/02/91, JV 02-15 Order (Appointment of Interim Temporary Guardian) (HCN Tr. Ct., Sept. 8, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the minor child, considering exigent circumstances facing the minor child. The Court appointed an interim temporary guardian until the Court has an opportunity to more thoroughly examine the facts.

SEPTEMBER 10, 2008

In the Interest of Minor Child: J.G., DOB 10/09/90, JV 07-35 Order (Termination of Jurisdiction) (HCN Tr. Ct., Sept. 10, 2008) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

In the Interest of Minor Child: L.E.C., DOB 10/12/90, JV 01-22 Order (Termination of Jurisdiction) (HCN Tr. Ct., Sept. 10, 2008) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

SEPTEMBER 11, 2008

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-18-20 Order (Granting Emergency Temporary Physical and Legal Custody) (HCN Tr. Ct., Sept. 11, 2008) (Rockman, A). The Court had to determine whether to grant emergency temporary physical and legal custody of the minor children. Determining it was in the children's best interests, the Court granted the *Petition*.

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; and C.H.K., DOB 06/20/05 JV 07-18-21, Order (Dispositional Requirements) (HCN Tr. Ct., Sept. 11, 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 reunifying the family.

In the Interest of Minor Children: P.M.S., DOB 01/14/91, and P.A.S., DOB 01/14/91, JV 98-06-07 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Sept. 11, 2008) (Rockman, A). The Court appointed GAL Francesca Bird to represent the interests of the minor children.

SEPTEMBER 12, 2008

In the Interest of Minor Child: T.L.B., DOB 04/06/04, JV 07-41 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Sept. 12, 2008) (Matha, T). The Court granted the request of a party to appear by telephone for a *Child Protection Review Hearing*.

In the Interest of Minor Children: K.B.M., DOB 10/29/93; G.E.M., DOB 08/25/95; A.D.M., DOB 04/25/97; and L.A.M., DOB 12/16/00, JV 03-07-10 Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 12, 2008) (Matha, T). The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to adopt additional dispositional requirements for both parents.

In the Interest of Minor Children: E.L., DOB 10/11/96; and R.G., DOB 04/21/03, JV 07-54 Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 12, 2008) (Matha, T). The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

SEPTEMBER 19, 2008

In the Interest of Minor Children: S.M., DOB 11/18/92; K.M., DOB 10/18/93; and S.M., DOB 12/13/95, JV 07-60-61 Order (Addressing Guardianship) (HCN Tr. Ct., Sept. 19, 2008) (Rockman, A).

The Court had to determine whether to appoint multiple temporary guardians of the minor children. The Court granted one guardianship request for one party, and denied three other requests from another party.

SEPTEMBER 22, 2008

In the Interest of Minor Child: E.M.W., DOB 08/02/05, JV 08-28, Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Sept. 22, 2008) (Matha, T).

The Court requested CFS to prepare and submit a guardianship report and home study to the Court.

SEPTEMBER 23, 2008

In the Interest of Minor Children: K.C., DOB 03/02/92, and T.C., DOB 03/22/91, JV 08-29-30, Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Sept. 23, 2008) (Rockman, A).

The Court requested CFS to prepare and submit a guardianship report and home study to the Court.

In the Interest of Minor Children: P.M.S., DOB 01/14/91 and P.A.S., DOB 01/14/91, JV 98-06-07, Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 25, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

SEPTEMBER 29, 2008

In the Interest of Minor Child: A.K.C., DOB 11/23/90, 93 CU-21 Order (Termination of Jurisdiction) (HCN Tr. Ct., Sept. 29, 2008) (Rockman, A).

The Court terminated jurisdiction over the instant case.

SEPTEMBER 30, 2008

In the Interest of Minor Children: S.M.M., DOB 11/18/92; K.M., DOB 10/18/93; and S.D.M., DOB 12/13/95, JV 07-09-11, Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Sept. 30, 2008) (Rockman, A).

