

HO-CHUNK NATION COURT BULLETIN

HCN BAR : DO YOU STILL NEED A NEW YEAR'S RESOLUTION?

The HoChunk Nation (HCN Supreme Court Justices challenges BAR members to resolve to review through the *Rules of Professional Conduct for Attorney*. As you know, on September 24, 2005, the Supreme Court adopted the *Wisconsin Court Rules of Professional Conduct for Attorneys* (SCR Chapter 20).¹

Just to show how important it is to know those rules that the HCN BAR agreed to abide, let's review over rule SCR 20:8.3(A). This rule, **Reporting Professional Misconduct** states:

A lawyer having knowledge that another lawyer has committed a violation of the *Rules of Professional Conduct* that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, should inform the appropriate professional authority.

Should the question arise about the intent of this particular rule, each ruling provides for comment which offers guidance to the intent of the rule.

To obtain a snapshot of the *Rules of Professional Conduct for Attorneys*, the website is : www.wisbar.org. A copy of the rules are also located in the Tribal Court library.

Submitted by: HCN Supreme Court Justice Joan Greendeer-Lee

Associate Justice Greendeer-Lee first served the HCN Tribal Court as the first Associate Trial Court Judge from 1996-1999. During that tenure, she served as the President of the Wisconsin Tribal Court Judges Association. From 1999-2007, Associate Justice Greendeer-Lee served as Preliminary Review Committee member for the State of Wisconsin Office of Lawyer Regulation

JANUARY 2009



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¹ Lay Advocates practicing in the Ho-Chunk Nation Court Systems are exempt from the section titled 20:1.15 Safekeeping Property.

SERVE YOUR PEOPLE. REPRESENT.

The Ho-Chunk Nation Trial Court is offering a unique training opportunity to prepare individuals to represent people in tribal court.

A **lay advocate** is trained to represent people in a variety of cases, but is not a licensed attorney.

Interested individuals are invited to attend an **informational meeting** at **4:30 p.m.** on **Thursday, March 26th** to prepare for the 4-day training offered by the HCN Trial Court.

Contact the staff attorneys for the HCN Trial Court at (715) 284-2722 for more information, or go to:

www.hochunknation.com/?PageId=28

Informational Meeting March 26, 2009

Registration Deadline April 3, 2009

Lay Advocate Training April 28 - May 1, 2009

Educational leave for HCN employees has been approved by the HCN Dept. of Personnel. Contact your immediate supervisor for approval.

Certification by the Wisconsin Tribal Court Judge's Association, Inc. is pending.

The HCN Supreme Court is charged with admitting qualified individuals to the HCN Bar Association. Upon completion of this training, Lay Advocates shall be required to apply for admission to the bar on an individual basis.

SERVE YOUR PEOPLE. REPRESENT. BECOME A LAY ADVOCATE.

HO-CHUNK NATION COURT BULLETIN
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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

DECEMBER 9, 2008

Hope B. Smith v. Mary B. Smith et al., CS 05-16, 06-48 Order (Erratum) (HCN Tr. Ct., Dec. 9, 2008) (Matha, T).

The Court corrected a clerical error in a previous order.

Sauk Co. Child Support Agency v. April D. Lincoln., CS 07-07 Order (Erratum) (HCN Tr. Ct., Dec. 9, 2008) (Matha, T).

The Court corrected a clerical error in a previous order.

DECEMBER 16, 2008

State of Wisconsin ex rel. v. Bernard A. Mountain, CS 08-63, Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Dec. 16, 2008) (Rockman, A).

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.

State of Wisconsin ex rel. v. Bernard Mountain, CS 08-63 Order (Releasing Impound) (HCN Tr. Ct., Dec. 16, 2008) (Rockman, A).

The Court released a previously impounded amount of the respondent's November per capita distribution, and released such impound pursuant to a subsequent submission by the petitioner.

DECEMBER 17, 2008

Tammy Klunder v. Clifford T. Blackdeer, CS 99-67 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Dec. 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 petitioner failed to timely respond, thus the Court granted the motion.

State of Wisconsin ex rel. v. Leah L. Fiske, f/k/a Leah L. Topping, CS 99-05 Order (Suspending Current Child Support Withholding) (HCN Tr. Ct., Dec. 16, 2008) (Matha, T).

The Court ceased withholding from the respondent's per capita payments, in light of a concurrent confidential proceeding.

State of Wisconsin ex rel. v. Brent M. Funmaker, CS 97-18 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Dec. 30, 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.

Emily June Boswell v. Francis P. Rave, Sr., CS 98-57 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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. Bryan D. Powless, CS 98-28 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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. David A. WhiteEagle, CS 98-26 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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.

Yvonne Barrett v. Roger Kim Pettibone, CS 06-30 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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.

Melissa McGill v. Jones Decorah, CV 96-66 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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.

Rebecca Rodriguez v. Garrett L. Banuelos, CS 06-35 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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.

Carol Marceau (Samm) v. Deron W. Decorah, CS 04-23 Notice (Child Turning Eighteen – Requiring Proof of Enrollment (HCN Tr. Ct., Dec. 30, 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.

JANUARY 7, 2009

Dane Co. Child Support Agency ex rel. v. Shane G. Hendrick, CS 08-73 Default J. (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 7, 2009) (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.

La Crosse Co. Child Supp. Agency ex rel. v. Arthur Brown, CS 08-78 Default J. (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 7, 2009) (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.

Evelyn Burrell v. Ronell K. Brooks, CS 08-68 Default J. (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 7, 2009) (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.



Kimayana Johnson v. Ronell K. Brooks, CS 08-67 Default J. (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 7, 2009) (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.

Menominee Indian Tribal Child Supp. Agency ex rel. v. Joseph Reiter, CS 08-61 Default J. (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 7, 2009) (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.

JANUARY 8, 2009

Eau Claire Co. Child Supp. Agency ex rel. v. Silas Quagon, CS 06-44 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments due to the fact that the child reached the age of eighteen (18).

Ashland Co. Child Supp. Agency ex rel. v. Chastity Miller, CS 06-28 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments on the request of the petitioner.

Dawn E. Hunt v. Forrest A. Funmaker, CS 06-62 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments in enforcement of a foreign order ceasing withholding.

Nicole Leonard v. Taylor J. Houghton, Sr., CS 06-64 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments on the request of the petitioner.

Delores Buker v. Ervin Buker, CS 04-63 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments on the request of the petitioner.

Lucy K. Snake v. Roger D. Snake, CV 97-01 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments due to the fact that the child reached the age of eighteen (18).

Marilyn E. Conto v. Harry David Blackhawk, CV 97-114 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 8, 2009) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments due to the fact that the child reached the age of eighteen (18).

JANUARY 13, 2009

Kyle M. Funmaker v. Richard K. Decorah, CS 99-36 Reissued Order: Default J. (Cessation of Child Support Withholding) (HCN Tr. Ct., Jan. 13, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments.

State of Wisconsin ex rel. v. Henry WhiteThunder et al., CV 97-86 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 13, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments on request of the petitioner due to the fact that the child reached the age of eighteen (18).

Francesca J. Bird v. Patricia A. Nicholas, CS 07-85 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 13, 2009) (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.



JANUARY 14, 2009

State of Wisconsin ex rel. et al. v. Tyrone E. Cloud, CS 06-43, 08-76 Default J. (Equitable Adj.) (HCN Tr. Ct., Jan. 14, 2009) (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 due to the respondent's serial payor status.

State of Wisconsin ex rel. et al. v. Andrew J. Munden, CS 07-74, 08-71 Default J. (Equitable Adj.) (HCN Tr. Ct., Jan. 14, 2009) (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 due to the respondent's serial payor status.

State of Wisconsin ex rel. v. Bryan D. Powless, CS 98-28 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Jan. 14, 2009) (Rockman, A).

The petitioner filed proof of high school enrollment, and thus, the Court continued child support withholding through August 2009.

Forest Co. Potwatomi Child Supp. Agency ex rel. v. Corena White Cloud, CS 05-09 Order (Modifying & Enforcing Child Supp.) (HCN Tr. Ct., Jan. 14, 2009) (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.

JANUARY 15, 2009

Michelle Cortez et al. v. Thomas L. Harrison, CS 07-04, 08-14 Order (Modifying Child Supp.) (HCN Tr. Ct., Jan. 15, 2009) (Matha, T).

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

Ramsey Co. Child Supp. Agency ex rel. v. Craig S. Moyer, CS 08-45, 08-75 Default J. (Equitable Adj.) (HCN Tr. Ct., Jan. 15, 2009) (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 due to the respondent's serial payor status.

Sauk Co. Child Supp. Agency ex rel. et al. v. Isaiah M. Funmaker, CS 07-54, 08-56 Default J. (Equitable Adj.) (HCN Tr. Ct., Jan. 15, 2009) (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 due to the respondent's serial payor status.

State of Wisconsin ex rel. v. Donald M. Cholka, CS 05-01 Order (Modifying & Enforcing Child Supp.) (HCN Tr. Ct., Jan. 15, 2009) (Rockman, A).

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

Anna Webb et al. v. Nathaniel H. Long, Jr., CS 98-49, 02-03, 05-83, 08-79 Default J. (Equitable Adj.) (HCN Tr. Ct., Jan. 15, 2009) (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 due to the respondent's serial payor status.

State of Wisconsin ex rel. v. Jordan Decorah, CS 08-72 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 15, 2009) (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.

Daniel Stabler v. Tricia R. Custodio, CS 08-66 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 15, 2009) (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.

Angela Marie (Hoffman) Parker v. Clinton Coy Sitze, CS 07-79 Order (Ceasing Arrearage Withholding) (HCN Tr. Ct., Jan. 15, 2008) (Matha, T).

The Court ceased withholding for arrears, granting the respondent's motion indicating satisfaction of arrears.

State of Wisconsin ex rel. v. Christopher Littlewolf, CS 03-03 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 15, 2009) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

State of Wisconsin ex rel. et al. v. Mitchell Redcloud, CS 02-33, 03-42 Order (Updating Arrears) (HCN Tr. Ct., Jan. 15, 2009) (Rockman, A).

The Court updated the balance of back child support owed by the respondent.

JANUARY 16, 2009

Melanie Stacy n/k/a Melanie Two Bears et al. v. Harrison Funmaker, CV 96-48, CS 06-13 Order (Updating Arrears) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

The Court updated the balance of back child support owed by the respondent.

Mary Martinson v. Mark Houghton, CS 98-43 Order (Enforcing Child Support) (HCN Tr. Ct., Jan. 16, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner's recent motion to modify. The Court granted the motion light of a previous clerical error which resulted in a premature cessation of child support.

State of Nebraska ex rel. v. Shane A. Oknewski, CS 05-39, 06-12, 06-18, 07-48, 07-49, 08-74 Default J. (Equitable Adj.) (HCN Tr. Ct., Jan. 16, 2009) (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 due to the respondent's serial payor status.

State of Wisconsin ex rel. et al. v. Augustus G. Downey, CS 02-04, 07-35 Order (Modifying Equitable Adj.) (HCN Tr. Ct., Jan. 15, 2009) (Matha, T).

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

State of Wisconsin ex rel. et al. v. Gene J. Cloud, CS 98-37, 02-06 Order (Modifying Child Supp. & Equitable Adj.) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

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

State of Wisconsin ex rel. et al. v. Jason H. Rave, CS 04-03, 07-44 Order (Modifying Child Supp. & Equitable Adj.) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

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

Mille Smith et al. v. Kevin M. Smith, CV 97-51, CS 99-60 Order (Updating Arrears) (HCN Tr. Ct., Jan. 16, 2009) (Rockman, A).

The Court updated the balance of back child support owed by the respondent in CS 99-60, and reinstated arrears withholding against the respondent's per capita payments.



State of Wisconsin ex rel. et al. v. Reuben Rave, Jr., CV 97-171, CS 01-38 Order (Updating Arrears) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

The Court updated the balance of back child support owed by the respondent in CV 97-171, and reinstated arrears withholding against the respondent's per capita payments.

Kimberly Eades v. Desirae Adams, CS 08-77 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 16, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The Court assumed the acquiescence of the parties as the petition was filed by the respondent. Thus, the Court granted recognition and enforcement of the foreign judgment.

Lucie A. Penland v. Michael T. Penald, CS 08-65 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 16, 2009) (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.

CIVIL GARNISHMENT CASES

DECEMBER 4, 2008

Alliance Collection Agencies, Inc. v. Lanette R. Walker, CG 08-103 Order (Default Judgment) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

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

Creditor Recovery Service, LLC v. Jerry D. McCrossen, CG 08-90 Order (Default Judgment) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent failed to timely respond,

thus the Court granted a default judgment in favor of the petitioner.

Speedcash Loans v. Kelly Medina, CG 08-99 Order (Default Judgment) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

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

Creditor Recovery Service, LLC v. Mark Houghton, CG 08-100 Order (Default Judgment) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

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

In the Matter of the Outstanding Obligations of: Robert L. Funmaker, CG 08-115 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court recognized and enforced the foreign judgment out of due respect to its state counterpart.

In the Matter of the Outstanding Obligations of: Brian S. LaMere, CG 08-117 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court recognized and enforced the foreign judgment out of due respect to its state counterpart.

In the Matter of the Outstanding Obligations of: Philmore B. Jackson, CG 08-116 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

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



foreign judgment out of due respect to its state counterpart.

DECEMBER 17, 2008

In the Matter of the Outstanding Obligations of: Robert L. Funmaker, CG 08-115 Order (Satisfaction of Judgment) (HCN Tr. Ct., Dec. 17, 2008) (Matha, T).

The Court recognized the satisfaction of the debt obligation, and closed the file absent any timely objection from the parties.

DECEMBER 22, 2008

Creditor Recovery Service, LLC v. Phillip J. Osowski, CG 08-106 Order (Default Judgment) (HCN Tr. Ct., Dec. 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. Thomas L. Weigel, CG 08-105 Order (Default Judgment) (HCN Tr. Ct., Dec. 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.

DECEMBER 29, 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*.

DECEMBER 29, 2008

All American Plaza v. Kelly Medina, CG 08-98 Order (Dismissal) (HCN Tr. Ct., Dec. 29, 2008) (Matha, T).

The Court granted the *Motion for Dismissal* requested by the petitioner.

DECEMBER 30, 2008

Resurgant Capital Services (WI) 6989 v. Michael Littlewolf, CG 08-112 Order (Default Judgment) (HCN Tr. Ct., Dec. 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Capital One Bank v. Kathleen S. Radle, CG 08-114, Order (Granting Telephonic Appearance) (HCN Tr. Ct., Dec. 30, 2008) (Matha, T).

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

HSBC Bank (2484) (WI) v. Clifford Blackdeer, CG 08-109 Order (Default Judgment) (HCN Tr. Ct., Dec. 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

JANUARY 2, 2009

Creditor Recovery Service v. Mark A. Pflager, CG 08-91 Order (Default Judgment) (HCN Tr. Ct., Jan. 2, 2009) (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. Jennifer Dominquez, CG 08-104 Order (Default Judgment) (HCN Tr. Ct., Jan. 2, 2009) (Matha, T).

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

JANUARY 19, 2009

Alliance Collection Agencies, Inc. v. Jeffrey Dayton, CG 08-121 Order (Default Judgment) (HCN Tr. Ct., Jan. 19, 2009) (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 & Clinics v. Richard Cohoon, CG 08-111 Order (Default Judgment) (HCN Tr. Ct., Jan. 19, 2009) (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 08-119 Order (Default Judgment) (HCN Tr. Ct., Jan. 19, 2009) (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.

Trak America 5499 (WI) v. Traci M. Gutt, CG 08-108 Order (Default Judgment) (HCN Tr. Ct., Jan. 19, 2009) (Matha, T).

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

JANUARY 22, 2009

HSBC Bank (23484) (WI) v. Clifford Blackdeer, CG 08-109 Order (Satisfaction of Judgment) (HCN Tr. Ct., Jan. 22, 2009) (Matha, T).

The Court recognized satisfaction of the debt in the instant case, upon a filing indicating the judgment has been paid in full.

Midland Funding LLC v. Glen N. Kasper, CG 08-113 Order (Petition Granted) (HCN Tr. Ct., Jan. 22, 2009) (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, the

parties reached an agreement and the Court granted the relief requested by the petitioner.

CIVIL CASES

JANUARY 6, 2009

Gerald Cleveland, Jr. v. Ho-Chunk Nation Legislators: Check Signers, CV 08-36 Order (Regarding Discovery) (HCN Tr. Ct., Jan. 6, 2009) (Matha, T).

The Court must determine whether to grant the defendants' motion to compel discovery. The Court held that the defendants must utilize a different discovery method when attempting to elicit information from non-parties.

ADMINISTRATIVE APPEALS

NOVEMBER 26, 2008

Marilyn LaMere v. Ho-Chunk Nation et al., CV 08-84 Scheduling Order (HCN Tr. Ct., Nov. 26, 2008) (Rockman, A).

The Court scheduled the proceedings for the instant case.

DECEMBER 9, 2008

Gail S. White v. Jean Day et al., CV 07-54 Order (Remanding) (HCN Tr. Ct., Dec. 9, 2008) (Matha, T).

The Court responded to a remand from the Supreme Court, and instructed the HCN Grievance Review Board (hereinafter GRB) to conduct additional fact finding in order to determine the relevant legal issues.

DECEMBER 19, 2008

Kerry Funmaker v. HCN Grievance Review Bd., CV 08-18 Order (Remand) (HCN Tr. Ct., Dec. 19, 2008) (Rockman, A).

The Court must determine whether to uphold the decision of the GRB. While the Court found that the petitioner was afforded due process of law; the Court remanded the issue as to what portion of the EMPLOYMENT RELATIONS ACT OF 2004 was used to make legal conclusions regarding sexual harassment.



DECEMBER 19, 2008

Janet Funmaker v. HCN Grievance Review Bd., CV 08-37 Order (Affirming) (HCN Tr. Ct., Dec. 19, 2008) (Matha, T).

The Court must determine whether to uphold the decision of the GRB. The Court affirmed the agency decision due to the presence of substantial evidence to support the underlying decision.

DECEMBER 23, 2008

Tracy Cole v. HCN Grievance Review Bd., CV 08-39 Order (Affirming) (HCN Tr. Ct., Dec. 23, 2008) (Rockman, A).

The Court must determine whether to uphold the decision of the GRB. The Court affirmed the decision of the GRB due to the presence of substantial evidence to support the decision, and the decision was not arbitrary and capricious.

JANUARY 5, 2009

Kristin White Eagle v. HCN Grievance Review Bd., CV 08-17 Order to Extend Time to Respond to Petitioner's Initial Brief (HCN Tr. Ct., Jan. 5, 2009) (Matha, T).

The Court granted an extension of time for the Response Brief, upon agreement by the parties.

Darren L. Brinegar v. HCN Grievance Review Bd., CV 08-50 Order to Extend Time to Respond to Petitioner's Initial Brief (HCN Tr. Ct., Jan. 5, 2009) (Rockman, A).

The Court granted an extension of time for the Response Brief, upon agreement by the parties.

Cheryl Brinegar v. HCN Grievance Review Bd., CV 08-45 Order to Extend Time to Respond to Petitioner's Initial Brief (HCN Tr. Ct., Jan. 5, 2009) (Rockman, A).

The Court granted an extension of time for the Response Brief, upon agreement by the parties.

JANUARY 11, 2009

Daniel Topping v. Grievance Review Bd., CV 08-84 Scheduling Order (HCN Tr. Ct., Jan. 11, 2009) (Rockman, A).

The Court scheduled the proceedings for the instant case.

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

NOVEMBER 19, 2008

In the Interest of Minor Children: W.L., DOB 01/19/94 and J.R., DOB 07/10/98, by Lawanda A. Idalski v. HCN Office of Tribal Enrollment, CV 08-64 Order (Dismissal without Prejudice) (HCN Tr. Ct., Nov. 19, 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.

DECEMBER 3, 2008

In the Interest of Minor Child: O.S., DOB 07/03/95, by John Steindorf v. HCN Office of Tribal Enrollment, CV 08-82 Order (Petition Granted) (HCN Tr. Ct., Dec. 3, 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.

DECEMBER 4, 2008

In the Interest of Minor Child: W.F.O. III, DOB 11/27/96, by Liane Brown v. HCN Office of Tribal Enrollment, CV 08-88 Order (Petition Granted) (HCN Tr. Ct., Dec. 4, 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.

In the Interest of Minor Child: S.T.F., DOB 12/13/95, by Forrest Funmaker v. HCN Office of Tribal Enrollment, CV 08-90 Order (Petition Granted) (HCN Tr. Ct., Dec. 4, 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.

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 Order (Petition Granted) (HCN Tr. Ct., Dec. 4, 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.

DECEMBER 9, 2008

In the Interest of Minor Child: R.G.C., DOB 07/27/90, by June WhiteThunder v. HCN Office of Tribal Enrollment, CV 08-49 Order (Conditional Dismissal) (HCN Tr. Ct., Dec. 9, 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 education. The Court requested additional information at a *Fact Finding Hearing*, which the petitioner failed to submit. Thus, the Court conditionally dismissed the *Petition*, pending a submission from the petitioner on or before January 9, 2009.

DECEMBER 9, 2008

In the Interest of Minor Child: W.F.O. III, DOB 11/27/96, by Liane Brown v. HCN Office of Tribal Enrollment, CV 08-88 Order (Erratum) (HCN Tr. Ct., Dec. 9, 2008) (Rockman, A).

The Court corrected a clerical error in the previous decision.

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 Order (Erratum) (HCN Tr. Ct., Dec. 4, 2008) (Rockman, A).

The Court corrected a clerical error in the previous decision.

DECEMBER 11, 2008

In the Interest of Minor Children: A.W., DOB 0/28/91; D.W., DOB 03/17/94; V.W., DOB 07/25/95; and D.W., DOB 12/14/96, by Joanne Mann v. HCN Office of Tribal Enrollment, CV 08-65 Order (Petition Granted in Part, Denied in Part) (HCN Tr. Ct., Dec. 11, 2008) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor children for costs associated with debts related to a home mortgage and personal loan. The Court granted the request for assistance with the mortgage in the form of a loan from each minor child's trust account, and denied the request regarding the personal loan.

