

HO-CHUNK NATION COURT BULLETIN

July/August 2009 Issue



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14TH ANNUAL HO-CHUNK NATION JUDICIARY LAW DAY

Law Day is an open house and discussion that is FREE and open to all tribal members, HCN employees, lawyers, lay advocates, and the general public. Everyone is welcome!

AGENDA

9-12 p.m., Thurs., Oct. 8, 2009:

DISCERNING OBLIGATIONS: JUDICIAL, PARENTAL & TRIBAL ROLES IN SUPPORTING CHILDREN

**CHILD SUPPORT: A BALANCE BETWEEN BEST INTERESTS AND
REUNIFICATION?**

PERCENTAGE GUIDELINES: PURPOSES AND EXPLANATIONS

**THE BOUNDS OF DISCRETION: RECOGNIZING, MODIFYING &
FORGIVING A PARENTAL DUTY OF SUPPORT**

FULL FAITH AND CREDIT: HOW FULL IS TOO FULL?

Law Day is held concurrently with the annual meeting of the Wisconsin Tribal Judge's Association, Inc. (WTJA).

CLE Credits will be available to Wisconsin Attorneys.

Chief Judge Todd R. Matha, Associate Judge Amanda L. Rockman, and Law Clerks Joshua O. Rees and Rebecca Maki, presenters.

Call the Ho-Chunk Nation Courthouse, *Wa Ehi Hoci*, at (800) 434-4070, for more information.



26, 2009). In an action seeking a declaration that the 1889 Act of Congress dissolving the Great Sioux reservation never took effect, and seeking an injunction preventing the United States from transferring title to any land inside the former reservation without the plaintiff's permission and a writ of mandamus compelling the Army Corps of Engineers to evaluate the Missouri River properties for inclusion in the National Register of Historic Places, the U.S. Court of Appeals for the District of Columbia Circuit affirms the district court's ruling that the plaintiff lacked standing to bring its first three claims and the mandamus relief could not be granted on its fourth claim because the Army Corps has no prescribed duty to evaluate federal properties in the manner requested by the plaintiff.

Pro Football, Inc. v. Harjo et al., No. 03-7162, 36 Indian L. Rep. 2136 (D.C. Cir., May 27, 2009). The U.S. Court of Appeals for the District of Columbia Circuit affirms the district court's ruling for the appellee in a challenge to the trademarks related to the Washington Redskins football team on the grounds that the trademarks disparage Native Americans within the meaning of the Lanham Trademark Act, § 2, 15 U.S.C. § 1052(a).

UNITED STATES COURT OF APPEALS, SIXTH CIRCUIT

Keweenaw Bay Indian Community v. Rising et al., No. 08-1585, *unpublished*, 36 Indian L. Rep. 2139 (6th Cir., Feb. 28, 2008). The U.S. Court of Appeal for the Sixth Circuit remands for further proceedings an action seeking declaration of the Keweenaw Bay Indian Community's tax immunities under federal law and injunctive relief from Michigan's policy of taxing transactions involving the Community and from Michigan's reliance on an informal refund process, finding that without a specific factual context, the questions are not justiciable.

The Court Staff would like to congratulate Associate Judge Amanda L. Rockman who was reappointed August 18, 2009, to another three year term. Good Luck and may you serve many more years for the Ho-Chunk Nation.



UPDATES FROM OUTSIDE COURTS

UNITED STATES COURT OF APPEALS, DISTRICT OF COLUMBIA CIRCUIT

Oglala Sioux Tribe v. U.S. Army Corps of engineers et al., No. 08-5133, 36 Indian L. Rep. 2133 (D.C. Cir., June

UNITED STATES COURT OF APPEALS, NINTH CIRCUIT

Muriga v. Reed et al. No. 08-15618, 36 Indian L. Rep. 2142 (9th Cir., June 30, 2009) The U.S. Court of Appeals for the Ninth Circuit holds that the district court erred in concluding that tribal sovereign immunity did not apply solely because the defendants were sued in their individual capacities and thus vacates a portion of the district court's order that denied the defendants' claim of sovereign immunity, and remands for further proceedings on that question and a determination of whether the defendants were acting as federal agents or exclusively as tribal agents acting within the scope of their authority.