The Court requested CFS to prepare and submit a guardianship report and home study to the Court.

OCTOBER 1, 2008

In the Interest of Minor Children: L.H.C., DOB 03/05/01, and M.K., DOB 03/10/05, JV 07-44-45 Order (Child Protection Review Hearing) (HCN Tr. Ct., Oct. 1, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

OCTOBER 3, 2008

In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14 Order (Appointment of Temporary Guardians) (HCN Tr. Ct., Oct. 3, 2008) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court appointed temporary guardians, deeming such an appointment to be in the minor child's best interests.

In the Interest of Minor Children: J.C., DOB 06/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07; and D.C., DOB 04/22/08, JV 07-04-05, -34, 08-13 Order (Child Protection Review Hearing) (HCN Tr. Ct., Oct. 3, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

OCTOBER 8, 2008

In the Interest of Minor Child: J.R.P., DOB 02/27/92, JV 03-01 Order (Dismissal of Petition) (HCN Tr. Ct., Oct. 8, 2008) (Matha, T).

The Court dismissed the *Petition* as the petitioner failed to appear at the hearing and did not notify the Court of an inability to attend the proceeding.

OCTOBER 13, 2008

In the Interest of Minor Children: T.K.W., DOB 10/15/07, et al., JV 07-42 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Oct. 13, 2008) (Matha, T).

The Court granted the request of a party to appear by telephone for a *Child Protection Review Hearing*.

In the Interest of Minor Child: P.A.S., DOB 01/14/91, JV 98-07 Capias Order (HCN Tr. Ct., Oct. 13, 2008) (Rockman, A).

The Court authorized CFS to coordinate pick-up by the local police department to deliver the minor child to a secured juvenile facility.

In the Interest of Minor Children: N.L., DOB 10/09/97; N.L., DOB 01/19/99; and K.T.T., DOB 08/08/04, JV 07-15-17 Order

(Revocation of Guardianship) (HCN Tr. Ct., Oct. 13, 2008) (Matha, T).

The Court had to determine whether to terminate the temporary guardianship and return the minor children to the custodial parent. As both parties agreed to revocation, the Court accordingly granted the request for revocation as the underlying judgment rested solely upon parental consent.

OCTOBER 14, 2008

In the Interest of Minor Child: P.A.S., DOB 01/14/91, JV 98-07 Reissued Capias Order (HCN Tr. Ct., Oct. 14, 2008) (Rockman, A).

The Court authorized CFS to coordinate pick-up by the local police department to deliver the minor child to a secured juvenile facility.

OCTOBER 16, 2008

In the Interest of Minor Children: K.C., DOB 03/02/92, and T.C., DOB 03/22/91, JV 08-29-30 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

The Court appointed GAL Teala Edwards to represent the interests of the minor children.

In the Interest of Minor Children: A.A.F., DOB 01/10/92; E.M.F., DOB 03/27/93; and M.R.F., DOB 01/25/99, JV 08-02-04 Order (Child Protection Review Hearing) (HCN Tr. Ct., Oct. 16, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Child: E.M.W., DOB 08/02/05, JV 08-28 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Oct. 16, 2008) (Rockman, A).

The Court appointed GAL Teala Edwards to represent the interests of the minor children.

OCTOBER 17, 2008

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-18-20 Order (Establishment of Child Support) (HCN Tr. Ct., Oct. 17, 2008) (Rockman, A).

The Court granted child support as requested by the temporary guardian.

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 08-

18-20 Order (*Establishment of Child Support- Redacted*) (HCN Tr. Ct., Oct. 17, 2008) (Rockman, A).

The Court granted child support as requested by the temporary guardian. The order was redacted due to the confidential nature of juvenile proceedings, and sent to the appropriate entities.

In the Interest of Minor Child: T.E.B., DOB 12/26/90, CS 06-17 Order (Regarding Support) (HCN Tr. Ct., Oct. 17, 2008) (Matha, T).