DECEMBER 16, 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 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 16, 2008) (Rockman, A).

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with oral surgery. The petitioner submitted a receipt confirming the proper use of funds, which the Court accepted.

In the Interest of Minor Child: D.D., DOB 05/29/92, by Laurie Dorwin v. HCN Office of Tribal Enrollment, CV 08-41 Order (Petition Granted) (HCN Tr. Ct., Dec. 16, 2008) (Rockman, A).

The Court denied the petitioner's request for a release of funds to pay for costs associated with the purchase of an automobile. The petitioner could not demonstrate that the purchase of the automobile was a necessity.

DECEMBER 17, 2008

In the Interest of Minor Child: L.N.W., DOB 02/15/92, by Jennifer L. WhiteEagle v. HCN Office of Tribal Enrollment, CV 08-85 Order (Petition Granted) (HCN Tr. Ct., Dec. 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 orthodontia procedures. The Court granted the petition.

In the Interest of Minor Child: K.H., DOB 02/20/04, by Sara Dobbs v. HCN Office of Tribal Enrollment, CV 08-77 Order (Petition Granted) (HCN Tr. Ct., Dec. 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 orthodontia procedures. The Court granted the petition.

DECEMBER 23, 2008

In the Interest of Minor Child: C.M.Y., DOB 01/18/94, by Cynthia W. Yellowcloud v. HCN Office of Tribal Enrollment, CV 08-71 Order (Petition Granted) (HCN Tr. Ct., Dec. 23, 2008) (Matha, T).

The Court denied the petitioner's request for a release of funds to pay for costs associated with the purchase of an automobile. The petitioner could not



demonstrate that the purchase of the automobile was a necessity.

DECEMBER 29, 2008

In the Interest of Minor Child: J.M.T., DOB 04/08/97, by Juanita F. Tracy v. HCN Office of Tribal Enrollment, CV 08-92 Order (Petition Granted) (HCN Tr. Ct., Dec. 29, 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.

DECEMBER 23, 2008

In the Interest of Minor Child: D.Y., DOB 01/26/98, by Ted Yellowcloud v. HCN Office of Tribal Enrollment, CV 08-70 Order (Petition Granted) (HCN Tr. Ct., Dec. 23, 2008) (Matha, T).

The Court denied the petitioner's request for a release of funds to pay for costs associated with the purchase of an automobile. The petitioner could not demonstrate that the purchase of the automobile was a necessity.

JANUARY 7, 2009

In the Interest of Minor Child: S.K.B., DOB 07/25/94, by Daryll V. Bird v. HCN Office of Tribal Enrollment, CV 08-96 Order (Petition Granted) (HCN Tr. Ct., Jan. 7, 2009) (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.

JANUARY 13, 2009

In the Interest of Adult CTF Beneficiary: Sarah Balderas, DOB 03/27/90 v. HCN Office of Tribal Enrollment, CV 08-93 Order (Petition Granted) (HCN Tr. Ct., Jan. 13, 2009) (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 dental care. The Court granted the petition.

JANUARY 16, 2009

In the Interest of Minor Child: J.B.K., DOB 02/17/04, by Danielle Knak v. HCN Office of Tribal Enrollment, CV

08-42 Order (Establishing Quarterly Disbursement) (HCN Tr. Ct., Jan. 16, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child for ongoing costs associated with a serious developmental disability. The Court granted the petition, and required an annual review of the circumstances in this case.

JANUARY 19, 2009

In the Interest of Minor Child: T.W., DOB 04/09/93, by Sara WhiteEagle v. HCN Office of Tribal Enrollment, CV 07-31 Order (Granting Petition) (HCN Tr. Ct., Jan. 19, 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 private school tuition and expenses. The Court granted the petition.

In the Interest of Adult CTF Beneficiary: Sorell Stinson, DOB 05/01/87 v. HCN Office of Tribal Enrollment, CV 08-95 Order (Dismissal without Prejudice) (HCN Tr. Ct., Jan. 19, 2009) (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.

JANUARY 21, 2009

In the Interest of Adult CTF Beneficiary: Caleb G. Funmaker, DOB 03/03/87 v. HCN Office of Tribal Enrollment, CV 08-52 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 21, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the beneficiary for costs associated with attaining his high school diploma. The Court requested the required accounting within a specified time frame.

JANUARY 22, 2009

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 (Requesting Accounting) (HCN Tr. Ct., Jan. 22, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the beneficiary for costs associated with



orthodontic procedures. The Court requested the required accounting within a specified time frame.

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 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 22, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the beneficiary for costs associated with orthodontic procedures. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: B.E.W., DOB 01/12/98, by Joan E. Wilson v. HCN Office of Tribal Enrollment, CV 08-21 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 22, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the beneficiary for costs associated with orthodontic procedures. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: B.P.S., DOB 11/21/00, by Jamie Stott v. HCN Office of Tribal Enrollment, CV 08-29 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 22, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the beneficiary for costs associated with orthodontic procedures. The Court requested the required accounting within a specified time frame.

CONTRACTS

JANUARY 15, 2008

Ho-Chunk Nation v. Bank of America, N.A., CV 02-93, Stipulation of Dismissal with Prejudice and Order of Dismissal (HCN Tr. Ct., Jan. 15, 2009) (Matha, T).

The Court dismissed the instant case with prejudice, upon agreement among all of the parties.

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

DECEMBER 1, 2008

Gloria Visintin v. HCN Election Board, CV 08-86 Scheduling Order (HCN Tr. Ct., Dec. 1, 2008) (Matha, T).

The Court scheduled court proceedings within the timeframe required by the HCN CONSTITUTION.

DECEMBER 1, 2008

Paul M. Krause v. HCN Election Board, CV 08-89 Scheduling Order (HCN Tr. Ct., Dec. 1, 2008) (Rockman, A).

The Court scheduled court proceedings within the timeframe required by the HCN CONSTITUTION.

DECEMBER 16, 2008

Gloria Visintin v. HCN Election Board, CV 08-86 Order (Granting Motion to Dismiss) (HCN Tr. Ct., Dec. 16, 2008) (Matha, T).

The Court must determine whether to grant the defendant's motion to dismiss. The plaintiff failed to articulate basic facts and circumstances within her initial pleading, and subsequently provided untenable causes of action within a discovery document. Therefore, the Court dismissed the election challenge.

DECEMBER 19, 2008

Paul M. Krause v. HCN Election Board, CV 08-89 Order (Granting Motion to Dismiss) (HCN Tr. Ct., Dec. 19, 2008) (Matha, T).

The Court must determine whether to grant the defendant's motion to dismiss. As the plaintiff neither attended the *Motion to Dismiss Hearing*, nor complied with discovery requests, the Court dismissed the election challenge.

EMPLOYMENT

NOVEMBER 26, 2008

HCN et al. v. Kenneth Lee Twin and HCN GRB, CV 08-83 Scheduling Order (HCN Tr. Ct., Sept. 9, 2008) (Rockman, A).

The Court scheduled the proceedings and associated deadlines in the instant case.

ENROLLMENT



NO DECISIONS AT THIS TIME.

 **HOUSING**

NO DECISIONS AT THIS TIME.

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

DECEMBER 22, 2008

In the Interest of Ward: 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., Dec. 22, 2008) (Matha, T).

The Court must determine whether to grant monies from the beneficiary's trust fund to pay for costs associated with holiday gifts and utility expenses. The Court granted the request for gifts.

DECEMBER 30, 2008

In the Interest of Ward: O.S.R., DOB 05/14/68, by Dr. Jeremy P. Rockman v. HCN Office of Tribal Enrollment, CV 97-117 Order (Addendum to Judgment) (HCN Tr. Ct., Dec. 30, 2008) (Matha, T).

The Court disbursed additional monies to the protective payee for service fees.

JANUARY 8, 2009

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 (Denying Motion in Part & Conditionally Granting in Part) (HCN Tr. Ct., Jan. 8, 2009) (Matha, T).

The Court must determine whether to grant monies from the beneficiary's trust fund to pay for costs associated with various household acquisitions. The Court granted a single request for costs associated with home repair.

JANUARY 14, 2009

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/60, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 14, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

JANUARY 19, 2009

In the Interest of Adult Incompetent: H.C., DOB 01/31/31, by Barbara Meltesen v. HCN Office of Tribal

Enrollment, CV 05-72 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 14, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

 **RECALL/REMOVAL**

NO DECISIONS AT THIS TIME.

 **DOMESTIC ABUSE**

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. THREE (3) DECISIONS WERE ISSUED FROM NOVEMBER 26, 2008 THROUGH JANUARY 31, 2009.

 **FAMILY**

 **DIVORCE**

DECEMBER 17, 2008

In Re the Marriage of: Michael K. Leffingwell f/k/a Goodbear v. Jamie S. Goodbear, FM 08-02 Order (Addendum to Judgment) (HCN Tr. Ct., Dec. 17, 2008) (Matha, T).

The Court must determine whether to grant the petitioner's motion to memorialize a discussion regarding tax liability. Absent a timely objection to the motion, the Court granted the motion.

 **JUVENILE CASES**

NOVEMBER 21, 2008

In the Interest of Minor Child: A.A., DOB 03/23/98, JV 06-11 Order (Remand) (HCN Tr. Ct., Nov. 21, 2008) (Rockman, A).

The Court responded to the Supreme Court to explain its reasoning for the immediate reunification of the minor child with his or her mother. The Court upheld the termination of jurisdiction over the instant case.

DECEMBER 3, 2008

In the Interest of Minor Child: A.A., DOB 03/23/98, JV 08-37 Order (Dismissal of Petition) (HCN Tr. Ct., Dec. 3, 2008) (Matha, T).

The Court dismissed the *Petition* by HCN Children and Family Services (hereinafter CFS), underscoring the absence of any operative facts regarding care of the minor child during the



timeframe between the prior final judgment in the previous related juvenile case and the filing of the *Petition*.

DECEMBER 4, 2008

In the Interest of Minor Child: T.L.B., DOB 04/06/04, JV 07-41 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., Dec. 4, 2008) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court appointed a temporary guardian, deeming such an appointment within the minor child's best interests. .

DECEMBER 5, 2008

In the Interest of Minor Child: T.E.B., DOB 12/26/90, JV 06-17 Capias Order (HCN Tr. Ct., Dec. 5, 2008) (Matha, T).

The Court authorized a county law enforcement agency to pick up and transport the minor child to a secured juvenile facility.

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 5, 2008) (Matha, T).

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.

DECEMBER 8, 2008

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 05/03/01, JV 08-22-26 Order (Maternal Dispositional Requirements) (HCN Tr. Ct., Dec. 8, 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 returning legal custody to the parent.

DECEMBER 9, 2008

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 05/03/01, JV 08-22-26 Order (Reversal of Plea for

Father & Trial for Fathers) (HCN Tr. Ct., Dec. 8, 2008) (Rockman, A).

The Court noted the reversal in plea by one father from not guilty to no contest, and scheduled a *Dispositional Hearing* to address recommendations for the parent by CFS. The remaining fathers of the minor children are scheduled for *Trial*.

DECEMBER 11, 2008

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 05/03/01, JV 08-22-26 Order (Paternal Dispositional Requirements) (HCN Tr. Ct., Dec. 11, 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 returning legal custody to the parent.

DECEMBER 16, 2008

In the Interest of Minor Child: M.L.G., DOB 04/18/07, JV 07-41 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., Dec. 16, 2008) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court appointed a temporary guardian, deeming such an appointment within the minor child's best interests.

DECEMBER 19, 2008

In the Interest of Minor Children: B.A.T., DOB 09/11/94, and C.A.T., DOB 07/06/95, JV 05-12-13 Order (Establishment of Child Support) (HCN Tr. Ct., Dec. 19, 2008) (Matha, T).

The Court granted child support as requested by the temporary guardian.

In the Interest of Minor Children: B.A.T., DOB 09/11/94, and C.A.T., DOB 07/06/95, JV 05-12-13 Order (Establishment of Child Support) (HCN Tr. Ct., Dec. 19, 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.



DECEMBER 22, 2008

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 Order (Reversal of Plea) (HCN Tr. Ct., Dec. 22, 2008) (Matha, T).

The Court accepted the reversal of plea by the father of the minor child, from not guilty to no contest. Accordingly, the Court scheduled a *Dispositional Hearing* to address recommendation for the parent by CFS.

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 (Child Protection Review Hearing) (HCN Tr. Ct., Dec. 22, 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: K.S., DOB 12/02/08, JV 08-38 Order (Continuation of Plea Hearing) (HCN Tr. Ct., Dec. 22, 2008) (Matha, T).

The Court continued the *Plea Hearing*, in order for the parties to secure legal representation.

DECEMBER 23, 2008

In the Interest of Minor Child: M.L.G., DOB 04/18/07, JV 07-41 Order (Appointment of Interim Temporary Guardian) (HCN Tr. Ct., Dec. 23, 2008) (Matha, T).

The Court had to determine whether to appoint a an interim temporary guardian of the minor child, due to the passage of the former permanent guardian. The Court appointed an interim temporary guardian, until it can more appropriately evaluate the circumstances of the instant case.

DECEMBER 29, 2008

In the Interest of Minor Child: K.J.C., DOB 03/02/92, and T.R.C., DOB 03/22/91, JV 08-33-34 Order (Entrance of Plea) (HCN Tr. Ct., Dec. 29, 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: L.A.M., DOB 12/16/00, JV 03-10 Order (Appointment of Temporary

Guardian) (HCN Tr. Ct., Dec. 29, 2008) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court appointed a temporary guardian, deeming such an appointment within the minor child's best interests.

DECEMBER 30, 2008

In the Interest of Minor Children: T.W-T., DOB 02/15/04, and D.W., DOB 09/30/98, JV 08-06, -15 Order (Appointment of Interim Temporary Guardian) (HCN Tr. Ct., Dec. 30, 2008) (Matha, T).

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.

JANUARY 2, 2009

In the Interest of Minor Child: J.G., DOB 01/08/04, and C.H.K., DOB 06/20/05, JV 07-20-21 Order (Termination of Jurisdiction) (HCN Tr. Ct., Jan. 2, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

In the Interest of Minor Child: M.R.C., DOB 10/11/99, JV 07-19 Order (Termination of Jurisdiction) (HCN Tr. Ct., Jan. 2, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

JANUARY 5, 2009

In the Interest of Minor Child: E.M.W., DOB 08/02/05, JV 08-28 Order (Voluntary Dismissal) (HCN Tr. Ct., Jan. 5, 2009) (Matha, T).

The Court dismissed the *Petition* based on the filing of a correspondence indicating withdrawal of such by the petitioner.

JANUARY 5, 2009

In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08 Order (Child Protection Review Hearing) (HCN Tr. Ct., Jan. 5, 2009) (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.

JANUARY 6, 2009

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05 Order (Dispositional Requirements) (HCN Tr. Ct., Jan. 6, 2009) (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 returning legal custody to the parent.

JANUARY 12, 2009

In the Interest of Minor Child: E.J.B., DOB 05/19/99, JV 99-10 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., Jan. 12, 2009) (Rockman, A).

The Court granted maternal child support as requested by the temporary guardian.

In the Interest of Minor Child: E.J.B., DOB 05/19/99, JV 99-10 Order (Establishment of Maternal Child Support - Redacted) (HCN Tr. Ct., Jan. 12, 2009) (Rockman, A).

The Court granted maternal child support as requested by the temporary guardian, and redacted the order for distribution to the appropriate entities, due to the confidential nature of the proceeding.

JANUARY 13, 2009

In the Interest of Minor Child: N.R.Y., DOB 07/07/91, JV 05-34 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., Jan. 13, 2009) (Matha, T).

The Court granted maternal child support as requested by the temporary guardian.

In the Interest of Minor Child: N.R.Y., DOB 07/07/91, JV 05-34 Order (Establishment of Maternal Child Support-Redacted) (HCN Tr. Ct., Jan. 13, 2009) (Matha, T).

The Court granted maternal child support as requested by the temporary guardian, and redacted the order for distribution to the appropriate entities, due to the confidential nature of the proceeding.

In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Jan. 13, 2009) (Matha, T).

The Court granted the request of a party to appear by telephone for a *Child Support Hearing*.

JANUARY 14, 2009

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 14, 2009) (Matha, T).

The Court appointed GAL Bill Harris to represent the interests of the minor children.

In the Interest of Minor Child: M.M.M., DOB 12/18/01, and A.L.A., DOB 06/18/04, JV 05-25, 09-02; JV 06-16, 09-03 Order (Initial Emergency Hearing) (HCN Tr. Ct., Jan. 14, 2009) (Matha, T).

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.

JANUARY 15, 2009

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-01 Order (Entrance of Plea) (HCN Tr. Ct., Jan. 15, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of guilty on behalf of one of the parents, and accordingly scheduled a dispositional hearing.

In the Interest of Minor Children: P.M.S., DOB 01/14/91, and P.A.S., DOB 01/1/91, JV 98-06-07 Order (Termination of Jurisdiction) (HCN Tr. Ct., Jan. 15, 2009) (Rockman, A).

The Court terminated jurisdiction over the instant cases.

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., Jan. 15, 2009) (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.



JANUARY 16, 2009

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-05 Order (Submission of Traditional Relative List) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

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: M.L.D., DOB 03/29/06, JV 06-14 Order (Establishment of Child Support-Redacted) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

The Court granted child support as requested by the temporary guardians.

In the Interest of Minor Child: M.L.D., DOB 03/29/06, JV 06-14 Order (Establishment of Child Support) (HCN Tr. Ct., Jan. 16, 2009) (Matha, T).

The Court granted maternal child support as requested by the temporary guardian, and redacted the order for distribution to the appropriate entities, due to the confidential nature of the proceeding.

In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 Order (Dispositional Requirements) (HCN Tr. Ct., Jan. 16, 2009) (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.

JANUARY 19, 2009

In the Interest of Minor Child: M.M.M., DOB 12/18/01, and A.L.A., DOB 06/18/04, JV 05-25, 09-02; JV 06-16, 09-03 Order (Entrance of Plea) (HCN Tr. Ct., Jan. 15, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of one of the parents, and accordingly scheduled a trial.

JANUARY 22, 2009

In the Interest of Minor Child: N.L.P., DOB 02/19/91, JV 98-18 Order (Termination of Jurisdiction) (HCN Tr. Ct., Jan. 22, 2009) (Rockman, A).

The Court terminated jurisdiction over the instant case.



RECENT SUPREME COURT DECISIONS

NO DECISIONS AT THIS TIME.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

JANUARY 5, 2009

Martin Falcon v. Eileen Snowball, CS 09-01 (Matha, T).

JANUARY 21, 2009

Nikki Dickenson v. Manuel Ramirez, CS 09-02 (Matha, T).

Eau Claire Co. v. Kenneth Lewis, CS 09-03 (Matha, T).

JANUARY 27, 2009

Monroe Co. v. Truman Williams, CS 09-04 (Matha, T).

FEBRUARY 2, 2009

Wood Co. v. Anthony M. Smith, CS 09-05 (Rockman, A).

Wendi Huling v. Kirk Standstraight, CS 09-06 (Matha, T).

Michelle Rave v. Jeriah Rave, CS 09-07 (Matha, T).





CIVIL CASES

JANUARY 9, 2009

Christeena White v. HCN Office of Tribal Enrollment, CV 09-01 (Matha, T).

JANUARY 14, 2009

Daniel Topping v. HCN Grievance Review Board, CV 09-02 (Rockman, A).

Muriel Whiteagle-Lee and Melody Whiteagle Fintak v. HCN Election Board, CV 09-03 (Rockman, A).

JANUARY 21, 2009

In the Interest of Minor Child: CCB, DOB 3/5/88 v. HCN Office of Tribal Enrollment CV 09-04 (Matha, T).

In the Interest of Minor Child: SBG DOB 04/21/96 v. HCN Office of Tribal Enrollment, CV 09-05 (Matha, T).

FEBRUARY 10, 2009

Muriel Whiteagle-Lee v. Judy Whitehorse and Bridgette Schultz, CV 09-03 (Rockman, A).

JANUARY 29, 2009

Creditor Recovery Service: Aspirus Doctors v. Wayne Jr. and Amber Malone, CG 09-07 (Matha, T).

Creditor Recovery Service v. Lenny Cloud, CG 09-08 (Matha, T).

Gunderson Lutheran v. Tony and JoAnn Redbird, CG 09-09 (Matha, T).

FEBRUARY 3, 2009

Credit Recovery Service v. Leroy Sawyer, CG 09-10 (Matha, T).

Kohn Law Firm v. Robert Frommung, CG 09-11 (Matha, T).

FEBRUARY 9, 2009

Gunderson Clinic v. Lyrre Trainor, CG 09-13 (Matha, T).

FEBRUARY 10, 2009

Tomah Memorial Hospital v. Terry Snake, CG 09-12 (Matha, T).



CIVIL GARNISHMENT CASES

JANUARY 5, 2009

Valued Services of WI v. Reginald Haskins, CG 09-01 (Matha, T).

Valued Services of WI v. Ronald Pretsch, CG 09-02 (Matha, T).

JANUARY 20, 2009

Alliance Collection Agency v. John Whitewing, CG 09-03 (Matha, T).

Alliance Collection Agency v. Keith Smith, CG 09-04 (Matha, T).

JANUARY 27, 2009

Greater LaCrosse Radiological v. Terri Clemmerson, CG 09-05 (Matha, T).

Federation Coop v. Lara Peterson-McMaster, CG 09-06 (Matha, T).



JUVENILE CASES

JANUARY 9, 2009

In the Interest of: Baby Girl Doe, DOB 01/09/09, JV 09-01 (Matha, T).

In the Interest of Minor Child: M.M.M., DOB 12/18/01, JV 09-02 (Matha, T).

In the Interest of Minor Child: A.L.A., DOB 06/18/04, JV 09-03 (Matha, T).

JANUARY 14, 2009

In the Interest of Minor Child: M.R.S., DOB 05/15/94, JV 09-04 (Matha, T).

JANUARY 15, 2009

In the Interest of: Baby Girl Doe, DOB 01/09/09, JV 09-05 (Matha, T).

JANUARY 26, 2009



In the Interest of Minor Child: D.C.Y., DOB 4/12/06, JV 09-06 (Rockman, A).