Phillip Morris USA, Inc. v. King Mountain Tobacco Company, No. 06-36066, 36 Indian L. Rep. 2143 (9th Cir., June 11, 2009) The U.S. Court of Appeals for the Ninth Circuit holds that the Yakima Tribal Court has no colorable claim to jurisdiction over a nonmember's federal trademark and related state law claims against tribal defendants for allegedly passing off cigarettes on the Internet, on the reservation of another tribe, and elsewhere.

UNITED STATES COURT OF APPEALS, TENTH CIRCUIT

Southern Ute Indian Tribe v. Leavitt et al., No. 07-2274, 36 Indian L. Rep. 2148 (10th Cir., May 4, 2009) In an action under the Indian Self-Determination and Education Assistance Act, the U.S. Court of Appeals for the Tenth Circuit dismisses an appeal for lack of jurisdiction over an order that the courts finds is not a final judgment on the merits.

United Keetoowah Band of Cherokee Indians of Oklahoma v. U.S. Department of Housing and Urban Development et al., No. 08-7025, 36 Indian L. Rep. 2153 (10th Cir., June 5, 2009) The U.S. Court of Appeals for the Tenth Circuit reverses and remands for further proceedings, finding that the regulations of the Department of Housing and Urban Development

promulgated under the Native American Housing Assistance and Self-Determination Act include criteria for eligibility that were not authorized by Congress.

UNITED STATES COURT OF APPEALS, ELEVENTH CIRCUIT

Friends of the Everglades et al. v. South Florida Water Management District, et al., No. 07-13829, 36 Indian L. Rep. 2162 (11th Cir., June 4, 2009) The U.S. Court of Appeals for the Eleventh Circuit reverses the district court's judgment that the operation of pumps without National Pollution Discharge Elimination System permit violates the Clean Water Act, and dismisses as moot plaintiffs' cross-appeal from the dismissal of the Water District on Eleventh Amendment grounds.

DISTRICT OF ARIZONA

United States v. Salabye, No. CR-08-0672 PCT DGC, 36 Indian L. Rep. 3151 (D. Ariz., Apr. 16, 2009) The U.S. District Court for the District of Arizona grants the defendant's motion to suppress statements made to U.S. Fish & Wildlife Service's Special Agent and other law enforcement officers in an interrogation pursuant to charges against the defendant for selling parts of bald and golden eagles in violation of 16 U.S.C. § 668(a).

DISTRICT OF DISTRICT OF COLUMBIA

Tunica-Biloxi Tribe of Louisiana, et al. v. United States, et al., Civil Action No. 02-2413 (RBW), 36 Indian L. Rep. 3153 (D.D.C., Sept. 22, 2008) In an action under the Contract Disputes Act of 1978 for declaratory and injunctive relief and monetary damages against the Secretaries of Interior and Health and Human Service for violation of the Indian Self-Determination and Education Assistance Act, the U.S. District Court for the District of Columbia concludes that funding indirect costs in a *pro rata* amount constitutes a "reasonable" amount of funding for purposes of 25 U.S.C. § 450j-1(a) and thus grants summary judgment in favor of the defendants on that issue, but the court declines to rule

on the merits of the parties' cross-motions with respect to the plaintiffs' Carry-Forward Claim.

WESTERN DISTRICT OF OKLAHOMA

Oklahoma ex rel. Edmondson v. Native Wholesale Supply, No. CIV-08-818-D, 36 Indian L. Rep. 3196 (W.D. Okla., Oct. 16, 2008) In an action to halt cigarette sales allegedly made by the defendant in violation of the Oklahoma Tobacco Master Settlement Agreement Complementary Act, the U.S. District Court for the Western District of Oklahoma concludes that the action was improperly removed to federal court and remands to the State court.

EASTERN DISTRICT OF WISCONSIN

Smith v. Frank, et al., No. 07-C-83, 36 Indian L. Rep. 3201 (E.D. Wis., Mar. 20, 2009) The U.S. District Court for the Eastern District of Wisconsin grants defendants' motion for summary judgment in an action in which the plaintiff claims that the defendants unlawfully confiscated his Native American medicinal herbs and eagle feather, and retaliated against him for complaining about the confiscation.