The Court discovered that it had imposed the paternal child support obligation against the wrong tribal member. All of the parties had failed to correct the error, and consequently, the interception of child support continued unabated. The Court rectified the error with this judgment.

OCTOBER 20, 2008

In the Interest of Minor Child: A.S.T., DOB 09/14/08 JV 08-31 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Oct. 20, 2008) (Butterfield, M).

The Court appointed GAL Francesca Bird to represent the interests of the minor children.

OCTOBER 21, 2008

In the Interest of Minor Child: N.R.Y., DOB 07/06/91, JV 05-34 Order (Child Protection Review Hearing) (HCN Tr. Ct., Oct. 21, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with dispositional requirements previously entered. The Court determined to maintain the status quo.

OCTOBER 22, 2008

In the Interest of Minor Children: J.C., DOB 04/10/04, and A.C., DOB 01/31/06, JV 07-04-05 Order (Establishment of Paternal Child Support) (HCN Tr. Ct., Oct. 22, 2008) (Matha, T).

The Court granted paternal child support as requested by the temporary guardian.

OCTOBER 23, 2008

In the Interest of Minor Children: J.C., DOB 04/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07; and D.C., DOB 04/22/08, JV 07-04-05, -34, 08-13 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., Oct. 23, 2008) (Matha, T).

The Court granted paternal child support as requested by the temporary guardian.

In the Interest of Minor Children: J.C., DOB 04/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07; and D.C., DOB

04/22/08, JV 07-04-05, -34, 08-13, Order (Establishment of Maternal Child Support-Redacted) (HCN Tr. Ct., Oct. 23, 2008) (Matha, T).

The Court granted child support as requested by the temporary guardian. The order was redacted due to the confidential nature of juvenile proceedings, and sent to the appropriate entities.

In Re: Ho-Chunk Nation Dept. of Treasury Juvenile Case Child Support Distribution Method, Multiple Case Nos., Order (Permitting Electronic Transfer of Funds) (HCN Tr. Ct., Oct. 23, 2008) (Matha, T; Rockman, A).

The Court permitted the Dept. of Treasury to electronically transfer child support funds to CFS to facilitate ease of administration.

In the Interest of Minor Child: S.E.C., DOB 02/25/96, JV 08-21 Order (Formal Trial) (HCN Tr. Ct., Oct. 29, 2008) (Rockman, A).

The Court convened a *Trial* to determine whether CFS could prove the allegations within its initial *Child Protection Petition*.

OCTOBER 29, 2008

In the Interest of Minor Child: H.L.D., DOB 05/02/1991, JV 08-27 Order (Entrance of Plea) (HCN Tr. Ct., Oct. 29, 2008) (Rockman, A).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the parents of the minor children pleaded not guilty to the allegations of the *Petition*. Accordingly, a *Trial* was scheduled.

OCTOBER 31, 2008

In the Interest of Minor Child: C.S.C., DOB 11/22/97; K.K.C., DOB 11/04/99; and K.A.C., DOB 11/02/01, JV 08-07-09 Order (Establishment of Child Support Against Wages) (HCN Tr. Ct., Oct. 31, 2008) (Rockman, A).

The Court granted paternal child support as requested by the temporary guardian.

NOVEMBER 3, 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; and A.M., DOB 03/14/06, JV 07-09-14 Order (Child Protection Review Hearing) (HCN Tr. Ct., Nov. 3, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with standing dispositional requirements. The Court determined to maintain the status quo and added additional dispositional requirements as agreed to by the parties.

In the Interest of Minor Child: A.S., DOB 09/14/08, JV 08-31 Order (Initial Emergency Hearing) (HCN Tr. Ct., Nov. 3, 2008) (Rockman, A).

The Court convened a hearing to advise the parties of their rights, notify the parties of their need to attend a *Plea Hearing* and discuss the current status of the instant case.

In the Interest of Minor Child: J.V., DOB 01/18/94, JV 02-19 Order (Conditional Termination of Jurisdiction) (HCN Tr. Ct., Nov. 4, 2008) (Rockman, A).