FEBRUARY 11, 2009

In the Interest of Minor Child: E.D., DOB 12/17/00, JV 09-07 (Rockman, A).

In the Interest of Minor Child: O.A., DOB 09/18/03, JV 09-08 (Rockman, A).

In the Interest of Minor Child: R.A., DOB 10/26/06, JV 09-09 (Rockman, A).

In the Interest of Minor Child: G.A., DOB 10/31/08, JV 09-10 (Rockman, A).



FAMILY CASES

FEBRUARY 11, 2009

Melanie Twobears v. Brady Twobears, FM 09-01 (Rockman, A).



DOMESTIC VIOLENCE CASES

NO RECENT FILINGS

RECENT SUPREME COURT FILINGS

JANUARY 29, 2009

Gerald Cleveland, Jr. v. Elliot Garvin, Roberta Decorah and Douglas Greengrass, in the capacity as check signers for the HCN Legislature, SU 09-01.



**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
(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)



HO-CHUNK NATION COURT BULLETIN

CHILD SUPPORT IN THE HO-CHUNK NATION TRIAL COURT

The Trial Court enforces approximately 700 child support cases for foreign jurisdictions, and this number is expected to increase, with thirty-seven (37) new cases filed so far in 2009. Foreign child support orders are enforced on the basis of full faith and credit principles. See RECOGNITION OF FOREIGN CHILD SUPPORT ORDERS ORDINANCE, 4 HCC § 2 (hereinafter, RFCSO); see also 28 U.S.C. § 1738. At this time, the Ho-Chunk Nation (HCN) has not yet established a child support enforcement agency, and thus, child support requires the coordinated efforts of the Trial Court, the HCN Department of the Treasury, and parties to individual cases.

Parties may seek enforcement of a foreign child support order against the per capita of tribal members and/or the wages of Nation employees. Once a *Petition to Enforce a Foreign Child Support order* is filed, a *Summons* is issued, and an *Answer* may be filed. Additionally, the petitioners must file certified orders and account statements to support their *Petition*, pursuant to the RFCSO and the *Federal Rules of Evidence* adopted by the HCN Supreme Court.

A high number of foreign child support orders are enforced on the basis of a *Default Judgment*, whereby the respondent does not timely respond to the *Petition* and the matter is adjudicated as permitted by *HCN R. Civ. P. 44(C)*. The Court encourages individuals to timely respond to petitions, in order to promptly issue orders and ensure the most accurate information is provided to the Court regarding parties. The Court may hold a hearing to determine the validity of a recognized defense against enforcement, based on the following: 1) whether the foreign court or administrative agency had jurisdiction, 2) whether the defendant had due process including proper notice and a fair hearing, 3) whether collusion, fraud or clear mistakes of law or fact are presents, 4) whether there is a conflict with any state or federal law, and 5) whether there is a conflict with the Nation's law or policy. RFCSO, § 2.5.

FEBRUARY/ MARCH 2009



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Upon issuance of a child support order by the Trial Court, a case file is open until the minor child-
ren emancipate and/or (any) arrears are paid. With a *Motion*, supported by the relevant, certified
documentation (e.g., a court order, account statement and service
on all parties), parties may request that the Court modify or ter-
minate child support consistent with the foreign court's orders.

The HCN Child & Family Services division also plays a key role
in the provision of child support for juvenile cases. However, in
contrast to foreign child support orders, these child support or-
ders are issued under the authority of the HO-CHUNK NATION
CHILDREN & FAMILY ACT (hereinafter, CHILDREN'S ACT). See
CHILDREN'S ACT, 4 HCC § 3.44, 3.46-3.49. These types of child
support actions are raised by the HCN Department of Justice or
individual guardians, depending on the nature of the juvenile
proceeding. After the State of Wisconsin, the HCN Child & Family
Services receives the highest dollar amount of per capita
funds for child support, followed by the State of Minnesota, the
Menominee Indian Tribe of Wisconsin, Iowa and other tribes
and states.

In 2008, the HCN handed over \$1.24 million dollars from the per
capita distribution to meet the child support obligations in ap-
proximately 312 Wisconsin child support cases enforced by the
Trial Court. In a recent change, the Trial Court ordered the HCN
Department of the Treasury to distribute per capita funds for
child support to the Wisconsin Support Collection Trust Fund
(WI SCTF) on a monthly rather than quarterly basis. Due to Wis-
consin interpretation of federal regulations pertaining to child
support, the state was handling child support funds from the Na-
tion in a way that defied our judicial directives, that is, the state
was not converting quarterly child support payments to corres-
pond with the time periods specified by the state court orders
(i.e., monthly or weekly). See 45 C.F.R. § 302.51. Thus, this or-
der was issued to ensure that all child support payments de-
ducted from per capita distributions are properly credited and
allocated by the state for the benefit of tribal members and their
families.

The Trial Court is supportive of efforts by the HCN Legislature
and staff, the Department of Justice, the Treasury Dept., Informa-
tion Technology division, and the Planning division, to establish
a Child Support Agency to administer child support for the HCN.

ICWA: Good News

The Kansas Supreme Court has overruled *Baby Boy L.*,
231 Kan. 199, and abandoned the "existing Indian
family" doctrine. *In re*
A.J.S., Docket No. 99,130
(Kansas S. Ct., March 27,
2009). The "existing Indian
family" doctrine precluded
the application of the ICWA
when an Indian child's par-
ents have not maintained
significant relationships
with a tribe. In *A.J.S.*, the
Kansas court noted that
ICWA itself permits no ex-
ception for children whose
parents do not maintain
significant relationships
with a tribe. The Court also
recognized the U.S. Su-
preme Court's result and
rationale in the 1989 deci-
sion, *Mississippi Band of*
Choctaw Indians v. Holyfield,
noting that ICWA grew in
part out of Congressional
concern for the preserva-
tion of tribal interests in In-
dian children, apart from
and independent of paren-
tal interests. Thus, the Che-
rokee Nation had permissi-
bly intervened in the under-
lying case.

The published opinion is
available at
www.kscourts.org.



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

JANUARY 16, 2009

Robert Mobley v. Joyce M. St. Cyr et al. and 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, CS 99-37, -38, 00-04, JV 08-18, -19, -20 Order (Impounding Per Capita) (HCN Tr. Ct., Jan. 16, 2009) (Rockman, A)

The Court impounded the relevant amount of per capita for foreign child support and juvenile child support cases until the proper designation could be made regarding child support payments.

JANUARY 20, 2009

Brown Co. Child Support Agency ex rel. v. Michael S. Smith, CS 08-80 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 20, 2009) (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 time-

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

Brown Co. Child Support Agency ex rel. v. Michael S. Smith, CS 08-81 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 20, 2009) (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.

Brown Co. Child Support Agency ex rel. v. Michael S. Smith, CS 08-82 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 20, 2009) (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.

Brown Co. Child Support Agency ex rel. v. Michael S. Smith, CS 08-83 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 20, 2009) (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.

Child Support Enforcement Agency of Jackson County, Ohio ex rel. v. David J. Rose, CS 02-08, Notice (Change in Custodial Parent-Payee) (HCN Tr. Ct., Jan. 20, 2009) (Rockman, A).

The Court noted a change in custody regarding the minor child, and the consequential change in the payee.

Yvonne Barrett v. Roger K. Pettibone, CS 06-30 Order (Suspending Activity & Impound) (HCN Tr. Ct., Jan. 20, 2009) (Matha, T).

The Court previously ceased current child support withholding in the instant case, but was presented with a death certificate regarding the demise of the



petitioner. Thus, the Court suspended enforcement of arrears withholding until further notice from the parties.

FEBRUARY 17, 2009

Sauk Co. Child Support Agency ex rel. v. Isaiah M. Funmaker and Heather M. Eklund v. Isaiah Funmaker, CS 07-54, 08-56 Order (Enforcing Support Against Wages & Eq. Adj.)(HCN Tr. Ct., Feb. 17, 2009) (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. Additionally, the Court performed an equitable adjustment to reflect the serial payor status of the respondent.

State of Wisconsin ex rel. v. Manuel Ramirez, CS 09-02 Order (Requiring Further Documentation) (HCN Tr. Ct., Feb. 17, 2009) (Matha, T).

The Court required the parties to submit further documentation regarding the status of the respondent relevant to the underlying foreign judgment.

MARCH 6, 2009

Sawyer Co. Child Support Agency ex rel. v. Woody Bird, CS 08-46 Order (Cessation of Withholding) (HCN Tr. Ct., Mar. 6, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments upon motion by the petitioner.

Wood Co. Child Supp. Agency ex rel. v. Kenneth F. Buker, CS 01-42 Order (Cessation of Withholding) (HCN Tr. Ct., Mar. 6, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments on the request of the petitioner.

Wood Co. Child Supp. Agency ex rel. v. Lisa Banuelos (Rave), CS 00-25 Order (Cessation of Withholding) (HCN Tr. Ct., Mar. 6, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments upon the request of the petitioner.

Juneau Co. Child Support Agency ex rel. v. Arnold R. Decorah, CS 99-15 Order (Cessation of Withholding) (HCN Tr. Ct., Mar. 6, 2009) (Rockman, A).

The Court ceased withholding from the respondent's per capita payments upon the request of the petitioner.

MARCH 16, 2009

Sabrina Decorah v. Amery Decorah, CS 05-98 Order (Enforcing Support Against Wages)(HCN Tr. Ct., Mar. 16, 2009) (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.

Brooke Beaulieu-Morgan v. Hahetum Fish, CS 09-09 Order (Enforcing Support Against Wages)(HCN Tr. Ct., Mar. 16, 2009) (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.

Diana Calixto v. Wayne Malone, CS 09-11 Order (Enforcing Support Against Wages)(HCN Tr. Ct., Mar. 16, 2009) (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.

MARCH 17, 2009

Robert M. Mobley v. Joyce St. Cyr et al., CS 99-37, -38, 00-04 Order (Modifying & Suspending Child Support) (HCN Tr. Ct., Mar. 17, 2009) (Matha, T).

The Court had to determine whether to continue to enforce a standing foreign child support order against the respondent's per capita, in light of a juvenile child support order for the same minor children. Accordingly, the Court suspended enforcement for current child support, and continued to enforce withholding for arrears.



MARCH 19, 2009

Eau Claire Co. Child Support Agency ex rel. v. Forrest M. Downey, Sr., CS 08-84 Order (Denial of Petition) (HCN Tr. Ct., Mar. 19, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The Court declined to do so as the foreign judgment did not correspond to individuals named within the *Petition*.

 **CIVIL GARNISHMENT CASES**

JANUARY 27, 2009

Midland Credit Mgmt. 2200 (W10-REG2) v. Ruth S. Pu-ent, CG 08-110 Order (Petition Granted) (HCN Tr. Ct., Jan. 27, 2009) (Matha, T).

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

FEBRUARY 3, 2009

In the Matter of the Outstanding Obligations of: Scott R. Mueller, CG 08-120 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Feb. 3, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court recognized and enforced the foreign judgment out of due respect to its state counterpart.

Creditor Recovery Service, LLC v. James Schier, CG 08-118 Order (Default Judgment) (HCN Tr. Ct., Feb. 3, 2009) (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. Reginald Haskins, CG 09-01 Order (Default Judgment) (HCN Tr. Ct., Feb. 3, 2009) (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.

Credit Recovery Service, LLC v. Sheila L. Whiteeagle, CG 08-101 Order (Default Judgment) (HCN Tr. Ct., Feb. 3, 2009) (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. Ronald Pretsch, CG 09-02 Order (Default Judgment) (HCN Tr. Ct., Feb. 3, 2009) (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. Luann Littlegeorge, CG 08-97 Order (Default Judgment) (HCN Tr. Ct., Feb. 3, 2009) (Matha, T).

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

FEBRUARY 13, 2009

Capital One Bank v. Kathleen S. Radle, CG 08-114 Order (Petition Granted) (HCN Tr. Ct., Feb. 13, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent alleged a defense, and the Court delayed execution until a previous garnishment is satisfied.

Alliance Collection Agencies, Inc. v. Keith D. Smith, CG 09-04 Order (Default Judgment) (HCN Tr. Ct., Feb. 13, 2009) (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 Collections Agencies, Inc. v. John A. Whitewing, CG 09-03 Order (Default Judgment) (HCN Tr. Ct., Feb. 13, 2009) (Matha, T).

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

FEBRUARY 16, 2009

Greater La Crosse Radiological v. Terri Clemmerson, CG 09-05 Order (Default Judgment) (HCN Tr. Ct., Feb. 16, 2009) (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.

Federation Cooperative v. Lara Petersen-McMaster, CG 09-06 Order (Voluntary Dismissal) (HCN Tr. Ct., Feb. 16, 2009) (Matha, T).

The Court granted the *Motion to Dismiss* requested by the petitioner.

FEBRUARY 23, 2009

Gundersen Lutheran Medical Center v. Tony and Joann Redbird, CG 09-09 Order (Default Judgment) (HCN Tr. Ct., Feb. 23, 2009) (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, Jr., CG 09-07, Order (Default Judgment) (HCN Tr. Ct., Feb. 23, 2009) (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 2, 2009

Capitol One Bank v. Robert A. Frommung, CG 09-11 Order (Default Judgment) (HCN Tr. Ct., Mar. 2, 2009) (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, Inc. v. Leroy Sawyer, CG 09-10 Order (Default Judgment) (HCN Tr. Ct., Mar. 2, 2009) (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 5, 2009

Tomah Memorial Hospital v. Terry L. Snake, CG 09-12 Order (Default Judgment) (HCN Tr. Ct., Mar. 5, 2009) (Matha, T).

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

Greater La Crosse Radiological v. Terri Clemmerson, CG 09-05 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Mar. 5, 2009) (Matha, T).

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

MARCH 10, 2009

Alliance Collection Agencies, Inc. v. Lambert C. Cleveland, Jr., CG 08-85 Order (Default Judgment) (HCN Tr. Ct., Mar. 10, 2009) (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 v. Dawn M. Smith, CG 09-14 Order (Default Judgment) (HCN Tr. Ct., Mar. 10, 2009) (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.

Drs. Overman, Hegna, Reich & Steele v. Rachel Montana, CG 08-102 Order (Default Judgment) (HCN Tr. Ct., Mar. 10, 2009) (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. Lynne M. Trainor, CG 09-13 Order (Default Judgment) (HCN Tr. Ct., Mar. 10, 2009) (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 16, 2009

Creditor Recovery Service, LCC v. Missy J. Redcloud, CG 08-107 Order (Voluntary Dismissal) (HCN Tr. Ct., Mar. 16, 2009) (Matha, T).

The Court granted the Motion to Dismiss requested by the petitioner.

CIVIL CASES

FEBRUARY 2, 2009

Gerald Cleveland, Jr. v. Elliot Garvin, Roberta Decora, and Douglas Greengrass, in their capacity as check signers for the Ho-Chunk Nation Legislature, CV 08-36 Order (Denying Motion to Quash) (HCN Tr. Ct., Feb. 2, 2009) (Matha, T).

The Court must determine whether to grant the defendants' motion to quash based on sovereign immunity. The Court found that sovereign immunity was not applicable and the defendants did not effec-

tively plead a defense of official immunity. Accordingly, the Court denied the motion.

FEBRUARY 3, 2009

Mildred Smith v. Majestic Pines Casino et al., CV 08-67 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Feb. 3, 2009) (Rockman, A).

The Court granted the defendant's counsel's request to appear by telephone.

FEBRUARY 12, 2009

Mildred Smith v. Majestic Pines Casino et al., CV 08-67 Scheduling Order (HCN Tr. Ct., Feb. 12, 2009) (Matha, T).

The Court scheduled the proceedings in the instant case.

ADMINISTRATIVE APPEALS

JANUARY 26, 2009

Summer Dawn Dick v. Jonette Pettibone, CV 08-47 Order (Remand) (HCN Tr. Ct., Jan. 26, 2009) (Rockman, A).

The Court had to determine whether to uphold the decision of the GRB. The Court found that the petitioner was not afforded due process of law for one of three of her claims and remanded to the GRB for additional findings.

FEBRUARY 4, 2009

Gale S. White v. Jean Day et al., CV 07-54 Order (Denial of Motion) (HCN Tr. Ct., Feb. 4, 2009) (Matha, T).

The Court denied the petitioner's motion for contempt since it found a punitive sanction to be unnecessary to address a procedural omission.

FEBRUARY 12, 2009

Daniel Topping v. Ho-Chunk Nation, CV 09-02 Amended Scheduling Order (HCN Tr. Ct., Feb. 12, 2009) (Rockman, A).

The Court amended a prior Scheduling Order.

MARCH 3, 2009

Gale S. White v. Jean Day et al., CV 07-54 Order (Affording Petitioner an Opportunity to Supplement) (HCN Tr. Ct., Mar. 3, 2009) (Matha, T).



The Court afforded an opportunity to the petitioner to supplement the evidentiary record below.

MARCH 17, 2009

Kerry Funmaker v. HCN Grievance Review Bd., CV 09-15 *Scheduling Order* (HCN Tr. Ct., Mar. 17, 2009) (Rockman, A).

The Court scheduled the proceedings in the instant case.

Kyle M. Funmaker v. HCN Grievance Review Bd., CV 09-17 *Scheduling Order* (HCN Tr. Ct., Mar. 17, 2009) (Matha, T).

The Court scheduled the proceedings in the instant case.

MARCH 18, 2009

Tracy Cole v. HCN Grievance Review Bd., CV 08-39 *Order (Show Cause)* (HCN Tr. Ct., Mar. 18, 2009) (Matha, T).

The Court granted the petitioner's request for a *Show Cause Hearing* pursuant to the CONTEMPT ORDINANCE.

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

JANUARY 30, 2009

In the Interest of Minor Children: M.W., DOB 04/11/89 and N.W., DOB 02/01/91, by Charles M. White Eagle, CV 08-14 *Order (Requesting Accounting)* (HCN Tr. Ct., Jan. 30, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the beneficiary for costs associated with orthodontia. The Court requested the required accounting within a specified time frame.

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 *Order (Petition Granted)* (HCN Tr. Ct., Jan. 30, 2009) (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 transportation and information technology. The Court did not grant the request for failure to meet the necessity prong of the four-part test for CTF releases.

FEBRUARY 2, 2009

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 (Accepting Accounting)* (HCN Tr. Ct., Feb. 2, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

FEBRUARY 4, 2009

In the Interest of Minor Child: T.W., DOB 04/09/93, by Sara WhiteEagle v. HCN Office of Tribal Enrollment, CV 08-56 *Order (Accepting Accounting)* (HCN Tr. Ct., Feb. 4, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

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 (Accepting Accounting)* (HCN Tr. Ct., Feb. 4, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

FEBRUARY 5, 2009

In the Interest of Minor Child: J.M.C., DOB 08/26/93, by Myra Cunneen, CV 08-27 *Order (Requesting Accounting)* (HCN Tr. Ct., Feb. 5, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the beneficiary for costs associated with orthodontia. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: F.V.W., DOB 10/22/04, by Felicia Jo Wanna, CV 08-59 *Order (Requesting Accounting)* (HCN Tr. Ct., Feb. 5, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the beneficiary for costs associated with orthodontia. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: T.R.F., DOB 07/13/00, by Dyan R. Thundercloud, CV 08-58 *Order (Requesting Accounting)* (HCN Tr. Ct., Feb. 5, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the beneficiary for costs associated with orthodontia. The Court requested the required accounting within a specified time frame.



In the Interest of Minor Child: N.K.T-S., DOB 12/20/91, by Susan L. Greengrass, CV 08-35 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 5, 2009) (Matha, T). The Court previously released funds from the CTF accounts of the beneficiary for costs associated with orthodontia. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: B.E.J., DOB 04/06/92, by Terrence Johnson, CV 08-23 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 5, 2009) (Matha, T). The Court previously released funds from the CTF accounts of the beneficiary for costs associated with orthodontia. The Court requested the required accounting within a specified time frame.

In the Interest of Minor Child: M.W.M., DOB 01/28/02, by Bridget A. Morris, CV 08-13 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 5, 2009) (Matha, T). The Court previously released funds from the CTF accounts of the beneficiary for costs associated with purchasing a vehicle. The Court requested the required accounting and proof of registration within a specified time frame.

FEBRUARY 10, 2009

In the Interest of Adult CTF Beneficiary: Tasha L. Hand, DOB 08/07/88 v. HCN Office of Tribal Enrollment, CV 08-73 Order (Dismissal) (HCN Tr. Ct., Feb. 10, 2009) (Rockman, A). The Court dismissed the CTF petition, upon motion by the petitioner.

In the Interest of Adult CTF Beneficiary: Killian O'Dell Stacey, DOB 11/17/90 v. HCN Office of Tribal Enrollment, CV 08-97 Order (Dismissal without Prejudice) (HCN Tr. Ct., Feb. 10, 2009) (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.

FEBRUARY 13, 2009

In the Interest of Minor Child: B.P.S., DOB 11/21/00, by Jamie Stott v. HCN Office of Tribal Enrollment, CV

08-29 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 13, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

In the Interest of Minor Child: B.E.J., DOB 04/06/92, by Terrence Johnson, CV 08-23 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 13, 2009) (Matha, T). The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

FEBRUARY 16, 2009

In the Interest of Adult CTF Beneficiary: Christeena M. White, DOB 07/19/88 v. HCN Office of Tribal Enrollment, CV 09-01 Order (Dismissal without Prejudice) (HCN Tr. Ct., Feb. 16, 2009) (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: L.M., DOB 01/08/92, by Jean Ann Day v. HCN Office of Tribal Enrollment, CV 08-87 Order (Petition Granted) (HCN Tr. Ct., Feb. 16, 2009) (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 a treatment services program. The Court granted the release.

FEBRUARY 24, 2009

In the Interest of Minor Child: R.F.T., DOB 10/14/98 by Lynn Decorah-Tipperty v. HCN Office of Tribal Enrollment, CV 08-78 Order (Dismissal without Prejudice) (HCN Tr. Ct., Feb. 24, 2009) (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.

MARCH 4, 2009

In the Interest of Minor Children: M.W., DOB 04/11/89 and N.W., DOB 02/01/91, by Charles M. White Eagle, CV 08-14 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 4, 2009) (Rockman, A).