RECENT TRIAL COURT DECISIONS

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

Within the Trial Court, cases are categorized and docketed as one of the following: Child Support (CS or if filed prior to 1998, CV), Civil Garnishment (CG), Civil (CV), Criminal (CR), Custody (CU), Domestic Violence (DV), Family (FM), or Juvenile

(JV). Within this index, case citations will appear in one of these categories and, in the event it may be helpful to the reader as a research tool, the cases may also be summarized in a separate topic area. Due to the great incidence of civil cases before the Court, the category for civil cases is divided into broad sub-categories. In some instances a decision may touch upon other topics that may not warrant a summary in this index, but the editor will use the indicator "other topic(s) covered," as a research aid for the reader.

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

CHILD SUPPORT CASES

JULY 6, 2009

Roger Thundercloud v. Jessica Bearskin, CS 98-31 Order (Cessation of Withholding – Per Capita) (HCN Tr. Ct., July 6, 2009) (Rockman, A).

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

Roger Thundercloud v. Jessica Bearskin, CS 98-31 Order (Cessation of Withholding – Wages) (HCN Tr. Ct., July 6, 2009) (Rockman, A).

The Court ceased withholding from the respondent's wages on the request of the petitioner.

State of Iowa ex rel. v. Elliot Funmaker, Sr., CS 05-59 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 6, 2008) (Matha, T).

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

State of Wisconsin ex rel. v. Terrance M. Henry, CS 02-34 Order (Cessation of Withholding – Wages) (HCN Tr. Ct., July 6, 2009) (Matha, T).

The Court ceased withholding from the respondent's wages on the request of the petitioner.

State of Wisconsin ex rel. v. Terrance M. Henry, CS 02-34 Order (Cessation of Withholding – Per Capita) (HCN Tr. Ct., July 6, 2009) (Matha, T).

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

Josephine L. Shegonee v. Dianne L. Shegonee, CS 06-26 Order (Cessation of Withholding – Arrears) (HCN Tr. Ct., July 6, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease withholding for arrears. The Court granted the motion.

Leon R. Caldwell v. Tanya Hindsley, CS 07-17 Order (Cessation of Withholding) (HCN Tr. Ct., July 6, 2009) (Matha, T.).

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

State of Wisconsin ex rel. v. Alan L. Walker, CS 07-50 Order (Cessation of Withholding – Arrears) (HCN Tr. Ct., July 6, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to cease withholding for arrears. The Court granted the motion.

Karena Day v. Kevin Day, CV 96-57 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 6, 2009) (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.

Cynthia Tack v. Matthew L. Thundercloud, CV 97-74 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 6, 2009) (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.

JULY 7, 2009

Denise Thiry et al. v. Ira Laes, CS 02-07, CS 05-61 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 7, 2009) (Matha, T).

The Court updated the arrears owed for child support withholding.

State of Wisconsin ex rel. v. Marcus Bigjohn, CV 97-10 Order (Cessation of Withholding) (HCN Tr. Ct., July 7, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to cease withholding for arrears. The Court granted the motion.

Jennifer L. Kaebisch v. Michael R. Sheahan, CS 04-08 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 7, 2009) (Matha, T).

The Court updated the arrears owed for child support withholding.

State of Wisconsin ex rel. v. Lee J. Biard, CS 06-53, CS 06-54 Order (Cessation of Withholding) (HCN Tr. Ct., July 7, 2009) (Rockman, A).

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

Collette A. Guy et al. v. John S. Cloud, CV 97-08, CS 98-34, CS 07-78 Order (Modifying Child Support – Equitable Distribution) (HCN Tr. Ct., July 7, 2009) (Matha, T).

The Court had to determine whether to grant petitioner's motion to modify current child support withholding. The respondent failed to respond within the prescribed timeframe, so the Court granted the motion. The Court additionally performed an equitable adjustment.

JULY 8, 2009

Mary Martinson v. Mark S. Houghton, CS 98-43 Order (Cessation of Withholding) (HCN Tr. Ct., July 8, 2009) (Rockman, A).