The Court conditionally terminated its jurisdiction over the instant case, in light of recommendations from the parties. The condition was requiring the custodial parent to submit proof of family counseling.

NOVEMBER 5, 2008

In the Interest of Minor Child: T.L.B., DOB 04/06/04, JV 07-41 Order (Child Protection Review Hearing) (HCN Tr. Ct., Nov. 5, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Child: T.K.W., DOB 10/16/07, JV 07-42 Order (Child Protection Review Hearing) (HCN Tr. Ct., Nov. 5, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/94; and L.M.T., DOB 01/20/93, JV 07-62-64 Order (Formal Trial) (HCN Tr. Ct., Nov. 5, 2008) (Rockman, A).

The Court convened a *Trial* to determine whether CFS could prove the allegations within its initial *Child Protection Petition*.

In the Interest of Minor Children: C.M.B., DOB 09/24/92; J.R.N., DOB 01/18/95; D.R.N., DOB 07/18/97; B.S.L., DOB 12/26/99; and B.S.L., DOB 05/03/99, JV 08-22-26 Order (Entrance of Plea) (HCN Tr. Ct., Nov. 5, 2008) (Rockman, A).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered pleas of not guilty on behalf of the fathers who failed to attend the proceeding. The mother entered a plea of no contest.

In the Interest of Minor Child: H.L.D., DOB 05/02/1991, JV 08-27 Order (Formal Trial) (HCN Tr. Ct., Nov. 5, 2008) (Rockman, A).

The Court convened a *Trial* to determine whether CFS could prove the allegations within its initial *Child Protection Petition*.

NOVEMBER 7, 2008

In the Interest of Minor Children: K.J.C., DOB 03/02/92, and T.R.C., DOB 03/22/91, JV 08-33-34 Order (Granting Emergency Temporary Physical and Legal Custody) (HCN Tr. Ct., Nov. 7, 2008) (Rockman, A).

The Court had to determine whether to grant emergency temporary physical and legal custody of the minor children. Determining it was in the children's best interests, the Court granted the *Petition*.

In the Interest of Minor Children: C.B.M., DOB 09/24/92; J.R.N., DOB 01/18/95; D.R.N., DOB 07/18/97; B.S.L., DOB 12/26/99; and B.S.L., DOB 05/03/01, JV 08-22-26 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Nov. 7, 2008) (Rockman, A).

The Court appointed GAL Michelle Oravez to represent the interests of the minor children.

In the Interest of Minor Child: E.M.W., DOB 08/02/05, JV 08-28 Order (Continuation of Guardianship Hearing) (HCN Tr. Ct., Nov. 7, 2008) (Matha, T).

The Court continued the *Guardianship Hearing*, in order for the parties to secure legal representation.

NOVEMBER 10, 2008

In the Interest of Minor Children: K.C., DOB 03/02/92, and T.C., DOB 03/22/91, JV 08-29-30 Order (Temporary Guardianship Denied) (HCN Tr. Ct., Nov. 10, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian to the minor children. The Court denied the appointment.

NOVEMBER 12, 2008

In the Interest of Minor Child: M.L.D., DOB 05/23/91, JV 05-15 Order (Child Protection Review Hearing) (HCN Tr. Ct., Nov. 12, 2008) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with dispositional requirements previously entered. The Court determined to maintain the status quo while adopting additional dispositional requirements.

NOVEMBER 13, 2008

In the Interest of Minor Child: T.E.B., DOB 12/26/90, JV 06-17 Order (Child Protection Review Hearing) (HCN Tr. Ct., Nov. 13, 2008) (Matha, T).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with dispositional requirements previously entered. The Court determined to maintain the status quo.