The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

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 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 4, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

In the Interest of Minor Children: W.K.B., DOB 11/19/94 and P.D.B., DOB 07/08/96, by Kelly J. Funmaker v. HCN Office of Tribal Enrollment, CV 09-08 Order (Petition Granted) (HCN Tr. Ct., Mar. 4, 2009) (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 a treatment services program. The Court granted the release.

MARCH 10, 2009

In the Interest of Minor Child: S.K.O., DOB 03/24/96, by Lori Ornellas v. HCN Office of Tribal Enrollment, CV 09-14 Order (Petition Granted) (HCN Tr. Ct., Mar. 10, 2009) (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 a treatment services program. The Court granted the release.

MARCH 18, 2009

In the Interest of Minor Child: N.K.T-S., DOB 12/20/91, by Susan L. Greengrass, CV 08-35 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 18, 2009) (Matha, T).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

In the Interest of Minor Child: J.M.C., DOB 08/26/93, by Myra Cunneen, CV 08-27 (Accepting Accounting) (HCN Tr. Ct., Mar. 18, 2009) (Matha, T).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

CONTRACTS

THERE ARE NO DECISIONS AT THIS TIME.

ELECTION MATTERS

MARCH 17, 2009

Muriel Whiteagle-Lee et al. v. Election Board members, CV 09-03 Order (Granting Motion to Dismiss) (HCN Tr. Ct., Mar. 17, 2009) (Rockman, A).

The Court had to determine whether to grant the plaintiff's request for relief, that is to enjoin the upcoming election. The Court declined to do so, noting that the plaintiffs are represented in the current redistricting and reapportionment plan.

MARCH 18, 2009

Muriel Whiteagle-Lee v. Judy Whitehorse, Chair and Bridget Schultz, Vice-Chair, CV 09-06 Order (Granting Motion to Dismiss) (HCN Tr. Ct., Mar. 18, 2009) (Rockman, A).

The Court had to determine whether to grant the defendants' request for dismissal. The Court dismissed the case due to the absence of subject matter jurisdiction, noting that organizational by-laws are not a source of law inviting judicial review.

Sherman Funmaker v. Election Board, CV 09-09 Order (Dismissal with Prejudice) (HCN Tr. Ct., Mar. 18, 2009) (Rockman, A).

The Court had to determine whether to grant the plaintiff's request for relief. The Court declined to do so, finding that mootness precluded one of his claims, and that sovereign immunity and the lack of subject matter jurisdiction precluded the other.

EMPLOYMENT

FEBRUARY 4, 2009

Julie Schultz v. Robert Funmaker et al., CV 08-26 Order (Show Cause) (HCN Tr. Ct., Feb. 4, 2009) (Matha, T).

The Court granted the petitioner's request for a *Show Cause Hearing* pursuant to the CONTEMPT ORDINANCE.

JANUARY 26, 2009

Joyce L. Warner v. Ho-Chunk Nation et al., CV 04-72 Order (Final Judgment) (HCN Tr. Ct., Jan. 26, 2009) (Matha, T).

The Court had to determine whether the plaintiff maintained a property interest in her former posi-



tion, as distinguished from employment in general, which rendered a disciplinary demotion constitutionally impermissible in the absence of minimum procedural due process protection. The Court held that there was no such property interest created under applicable law, and that the plaintiff failed to adequately rebut the asserted grounds for the demotion.

ENROLLMENT

FEBRUARY 20, 2009

Leilani Chamberlain v. Adam Hall, Enrollment Officer of the HCN, CV 05-109 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Feb. 20, 2009) (Matha, T). The Court granted the plaintiff's counsel's request to appear by phone.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

FEBRUARY 13, 2009

In the Interest of L.R., DO03/04/56, by Maynard Rave, Sr., Guardian v. HCN Office of Tribal Enrollment, CV 08-24 Order (Petition Granted) (HCN Tr. Ct., Feb. 13, 2009) (Rockman, A).

The Court must determine whether to grant monies from the beneficiary's trust fund to pay for costs associated with past obligations, prospective rent and living expenses. The Court granted the request.

FEBRUARY 16, 2009

In the Interest of Ward: L.L.L., DOB 09/18/48, by Bertha Lowe v. HCN Office of Tribal Enrollment, CV 06-108 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 16, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the beneficiary for costs associated with property taxes and outstanding debts owed to various vendors. The Court requested the required accounting within a specified time frame.

FEBRUARY 25, 2009

In the Interest of Ward: L.L.L., DOB 09/18/48, by Bertha Lowe v. HCN Office of Tribal Enrollment, CV 06-

108 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 25, 2009) (Rockman, A).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

In the Interest of Ward: L.L.L., DOB 09/18/48, by Bertha Lowe v. HCN Office of Tribal Enrollment, CV 06-108 Order (Motion Granted) (HCN Tr. Ct., Feb. 25, 2009) (Rockman, A).

The Court granted the legal guardian's request to access ITF monies to pay for costs associated with property taxes and an outstanding debt owed to a vendor.

MARCH 18, 2009

In the Interest of K.K.R., DOB 10/09/68, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Petition Granted) (HCN Tr. Ct., Mar. 18, 2009) (Rockman, A).

The Court granted the legal guardian's request to access ITF monies to pay for costs associated with ongoing guardianship services and a court-ordered guardian ad litem.

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 (Addendum to Judgment) (HCN Tr. Ct., Mar. 18, 2009) (Matha, T).

The Court granted the petitioner's request for reimbursement for the purchase of a dog for the ward.

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 (Accepting Accounting) (HCN Tr. Ct., Mar. 18, 2009) (Matha, T).

The petitioner submitted receipts, which the Court accepted as confirmation of the proper use of funds.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. TWO (2) DECISIONS WERE ISSUED FROM FEBRUARY 1, 2009 THROUGH MARCH 20, 2009.

 **FAMILY** **DIVORCE****FEBRUARY 4, 2009**

In Re the Marriage of: Lori Ann Pidgeon and Curtis James Pidgeon, FM 07-06 Order (Motion Denied) (HCN Tr. Ct., Feb. 4, 2009) (Rockman, A).

The Court must determine whether to grant the co-petitioner's motion to address an asset of the former marriage. The Court denied the motion based on timeliness and an absence of subject matter jurisdiction regarding replevin.

 **JUVENILE CASES****JANUARY 26, 2009**

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-01, -05 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 26, 2009) (Matha, T).

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

In the Interest of Minor Child(ren): S.M., DOB 11/18/92; K.M., DOB 10/18/93; S.M., DOB 12/13/95; A.M., DOB 09/06/01; A.M., DOB 06/16/04; and A.M., DOB 03/14/06, JV 07-09-14 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 26, 2009) (Rockman, A).

The Court appointed GAL Bill Harris to represent the interests of the minor children.

JANUARY 27, 2009

In the Interest of Minor Child: D.C.Y., DOB 04/12/06, JV 09-06 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 27, 2009) (Rockman, A).

The Court appointed GAL Stacey Schreiber to represent the interests of the minor children.

JANUARY 29, 2009

In the Interest of Minor Child: M.K., DOB 03/10/05, JV 07-44 Order (Motion Hearing) (HCN Tr. Ct., Jan. 29, 2009) (Rockman, A).

The Court had to determine whether to grant a motion by the HCN Children and Family Services (hereinafter CFS) to require an additional dispositional requirement against the father of the minor child.

The Court determined to adopt the additional dispositional requirement.

JANUARY 30, 2009

In the Interest of Minor Child: S.M., DOB 12/13/1995, JV 07-11 Order (Motion Hearing) (HCN Tr. Ct., Jan. 30, 2009) (Matha, T).

The Court had to determine whether to revoke temporary guardianship of the minor child upon a motion by CFS. The Court ordered legal and physical custody of the minor child to CFS due to outstanding dispositional requirements against the parents.

In the Interest of Minor Child: K.S., DOB 12/02/08, JV 08-38 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 30, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor child.

In the Interest of Minor Child: H.L.D., DOB 05/02/91, JV 08-27 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 30, 2009) (Rockman, A).

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

In the Interest of Minor Child: M.L.G., DOB 04/18/07, JV 08-32 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 30, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor child.

FEBRUARY 2, 2009

In the Interest of Minor Child(ren): M.L.H., DOB 08/18/97; M.H., DOB 02/19/99 and M.H., DOB 02/09/00, JV 05-16-18 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Feb. 2, 2009) (Matha, T).

The Court appointed GAL Stacey Schreiber to represent the interests of the minor children.

FEBRUARY 3, 2009

In the Interest of Minor Child: K.S., DOB 12/02/08, JV 08-38 Order (Entrance of Plea) (HCN Tr. Ct., Feb. 3, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the mother pled not guilty and the Court entered a plea of not guilty on behalf of the father who failed to attend the proceeding. The Court accordingly scheduled a *Trial*.



In the Interest of Minor Children: M.L.H., DOB 08/18/97; M.H., DOB 02/19/99; and M.H., DOB 02/09/00, JV 05-16-18 Order (Submission of Best Interests Assessment) (HCN Tr. Ct., Feb. 3, 2009) (Rockman, A).

The Court ordered CFS to conduct and submit a best interests assessment for the minor child.

In the Interest of Minor Child: J.R.P., DOB 02/27/92, JV 03-01 Order (Withdrawal of Guardianship Request) (HCN Tr. Ct., Feb. 3, 2009) (Rockman, A).

The Court regarded an agreement between the parties as a present withdrawal of a permanent guardianship request.

In the Interest of Minor Children: M.M.M., DOB 12/18/01 and A.L.A., DOB 06/18/04, JV 09-02-03 Order (Reversal of Plea) (HCN Tr. Ct., Feb. 3, 2009) (Matha, T).

The Court accepted the mother of the minor children's request to change her plea from not guilty to no contest. Accordingly, the Court scheduled a *Dispositional Hearing* to address recommendation for the parent by CFS.

FEBRUARY 4, 2009

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-05 Order (Denial of Motion) (HCN Tr. Ct., Feb. 4, 2009) (Matha, T).

The Court had to determine whether to grant a request to reschedule Guardianship Hearing. The Court denied the request, due to the undetermined availability of each attorney within the HCN Department of Justice.

FEBRUARY 5, 2009

In the Interest of Minor Child: C.L., DOB 05/30/01, JV 07-54 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 5, 2009) (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: 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 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 5, 2009) (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.

FEBRUARY 6, 2009

In the Interest of Minor Child(ren): S.M., DOB 11/18/92; K.M., DOB 10/18/93; S.M., DOB 12/13/95; A.M., DOB 09/06/01; A.M., DOB 06/16/04; and A.M., DOB 03/14/06, JV 07-09-14 Order (Motion Hearing) (HCN Tr. Ct., Feb. 6, 2009) (Rockman, A).

The Court had to determine whether to grant a motion by the putative parents of the minor children to recognize substantial compliance with their dispositional requirements. The Court determined that there were outstanding dispositional requirements to be completed, and determined to maintain the status quo.

In the Interest of Minor Children: A.E.O., DOB 02/23/01; D.E.O., DOB 04/12/02 and V.A.F., DOB 12/23/06, JV 08-10-12 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 6, 2009) (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.

FEBRUARY 10, 2009

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 (Formal Trial) (HCN Tr. Ct., Feb. 10, 2009) (Rockman, A).

The Court convened a Trial to determine whether the CFS could prove allegations contained within the initial *Petition*. The Court determined that the CFS could establish the elements of the *Petition* and accordingly scheduled a *Dispositional Hearing*.

FEBRUARY 11, 2009

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-05 Order (Denial of Motion) (HCN Tr. Ct., Feb. 11, 2009) (Matha, T).



The Court had to determine whether to grant a request to reschedule Guardianship Hearing. The Court denied the request, due to the undetermined availability of each attorney within the HCN Department of Justice.

In the Interest of Minor Child(ren): S.M., DOB 11/18/92; K.M., DOB 10/18/93; and S.M., DOB 12/13/95, JV 07-09-11 Order (Requesting Guardian Ad Litem Opinion) (HCN Tr. Ct., Feb. 12, 2009) (Rockman, A).

The Court requested that GAL Bill Harris submit a report evaluating the minor children's best interests regarding placement of the minor children.

FEBRUARY 12, 2009

In the Interest of Minor Child: D.B.M., DOB 10/06/06, JV 07-45 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 12, 2009) (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.

FEBRUARY 16, 2009

In the Interest of Minor Child: J.R.P., DOB 02/27/92, JV 03-01 Order (Modifying Paternal Child Support) (HCN Tr. Ct., Feb. 16, 2009) (Matha, T).

The Court had to determine whether to establish an arrearage for child support against the father of the minor child. The Court did so and established a monthly payment towards this outstanding arrearage.

In the Interest of Minor Child: J.R.P., DOB 02/27/92, JV 03-01 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 16, 2009) (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.

FEBRUARY 17, 2009

In the Interest of Minor Child: T.L.B., DOB 03/18/91, JV 02-05 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 17, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 17, 2009) (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 Child: N.R.W., DOB 03/18/91, JV 07-28, 08-16 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 17, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

FEBRUARY 19, 2009

In the Interest of Minor Children: M.L.H., DOB 08/18/97 et al., JV 05-16-18 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Feb. 19, 2009) (Rockman, A).

The Court granted the request of a party to appear by telephone for a *Motion Hearing*.

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-01 Order (Entrance of Plea) (HCN Tr. Ct., Feb. 19, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of one of the parents, and accordingly scheduled a *Trial*.

FEBRUARY 20, 2009

In the Interest of Minor Children: J.C., DOB 08/01/92 and C.L., DOB 05/30/01, JV 07-53-54 Order (Entrance of Plea) (HCN Tr. Ct., Feb. 20, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of one of the parents, accepted a plea of not guilty from one of the fathers and accordingly scheduled a *Trial*.

FEBRUARY 23, 2009



In the Interest of Minor Children: M.M.M., DOB 12/18/01 and A.L.A., DOB 06/18/04, JV 09-02-03 Order (Dispositional Requirements) (HCN Tr. Ct., Feb. 23, 2009) (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 returning legal custody to the parent.

FEBRUARY 25, 2009

In the Interest of Minor Children: E.D., DOB 12/14/00; O.A., DOB 09/18/03; R.A., DOB 10/26/06 and G.A., DOB 10/31/08, JV 09-07-10 Order (Entrance of Plea) (HCN Tr. Ct., Feb. 25, 2009) (Rockman, A).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of one of the fathers, accepted a plea of not guilty from one of the fathers, and accepted a plea of no contest from the mother. Accordingly, the Court scheduled a *Trial* for the fathers and a *Dispositional Hearing* on behalf of the mother.

In the Interest of Minor Child: S.C., DOB 03/04/91, JV 07-03 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 25, 2009) (Rockman, A).

The Court terminated its jurisdiction over the instant case in accordance with applicable law, as the minor child emancipated.

MARCH 2, 2009

In the Interest of Minor Child: T.W.T., DOB 02/15/04 et al., JV 08-06, -15 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Mar. 2, 2009) (Rockman, A). The Court granted the request of a party to appear by telephone for a *Revocation Hearing*.

In the Interest of Minor Child: E.J.E., DOB 10/14/07 JV 09-12 Order (Entrance of Plea) (HCN Tr. Ct., Mar. 2, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of the parents, and accordingly scheduled a *Trial*.

MARCH 3, 2009

In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-05 Order (Appointment of Permanent Guardians) (HCN Tr. Ct., Mar. 3, 2009) (Matha, T).

HO-CHUNK NATION COURT BULLETIN

FEBRUARY/MARCH 2009, VOL. 15, No. 2-3

The Court had to determine whether an appointment of a permanent guardian was in the best interests of the minor child. Deeming such an appointment in the best interests of the child, the Court appointed two permanent guardians.

In the Interest of Minor Child: K.S., DOB 12/02/08, JV 08-38 Order (Reversal of Plea) (HCN Tr. Ct., Mar. 3, 2009) (Matha, T).

The Court accepted a plea of guilty by the father of the minor child, subject to the results of a state-administered paternity test.

In the Interest of Minor Child: K.S., DOB 12/02/08, JV 08-38 Order (Acceptance of Consent Decree) (HCN Tr. Ct., Mar. 3, 2009) (Matha, T).

The Court conferred "Consent Decree" status upon the instant case.

MARCH 4, 2009

In the Interest of Minor Children: E.D., DOB 12/14/00; O.A., DOB 09/18/03; R.A., DOB 10/26/06 and G.A., DOB 10/31/08, JV 09-07-10 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 4, 2009) (Rockman, A).

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

MARCH 6, 2009

In the Interest of Minor Children: S.S., DOB 04/23/98 and R.S., DOB 05/25/07, JV 07-55-56 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 6, 2009) (Rockman, A).

The Court appointed GAL Stacey Schreiber to represent the interests of the minor children.

In the Interest of Minor Children: T.W-T., DOB 02/15/04 and D.W., DOB 09/30/98, JV 08-06, 08-15 Order (Revocation of Guardianship) (HCN Tr. Ct., Mar. 6, 2009) (Matha, T).

The Court revoked the guardianship after determining it was within the best interests of the children.

In the Interest of Minor Children: T.W-T., DOB 02/15/04 and D.W., DOB 09/30/98, JV 08-06, 08-15 Order (Cessation of Child Support) (HCN Tr. Ct., Mar. 6, 2009) (Matha, T).



The Court ordered a cessation of child support in the instant cases, due to termination of jurisdiction.

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 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 6, 2009) (Matha, T).

The Court appointed GAL Bill Harris to represent the interests of the minor children.

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 (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 6, 2009) (Rockman, A).

The Court appointed GAL Bill Harris to represent the interests of the minor children.

In the Interest of Minor Child: K.C., DOB 03/02/92, JV 08-33 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 6, 2009) (Rockman, A).

The Court appointed GAL Michelle Oravez to represent the interests of the minor children.

MARCH 10, 2009

In the Interest of Minor Children: A.H., DOB 07/31/06, and E.I.V., DOB 11/22/07, JV 07-07, -52 Order (Granting Emergency Temporary Legal/Physical Custody) (HCN Tr. Ct., Mar. 10, 2009) (Rockman, A).

The Court had to determine whether to grant emergency temporary legal and/or physical custody of the above-named minor children. The Court granted the emergency petition.

In the Interest of Minor Children: M.M.M., DOB 12/18/01 and A.L.A., DOB 06/18/04, JV 09-02 -03 Order (Entrance of Plea) (HCN Tr. Ct., Mar. 10, 2009) (Matha, T).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of the fathers, and accordingly scheduled a *Trial*.

MARCH 11, 2009

In the Interest of Minor Children: E.L., DOB 10/11/96 and R.G., DOB 04/21/03, JV 07-46, -47 Order (Termination of Jurisdiction) (HCN Tr. Ct., Mar. 11, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

MARCH 16, 2009

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, JV 04-08-11 Order (Enforcing Child Support) (HCN Tr. Ct., Mar. 16, 2009) (Matha, T).

The Court granted continuing child support as requested by the temporary guardian.

MARCH 17, 2009

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 (Child Support & Release of Impound - Redacted) (HCN Tr. Ct., Mar. 16, 2009) (Matha, T).

The Court granted continuing child support as requested by the temporary guardian, and redacted the order for distribution to the appropriate entities.

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 (Child Support & Release of Impound) (HCN Tr. Ct., Mar. 16, 2009) (Matha, T).

The Court granted continuing child support as requested by the temporary guardian.

In the Interest of Minor Child: L.D.C., DOB 03/14/97, JV 07-18 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 17, 2009) (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.

MARCH 18, 2009

In the Interest of Minor Children: A.H., DOB 07/31/06, and E.I.V., DOB 11/22/07, JV 07-07, -52 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 18, 2009) (Rockman, A).

The Court appointed GAL Bill Harris to represent the interests of the minor children.



In the Interest of Minor Child: M.L.D., DOB 05/23/91, JV 07-18 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 18, 2009) (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 entered additional dispositional requirements for the mother, and terminated jurisdiction over the instant case upon emancipation of the minor child.

MARCH 19, 2009

In the Interest of Minor Children: K.B.M., DOB 10/29/93; G.E.M., DOB 08/25/95; and A.D.M., DOB 04/25/97, JV 03-07-09 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 19, 2009) (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.

MARCH 20, 2009

In the Interest of Minor Children: E.D., DOB 12/14/00; O.A., DOB 09/18/03; R.A., DOB 10/26/00; and G.A., DOB 10/31/08, JV 09-07-10 Order (Reversal of Plea for Fathers & Dispositional Hearing) (HCN Tr. Ct., Mar. 20, 2009) (Rockman, A).

The Court accepted a request by one of the fathers of the minor children to change their plea from not guilty to guilty/no contest. Accordingly, the Court scheduled a *Dispositional Hearing* for one of the fathers, and adopted dispositional requirements for the other father.

In the Interest of Minor Child: A.S., DOB 09/14/08, JV 08-31 Order (Dispositional Requirements) (HCN Tr. Ct., Mar. 20, 2009) (Butterfield, M).

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 parent.

In the Interest of Minor Children: A.H., DOB 07/03/06 and E.I.V., DOB 11/22/07, JV 07-03, -52 Order (En-

trance of Plea) (HCN Tr. Ct., Mar. 20, 2009) (Rockman, A).

The Court conducted a *Plea Hearing*. At the *Hearing*, the Court entered a plea of not guilty on behalf of one of the parents, accepted a plea of not guilty from one of the fathers and accordingly scheduled a *Trial*.

In the Interest of Minor Children: M.L.H., DOB 08/18/97; M.H., DOB 02/19/99 and M.H., DOB 02/09/00, JV 05-16-18 Order (Appointment of Permanent Guardian) (HCN Tr. Ct., Mar. 20, 2009) (Rockman, A).

The Court had to determine whether an appointment of a permanent guardian was in the best interests of the minor child. Deeming such an appointment in the best interests of the child, the Court appointed a permanent guardian.

In the Interest of Minor Child: T.R.C., DOB 03/22/91, JV 08-34 Order (Termination of Jurisdiction) (HCN Tr. Ct., Mar. 20, 2009) (Rockman, A).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

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 (Dispositional Requirements) (HCN Tr. Ct., Mar. 20, 2009) (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 parent.

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 (Establishing Child Support) (HCN Tr. Ct., Mar. 20, 2009) (Rockman, A).

The Court granted child support as requested by the CFS, establishing current child support and arrearages against each parent.