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

State of Wisconsin ex rel. v. Tyrone L. Walker, CS 02-17 Order (Modification of Withholding) (HCN Tr. Ct., July 8, 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.

Crystal L. Monteen-Martin v. Ronald D. Martin, CS 00-35 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 8, 2009) (Matha, T).

The Court updated the arrears owed for child support withholding.

Barbara Long et al. v. Garrett Banuelos, Sr., CV 97-88, CS 06-35 Order (Erratum) (HCN Tr. Ct., July 8, 2009) (Matha, T).

The Court corrected clerical errors made in the previous order

State of Wisconsin ex rel. v. Stanley G. Whiteeagle, CV 97-87, CS 05-38 *Order (Denying Motion)* (HCN Tr. Ct., July 8, 2009) (Matha, T).

The Court had to determine whether to modify current child support. The petitioner sought an amount in addition to the per capita withholding. If the state court differentiates between wages and per capita, it has been the practice of the Court to only withhold the amount designated to be withheld from per capita distributions. The Court denied the petitioner's *Motion to Modify*.

JULY 9, 2009

Tiffanyann M. Glodowski v. Daniel K. Houghton, Sr., CS 07-71 *Order (Ceasing Arrears)* (HCN Tr. Ct., July 9, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease withholding for arrears. The Court granted the motion

Megan B. Maas v. William L. Tech, CS 09-31 *Default Judgment (Enforcing Child Support)* (HCN Tr. Ct., July 9, 2009) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

Samantha Miller v. Keegan Huling, CS 09-27 *Default Judgment (Enforcing Child Support)* (HCN Tr. Ct., July 9, 2009) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

State of Wisconsin ex rel. v. Benjamin Bearskin, CS 05-58 *Order (Enforcing Arrearage Withholding)* (HCN Tr. Ct., July 9, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to enforce withholding for arrears. The Court granted the motion

JULY 13, 2009

State of Wisconsin ex rel. v. Jerald B. Smith, CS 09-13 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., July 13, 2009) (Matha, T).

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

failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

State of Wisconsin ex rel. v. Jerald B. Smith, CS 09-13 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., July 13, 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 file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

Lucie A. Penland v. Michael T. Penland, CS 08-65 *Order (Modifying Child Support Against Per Capita)* (HCN Tr. Ct., July 13, 2009) (Matha, T).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the uncontested motion.

JULY 15, 2009

State of Wisconsin ex rel. v. Eileen R. Meers, CS 09-01 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., July 15, 2009) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

State of Wisconsin ex rel. v. Dakotah Blackcoon, CS 09-25 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., July 15, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

State of Wisconsin ex rel. v. Anthony Greengrass, CS 09-16 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., July 15, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

State of Wisconsin ex rel. v. Alan F. Whitegull, CS 09-36 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., July 15, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

Jill A. Hartley v. Wendland O. White, CS 04-24 Order (Cessation of Current Child Support) (HCN Tr. Ct., July 15, 2009) (Rockman, A).

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

State of Wisconsin ex rel. v. Daniel J. Perez, CS 06-17 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., July 15, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the uncontested motion.

Mary Revels v. Claire Revels, CS 98-42 Order (Cessation of Current Child Support) (HCN Tr. Ct., July 15, 2009) (Matha, T).

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

JULY 16, 2009

Celestine G. Two Eagle v. Lakota H. Clairmont, CS 09-20 Order (Enforcing Child Support) (HCN Tr. Ct., July 16, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent timely answered, and a *Child Support Hearing* was held. Nevertheless, thus the Court ordered the respondent to pay child support.

Karena Day v. Kevin Day, CV 96-57 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 16, 2009) (Matha, T).

The Court updated the arrears owed for child support withholding.

Sonia Roberts, v. William Buchanan, CS 09-38 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., July 16, 2009) (Matha, T).