In the Interest of Minor Child: T.E.B., DOB 12/26/90, JV 06-17 Order (Termination of Jurisdiction) (HCN Tr. Ct., Nov. 13, 2008) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

In the Interest of Minor Child: D.R.W., DOB 08/12/04, JV 05-07 Order (Termination of Jurisdiction) (HCN Tr. Ct., Nov. 13, 2008) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

In the Interest of Minor Children: S.E.C., DOB 02/25/96, JV 08-21 Order (Dispositional Requirements) (HCN Tr. Ct., Nov. 13, 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 reunifying the family.

In the Interest of Minor Child: A.S., DOB 09/14/08, JV 08-31 Order (Hearing) (HCN Tr. Ct., Nov. 13, 2008) (Butterfield, M).

The Court had to determine whether or not to reschedule *Trial* upon a formal request by the petitioner. The Court noted its reluctance, while granting the request.

NOVEMBER 14, 2008

In the Interest of Minor Child: L.A.M., DOB 12/16/00, JV 03-10 Order (Submission of Traditional Relative List) (HCN Tr. Ct., Nov. 14, 2008) (Rockman, A).

The Court requested CFS to prepare and submit a submission of a traditional relatives list to the Court in accordance with applicable law.

In the Interest of Minor Child: L.A.M., DOB 12/16/00, JV 03-10 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Nov. 14, 2008) (Rockman, A).

The Court requested CFS to prepare and submit a submission of a guardianship and home study to the Court in accordance with applicable law.

NOVEMBER 17, 2008

In the Interest of Minor Children: J.G.S., DOB 08/29/93; J.S.R., DOB 05/09/96; and J.B.R., DOB 08/03/94, JV 07-37-39 Order (Termination of Temporary Guardianship) (HCN Tr. Ct., Nov. 17, 2008) (Rockman, A).

The Court terminated the temporary guardianship and ordered the resumption of legal custody over the children.



RECENT SUPREME COURT DECISIONS

OCTOBER 23, 2008

Wayne Falcon v. Liz Haller et al., SU 08-04, CV 07-44, Scheduling Order (HCN Tr. Ct., Oct. 23, 2008) (Hunter, M).

The Court scheduled the proceedings of the case.

OCTOBER 29, 2008

Sharon Williams v. HCN Insurance Review Comm., SU 08-01, CV 07-54 Decision (HCN Tr. Ct., Oct. 29, 2008) (Hunter, M).

The Court found that the Trial Court had erred in considering evidence not in the record, and engaging in impermissible fact-finding. Thus, the Court reversed the decision and affirmed the HCN Insurance Review Commission.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

SEPTEMBER 3, 2008

Crystal Larson v. Steven J. Rodriguez, CS 08-58 (Matha, T).

SEPTEMBER 22, 2008

Jackson Co. CSA v. Harriet Hopinkah, CS 08-59 (Rockman, A).

State of Wisconsin ex rel. v. Adrienne G. Lewis, CS 08-55 (Matha, T).

 **CIVIL CASES**

SEPTEMBER 2, 2008

In the Interest of Minor Child: Caleb G. Funmaker, DOB 03/03/87 v. HCN Office of Tribal Enrollment, CV 08-52 (Matha, T).

SEPTEMBER 8, 2008

In the Interest of Decedent: Cerridwyn Marie Ursula Brigid Roseanne Lujan a/k/a Kerry Lujan, by Judith Lujan v. HCN Office of Tribal Enrollment CV 08-53 (Rockman, A).

SEPTEMBER 9, 2008

In the Interest of Adult CTF Beneficiary: Lynn St. Cyr, DOB 11/25/88 v. HCN Office of Tribal Enrollment CV 08-54 (Rockman, A).

In the Interest of E.D.P. DOB 07/2/99, by Eva Powless v. HCN Office of Tribal Enrollment., CV 08-55 (Rockman, A).

SEPTEMBER 10, 2008

In the Interest of Minor Child: T.W. DOB 04/09/93, by Sara WhiteEagle v. HCN Office of Tribal Enrollment CV 08-56 (Rockman, A).

SEPTEMBER 11, 2008

Joseph L. Decorah v. HCN Office of Tribal Enrollment, CV 08-57 (Rockman, A).