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 Redacted Order (Establishing Child Support) (HCN Tr. Ct., Mar. 20, 2009) (Rockman, A).



The Court granted child support as requested by the CFS, establishing current child support and arrearages against each parent. This redacted order was sent to the appropriate entities for enforcement.



RECENT SUPREME COURT DECISIONS

Gerald Cleveland, Jr. v. Elliot Garvin et al., SU 09-01, Order Denying Appeal (HCN S. Ct., Feb. 9, 2009).



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

FEBRUARY 17, 2009

Menominee Indian Tribe v. Alvin Greengrass, CS 09-08 (Matha, T).

Menominee Indian Tribe v. Hahetum Fish, CS 09-09 (Matha, T).

County of Anoka ex rel. and Jennifer Anderson v. Craig S. Moyer, CS 09-10 (Matha, T).

Milwaukee Co. and Diana Calixto v. Wayne Malone, CS 09-11 (Matha, T).

MARCH 2, 2009

State of Wisconsin v. Lesley Decorah, CS 09-12 (Matha, T).

MARCH 4, 2009

Juneau Co. and Tina Whitman v. Jerald B. Smith, CS 09-13 (Matha, T).

MARCH 11, 2009

HO-CHUNK NATION COURT BULLETIN

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Carlton Co., State of Minnesota v. Christopher J. Sweet, CS 09-14 (Rockman A).

Ashland Co. & Rikki White v. Collin Smith, CS 09-15 (Rockman A).

MARCH 12, 2009

Milwaukee Co. & Ariana Youngthunder v. Anthony F. Greengrass, CS 09-16 (Rockman A).

MARCH 13, 2009

Menominee Indian Tribe v. Kameron K. Rockman, CS 09-17 (Rockman A).

MARCH 17, 2009

Lennette White v. Jeremy Roy Bluemoon King, CS 09-18 (Matha, T).

Andrea Aleman v. Jeremiah Newberry, CS 09-19 (Matha, T).

Celestine TwoEagle v. Lakota Clairmont, CS 09-20 (Matha, T).



CIVIL CASES

FEBRUARY 12, 2009

In the Interest of Adult CTF Beneficiary: Shawn M. Brown, DOB 07/23/88 v. HCN Office of Tribal Enrollment CV 09-07 (Rockman, A).

FEBRUARY 24, 2009

In the Interest of Minor Children: W.K.B., DOB 11/19/94 and P.D.B., DOB 07/08/96 by Kelly J. Funmaker v. HCN Office of Tribal Enrollment, CV 09-08 (Rockman, A).

FEBRUARY 25, 2009

Sherman J. Funmaker v. HCN Election Board, CV 09-09 (Rockman, A).

FEBRUARY 27, 2009

In the Interest of K.K.R., DOB 10/09/68, by Linda Stone Winter v. HCN Office of Tribal Enrollment CV 09-10 (Rockman, A).

MARCH 2, 2009



HHCDA v. Troy Swallow, CV 09-11 (Matha, T).

HHCDA v. Veronica Wilbur, CV 09-12 (Matha, T).

HHCDA v. Charles Hindsley, CV 09-13 (Matha, T).

MARCH 3, 2009

In the Interest of Minor Child: S.K.O., DOB 03/24/96, by Lori Ornellas v. HCN Office of Tribal Enrollment, CV 09-14 (Matha, T).

MARCH 9, 2009

Kerry Funmaker v. HCN Grievance Review Bd., CV 09-15 (Rockman, A).

MARCH 16, 2009

In the Interest of Adult CTF Beneficiary: Vincent Decorah, DOB 11/22/85 v. HCN Office of Tribal Enrollment CV 09-16 (Rockman, A).

MARCH 17, 2009

Kyle M. Funmaker v. HCN Grievance Review Bd., CV 09-17 (Rockman, A).

MARCH 19, 2009

In the Interest of Minor Child: M.E.F., DOB 05/18/97, by Yvonne Funmaker v. HCN Office of Tribal Enrollment, CV 09-18 (Matha, T).

 **CIVIL GARNISHMENT CASES**

FEBRUARY 16, 2009

Valued Services of WI v. Dawn Smith, CG 09-14 (Matha, T).

FEBRUARY 24, 2009

Creditor Recovery Service LLC, agent for Aspirus Doctor's Clinic, Inc. v. Jerry D. McCrossen, CG 09-15 (Matha, T).

MARCH 2, 2009

Conway & Seefeld, S.C. v. Eric Taylor, CG 09-16 (Matha, T).

MARCH 13, 2009

Midland Credit Management, Inc. v. John Anderson a/k/a Lawrence Anderson, CG 09-17 (Matha, T).

Midland Credit Mgmt. v. Ann Pflugh, CG 09-18 (Matha, T).

Midland Credit Mgmt. v. Glen Kasper CG 09-19 (Matha, T).

 **JUVENILE CASES**

FEBRUARY 17, 2009

In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-11 (Matha, T).

FEBRUARY 19, 2009

In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-12 (Matha, T).

MARCH 4, 2009

In the Interest of Minor Child: S.S., DOB 11/26/91, JV 09-13 (Matha, T).

MARCH 18, 2009

In the Interest of Minor Child: D.G., DOB 08/26/91, JV 09-14 (Matha, T).

In the Interest of Minor Child: D.O., DOB 02/12/99, JV 09-15 (Matha, T).

 **FAMILY CASES**

FEBRUARY 23, 2009

Lucy K. Snake v. Roger D. Snake, FM 09-02 (Rockman, A).

 **DOMESTIC VIOLENCE CASES**

SUCH FILINGS ARE CONSIDERED CONFIDENTIAL. THERE HAS BEEN ONE (1) FILING FROM FEBRUARY 1, 2009 THROUGH MARCH 20, 2009.

RECENT SUPREME COURT FILINGS

JANUARY 29, 2009

Gerald Cleveland, Jr. v. Elliot Garvin, Roberta Decorah and Douglas Greengrass, in the capacity as check signers for the HCN Legislature, SU 09-01.



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

(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)



HO-CHUNK NATION COURT BULLETIN

April/May 2009 Issue



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Lay Advocate Training



For a number of years the Ho-Chunk Nation has had only one registered Lay Advocate. A Lay Advocate is a person without law degree who does the work of an attorney for other tribal members. Lay Advocates serve a vital role in the Ho-Chunk Nation judicial system, as they perform the work of attorneys at a reduced fee. This allows access to a higher level of legal representation than one would get by representing themselves. Many tribal members also do not qualify for Wisconsin Judicare, yet they cannot afford an attorney on their own, a lay advocate fills this void. In an effort to expand the number of Lay Advocates available to the Nation, the Trial Court provided the community with Lay Advocate Training

On April 28, 2009, 17 brave souls embarked upon the journey to becoming Lay Advocates. The Lay Advocate Training put on by the Ho-Chunk Nation Trial Court consisted of four days of rigorous workshops that were designed to give the participants the bedrock foundation of legal scholarship needed to effectively advocate for tribal members.

Each participant was required to attend class from 9AM to 4PM each of the days. The curriculum was as follows:

Day 1

Basic Legal Concepts

Ho-Chunk Nation Constitution & Selected Laws

Components of a Pleading (i.e., Complaint, Petition)

Alternative Initial Filing: Writ of Mandamus

Day 2

Responses

Motions: Requests to the Court

Motion for Summary Judgment

Motion for Preliminary Injunction

Motion for Reconsideration

Day 3

Legal Research & Writing

Evidence

Professional Responsibility & Ethical Duties

Appeals



Day 4

Day 4 for the participants was probably the most nerve racking yet rewarding day of the training. In a culmination of the training, each prospective advocate participated in a mock trial. For many it was their first attempt at such an endeavor.

When the Trial Court set out to provide the training, it was determined that the training would not take place if the Court had not received eight

applications. The response far exceeded the Courts expectations, as 30 applications were received. The Court would like to thank all those who participated and wish all the new Lay Advocates luck in their new potential vocation.



April 12th Marks 10 Years with the HCN Judiciary



Chief Judge Todd R. Matha (*Wanašipga*) was first appointed to the bench as an Associate Judge on April 12, 1999. On July 1, 2005, he was elevated to chief judge by the Legislature. Prior to his judicial appointment, he worked as a tribal attorney with the Nation's Department of Justice. A tribal member, he was the first Josephine P. Whiteeagle scholar, and graduated from the University of Minnesota School of Law in 1996. Providing a wealth of institutional knowledge about the development of the Nation's and jurisprudence, as well as contributing to its very development, Judge Matha has regularly led legal and community education efforts, most recently the Lay Advocacy Training certification program in April 2009. Judge Matha currently serves as Vice-President of the Wisconsin Tribal Judge's Association, Inc. and retired from organizing the annual Labor Day Softball Tournament on June 2,

2009. The Court warmly congratulates Chief Judge Matha for his ten year tenure with the HCN Judiciary, and looks forward to his contributions in the future.



MARK YOUR CALENDARS!

GUARDIAN AD LITEM TRAINING: JULY 21-23, 2009

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 § 75. 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 21-23, 2009, at *Wa Ehi Hoci* in Black River Falls, Wisconsin. Wisconsin Judicare, Inc., will conduct the training which is free to tribal members and non-member tribal employees.

Non-member tribal employees, interested individuals are encouraged to attend. Current guardians ad litem seeking to serve as a GAL for 2009-10 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 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.

So, get your leave request into your supervisor, contact the Clerk of Courts, and attend this training on July 21-23, 2009. We need GALs for the Judiciary to serve the interests of Ho-Chunk children.



UPDATES FROM OUTSIDE COURTS

UNITED STATES SUPREME COURT

Hawaii v. Office of Hawaiian Affairs, No. 07-1372, 36 Indian L. Rep. 1017 (U.S. Sup. Ct., Mar. 31, 2009) The U.S. Supreme Court holds that it has jurisdiction and that the Apology Resolution, Public Law 103-150, did not strip the State of Hawaii of its sovereign authority to alienate the lands of the United States held in absolute fee and granted to the State upon its admission into the Union, and thus reverses the ruling of the Hawaii Supreme Court and remands to that court.

United States v. Navajo Nation, No. 07-1410, 36 Indian L. Rep. 1021 (U.S. Sup. Ct., Apr. 6, 2009) The U.S. Supreme Court holds that neither the Navajo-

Hopi Rehabilitation Act of 1950, 25 U.S.C. §§ 635(a), 638, nor the Surface Mining Control Act of 1977, 30 U.S.C. § 1300(e), constitute specific rights-creating or duty-imposing statutory or regulatory prescriptions, and none of the sources of law cited by the Federal Circuit and relied upon by the Navajo Nation provides any more sound a basis for the Nation's breach-of-trust lawsuit against the United States than those the Court analyzed in *United States v. Navajo Nation*, 537 US 488 (*Navajo I*).

UNITED STATES COURT OF APPEALS, DISTRICT OF COLUMBIA CIRCUIT

Cheyenne Arapaho Tribes of Oklahoma v. United States, et al., No. 07-5399, 36 Indian L. Rep. 2073 (D.C. Cir., Mar. 17, 2009). The U.S. Court of Appeals for the D.C. Circuit affirms the district court's denial of the plaintiffs' motion for a continuance to permit discovery on the ground that the district court correctly determined that it lacked subject matter jurisdiction over the plaintiffs' claims in an appeal involving rights to land originally designated as part of a reservation for the plaintiffs and which was later set apart by executive order as a U.S. military installation.

UNITED STATES COURT OF APPEALS, 9TH CIRCUIT

Harris v. Parisian, et al., No. 07-35740, unpublished, 36 Indian L. Rep. 2077 (9th Cir., Mar. 30, 2009) The U.S. Court of Appeals for the Ninth Circuit affirms the district court's dismissal of the appellant's claims against tribal defendants for failure to exhaust her tribal remedies, and finds that the claims against the named defendant are barred by tribal sovereign immunity.

UNITED STATES COURT OF APPEALS, 10TH CIRCUIT

United States v. Benally, No. 08-4009, 36 Indian L. Rep. 2078 (10th Cir., Mar. 23, 2009) The U.S. Court of

Appeals for the Tenth Circuit denies a petition for a rehearing en banc in a criminal prosecution of a Native American in which some of the members of the jury later reported racist vies and stereotypes of Native American openly espoused during deliberations.



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 31, 2009

State of Wisconsin ex rel. v. Benjamin Gleilchauf, CS 08-40 Order (Modifying and Enforcing Child Support (HCN Tr. Ct., Mar. 31, 2009) (Matha, T).

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

APRIL 6, 2009

Jessica Bearskin v. Roger D. Thundercloud, CV 98-31 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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.

Rebecca Rave v. Andrew S. Rave, CS 02-57 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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.

Mary Revels v. Claire Revels, CS 98-42 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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 V. Bourdon v. Max P. Funmaker, Jr., CS 98-12 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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.

State of Wisconsin ex rel. v. Douglas Red Eagle, Sr., CS 99-02 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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.

State of Wisconsin ex rel. v. Wilfrid Cleveland, CS 03-19 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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.

Taryn P. Greendeer v. William J. Greendeer, CS 03-70 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Apr. 6, 2009) (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 7, 2009

State of Wisconsin ex rel. v. Clint Beversdorf, CS 05-55 Order (Cessation of Withholding) (HCN Tr. Ct., Apr. 7, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner'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.

APRIL 8, 2009

Marissa Lynn Dickey (Youngthunder) v. Michael Blaine Youngthunder, Sr., CS 06-40 Order (*Arrearage Withholding*) (HCN Tr. Ct. Apr. 8, 2009) (Rockman, A). The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

Sarah J. Pyawasit v. Michael Blaine Youngthunder, Sr., CS 08-14 Order (*Updating Arrearage Withholding*) (HCN Tr. Ct. Apr. 8, 2009) (Rockman, A). The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

APRIL 14, 2009

Sauk Co. Child Support Agency ex rel. v. Patricia A. Whitecloud, CS 00-46 Order (*Cessation of Withholding*) (HCN Tr. Ct., Apr. 14, 2009) (Matha, T.). The Court had to determine whether to grant the petitioner's motion to suspend child support because arrearages have been paid in full. The Court granted the motion and suspended withholding in the instant case.

Racine Co. Child Support Agency ex rel. v. Jeremiah Newberry, CS 09-19 Order (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., Apr. 14, 2009) (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.

Sarah Hilmer v. Tony Snowball, CS 08-85 Default Judgment (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., Apr. 14, 2009) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent filed a timely answer but waived his right to a hearing; the Court granted recognition and enforcement of the foreign judgment.

Menominee Tribal Child Support Agency ex rel., v. Jamie R. Kaquatosh, CS 08-49, -50 Order (*Cessation of Withholding*) (HCN Tr. Ct., Apr. 14, 2009) (Rockman, A). The Court had to determine whether to grant the petitioner'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.

Racine Co. Child Support Agency ex rel. v. Yo Na Montelongo, CS 03-77 Order (*Cessation of Withholding*) (HCN Tr. Ct., Apr. 14, 2009) (Rockman, A). The Court had to determine whether to grant the petitioner'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.

Menominee Tribal Child Support Agency ex rel., v. Kameron K. Rockman, CS 09-17 Default Judgment (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., Apr. 14, 2009) (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 file a timely answer, thus, the Court granted recognition and enforcement of the foreign judgment.

Menominee Tribal Child Support Agency ex rel., v. Jeffery J. Rockman, CS 99-59 Order (*Updating Arrearage Withholding*) (HCN Tr. Ct. Apr. 14, 2009) (Rockman, A). The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

Lennette Renee White. v. Jeremy Ray Bluemoon King, CS 09-18 Order (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., Apr. 14, 2009) (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. Jordan E. Miller, CS 05-81 Order (*Updating Arrearage Withholding*) (HCN Tr. Ct. Apr. 14, 2009) (Rockman, A). The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

State of Wisconsin ex rel. v. Julie Rockman, CS 07-12 Order (*Cessation of Withholding*) (HCN Tr. Ct., Apr. 14, 2009) (Matha, T.). The Court had to determine whether to grant the petitioner's motion to suspend child support because arrearages have been paid in full. The Court granted the motion and suspended withholding in the instant case.

State of Iowa ex rel., v. Darrell L. Sena, CS 01-06, 02-21 Order (Updating Arrearage Withholding) (HCN Tr. Ct. Apr. 14, 2009) (Matha, T).

The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

State of Iowa ex rel., v. Marcus Sena, CS 03-78 Order (Updating Arrearage Withholding) (HCN Tr. Ct. Apr. 14, 2009) (Matha, T).

The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

State of Wisconsin ex rel., v. Chebon Bear, CS 02-55 Order (Updating Arrearage Withholding) (HCN Tr. Ct. Apr. 14, 2009) (Rockman, A).

The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

State of Wisconsin ex rel. v. Andrew J. Munden, CS 07-74, 08-71 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Apr. 14, 2009) (Matha, T).

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

APRIL 15, 2009

Jessica Bearskin v. Roger D. Thundercloud, CS 98-31 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 15, 2009) (Rockman, A).

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

Melissa McGill v. Jones Decorah, CS 96-66 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

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

Columbia Co. Child Support Agency ex rel., v. Lesley A. Decorah, CS 09-12 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 15, 2009) (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 file a

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

Melissa McGill v. Jones Decorah, CV 96-66 and *Barbara J. Decorah v. Jones Decorah*, CV 97-19, Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 15, 2009) (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 file a timely answer, thus, the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment.

State of Wisconsin ex rel., v. Douglas Red Eagle, Sr., CS 99-02 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 15, 2009) (Rockman, A).

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

State of Wisconsin ex rel., v. Genevieve K. Pettibone, CS 08-86 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 15, 2009) (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 file a timely answer, thus the Court granted recognition and enforcement of the foreign judgment.

Eau Claire Co. Child Support Agency ex rel., v. Kenneth W. Lewis, CS 09-03 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 15, 2009) (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 file a timely answer, thus the Court granted recognition and enforcement of the foreign judgment.

Michelle S. Rave v. Jeriah J. Rave, Sr., CS 09-07 Order (Impounding Per Capita) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

The Court impounded respondent's per capita until a child support hearing could be held and appropriate enforcement can be determined.

April V. Bourdon v. Max P. Funmaker, Jr., CS 98-12 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

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

State of Wisconsin ex rel., v. Kric V. Pettibone, CS 05-44 Order (Updating Arrearage Withholding) (HCN Tr. Ct. Apr. 15, 2009) (Matha, T).

The Court had to determine whether to grant petitioner's motion to update arrearage withholding. The Court granted petitioner's uncontested motion.

APRIL 16, 2009

Jackson Co. Child Support Agency ex rel. v. Curtis F. Redbird, CS 06-36 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

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

Pine Co. Child Support Agency ex rel. v. Curtis F. Redbird, CS 03-26 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

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

Rosalie J. Kakkak v. Alvin E. Greengrass, Sr., CS 09-08 Default Judgment (Enforcing Arrears) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

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

Nikki Dickenson v. Manuel Ramirez, CS 09-02 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 16, 2009) (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 file a timely answer. The Court granted recognition and enforcement of the foreign judgment.

State of Wisconsin ex rel., v. John F. Blackdeer, CS 02-46 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

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

Wendi A. Huling v. Kirk R. Standstraight, CS 09-06 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 16, 2009) (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 file a timely answer. The Court granted recognition and enforcement of the foreign judgment.

Stephanie Small v. Garrett C. Decorah, CS 03-06 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

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

State of Iowa ex rel. v. Jerome J. Houston, CS 02-42, -43 Order (Cessation of Withholding - Arrears) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner'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.

Heather Eklund. v. Isaiah Funmaker, CS 08-56 Order (Modifying Child Support Against Wages) (HCN Tr. Ct., Apr. 16, 2009) (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 ex rel., et al., v. Truman Williams, CS 07-69, 08-53, 09-04 Order (Equitable Adjustment) (HCN Tr. Ct., Apr. 16, 2009) (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 file a timely answer. The Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment as the respondent had other child support obligations.

State of Wisconsin ex rel., et al., v. Tyrone E. Cloud, CS 06-43, 08-76 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., Apr. 16, 2009) (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 ex rel. v. Roger Houghton, Sr., CS 04-54 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

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

State of Iowa ex rel., v. Aaron Blackhawk CS 02-48, 06-21 *Order (Equitable Adjustment)* (HCN Tr. Ct., Apr. 16, 2009) (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 file a timely answer. The Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment as the respondent had other child support obligations.

Shirley A. Keezer v. Christopher J. Sweet, CS 09-14 *Order (Enforcing Child Support)* (HCN Tr. Ct., Apr. 16, 2009) (Rockman, A).

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

Hilary G. Green v. Jay Blackdeer, CS 09-24 *Order (Enforcing Child Support)* (HCN Tr. Ct., Apr. 16, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The Court assumed the acquiescence of the parties as the respondent filed the petition. The Court granted recognition and enforcement of the foreign judgment.

Lisa A. Banuelos, et al., v. Anthony M. Smith, Jr., CS 01-05, 05-69, 07-63, 09-05 *Order (Equitable Adjustment)*(HCN Tr. Ct., Apr. 16, 2009) (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 file a timely answer. The Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment as the respondent had other child support obligations.

APRIL 17, 2009

Rosalie J. Kakkak v. Alvin E. Greengrass, Sr., CS 09-08 *Order (Erratum)* (HCN Tr. Ct., Apr. 17, 2009) (Matha, T).

The Court issued an Order to include the respondents Tribal ID number.

Melissa McGill, et al., vs. Jones Decorah, CV 96-66, 97-19 *Order (Erratum)* (HCN Tr. Ct., Apr. 17, 2009) (Matha, T).
The Court issued an Order to correct a clerical error.

Pine Co. Child Support Agency ex rel., v. Terry L. Gourd, CS 03-26 *Order (Erratum)* (HCN Tr. Ct., Apr. 17, 2009) (Matha, T).

The Court issued an Order to correct a clerical error.

Lisa A. Banuelos, et al., v. Anthony M. Smith, Jr., CS 01-05, 05-69, 07-63, 09-05 *Order (Erratum)*(HCN Tr. Ct., Apr. 17, 2009) (Rockman, A).

The Court issued an Order to correct a clerical error.