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

failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

Daniel Stabler et al. v. Tricia R. Custodio, CS 08-66 & 09-28 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., July 16, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the relief sought by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

Rikki L. White v. Collin W. Smith, CS 09-15 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 16, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

Ramsey County Child Support Agency of the State of Minnesota et al. v. Craig S. Moyer, CS 08-45, 08-75 & 09-10 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., July 16, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the relief sought by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

State of Wisconsin ex rel. v. Bryan Powless, CS 98-28, 93-39 & 09-39 Default Judgment (Equitable Adjustment) (HCN Tr. Ct., July 16, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the relief sought by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

State of Wisconsin ex rel. v. Benjamin J. Bearskin, CS 05-58 & 09-40 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., July 16, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely

answer, thus the Court granted the relief sought by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

JULY 17, 2009

Menominee Tribe of Wisconsin Child Support Agency v. Jeffrey Rockman, CS 07-56, 07-64 & 09-30 *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner.

Menominee Tribe of Wisconsin Child Support Agency v. Lillian A. Harrison, CS 09-33-35, *Default Judgment (Equitable Adjustment)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

The Court had to determine whether to enforce three (3) standing foreign child support orders against the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted a default judgment in favor of the petitioner. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

Anthony Mark Dow v. Jodi Ann Waube, CS 07-52 *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the uncontested motion.

Ericka Cloud v. Fletcher Collins, CS 02-59 *Order (Modifying and Enforcing Child Support – Per Capita)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the uncontested motion.

Ericka Cloud v. Fletcher Collins, CS 02-59 *Order (Modifying and Enforcing Child Support – Wages)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

The Court had to determine whether to modify current child support being withheld from the respondent's wages. The respondent failed to file a timely answer, thus the Court granted the uncontested motion.

State of Wisconsin ex rel. v. Jason H. Rave, CS 04-03, 07-44 *Order (Modifying Child Support & Equitable Adjustment)* (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the relief sought by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

Wendi Huling et al. v. Kirk R. Standstraight, CS 09-06, 09-32 *Order (Modifying Child Support & Equitable Adjustment)* (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court had to determine whether to modify current child support being withheld from the respondent's per capita payments. The respondent failed to file a timely answer, thus the Court granted the relief sought by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

State of Wisconsin ex rel. v. Daniel J. Perez, CS 06-17 *Order (Erratum)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

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

Lot L. Smith, II v. Karen J. Smith, CV 97-33 *Order (Erratum)* (HCN Tr. Ct., July 17, 2009) (Rockman, A).

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

JULY 23, 2009

Michelle M. Greendeer v. Silas M. Cleveland, CS 09-41 *Order (Denial of Motion)* (HCN Tr. Ct., July 23, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's request to impound a portion of the respondent's August 1, 2009 per capita to enable interception for child support. The petitioner also sought expedited consideration, but failed to satisfy the procedural conditions for seeking such immediate action. Therefore, the Court denied the motion.

 **CIVIL GARNISHMENT CASES**
JULY 9, 2009

Citizens Finance v. Heath Littlejohn, CG 09-45 *Order (Petition Granted)* (HCN Tr. Ct., July 9, 2009) (Matha, T). The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court afforded the respondent the opportunity to object to the recognition and enforcement of the foreign judgment. The respondent filed a timely response, and the Court scheduled a hearing. The petitioner, however, failed to attend, which nonetheless resulted in a judgment in favor of the petitioner.

JULY 10, 2009

Franciscan Skemp Healthcare v. Samantha and Joe North, CG 09-51 *Order (Default Judgment)* (HCN Tr. Ct., July 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.

JULY 13, 2009

American Family Mutual Insurance v. Milton E. Jenson, CG 09-46 *Order (Motion Granted)* (HCN Tr. Ct., July 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 timely responded, and the petitioners subsequently noted agreement with a reduced weekly withholding arrangement. The Court granted the petitioner's request for relief.

JULY 17, 2009

Alliance Collection Agencies v. David Downing, CG 09-52 *Order (Default Judgment)* (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

Alliance Collection Agencies v. Randall A. White Eagle, CG 09-30 *Order (Default Judgment)* (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

Alliance Collection Agencies v. Christopher D. Collins, CG 09-55 *Order (Default Judgment)* (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

C.T. Anesthesiology v. Ona Rommell, CG 09-53 *Order (Requiring Amended Petition)* (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court requires the petitioner to provide proof that the petitioner had revived the state court judgment.