SEPTEMBER 16, 2008

In the Interest of Minor Child: T.R.F. DOB 07/13/00, by Dyan Thundercloud v. HCN Office of Tribal Enrollment, CV 08-58 (Matha, T).

In the Interest of Minor Child: F.V.W. DOB 07/27/90, by Felicia J. Wanna v. HCN Office of Tribal Enrollment, CV 08-59 (Matha, T).

SEPTEMBER 17, 2008

In the Interest of Minor Child: E.J.B. DOB 5/19/99, by Myra Price v. HCN Office of Tribal Enrollment, CV 08-60 (Matha, T).

SEPTEMBER 18, 2008

In the Interest of Minor Child: A.J.K.. DOB 12/28/94, by Michelle Brito v. HCN Office of Tribal Enrollment, CV 08-61 (Matha, T).

SEPTEMBER 19, 2008

In the Interest of Minor Children: W.L. DOB 01/19/94 and W.L. DOB 07/10/98, by Lawanda Ann Idalski v. HCN Office of Tribal Enrollment, CV 08-62 (Matha, T).

SEPTEMBER 22, 2008

In the Interest of Adult CTF Beneficiary: Herman Jones DOB 11/12/1988 v. HCN Office of Tribal Enrollment, CV 08-63 (Rockman, A).

SEPTEMBER 23, 2008

In the Interest of Minor Child: D.R.O. DOB 01/12/96, by Victoria J. Ortiz v. HCN Office of Tribal Enrollment, CV 08-64 (Rockman, A).

SEPTEMBER 25, 2008

In the Interest of Minor Children: D.J.W. DOB 03/17/94; V.H.W. DOB 07/27/95; A.P.W. DOB 10/28/91 and D.C.W. DOB 12/14/96, by JoAnne Mann v. HCN Office of Tribal Enrollment, CV 08-65 (Rockman, A).

SEPTEMBER 30, 2008

In the Interest of Minor Child: A.W. DOB 09/14/97, by Angie Waegle v. HCN Office of Tribal Enrollment, CV 08-64 (Matha, T).

OCTOBER 1, 2008

Mildred A. Smith v. Majestic Pines Casino Bingo and Insurance Co., CV 08-64 (Matha).

OCTOBER 10, 2008

In the Interest of Minor Child: D.M.S. DOB 01/12/93, by Nela Stacy v. HCN Office of Tribal Enrollment, CV 08-69 (Rockman, A).

OCTOBER 14, 2008

In the Interest of Minor Child: D.Y. DOB 01/26/98, by Teddy Yellowcloud v. HCN Office of Tribal Enrollment, CV 08-70 (Matha, T).

In the Interest of Minor Child: C.M.Y. DOB 01/18/94, by Cynthia Yellowcloud v. HCN Office of Tribal Enrollment, CV 08-71 (Matha, T).

OCTOBER 16, 2008

In the Interest of Minor Child: A.M.C. DOB 06/02/96, by Sherie Crowley v. HCN Office of Tribal Enrollment, CV 08-72 (Matha, T).

OCTOBER 20, 2008

In the Interest of Adult CTF Beneficiary: Tasha L. Hand, DOB 08/07/88 v. HCN Office of Tribal Enrollment, CV 08-73 (Rockman, A).

OCTOBER 22, 2008

In the Interest of Minor Child: L.W. DOB 08/10/02, by Ardith Snowball v. HCN Office of Tribal Enrollment, CV 08-74 (Rockman, A).

OCTOBER 24, 2008

In the Interest of Minor Child: K.R.S. DOB 01/01/95, by Rita Pillsbury v. HCN Office of Tribal Enrollment, CV 08-75 (Matha, T).

NOVEMBER 3, 2008

In the Interest of Minor Child: T.R.P. DOB 11/20/92, by Lori Pettibone v. HCN Office of Tribal Enrollment, CV 08-75 (Matha, T).