APRIL 23, 2009

State of Wisconsin ex rel. v. Roger Houghton, Sr., CS 04-54 *Order (Erratum)* (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court issued an Order to correct a clerical error.

State of Wisconsin ex rel. v. Wilfrid Cleveland, CS 03-19 *Order (Erratum)* (HCN Tr. Ct., Apr. 23, 2009) (Rockman, A).

The Court issued an Order to correct a clerical error.

APRIL 27, 2009

State of Iowa ex rel., v. Aaron Blackhawk, CS 02-48, 06-21 *Order (Modifying Arrears Withholding)* (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

The Court issued an Order to modify arrears withholding. This was done after an examination of Iowa law.

MAY 6, 2009

State of Wisconsin ex rel. v. Roger Kenneth Lewis, CS 07-03 *Reissued Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., May 6, 2009) (Matha, T).

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

MAY 7, 2009

Jennifer J. Whitedog v. Julius P. Whitedog, CS 07-83 *Reissued Order: Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., May 7, 2009) (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 file a timely answer, thus the Court granted recognition and enforcement of the foreign judgment.

Dane County Child Support Agency ex rel. v. Lisa A Banuelos (Rave), CS 06-15 *Order (Cessation of Withholding)* (HCN Tr. Ct., May 7, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner'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.

Michelle Rave v. Jeriah J. Rave, Sr., CS 09-07 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., May 7, 2009) (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.

Michelle Rave v. Jeriah J. Rave, Sr., CS 09-07 *Order (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., May 7, 2009) (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 file a timely answer, thus the Court granted recognition and enforcement of the foreign judgment.

MAY 11, 2009

Michelle Rave v. Jeriah J. Rave, Sr., CS 09-07 *Order (Erratum)* (HCN Tr. Ct., May 11, 2009) (Matha, T).

The Court issued an Order to correct a clerical error.

MAY 14, 2009

Jan LaCount v. Curtis Pidgeon CS 03-11 *Order (Erratum)* (HCN Tr. Ct., May 14, 2009) (Matha, T).

The Court issued an Order to correct a clerical error.

MAY 18, 2009

State of Wisconsin ex rel., v. Erik J. Littlegeorge, CS 09-21 *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., May 18, 2009) (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. Erik J. Littlegeorge, CS 09-21 *Order (Enforcing Child Support Per Capita)* (HCN Tr. Ct., May 18, 2009) (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 file a timely answer, thus the Court granted recognition and enforcement of the foreign judgment.

 **CIVIL GARNISHMENT CASES**

MARCH 27, 2009

Conway & Seefeld, S.C. v. Eric Taylor, CG 09-16 *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.

APRIL 3, 2009

Midland Credit Management, Inc. v. Ann M. Pflugh, CG 09-18 *Order (Voluntary Dismissal)* (HCN Tr. Ct., Apr. 3, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to dismiss. The petitioner indicated the respondent had discharged the debt. The Court granted the motion to dismiss.

Midland Credit Management, Inc. v. John Anderson, CG 09-17 *Order (Default Judgment)* (HCN Tr. Ct., Apr. 3, 2009) (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.

APRIL 15, 2009

Midland Credit Management, Inc. v. Glen N. Kasper, CG 09-19 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

The Court issued an Order allowing the petitioner to appear by phone.

APRIL 21, 2009

In the Matter of the Outstanding Obligations of: Victor F. Perez, CG 09-22 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Apr. 21, 2009) (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.

APRIL 23, 2009

Creditor Recovery Service, LCC v. Jerry D. McCrossen, CG 09-15 Order (Default Judgment) (HCN Tr. Ct., Apr. 23, 2009) (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.

Douglas & Jennifer Gjertson v. Shirley Bithell, CG 09-20 Order (Default Judgment) (HCN Tr. Ct., Apr. 23, 2009) (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. Lenny W. Cloud, CG 09-08 Order (Default Judgment) (HCN Tr. Ct., Apr. 23, 2009) (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 6, 2009

Midland Credit Management, Inc., v. Glen N. Kasper, CG 09-19 Order (Petition Granted) (HCN Tr. Ct., May 6, 2009) (Matha, T).

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

MAY 7, 2009

Creditor Recovery Service, LCC v. Lanette Walker, CG 09-23 Order (Default Judgment) (HCN Tr. Ct., May 7, 2009) (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.

Community Dental v. Francisco Rivas, Jr., CG 09-21 Order (Default Judgment) (HCN Tr. Ct., May 7, 2009) (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 19, 2009

In the Matter of the Outstanding Obligations of: Victor F. Perez, CG 09-22 Order (Denying Post Judgment Motion) (HCN Tr. Ct., Apr. 21, 2009) (Matha, T).

The Court had to determine whether to grant a motion for rehearing. The Court denied the motion.

MAY 21, 2009

Gundersen Clinic, Ltd. v. Teresa R. and Jacob Snow, CG 09-25 Order (Default Judgment) (HCN Tr. Ct., May 21, 2009) (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 26, 2009

Alliance Collection Agencies, Inc., v. Lena Maries Walker, CG 09-28 Order (Default Judgment) (HCN Tr. Ct., May 26, 2009) (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. Donna R. Pabst, CG 09-27 Order (Default Judgment) (HCN Tr. Ct., May 26, 2009) (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. Steven Stygar, CG 09-29 Order (Default Judgment) (HCN Tr. Ct., May 26, 2009) (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

APRIL 23, 2009

Ho-Chunk Nation and Ho-Chunk Nation Department of Labor v. Danielle Tucker, CV 09-24 Order (Requiring Amended Compliant) (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court issued an Order requiring the petitioner to amend its complaint to include, “a short plain statement[] of the grounds upon which the Court’s jurisdiction depends.”

Ho-Chunk Nation and Ho-Chunk Nation Department of Labor v. Chanina Whitecloud, CV 09-22 Order (Requiring Amended Compliant) (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court issued an Order requiring the petitioner to amend its complaint to include, “a short plain statement[] of the grounds upon which the Court’s jurisdiction depends.”

Ho-Chunk Nation and Ho-Chunk Nation Housing & Community Development Agency v. Charles Hindsley, CV 09-13 Order (Requiring Amended Compliant) (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court issued an Order requiring the petitioner to amend its complaint to include, “a short plain statement[] of the grounds upon which the Court’s jurisdiction depends.”

Ho-Chunk Nation and Ho-Chunk Nation Housing & Community Development Agency v. Troy Swallow, CV 09-11 Order (Requiring Amended Compliant) (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court issued an Order requiring the petitioner to amend its complaint to include, “a short plain statement[] of the grounds upon which the Court’s jurisdiction depends.”

Ho-Chunk Nation and Ho-Chunk Nation Housing & Community Development Agency v. Veronica Wilbur, CV 09-12 Order (Requiring Amended Compliant) (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court issued an Order requiring the petitioner to amend its complaint to include, “a short plain

statement[] of the grounds upon which the Court’s jurisdiction depends.”

APRIL 24, 2009

Gerald Cleveland, Jr., v. Elliot Garvin, Roberta Decorah, and Douglas Greendeer, in their capacity as check signers for the Ho-Chunk Nation Legislature, CV 08-36 Order (Granting Leave to File Amended Compliant) (HCN Tr. Ct., May 4, 2009) (Matha, T).

The Court issued an Order granting the petitioners request for leave to file an amended complaint.

MAY 4, 2009

Leslie A. Thompson v. MPC Maintenance Dept, Brian Darling, Dave Turner, CV 08-19 Order (Status Hearing) (HCN Tr. Ct., May 4, 2009) (Matha, T).

The Court issued a scheduling order.

MAY 6, 2009

Ho-Chunk Nation et al., v. Kenneth Lee Twin et al., CV 08-83 Order (Notice of Oral Argument) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court granted petitioners request for oral argument.

ADMINISTRATIVE APPEALS

MARCH 27, 2009

Summer Dawn Dick v. Jonette Pettibone, CV 08-19 Order (Status Hearing) (HCN Tr. Ct., Mar. 27, 2009) (Rockman, A).

The Court issued a scheduling order.

MARCH 30, 2009

Tracy Cole v. Ho-Chunk Nation Grievance Review Board, Ho-Chunk Nation, CV 08-39 Order (Show Cause) (HCN Tr. Ct., Mar. 30, 2009) (Rockman, A).

The Court *sua sponte* scheduled a Show Cause Hearing pursuant to the HCN Contempt Ordinance.

APRIL 22, 2009

Kristin K. White Eagle v. Ho-Chunk Nation Grievance Review Board, CV 08-17 Order (Final Judgment) (HCN Tr. Ct., Apr. 22, 2009) (Rockman, A).

The Court had to determine whether to remand the instant case to the GRB with instructions. The Court declined to do so since the plaintiff has demonstrated an inability to satisfy the minimum requirements for tortious constructive discharge.

MAY 4, 2009

Karen Litscher v. Ho-Chunk Nation Grievance Review Board, CV 08-80 Order (Reversal & Remand) (HCN Tr. Ct., May 4, 2009) (Rockman, A).

The Court had to determine whether to uphold the decision of the GRB. The Court reversed and remanded the decision due to the failure of the supervisor to afford the petitioner procedural due process.

MAY 6, 2009

Darren L. Brinegar v. Ho-Chunk Nation Grievance Review Board, CV 08-50 Order (Notice of Oral Argument) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court granted petitioners request for oral argument.

Cheryl Brinegar v. Ho-Chunk Nation Grievance Review Board, CV 08-45 Order (Notice of Oral Argument) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court granted petitioners request for oral argument.

Kenneth Lee Twin v. Ho-Chunk Nation Grievance Review Board, CV 08-79 Order (Notice of Oral Argument) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court granted petitioners request for oral argument.

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

MARCH 5, 2008

In the Interest of Adult CTF Beneficiary: Shawn M. Browne DOB 07/23/1988, CV 09-07 Order (Dismissal) (HCN Tr. Ct., Mar. 24, 2008) (Rockman, A).

The Court had scheduled a *Fact Finding Hearing*. Prior to the hearing, the petitioner filed a motion to withdraw his petition. The Court granted this request.

MARCH 30, 2009

In the Interest of Minor Child: A.T.R., DOB 09/27/96, by Tina Boisen v. HCN Office of Tribal Enrollment, CV 09-19 Order (Petition Granted) (HCN Tr. Ct., Mar. 30, 2009) (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: M.E.F., DOB 05/18/97, by Yvonne L. Funmaker v. HCN Office of Tribal Enrollment, CV 09-18 Order (Petition Granted) (HCN Tr. Ct., Mar. 30, 2009) (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.

APRIL 1, 2009

In the Interest of Minor Child: S.B.G., DOB 04/21/96, by Taryn Power Greendeer v. HCN Office of Tribal Enrollment CV 09-05 Order (Petition Granted in Part) (HCN Tr. Ct., Apr. 1, 2009) (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 private school tuition. The Court granted the petition in part by allowing access to a pro rata share to pay for expenses already incurred.

APRIL 6, 2009

In the Interest of Minor Child: O.S., DOB 07/03/95, by John Steindorf v. HCN Office of Tribal Enrollment CV 08-82 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 6, 2009) (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.T.F., DOB 12/13/95, by Forrest Funmaker v. HCN Office of Tribal Enrollment CV 08-90 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 6, 2009) (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: D.G.R., DOB 03/16/98, by Aaron G. Rodriguez v. HCN Office of Tribal Enrollment CV 08-81 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 6, 2009) (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.K.B., DOB 07/25/94, by Daryll V. Bird v. HCN Office of Tribal Enrollment CV 08-96 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 6, 2009) (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: W.F.O. III, DOB 11/27/96, by Liane Brown v. HCN Office of Tribal Enrollment CV 08-88 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 6, 2009) (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.

APRIL 7, 2009

In the Interest of Minor Child: J.M.T., DOB 04/08/97, by Juanita F. Tracy v. HCN Office of Tribal Enrollment CV 08-92 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 7, 2009) (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: 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 (Requesting Accounting) (HCN Tr. Ct., Apr. 7, 2009) (Rockman, A).

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.

In the Interest of Adult CTF Beneficiary: Sarah Balderas, DOB 03/27/90 v. HCN Office of Tribal Enrollment CV 08-

93 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 7, 2009) (Rockman, A).

The Court previously released funds from her CTF account for costs associated with dental care. 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: Caleb F. Funmaker, DOB 03/03/87 v. HCN Office of Tribal Enrollment CV 08-52 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 7, 2009) (Rockman, A).

The Court previously released funds from his CTF account for costs associated with obtaining his High School Diploma. 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.L.M., DOB 05/26/98, by Karen L. Klongland v. HCN Office of Tribal Enrollment, CV 08-06 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 7, 2009) (Matha, T).

The Court previously released funds from her CTF account for costs associated with dental care. 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: A.W., DOB 10/28/91 and D.W., DOB 03/17/94 and V.W., DOB 07/25/95 and D.W., DOB 12/14/96 by Joanne Mann v. HCN Office of Tribal Enrollment CV 08-65 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 7, 2009) (Rockman, A).

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 14, 2009

In the Interest of Minor Child: V.S.B., DOB 07/22/98, by Heidi M. Bird v. HCN Office of Tribal Enrollment, CV 09-18 Order (Petition Granted) (HCN Tr. Ct., Apr. 14, 2009) (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.

APRIL 20, 2009

In the Interest of Adult CTF Beneficiary: Eugene R. Wesho, DOB 05/27/88 v. HCN Office of Tribal Enrollment CV 08-91 Order (Denying Petition) (HCN Tr. Ct., Apr. 20, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access his CTF monies for costs associated with maintaining a household. The Court denied the petition.

In the Interest of Adult CTF Beneficiary: Trista L. Youngthunder, 12/02/87 v. HCN Office of Tribal Enrollment CV 08-94 Order (Denying Petition) (HCN Tr. Ct., Apr. 20, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access his CTF monies for costs associated with purchasing an automobile. The Court denied the petition.

APRIL 23, 2009

In the Interest of Minor Child: R.A.W., DOB 02/24/96, by Joanne R. Whiterabbit v. HCN Office of Tribal Enrollment, CV 09-26 Order (Petition Granted) (HCN Tr. Ct., Apr. 23, 2009) (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.

MAY 4, 2009

In the Interest of Minor Child: C.L.M., DOB 05/26/98, by Karen L. Klongland v. HCN Office of Tribal Enrollment CV 08-04 Order (Accepting Accounting) (HCN Tr. Ct., May 4, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted and the Court has accepted the accounting.

MAY 6, 2009

In the Interest of Minor Child: J.B.C., DOB 01/09/03, by William B. Collins v. HCN Office of Tribal Enrollment, CV 09-30 Order (Petition Granted) (HCN Tr. Ct., May 6, 2009) (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 dental procedures. The Court granted the petition.

In the Interest of Minor Child: M.A.K., DOB 03/11/96, by Melissa Radtke-Khlap v. HCN Office of Tribal Enrollment, CV 09-35 Order (Petition Granted) (HCN Tr. Ct., May 6, 2009) (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: R.F.F., DOB 09/08/97, by John G. Funmaker v. HCN Office of Tribal Enrollment, CV 09-28 Order (Petition Granted) (HCN Tr. Ct., May 6, 2009) (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.A.T., DOB 07/14/95, by Susan M. Weber v. HCN Office of Tribal Enrollment, CV 09-31 Order (Petition Granted) (HCN Tr. Ct., May 6, 2009) (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: L.G.R., DOB 05/14/97, by Leah M. Rave v. HCN Office of Tribal Enrollment, CV 09-33 Order (Petition Granted) (HCN Tr. Ct., May 6, 2009) (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: O.S., DOB 07/13/95, by John Steindorf v. HCN Office of Tribal Enrollment CV 08-82 Order (Accepting Accounting) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted and the Court has accepted the accounting.

In the Interest of Adult CTF Beneficiary: CiCi B. BigJohn DOB 03/05/88 v. HCN Office of Tribal Enrollment, CV 09-04 Order (Partially Granting Petition) (HCN Tr. Ct., May 6, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access her CTF monies for costs

associated with housing and school. The Court granted the petition in part.

In the Interest of Minor Child: W.F.O. III, DOB 11/27/96, by Liane J. Brown v. HCN Office of Tribal Enrollment CV 08-88 Order (Accepting Accounting) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted and the Court has accepted the accounting.

MAY 8, 2009

In the Interest of Minor Children: M.W., DOB 12/16/93; Z.W., DOB 07/28/91, by Rita Wolf v. HCN Office of Tribal Enrollment CV 08-44 Order (Requesting Accounting) (HCN Tr. Ct., May 8, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with eye care. 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.K.B., DOB 7/25/94, by Daryll V. Bird v. HCN Office of Tribal Enrollment CV 08-96 Order (Demanding Accounting) (HCN Tr. Ct., May 8, 2009) (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: J.M.T., DOB 04/08/97, by Juanita F. Tracy v. HCN Office of Tribal Enrollment CV 08-92 Order (Demanding Accounting) (HCN Tr. Ct., May 8, 2009) (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: Sarah Balderas, DOB 03/27/90 v. HCN Office of Tribal Enrollment CV 08-93 Order (Demanding Accounting) (HCN Tr. Ct., May 8, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the petitioner for costs associated with dental care. 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: A.W., DOB 10/28/91; D.W., DOB 03/17/94; V.W., DOB 07/25/95; D.W., DOB 12/14/96, by Joanne Mann v. HCN Office of Tribal Enrollment CV 08-65 Order (Demanding Accounting) (HCN Tr. Ct., May 8, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor children for costs associated with an outstanding 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 11, 2009

In the Interest of Minor Children: D.J.A.R., DOB 04/05/97; K.M.L.R., DOB 11/28/98, by Darcy Funmaker v. HCN Office of Tribal Enrollment CV 08-46 Order (Accepting Accounting) (HCN Tr. Ct., May 11, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted and the Court has accepted the accounting.

MAY 14, 2009

In the Interest of Minor Child: J.B.K., DOB 02/17/04, by Danielle Knak v. HCN Office of Tribal Enrollment, CV 08-42 Order (Petition Granted in Part and Denied in Part) (HCN Tr. Ct., May 14, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to access to the minor child's CTF monies for costs associated with autism treatment. The Court granted the petition in part.

MAY 18, 2009

In the Interest of Minor Child: A.E.B., DOB 04/27/05, by Francesca Bird v. HCN Office of Tribal Enrollment, CV 06-119 Order (Motion Granted) (HCN Tr. Ct., May 18, 2009) (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 motion.

In the Interest of Minor Child: M.L., DOB 04/27/05, by Christine Luke v. HCN Office of Tribal Enrollment, CV 07-

25 Order (*Motion Granted*) (HCN Tr. Ct., May 18, 2009) (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 motion.

In the Interest of Minor Child: B.Y., DOB 09/02/93, by Judith Youngthunder v. HCN Office of Tribal Enrollment, CV 09-43 Order (Petition Granted) (HCN Tr. Ct., May 18, 2009) (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.

MAY 19, 2009

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 Order (Accepting Accounting) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted and the Court has accepted the accounting.

MAY 22, 2009

In the Interest of Minor Child: J.L.P., DOB 04/18/98, by Lucie A. Penland v. HCN Office of Tribal Enrollment, CV 09-44 Order (Petition Granted) (HCN Tr. Ct., May 22, 2009) (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.

MAY 26, 2009

In the Interest of Minor Child: J.M.T., DOB 04/08/97, By Juanita F. Tracey v. HCN Office of Tribal Enrollment CV 08-92 Order (Accepting Accounting) (HCN Tr. Ct., May 26, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted and the Court has accepted the accounting.

In the Interest of Adult CTF Beneficiary: Caleb F. Funmaker DOB 03/03/97 v. HCN Office of Tribal Enrollment, CV 08-52 Order (Show Cause) (HCN Tr. Ct., May 26, 2009) (Rockman, A).

The Court scheduled a *Show Cause Hearing* to determine whether to hold the petitioner in contempt for not filing an accounting with the Court.

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

Leilani Jean Chamberlain v. Adam, Hall Enrollment Officer of the Ho-Chunk Nation, CV 05-109 Order (Show Cause) (HCN Tr. Ct., Apr. 23, 2009) (Matha, T).

The Court had to determine whether to hold a hearing on the petitioner's contention that the respondent is not complying with discovery requests. The Court granted the petitioner's request for a *Show Cause Hearing*.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

MARCH 30, 2009

In the Interest of G.D.G., DOB 01/03/43, by Alma Miner v. HCN Office of Tribal Enrollment, CV 05-16 Order (Closing Case) (HCN Tr. Ct., Mar. 30, 2009) (Rockman, A).

The Court closed the case due to the passing of the member.

APRIL 8, 2009

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. 8, 2009) (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.

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., Apr. 8, 2009) (Rockman, A).

The Court previously released funds from the CTF account of the adult incompetent for costs associated with ongoing 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.

APRIL 14, 2009

In the Interest of Adult Incompetent: K.K.R., DOB 10/09/68, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Motion Granted) (HCN Tr. Ct., Apr. 14, 2009) (Rockman, A).

The Court had to determine whether a legal guardian could access monies on behalf of an adult incompetent member to pay for increased fees to guardian as well as outstanding medical bills. The Court is not able to release funds for medical bills due to lack of funds contained in ITF.

MAY 4, 2009

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., May 4, 2009) (Rockman, A).

The Court had to determine whether a legal guardian could access monies on behalf of an adult incompetent member to pay for van repair bills. The Court granted the request.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. FIVE (5) DECISIONS WERE ISSUED FROM MARCH 20, 2009 THROUGH MAY 31, 2009.

FAMILY

DIVORCE

APRIL 6, 2009

In re the Marriage of: Melanie TwoBears and Brady TwoBears, FM 09-01 Final Judgment for Divorce (HCN Tr. Ct., Apr. 6, 2009) (Rockman, A).

The Court granted the joint petition for divorce.

JUVENILE CASES

MARCH 24, 2009

In the Interest of Minor Child: L.D.C., DOB 03/14/97, JV 07-18 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 24, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor child.

MARCH 25, 2009

In the Interest of Minor Children: A.A.F., 01/10/92; E.M.F., DOB 03/27/93; M.R.F., DOB 01/26/99, JV 08-02-04 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 25, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor children.

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 25, 2009) (Rockman, A).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor children.

In the Interest of Minor Child: T.K.W., 10/16/07, JV 07-42 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 25, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor children.

In the Interest of Minor Children: L.H.C., DOB 02/05/01; M.K., DOB 03/10/05, JV 07-43-44 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 25, 2009) (Rockman, A).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor children.

MARCH 26, 2009

In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-12 Order (Reversal of Pleas) (HCN Tr. Ct., Mar. 26, 2009) (Matha, T).

The Court had to decide whether to grant the parents request to change their pleas from not guilty to no contest. The Court granted their request.

In the Interest of Minor Children: J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-53-54 Order (Formal Trial) (HCN Tr. Ct., Mar. 26, 2008) (Rockman, A).

The Court convened a Trial to determine whether the CFS could prove allegations in their *Petition*. The fathers of the minor children failed to appear, and CFS demonstrated it could partially establish elements of the *Petition*. The Court then scheduled a Dispositional Hearing.

MARCH 27, 2009

In the Interest of Minor Children: A.H., DOB 07/03/06; E.I.V., DOB 11/22/07, JV 07-03, -52 Order (Entrance of Plea) (HCN Tr. Ct., Mar. 27, 2009) (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 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 (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 27, 2009) (Rockman, A).

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.

MARCH 30, 2009

In the Interest of Minor Children: C.S.C., 11/22/97; K.K.C., DOB 11/04/99; K.A.C., DOB 11/02/01, JV 08-07 Order (Revocation of Guardianship & Cessation of Child Support) (HCN Tr. Ct., Mar. 30, 2009) (Matha, T).

The Court ordered the temporary guardianship terminated and the children returned to the custodial parent per the best interest of the children. Furthermore, the Court ordered that Child Support cease.

In the Interest of Minor Child: J.D.S., DOB 09/08/03, JV 03-30 Order (Name Change) (HCN Tr. Ct., Mar. 30, 2009) (Matha, T).

The Court had to determine whether to permit a name change of a minor child whom it exercises jurisdiction and supervision. In absence of any objection and with guidance from the Traditional Court, the Court grants the request.

In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-11 Order (Voluntary Dismissal) (HCN Tr. Ct., Mar. 30, 2009) (Matha, T).

The Court granted the petitioner's request for a voluntary dismissal.

MARCH 31, 2009

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 (Clarification) (HCN Tr. Ct., Mar. 31, 2009) (Rockman, A).

The Court issued a clarification regarding urinalysis testing.

APRIL 1, 2009

In the Interest of Minor Child: A.J.S., DOB 09/14/08, JV 08-31 Order (Submission of Guardianship Report and Home Study) (HCN Tr. Ct., Apr. 1, 2009) (Butterfield, M).

The Court ordered CFS to prepare and submit a guardianship report and home study to the Court.

APRIL 6, 2009

In the Interest of Minor Child: R.L., DOB 04/27/91, JV 97-07 Order (Termination of Jurisdiction) (HCN Tr. Ct., Apr. 6, 2009) (Rockman, A).

The minor child reached the age of majority, therefore the Court terminated its jurisdiction.

APRIL 15, 2009

In the Interest of Minor Child: S.S., DOB 11/26/91, JV 09-13 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor child.

In the Interest of Minor Children: D.G., DOB 08/26/91; D.O., DOB 02/12/99, JV 09-14-15 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor children.

In the Interest of Minor Child: S.J.K., DOB 09/23/06, JV 09-16 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 15, 2009) (Matha, T).

The Court appointed GAL Stacy Schreiber to represent the interests of the minor child.

APRIL 16, 2009

In the Interest of Minor Children: M.M.M., DOB 12/18/01; A.L.A., DOB 06/18/04, JV 09-02-03 Minute Order (Regarding Maternal Child Support) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

The Court issued an Order to impact the May 1, 2009 per capita distribution. A formal written judgment was forthcoming.

In the Interest of Minor Children: J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-53-54 Minute Order (Regarding Maternal Child Support) (HCN Tr. Ct., Apr. 16, 2009) (Matha, T).

The Court issued an Order to impact the May 1, 2009 per capita distribution. A formal written judgment was forthcoming.

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; L.A.M., DOB 12/16/00; D.B.M., DOB 10/06/07 JV 03-07-10, 07-45 Minute Order (Regarding Paternal Child Support) (HCN Tr. Ct., Apr. 16, 2009) (Rockman, A).

The Court issued an Order to impact the May 1, 2009 per capita distribution. A formal written judgment was forthcoming.

APRIL 17, 2009

In the Interest of Minor Children: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; D.M.M., DOB 04/18/98, JV 08-18-20 Order (Motion Hearing) (HCN Tr. Ct., Apr. 17, 2009) (Rockman, A).

The Court assessed the father's compliance with the dispositional requirements. The Court determined by the Court that due to the father's compliance the children would be returned to his custody.

In the Interest of Minor Children: M.M.M., DOB 12/18/01; A.L.A., DOB 06/18/04, JV 09-02-03 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., Apr. 17, 2009) (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.

APRIL 20, 2009

In the Interest of Minor Child: S.E.C., DOB 02/25/96, JV 08-21 Order (Establishment of Child Support) (HCN Tr. Ct., Apr. 20, 2009) (Rockman, A).

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

In the Interest of Minor Children: J.C., DOB 08/01/92; C.L., DOB 05/30/01, JV 07-53-54 Order (Vacating Minute Order) (HCN Tr. Ct., Apr. 20, 2009) (Matha, T).

The Court had issued an Order to impact the May 1, 2009 per capita distribution. The Court subsequently determined that proper notice was not given and therefore vacates the order.

APRIL 21, 2009

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; L.A.M., DOB 12/16/00; D.B.M., DOB 10/06/07 JV 03-07-10, 07-45 Order (Modification and Establishment of Paternal Child Support) (HCN Tr. Ct., Apr. 21, 2009) (Rockman, A).

The Court had to determine whether to modify and establish a child support obligation for the father of the minor children. The Court determined the father has a responsibility to support his minor children and establishes child support.

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.

MAY 4, 2009

In the Interest of Minor Child: K.A.D., DOB 09/05/96; JV 09-19 Order (Submission of Traditional Relatives List) (HCN Tr. Ct., May 4, 2009) (Matha, T).

The Court requested that CFS compile a traditional relatives list.

In the Interest of Minor Child: D.G., DOB 08/26/91, JV 09-14 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., May 4, 2009) (Matha, T).

The Court had to determine whether to appoint a temporary guardian of the minor child. The Court appointed a temporary guardian, deeming such an appointment within the minor child's best interests.

In the Interest of Minor Child: D.O., DOB 02/12/99, JV 09-15 Order (Appointment of Permanent Guardian) (HCN Tr. Ct., May 4, 2009) (Matha, T).

The Court had to determine whether to appoint a permanent guardian of the minor child. The Court appointed a permanent guardian, deeming such an appointment within the minor child's best interests.

MAY 5, 2009

In the Interest of Minor Child: S.J.K., DOB 09/23/06, JV 09-16 Order (Granting Telephonic Appearance) (HCN Tr. Ct., May 5, 2009) (Matha, T).

The Court granted the GAL's request to appear by telephone.

In the Interest of Minor Child: K.A.D., DOB 09/05/96, JV 09-19 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., May 5, 2009) (Matha, T).

The Court appointed Stacey Schreiber Guardian ad litem.

MAY 6, 2009

In the Interest of Minor Child: E.D., DOB 12/14/00, JV 09-07 Order (Dispositional Hearing for Father) (HCN Tr. Ct., May 6, 2009) (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 returning legal custody to the parent.

In the Interest of Minor Child: H.L.D., DOB 05/02/91, JV 08-27 Order (Termination of Jurisdiction) (HCN Tr. Ct., May 6, 2009) (Rockman, A).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

MAY 7, 2009

In the Interest of Minor Children: J.C., DOB 06/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07; D.C., DOB 04/22/08, JV 07-04-05, -37, 08-13 Order (Child

Protection Review Hearing) (HCN Tr. Ct., May 7, 2009) (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.

MAY 8, 2009

In the Interest of Minor Child: J.C., DOB 08/01/92, JV 07-53 Order (Establishment of Paternal Child Support) (HCN Tr. Ct., May 8, 2009) (Matha, T).

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

In the Interest of Minor Child: C.L., DOB 05/30/01, JV 07-54 Order (Establishment of Paternal Child Support) (HCN Tr. Ct., May 8, 2009) (Matha, T).

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

MAY 12, 2009

In the Interest of Minor Children: C.A.H.W., DOB 05/04/05; M.P.W., DOB 10/18/07, JV 09-17-18 Order (Voluntary Dismissal) (HCN Tr. Ct., May 12, 2009) (Matha, T).

The Court dismissed the *Petition* based on the filing of a correspondence indicating withdrawal of such by the petitioner.

In the Interest of Minor Child: N.R.Y., DOB 07/07/91, JV 05-34 Order (Termination of Jurisdiction) (HCN Tr. Ct., May 12, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case in accordance with applicable law.

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; D.C., JV 08-02-04 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 12, 2009) (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.

MAY 13, 2009

In the Interest of Minor Child: T.K.W., DOB 10/16/07, JV 07-42 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 13, 2009) (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: 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.

MAY 15, 2009

In the Interest of Minor Child: S.J.K., DOB 05/15/09, JV 09-16 Order (Continuation of Guardianship Hearing) (HCN Tr. Ct., May 15, 2009) (Matha, T).

The Court continued the *Guardianship Hearing*, in order for the parties to secure legal representation.

MAY 18, 2009

In the Interest of Minor Child: S.S., DOB 11/26/91, JV 09-13 Order (Continuation of Guardianship Hearing) (HCN Tr. Ct., May 18, 2009) (Matha, T).

The Court continued the *Guardianship Hearing*, in order for the parties to secure legal representation.

In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08 Order (Erratum) (HCN Tr. Ct., May 18, 2009) (Rockman, A).

The Court issued the Order to correct a clerical error.

MAY 19, 2009

In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-12 Order (Dispositional Requirements) (HCN Tr. Ct., May 19, 2009) (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. Parental dispositions were established with the hope of returning legal custody to the parent.

In the Interest of Minor Children: L.H.C., DOB 03/05/01; M.K., DOB 03/01/05, JV 07-43-44 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 19, 2009) (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 reunify the children with their mother.

In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/94; L.M.T., DOB 01/20/93, JV 07-62-64 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 19, 2009) (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: A.H., DOB 07/31/06; E.I.V., DOB 11/22/07, JV 07-07, -52 Order (Formal Trial) (HCN Tr. Ct., May 19, 2008) (Rockman, A).

The Court convened a Trial to determine whether the CFS could prove allegations in their *Petition*. The fathers of the minor children failed to appear, and CFS demonstrated it could establish elements of the *Petition*. The Court then scheduled a Dispositional Hearing.

MAY 21, 2009

In the Interest of Minor Child: L.D.C., DOB 03/14/97, JV 07-18 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 21, 2009) (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.

MAY 26, 2009

In the Interest of Minor Children: C.J.D., DOB 05/19/93; H.A.D., DOB 03/23/95; K.A.D., DOB 09/05/96, JV 09-21-23 Order (Entrance of Plea) (HCN Tr. Ct., May 26, 2009) (Rockman, A).

The Court conducted a *Plea Hearing*. At the *Hearing*, the parent entered pleas of not guilty.

In the Interest of Minor Child: S.E.C., DOB 02/25/96, JV 08-21 Order (Child Protection Review Hearing) (HCN Tr. Ct., May 26, 2009) (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 while adopting a single additional dispositional requirement.



RECENT SUPREME COURT DECISIONS

APRIL 20, 2009

Joyce Warner v. Ho-Chunk Nation, Ona Garvin, Director of Gaming James Webster, Department of Business, SU 09-02 Scheduling Order (HCN S. Ct., Apr. 20, 2009).

The Court issued a *Scheduling Order*.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

APRIL 7, 2009

Terri Holmes v. Eric Littlegeorge, CS 09-21 (Rockman, A).

State of Wisconsin v. Dale Petersen, CS 09-22 (Rockman, A).

State of Wisconsin v. Kevin Decorah, CS 09-23 (Rockman, A).

State of Wisconsin v. Jay Blackdeer, CS 09-24 (Rockman, A).

State of Wisconsin v. Dakota Blackcoon, CS 09-25 (Rockman, A).

APRIL 20, 2009

Rebecca Funmaker v. Robert Funmaker, CS 09-26 (Rockman, A).

APRIL 27, 2009

State of Wisconsin v. Keegan Huling, CS 09-27 (Matha, T).

APRIL 28, 2009

State of Wisconsin v. Tricia Custodio, CS 09-28 (Matha, T).

Allyssa K. Westbrook v. Justin Westbrook, CS 09-29 (Matha, T).

MAY 12, 2009

Penny Murphy v. Jeffery Rockman, CS 09-30 (Matha, T).

Megan Maas v. William Tech, CS 09-31 (Matha, T).

MAY 15, 2009

State of Wisconsin ex rel. v. Kirk Standstraight, CS 09-32 (Matha, T).

MAY 19, 2009

Menominee Tribe of WI. v. Lillian A. Harrison, CS 09-33 (Rockman, A).

Menominee Tribe of WI. v. Lillian A. Harrison, CS 09-34 (Rockman, A).

Menominee Tribe of WI. v. Lillian A. Harrison, CS 09-35 (Rockman, A).

Christine M. Wilson v. Alan Whitegull, CS 09-36 (Rockman, A).

MAY 29, 2009

State of Wisconsin ex rel. v. Lloyd Whiteeagle CS 09-37 (Matha, T).



CIVIL CASES

MARCH 23, 2009

In the Interest of Minor Child: A.R., DOB 09/27/96, by Tina Boisen, CV 09-19 (Rockman, A).

MARCH 24, 2009

In the Interest of Minor Child: R.M., DOB 09/27/97, by Alicia R. Minor, CV 09-20 (Rockman, A).

MARCH 26, 2009

In the Interest of Minor Child: V.S.B., DOB 07/22/98, by Heidi M. Bird, CV 09-21 (Rockman, A).

HCN Dept. of Labor v. Chanina Whitecloud, CV 09-22 (Matha, T).

HCN Dept. of Labor v. Dodie Topping, CV 09-23 (Matha, T).

HCN Dept. of Labor v. Danielle Tucker, CV 09-24 (Matha, T).

HCN Dept. of Labor v. Michael Sheahan, CV 09-25 (Matha, T).

APRIL 9, 2009

In the Interest of Minor Child: R.A.W., DOB 02/24/96, by Joanne Whiterabbit, CV 09-26 (Rockman, A).

In the Interest of Minor Children: R.A.W., DOB 02/24/96; J.H.W., DOB 10/06/99 by Joanne Whiterabbit, CV 09-27 (Rockman, A).

APRIL 10, 2009

In the Interest of Minor Child: R.F.F., DOB 09/08/97, by John Funmaker, CV 09-28 (Rockman, A).

APRIL 24, 2009

In the Interest of Minor Children: D.A.D., DOB 06/09/98; G.E.D., DOB 08/20/99 by Maryla Day, CV 09-29 (Rockman, A).

APRIL 28, 2009

In the Interest of Minor Child: J.B.C., DOB 01/09/03, by William Collins, CV 09-30 (Rockman, A).

APRIL 30, 2009

In the Interest of Minor Child: J.A.T., DOB 07/14/95, by Susan M. Weber, CV 09-31 (Matha, T).

MAY 1, 2009

D. Hopinkah v. HCN Enrollment, CV 09-32 (Matha, T).

In the Interest of Minor Child: L.G.R., DOB 05/14/97, by Leah M. Rave, CV 09-33 (Matha, T).

Leslie Thompson v. MPC Maintenance, Brian Darling & David Turner, CV 09-34 (Matha, T).

MAY 5, 2009

In the Interest of Minor Child: M.A.K., DOB 03/11/96, by Melissa Radtke-Khlap, CV 09-35 (Rockman, A).

In the Interest of Minor Child: T.M.A., DOB 05/13/86, by Paula & Robert Anderson, CV 09-36 (Rockman, A).

In the Interest of Minor Child: N.W.J., DOB 10/17/91, by Sandra Spooner, CV 09-37 (Rockman, A).

Ho-Chunk Housing & Community Development Agency v. Travis Prescott, CV 09-38 (Rockman, A).

Ho-Chunk Housing & Community Development Agency v. Sheila Page, CV 09-39 (Rockman, A).

Ho-Chunk Housing & Community Development Agency v. Genevieve Pettibone, CV 09-40 (Rockman, A).

Ho-Chunk Housing & Community Development Agency v. Sarah (Jones) Decorah, CV 09-41 (Rockman, A).

Ho-Chunk Housing & Community Development Agency v. Daryl Decora, CV 09-42 (Rockman, A).

MAY 8, 2009

In the Interest of Minor Children: B.Y., DOB 06/30/02; D.Y., DOB 09/02/03 by Judith Youngthunder, CV 09-43 (Rockman, A).

MAY 13, 2009

In the Interest of Minor Child: J.L.P., DOB 04/18/98, by Lucie Penland, CV 09-44 (Rockman, A).

MAY 19, 2009

In the Interest of Minor Children: B.H., DOB 11/18/91; C.Y., DOB 06/06/94 by Ernestine Helgesen, CV 09-45 (Rockman, A).

MAY 21, 2009

HOP v. Jenny Sickles, CV 09-46 (Rockman, A).

MAY 22, 2009

In the Interest of Minor Child: S.F.S., DOB 07/22/97 by Kristy Simonson, CV 09-47 (Rockman, A).

MAY 28, 2009

Diana Wolf v. HCN Grievance Review Board, CV 09-38 (Matha, T).



CIVIL GARNISHMENT CASES

MARCH 26, 2009

Douglas & Jennifer Gjertson v. Shirley Bithell, CG 09-20 (Matha, T).

Community Dental v. Francisco Riveras Jr., CG 09-21 (Matha, T).

APRIL 15, 2009

Sauk County Clerk of Court v. Victor Perez, CG 09-22 (Matha, T).

Creditor Recovery Service LLC v. Lynette Walker, CG 09-23 (Matha, T).

Gundersen Clinic, Ltd. v. Arlene Tostenson, CG 09-24 (Matha, T).

APRIL 24, 2009

Gundersen Clinic, Ltd. v. Teresa & Jacob Snow, CG 09-25 (Matha, T).

MAY 1, 2009

Conway & Seefeld, S.C. v. John & Doris Aughtman, CG 09-26 (Matha, T).

Alliance Collection Agency v. Donna Pabst, CG 09-27 (Matha, T).

Alliance Collection Agency v. Lena Walka, CG 09-28 (Matha, T).

Alliance Collection Agency v. Steven Stygar, CG 09-29 (Matha, T).

Alliance Collection Agency v. Randall Alan White Eagle, CG 09-30 (Matha, T).

John Thompson v. Trina Buchanan, CG 09-31 (Matha, T).

Conway & Seefeld, S.C. v. Barbara M Funmaker, CG 09-32 (Matha, T).

MAY 8, 2009

Gundersen Clinic, Ltd. v. Amy & William Browe, CG 09-33 (Matha, T).

Black River Memorial v. Peggy Perkins, CG 09-34 (Matha, T).

Gundersen Clinic, Ltd. v. David & Patricia Hanson, CG 09-35 (Matha, T).

MAY 15, 2009

Alliance Collection Agency v. Nyree Kedrowski, CG 09-36 (Matha, T).

Creditor Recovery Service LLC v. Mark Houghton, CG 09-37 (Matha, T).

Black River Memorial v. Melany Tobin, CG 09-38 (Matha, T).

Alliance Collection Agency v. Daniel Dowling, CG 09-39 (Matha, T).

Alliance Collection Agency v. Gwendolyn Osowski, CG 09-40 (Matha, T).

MAY 19, 2009

Quick Cash Loans v. Matthew Mann, CG 09-41 (Matha, T).

Midland Credit Management Inc. v. Linda Simonson, CG 09-42 (Matha, T).

Capital One Bank. v. Rhiannon Wilks, CG 09-43 (Matha, T).

MAY 22, 2009

Citizens Finance v. Steve Hockmuth, CG 09-44 (Matha, T).

Citizens Finance v. Heather Littlejohn, CG 09-45 (Matha, T).

American family Mutual Insurance and its insured Carl & Ferne Schroeder and David Bunk v. Milton E. Jensen, CG 09-46 (Matha, T).

Tower Credit Union v. Judy Boruch, CG 09-47 (Matha, T).

Dianne Littlegeorge v. Steven Littlegeorge, CG 09-48 (Matha, T).

Alliance Collection Agency v. Lenny Cloud, CG 09-49 (Matha, T).

Alliance Collection Agency v. Promise Bakken, CG 09-50 (Matha, T).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

 **DIVORCE CASES**

Sharri M. Mann v. Richard R. Mann, FM 09-03 (Matha, T).

 **DOMESTIC VIOLENCE**

SUCH FILINGS ARE CONSIDERED CONFIDENTIAL. THERE HAS BEEN FIVE (5) FILINGS FROM MARCH 20, 2009 THROUGH MAY 31 2009.

 **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 (Rockman, A).

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 (Rockman, A).

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 27, 2009

Joyce Warner v. Ho-Chunk Nation, Ona Garvin, Director of Gaming James Webster, Department of Business, SU 09-02.



**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 Falcon
Administrative Assistant – Rosalie Kakkak
Bailiff – Al Carrimon
Law Clerk/Staff Attorney – Natalie Stites (Ed.)
Law Clerk/Staff Attorney – Joshua 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
(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)

HO-CHUNK NATION COURT BULLETIN

June 2009 Issue



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The New Hocak Nation Third Party Guardianship Act

Starting July 1, 2009, the Court will begin applying the new Third Party Guardianship Act. Prior to July 1, 2009, cases involving guardianship were controlled by the Hocak Nation Children and Family Act. The new Guardianship Act will apply to any guardianship cases and motions filed as of July 1, 2009, and following. This article will highlight some of the differences between the old guardianship law and the new Third Party Guardianship Act.

Old Guardianship Law v. New Third Party Guardianship Act

The biggest structural change regarding the Act, is that it is no longer part of the Children and Family Act. Third Party Guardianship is now its own act, titled "HoCak Nation Third Party Guardianship Act, (4 HCC § 11). The new Act, contains several differences as it expands and clarifies several provisions of the old law.