NOVEMBER 12, 2008

In the Interest of Minor Child: K.H. DOB 02/20/94, by Sara Dobbs v. HCN Office of Tribal Enrollment, CV 08-77 (Matha, T).

In the Interest of Minor Child: R.F.T. DOB 10/14/98, by Lynne Decorah-Tipperly v. HCN Office of Tribal Enrollment, CV 08-78 (Matha, T).

NOVEMBER 18, 2008

Kenneth Lee Twin v. HCN Grievance Rev. Bd. et al., CV 08-79 (Rockman, A).

Karen Listcher v. HCN Grievance Rev. Bd., CV 08-80 (Rockman, A).

NOVEMBER 20, 2008

In the Interest of Minor Child: D.G.R. DOB 03/16/98, by Aaron G. Rodriguez v. HCN Office of Tribal Enrollment, CV 08-81 (Rockman, A).

In the Interest of Minor Child: O.S. DOB 07/03/95, by John Steindorf v. HCN Office of Tribal Enrollment, CV 08-82 (Rockman, A).

In the Interest of Minor Child: D.G.R. DOB 03/16/98, by Aaron G. Rodriguez v. HCN Office of Tribal Enrollment, CV 08-81 (Matha, T).

Marilyn LaMere v. HCN et al., CV 08-34 (Rockman, A).

NOVEMBER 24, 2008

In the Interest of Minor Child: LN.W. DOB 02/15/92, by Jennifer Whiteeagle v. HCN Office of Tribal Enrollment, CV 08-85 (Matha, T).

NOVEMBER 26, 2008

Gloria Visintin v. HCN Election Bd., CV 08-86 (Matha, T).

In the Interest of Minor Child: L.M. DOB 01/8/92, by Jean Ann Day v. HCN Office of Tribal Enrollment, CV 08-87 (Matha, T).

**CIVIL GARNISHMENT CASES****SEPTEMBER 3, 2008**

Tomah Memorial Hospital v. Stephanie Littlegeorge, CG 08-83 (Matha, T).

SEPTEMBER 8, 2008

Speed Cash Loans v. Candace Conant, CG 08-84 (Matha, T).

SEPTEMBER 17, 2008

Alliance Collection Agency v. Lambert Cleveland, CG 08-85 (Matha, T).

SEPTEMBER 22, 2008

Creditor Recovery Service v. David Rice, CG 08-87 (Matha, T).

Ron's Refrigeration A.C., Inc. v. Debra Ismailjoski, CG 08-88 (Matha, T).

OCTOBER 3, 2008

Credit Recovery Service v. Paul Belcher, CG 08-78 (Matha, T).

OCTOBER 8, 2008

Credit Recovery Service v. Terry D. McCrossen, CG 08-90 (Matha, T).

Creditor Recovery Service v. Mark L. Pflager, CG 08-91 (Matha, T).

Black River Memorial v. Ricky & Katie Folkers, CG 08-92 (Matha, T).

Mile Bluff Clinic v. Janice M. Bowen, CG 08-93 (Matha, T).

OCTOBER 10, 2008

Alliance Collection v. Sonia Smendborn, CG 08-94 (Matha, T).

OCTOBER 23, 2008

Warren Loveland v. Stephanie Littlegeorge, CG 08-96 (Matha, T).

Warren Loveland v. Luanna Littlegeorge, CG 08-97 (Matha, T).

NOVEMBER 10, 2008

All American Plaza v. Kelly Medina, CG 08-98 (Matha, T).

Speed Cash Loans v. Kelly Medina, CG 08-99 (Matha, T).



JUVENILE CASES

SEPTEMBER 10, 2008

In the Interest of Minor Children: C.M.B., DOB 9/24/92; J.R.N., DOB 01/18/95; D.R.N., DOB 07/18/97; B.S.L., DOB 12/26/99, and B.S.L., DOB 05/03/01, JV 08-22-26 (Rockman, A).