For example, under the previous law, the Court was to immediately make a request that Children and Family Services (CFS), a division within the Ho-Chunk Nation Department of Health and Social Services, conduct a home study. This will no longer be the case.

Under the new Act, CFS will no longer "play a role in cases under this Act." 4 HCC § 11.12a. "The Court can only make referrals to CFS for a child protection intake or for a Multiple Displacement Assessment." *Id.* In every case, a *guardian ad litem* (GAL) will be appointed to represent the best interests of the child. *Id.*, § 11.12b. The GAL will have to submit a guardianship report after investigating the circumstances of the child. *Id.*, § 11.12c. The Act provides specific details regarding the role and duties of the GAL. *Id.*, § 11.12.

Like the GAL, under the new Act, the appointed guardian will also have additional duties to the Court. Any person adjudicated as the guardian of a minor child and/or of the minor child's property must submit an Annual Guardian Report to the Court. *Id.*, § 11.17. The Act provides specific

details on how the guardian is to complete the task. The new Act gives the Court discretionary authority to appoint a co-guardian in specific circumstances. *Id.*, § 11.20. “If the Court appoints a guardian . . . , it may also consider appointing the guardian’s spouse as a co-guardian....” *Id.* In such an instance, “the co-guardian will be subject to all the limitations and will have all of the duties of the petitioning guardian.” *Id.*

Another difference between the old guardianship law and the new Act, is the contents of the petition when initiating an action. The new Act still requires all of the petition contents that the old law required. However, under the new Act, a guardianship petition must also “. . . present conditions and circumstances that warrant the appointment of the guardian.” *Id.* at (10)a.(2)h. The petition must also include “a list of people willing and able to become an interim successor guardian....” *Id.* § 11.10a(2)(i). Finally, when initiating an action, the petitioner must also sign a “Release of Information” to permit the Court to conduct a criminal background check. The Court may consider charging a reasonable filing fee to cover the costs of conducting these checks.” *Id.*, § 11.10a(4)

Individuals interested in initiating a Third Party Guardianship Act should refer to the actual code. Copies of the law may be obtained from the legislative website. <http://www.ho-chunknation.com/?PagelD=254>. Any questions regarding changes in the new code or regarding how to initiate such an action, can be directed to the Trial Court.



Welcome! New Staff Attorney/Law Clerk Joins the Trial Court

On July 1, 2009, Rebecca L. Maki began her two year term as staff attorney for the Trial Court. Rebecca is an enrolled member of the Lac du Flambeau Band of Lake Superior Ojibwe Indians. In 2005, she graduated from Duke University with a Bachelor of Arts in History and Political Science. While attending Duke University, Rebecca returned home every summer and worked with local youth at the Abinoojiyag Center. After graduating from Duke, Rebecca again returned home and worked for Lac du Flambeau’s Historic Preservation Office as the Assistant Tribal Historic Preservation Officer, and as a substitute teacher for the Lac du Flambeau Public School. After a short break, Rebecca returned to school and earned her Juris Doctor in May 2009 from the University of Wisconsin-Madison Law School. During law school, Rebecca served as a student attorney for the Family Court Assistance Project and interned for a Dane County Judge. Rebecca is looking forward to getting to know the Ho-Chunk Judicial System and the people they serve.



UPDATES FROM OUTSIDE COURTS

UNITED STATES COURT OF APPEALS, FIFTH CIRCUIT

Odneal v. Pierce et al., No. 06-41165, unpublished, 36 Indian L. Rep. 2081 (5th Cir., Apr. 3, 2009). The U.S. Court of Appeals for the Fifth Circuit reserves the district court's dismissal of a Native American prisoner's claims under the Religious Land Use and Institutionalized Persons Act concerning his kouplock and medicine pouch, and remands for further proceedings.

UNITED STATES COURT OF APPEALS, NINTH CIRCUIT

Solis v. Matheson et al., No. 07-35633, 36 Indian L. Rep. 2083 (9th Cir., Apr. 20, 2009). The U.S. Court of Appeals for the Ninth Circuit affirms the district court's ruling that the overtime provisions of the Fair Labor Standards Act apply to a retail business located on an Indian reservation and owned by tribal members, and that the Secretary of the U.S. Department of Labor has the authority to enter the Indian reservation to inspect the books of that business, but vacates the district court's automatic appointment of a receiver holding that the district court's authority to order a receivership should be exercised only after evidence has been presented and findings made showing the necessity of a receivership.

UNITED STATES COURT OF APPEALS, TENTH CIRCUIT

Arizona Public Service Company, et al. v. U.S. Environmental Protection Agency, et al., Nos. 07-9546 and 07-9547, 36 Indian L. Rep. 2088 (10th Cir., Apr. 14, 2009). In consolidated actions, the U.S. Court of Appeals for the Tenth Circuit grants the Environmental Protection Agency's motion for voluntary remand, and grants in part and denies in part the petitions for review in an action under the Clean Air Act.

Barrett, Jr., et al. v. United States, No. 08-6017, 36 Indian L. Rep. 2094 (10th Cir., Apr. 6, 2009). The U.S. Court of Appeals for the Tenth Circuit affirms the district court's ruling that the salary paid to the plaintiff as chairman of the Citizen Potawatomi Tribe is not exempt from federal income tax, as well as the court's ruling on accuracy-related penalty.

United States v. Fred, No. 08-2052, unpublished, 36 Indian L. Rep. 2098 (10th Cir., Apr. 20, 2009). Reversing the district court's judgment, the U.S. Court of Appeals for the Tenth Circuit concludes that the district court erred in admitting the appellant's oral and written statements to the FBI, and remands with directions to vacate the appellant's conviction.

Yancey v. Bonner, No. 08-6220, unpublished, 36 Indian L. Rep. 2100 (10th Cir., Apr. 21, 2009). The U.S. Court of Appeals for the Tenth Circuit affirms the judgment of the district court applying its ruling in *Morrow v. Winslow*, 94 F.3d 1386 (10th Cir. 1996), to conclude that 25 U.S.C. § 1914 of the Indian Child Welfare Act, authorizing independent federal review of state court decisions, was not intended to allow federal court interdiction of ongoing state custody disputes involving Indian children, and thus abstention is mandated.

UNITED STATES COURT OF APPEALS, ELEVENTH CIRCUIT

Freemanville Water System, Inc. v. Poarch Band of Creek Indians, et al., No. 08-10602, 36 Indian L. Rep. 2101 (11th Cir., Mar. 30, 2009). The U.S. Court of Appeals for the Eleventh Circuit concludes that there is nothing in the Consolidated Farm and Rural Development Act of 1961, 7 U.S.C. §§ 1921-2009dd-7, that waives the sovereign immunity of the Poarch Band of Creek Indians for purposes of an action seeking to enjoin the tribe from developing its own water facilities and distribution system.



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 16, 2009

Eliza M. Green v. Montgomery J. Green Sr., CS 02-30 Order (Cessation of Withholding) (HCN Tr. Ct., June 16, 2009) (Matha, T).

The Court ceased withholding from the respondent's per capita payments on the request of the petitioner.

Alyssa K. Westbrook v. Justin A. Westbrook, CS 09-29 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., June 16, 2009) (Matha, T).

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

CIVIL GARNISHMENT CASES

JUNE 16, 2009

Alliance Collection Agencies, Inc. v. Nyree Kedrowski, CG 09-36 Order (Default Judgment) (HCN Tr. Ct., June 16, 2009) (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.

Midland Credit Management, Inc. v. Linda J. Simonson, CG 09-42 Order (Default Judgment) (HCN Tr. Ct., June 16, 2009) (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.

American Family Mutual Insurance v. Milton E. Jenson, CG 09-46 Order (Requiring Amended Petition) (HCN Tr. Ct., June 16, 2009) (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.

Alliance Collection Agencies, Inc. v. Gwendolyn R. Osowski, CG 09-40 Order (Default Judgment) (HCN Tr. Ct., June 16, 2009) (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 19, 2009

Quick Cash Loans v. Matthew J. Mann, CG 09-41 Order (Default Judgment) (HCN Tr. Ct., June 19, 2009) (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. Rhiannon L. Wilks, CG 09-43 Order (Default Judgment) (HCN Tr. Ct., June 19, 2009) (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. Promise J. Bakken, CG 09-50 Order (Default Judgment) (HCN Tr. Ct., June 19, 2009) (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. Mark Houghton, CG 09-37 Order (Default Judgment) (HCN Tr. Ct., June 19, 2009) (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.

Citizens Finance Co. v. Steve Hockmuth, CG 09-44 Order (Requiring Amended Petition) (HCN Tr. Ct., June 19, 2009) (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.

CIVIL CASES

JUNE 9, 2009

In the Interest of C.A.D., DOB 03/18/1980 v. HCN Office of Tribal Enrollment, CV 98-38 Order (Appointment of Guardian) (HCN Tr. Ct., June 9, 2009) (Rockman, A).

The Court had to determine whether the current guardian of the adult incompetent could be succeeded by the petitioners pursuant to tradition and custom of the Ho-Chunk people. Absent objection from the parties, the Court granted the request.

ADMINISTRATIVE APPEALS

JUNE 15, 2009

Summer Dawn Dick v. Jonette Pettibone, CV 08-19 Order (Affirming) (HCN Tr. Ct., June 15, 2009) (Rockman, A).

The Court had to determine whether to uphold the decision of the GRB. The Court affirmed the decision of the GRB, because the decision was not arbitrary and capricious. The GRB properly concluded that the petitioner was terminated for just cause.

JUNE 30, 2009

Tracy Cole v. HCN Grievance Review Board, CV 08-39 Order (Addressing Contempt) (HCN Tr. Ct., June 30, 2009) (Rockman, A).

The Court must determine whether to find the Executive Director of the Department of Personnel in contempt of court. The Court previously held that the defendants did not afford the plaintiff minimum procedural due process in connection with her discharge from employment. The Court did not find the parties in contempt of court, but did order the Director to issue the petitioner a check for lost wages.

CHILDREN'S TRUST FUND (CTF)

JUNE 11, 2009

In the Interest of Minor Child: S.T.F., DOB 12/13/1995 v. HCN Office of Tribal Enrollment, CV 08-90 Reissued Order (Requesting Accounting) (HCN Tr. Ct., June 11, 2009) (Rockman, A).

The Court previously released money 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 12, 2009

In the Interest of Minor Child: L.P.L., DOB 10/21/1999 v. HCN Office of Tribal Enrollment, CV 09-49 Order (Petition Granted) (HCN Tr. Ct., June 15, 2009) (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.

JUNE 16, 2009

In the Interest of Minor Child: L.M., DOB 01/08/1992 v. HCN Office of Tribal Enrollment, CV 08-87 Order

(Accepting Accounting) (HCN Tr. Ct., June 16, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with a treatment services program. The petitioner submitted a receipt confirming the proper use of funds, which the Court accepted.

In the Interest of Minor Child: B.C.T., DOB 06/13/1997 v. HCN Office of Tribal Enrollment, CV 08-48 Order (Accepting Accounting) (HCN Tr. Ct., June 16, 2009) (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 funds, which the Court accepted.

In the Interest of Minor Child: K.R.S., DOB 01/01/1995 v. HCN Office of Tribal Enrollment, CV 08-75 Order (Accepting Accounting) (HCN Tr. Ct., June 16, 2009) (Rockman, A).

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 funds, which the Court accepted.

In the Interest of Minor Child: T.R.F., DOB 07/13/2000 v. HCN Office of Tribal Enrollment, CV 08-58 Order (Motion Granted) (HCN Tr. Ct., June 16, 2009) (Matha, T).

The Court previously approved a release of funds from the CTF accounts of the minor child for costs of orthodontic care. The petitioner submitted a request for a further release of CTF monies to cover additional unmet patient obligations. The respondent agreed with the request. The Court granted the motion.

JUNE 17, 2009

In the Interest of Minor Child: S.T.F., DOB 12/13/1995 v. HCN Office of Tribal Enrollment, CV 08-90 Order (Accepting Accounting) (HCN Tr. Ct., June 17, 2009) (Rockman, A).

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 funds, which the Court accepted.

JUNE 25, 2009

In the Interest of Minor Child: B.L.H., DOB 11/18/1991 and C.Y., DOB 06/06/1994 v. HCN Office of Tribal Enrollment, CV 09-45 Order (Dismissal without Prejudice) (HCN Tr. Ct., June 25, 2009) (Rockman, A).

The Court dismissed the instant case following receipt of correspondence from the petitioner indicating she wished to withdraw her petition. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

JUNE 26, 2009

In the Interest of Minor Child: L.N.W., DOB 02/15/1992 v. HCN Office of Tribal Enrollment, CV 08-85 Order (Accepting Accounting) (HCN Tr. Ct., June 26, 2009) (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 funds, which the Court accepted.

In the Interest of Minor Child: A.M.C., DOB 06/02/1996 v. HCN Office of Tribal Enrollment, CV 08-72 Order (Accepting Accounting) (HCN Tr. Ct., June 26, 2009) (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 funds, which the Court accepted.

In the Interest of Adult CTF Beneficiary: Sarah Balderas, DOB 03/27/1990 v. HCN Office of Tribal Enrollment, CV 08-93 Order (Show Cause) (HCN Tr. Ct., June 26, 2009) (Rockman, A).

The Court previously released funds from the CTF account of the Adult CTF Beneficiary for costs associated with dental care. 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: S.K.B., DOB 07/24/1994 v. HCN Office of Tribal Enrollment, CV 08-96 Order (Show Cause) (HCN Tr. Ct., June 26, 2009) (Rockman, A).

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.

CONTRACTS

JUNE 16, 2009

Mary Bernhardt v. HoCak Construction, LLC and HCN Department of Housing, CV 05-22 Findings of Fact, Conclusions of Law and Judgment (HCN Tr. Ct., June 16, 2009) (Vele, K).

The Court had to determine whether HoCak Construction negligently constructed petitioner's home. HoCak Construction failed to properly amend the contract. The Court found that failure to complete work required under the terms of the contract constituted a breach of duty.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

EMPLOYMENT

NO DECISIONS AT THIS TIME.

ENROLLMENT

NO DECISIONS AT THIS TIME.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

JUNE 16, 2009

In the Interest of B.G.S., DOB 02/07/1980 v. HCN Office of Tribal Enrollment, CV 06-34 Order (Motion Granted) (HCN Tr. Ct., June 16, 2009) (Matha, T).

The Court had to determine whether to grant monies from the beneficiary's trust fund to accommodate assisted vacation expenses. The Court granted the request.

JUNE 19, 2009

In the Interest of Adult Incompetent: O.S.R., DOB 05/14/1968 v. HCN Office of Tribal Enrollment, CV 97-117 Order (Granting Motion & Requesting Final Action) (HCN Tr. Ct., June 19, 2009) (Matha, T).

The Court had to determine whether to grant payment of documented protective service fees. The Court has previously, and routinely, granted the type of expenditure at issue. The Court granted the request.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

NO DECISIONS AT THIS TIME.

FAMILY

DIVORCE

NO DECISIONS AT THIS TIME.

JUVENILE CASES

JUNE 10, 2009

In the Interest of Minor Child: S.E.C., DOB 02/25/1996, JV 08-21 Order (Motion Hearing) (HCN Tr. Ct., June 10, 2009) (Rockman, A).

The Court conducted the *Motion Hearing* in accordance with the CHILDREN'S ACT. CFS requested a hearing in order for the Court to consider adopting additional dispositional requirements. The Court granted the request of CFS and adopted a single additional dispositional requirement on behalf of both parents.

In the Interest of Minor Children: C.M.B., DOB 09/24/1992; J.R.N., DOB 01/18/1995; D.R.N., DOB 07/18/1997; B.S.L., DOB 12/26/1999; B.S.L., DOB 05/03/2001, JV 08-22-26 Order (Child Protection Review Hearing) (HCN Tr. Ct., June 10, 2009) (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.

JUNE 11, 2009

In the Interest of Minor Child: E.I.V., DOB 11/22/2007, JV 07-52 Order (Entrance of Plea) (HCN Tr. Ct., June 11, 2009) (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 parent due to his failure to attend the hearing.

In the Interest of Minor Children: A.H., DOB 07/03/2006; E.I.V., DOB 11/22/2007, JV 07-07, 07-52 Order (Dispositional Requirements) (HCN Tr. Ct., June 11, 2009) (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.

JUNE 17, 2009

In the Interest of Minor Child: M.M.M., DOB 12/18/2001, JV 09-02 Order (Paternal Dispositional Requirements) (HCN Tr. Ct., June 17, 2009) (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.

In the Interest of Minor Child: D.J.L., DOB 08/08/1994, JV 07-27, 08-17 Order (Termination of Jurisdiction & Cessation of Child Support) (HCN Tr. Ct., June 17, 2009) (Matha, T).

The Court revoked a previous award of physical custody of the minor child, determining it was in the best interest of the child to return the child to the parent. The Court terminated jurisdiction over and supervision of the instant case and ordered HCN Department of Treasury to cease current child support withholdings.

JUNE 19, 2009

In the Interest of Minor Child: A.J.S., DOB 09/14/2008, JV 08-31 Order (Submission of Guardianship Report & Home Study) (HCN Tr. Ct., June 19, 2009) (Butterfield, M).

The Court held a *Guardianship Hearing* in accordance with the CHILDREN'S ACT. The Court requested that CFS prepare and submit a guardianship report and home study to the Court.

In the Interest of Minor Child: S.S., DOB 11/26/1991, JV 09-13 Order (Regarding Status Hearing) (HCN Tr. Ct., June 19, 2009) (Matha, T).

The Court convened a hearing to address concerns raised in a motion presented by CFS.

In the Interest of Minor Child: K.A.D., DOB 09/05/1996, JV 09-19 Order (Voluntary Dismissal) (HCN Tr. Ct., June 19, 2009) (Matha, T).

The petitioner filed a correspondence indicating an intent to withdraw petition. The Court dismissed the instant case without prejudice. The Court also declared previous orders null and void.

JUNE 22, 2009

In the Interest of Minor Child: A.S., DOB 09/14/2008, JV 08-31 Order (Child Protection Review) (HCN Tr. Ct., June 22, 2009) (Butterfield, M).

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.



RECENT SUPREME COURT DECISIONS

NO DECISIONS AT THIS TIME.



RECENT TRIAL COURT FILINGS

 **CHILD SUPPORT CASES**

JUNE 19, 2009

Wood County & Sonia Roberts v. William Buchanan, CS 09-38 (Rockman, A).

June 24, 2009

Sauk County v. Bryan D. Powless, CS 09-39 (Matha, T).

Jackson County v. Benjamin Bearskin, CS 09-40 (Matha, T).

 **CIVIL CASES**

JUNE 3, 2009

In the Interest of Minor Child: S.E.P., DOB 5/5/1994, CV 09-49 (Rockman, A).

JUNE 4, 2009

In the Interest of Minor Child: L.P.L., DOB 10/21/1999, CV 09-50 (Rockman, A).

JUNE 10, 2009

In the Interest of Minor Child: A.V., DOB 12/26/2007, CV 09-51 (Matha, T).

JUNE 12, 2009

In the Interest of R.B.L., DOB 12/03/1996, CV 09-52 (Matha, T).

JUNE 17, 2009

Ho-Chunk Housing & Community v. Kenneth Wilson, CV 09-53 (Rockman, A).

JUNE 18, 2009

HCN Business Department v. Rayce Pettibone, CV 09-54 (Rockman, A).

JUNE 22, 2009

In the Interest of Minor Child: M.W.W., DOB 12/23/1993, CV 09-55 (Matha, T).

JUNE 25, 2009

In the Interest of Minor Child: D.M.B., DOB 04/20/1994, CV 09-56 (Matha, T).

JUNE 26, 2009

In the Interest of Minor Children: M.K.C., DOB 08/21/1992; A.L.C., DOB 08/18/1993; M.R.C., DOB 08/30/1996; D.A.W., DOB 08/07/2001, CV 09-57 (Matha, T).

JUNE 29, 2009

In the Interest of Minor Child: D.M.C., DOB 03/06/1996, CV-09-58 (Rockman, A).

 **CIVIL GARNISHMENT CASES**

JUNE 8, 2009

Franciscan Skemp Healthcare v. Samantha and Joe North, CG 09-51 (Matha, T).

JUNE 26, 2009

Alliance Collection Agencies v. David Downing, CG 09-52 (Matha, T).

CT Anesthesiology v. Ona Rommel, CG 09-53 (Matha, T).

Madison Gas & Electric v. Lori Morrison, CG 09-54 (Matha, T).

Alliance Collections Agencies v. Christopher Collins, CG 09-55 (Matha, T).

Alliance Collections Agencies v. Jones Funmaker, CG 09-56 (Matha, T).

Sauk County Clerk of Courts v. Richard Nakai, CG 09-57 (Matha, T).

Alliance Collections Agencies v. Rachel Becker, CG 09-58 (Matha, T).

Creditor Recovery Service Agent for Aspirus Clinic v. Rosemary Blackhawk, CG 09-59 (Matha, T).

 **FAMILY CASES**

NO FILINGS AT THIS TIME.

 **DIVORCE CASES**

NO FILINGS AT THIS TIME.

 **DOMESTIC VIOLENCE/ABUSE**

NO FILINGS AT THIS TIME.

 **JUVENILE CASES**

JUNE 16, 2009

In the Interest of Minor Child: M.B.C., DOB 06/20/1997, JV 09-24 (Rockman, A).

In the Interest of Minor Child: S.P.C., DOB 03/22/1996, JV 09-25 (Rockman, A).

In the Interest of Minor Child: S.J.C., DOB 07/09/2002, JV 09-26 (Rockman, A).

RECENT SUPREME COURT FILINGS

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

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
Conroy Greendeer
Roy Greengrass
Richard Mann
Desmond Mike

Douglas Red Eagle
Preston Thompson, Jr.
Eugene Thundercloud
Morgan White Eagle
Clayton Winneshiek

Trial Court – Todd R. Matha, Chief Judge
Amanda L. Rockman, Associate Judge
Clerk of Court, Trial Court – Marcella Cloud
Assistant Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Administrative Assistant – Rosalie Kakkak
Bailiff – Al Carrimon
Law Clerk/Staff Attorney – Joshua Rees
Law Clerk/Staff Attorney – Rebecca Maki

* 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).