In the Interest of Minor Child: H.L.D., DOB 05/02/91, JV 08-27 (Rockman, A).

SEPTEMBER 19, 2008

In the Interest of Minor Child: E.M.W., DOB, DOB 05/02/91, JV 08-28 (Matha, T).

SEPTEMBER 23, 2008

In the Interest of Minor Children: K.C., DOB 05/02/91 and T.C., DOB 03/22/91, JV 08-29-30 (Rockman, A).

OCTOBER 15, 2008

In the Interest of Minor Child: A.S.C., DOB 09/14/08, JV 08-31 (Butterfield, M).

OCTOBER 30, 2008

In the Interest of Minor Child: M.L.G., DOB 04/18/07, JV 08-32 (Matha, T).

NOVEMBER 7, 2008

In the Interest of Minor Children: K.C., DOB 05/02/91 and T.C., DOB 03/22/91, JV 08-33-34 (Rockman, A).

NOVEMBER 7, 2008

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-35 (Rockman, A).

NOVEMBER 20, 2008

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 (Rockman, A).

NOVEMBER 26, 2008

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 (Matha, T).

In the Interest of Minor Child: A.A., DOB 03/23/98, JV 08-37 (Matha, T).



FAMILY CASES

NO FILINGS AT THIS TIME.



DOMESTIC VIOLENCE

DOMESTIC ABUSE AND ELDER PROTECTION FILINGS SHALL BE KEPT CONFIDENTIAL. THREE (3) CASES WERE FILED BY PETITIONERS.

Creditor Recovery Service v. Mark Houghton, CG 08-100 (Matha, T).

Creditor Recovery Service v. Sheila Whiteeagle, CG 08-101 (Matha, T).

Drs. Overman, Henga, Reich & Stelle v. Rachel Montana, CG 08-102 (Matha, T).

Alliance Collection Agencies, Inc. v. Lanette R. Walker, CG 08-103 (Matha, T).

NOVEMBER 13, 2008

Quick Cash Loans v. Jennifer Dominguez, CG 08-104 (Matha, T).

NOVEMBER 20, 2008

Creditor Recovery Service v. Thomas Weigel, CG 08-105 (Matha, T).

Creditor Recovery Service v. Phillip J. Osowski, CG 08-106 (Matha, T).

Creditor Recovery Service v. Missy J. Redcloud, CG 08-107 (Matha, T).

DECEMBER 1, 2008

Trak America 5499 v. Traci McGutt, CG 08-108 (Matha, T).

Rausch et al. v. Clifford Blackdeer, CG 08-109 (Matha, T).

Rausch et al. v. Ruth Puent, CG 08-110 (Matha, T).

State Collection Service v. Richard Cohoon, Jr., CG 08-111 (Matha, T).

DECEMBER 2, 2008

Resurgent Capital Services v. Michael Littlewolf, CG 08-11 (Matha, T).

Kohn Law Firm v. Glen Kasper, CG 08-113 (Matha, T).

DECEMBER 3, 2008

Sauk Co. Clerk of Ct v. Robert L. Funmaker, CG 08-115 (Matha, T).

Sauk Co. Clerk of Ct. v. Philmore B. Jackson, CG 08-116 (Matha, T).

Sauk Co. Clerk of Ct. v. Brian S. LaMere, CG 08-117 (Matha, T).

RECENT SUPREME COURT FILINGS

OCTOBER 14, 2008

Wayne Falcon v. Liz Haller et al., SU-08-04.

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



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

Wayne Falcon
Dennis Funmaker
Cecil Garvin
Jim Greendeer
Douglas Greengrass
Richard Mann
Desmond Mike
Douglas Red Eagle
Preston Thompson, Jr.
Eugene Thundercloud
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 Falcon
Administrative Assistant – Rosalie Kakkak
Bailiff – Al Carrimon
Law Clerk/Staff Attorney – Natalie Stites (Ed.)
Law Clerk/Staff Attorney – Joshua O. Rees

* 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

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).