Creditor Recovery Service LCC., v. Rosemary Blackhawk, CG 09-59 *Order (Default Judgment)* (HCN Tr. Ct., July 17, 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.

Sauk County Clerk of Court v. Richard Nakai, CG 09-57 *Order (Default Judgment)* (HCN Tr. Ct., July 17, 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.

JULY 29, 2009

Alliance Collection Agencies v. David Downing, CG 09-39 *Order (Default Judgment)* (HCN Tr. Ct., July 29, 2009) (Matha, T).

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

In the matter of the Outstanding Obligations of: Christopher A. Lichman, CG 09-66 *Order (Extension of Full Faith & Credit)* (HCN Tr. Ct., July 29, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. Sauk County Circuit Court filed a certified copy of its money judgment against the debtor, representing an assessment of judicial fines and penalties. The Court

recognized and enforced the foreign judgment out of due respect to its state counterpart.

AUGUST 6, 2009

Alliance Collection Agencies v. Lenny W. Cloud, CG 09-49 Order (Default Judgment) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

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

In the Matter of the Outstanding Obligations of: Skylar Q. Funmaker, CG 09-67 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. Sauk County Circuit Court filed a certified copy of its money judgment against the debtor, representing an assessment of judicial fines and penalties. The Court recognized and enforced the foreign judgment out of due respect to its state counterpart.

AUGUST 14, 2009

Creditor Recovery Service, LLC. v. Fenton Chasenah, CG 09-63 Order (Default Judgment) (HCN Tr. Ct., Aug. 14, 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. Evelyn Arendt, CG 09-62 Order (Default Judgment) (HCN Tr. Ct., Aug. 14, 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.

AUGUST 26, 2009

Ron's Refrigeration and Air Conditioning v. Debra Ismailjoski, CG 08-88 Order (Motion Granted) (HCN Tr. Ct., Aug. 26, 2009) (Matha, T).

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

AUGUST 28, 2009

Alliance Collection Agencies v. Rachel M. Becker, CG 09-58 Order (Default Judgment) (HCN Tr. Ct., Aug. 28, 2009) (Matha, T).

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

Madison Gas & Electric v. Lori Morrison, CG 09-54 Order (Petition Granted) (HCN Tr. Ct., Aug. 28, 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, and the petitioner subsequently noted its agreement with a reduced weekly withholding arrangement. Thus, the Court granted the relief requested by the petitioner

 **CIVIL CASES**

 **ADMINISTRATIVE APPEALS**

JULY 7, 2009

Gale S. White v. HCN GRB, CV 07-54 Order (Final Judgment) (HCN Tr. Ct., July 7, 2009) (Matha, T).

The Court had to decide whether the petitioner had received due process. The court held that the petitioner had received due process.

JULY 27, 2009

Wayne Falcon v. Liz Haller et al., CV 07-44 Order (Reversing and Remanding to the Grievance Review Board) (HCN Tr. Ct., July 27, 2009) (Rockman, A).

The Court had to decide whether the petitioner had received due process. The Court held that the petitioner had not received due process. Consequently, the Court remanded to the GRB with directions to issue the relief sought.

AUGUST 6, 2009

Daniel Topping v. HCN GRB, CV 09-02 Order (Affirming) (HCN Tr. Ct., Aug. 6, 2009) (Rockman, A).

The Court had to decide whether to uphold the decision of the GRB. The court upheld the decision of the GRB as it was not arbitrary and capricious.

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

JULY 2, 2009

In the Interest of Adult CTF Beneficiary: Vincent G. Decorah, DOB 11/22/1985 v. HCN Office of Tribal

Enrollment, CV 09-16 Order (Addendum to Judgment) (HCN Tr. Ct., July 2, 2009) (Matha, T).

The Court amended the previous judgment to release CTF monies for a rental deposit.

JULY 6, 2009

In the Interest of Minor Children: R.A.W., DOB 02/24/1996, and J.H.W., DOB 10/06/1999, by Joanne Whiterabbit v. HCN Office of Tribal Enrollment, CV 09-27 Order (Petition Granted in Part) (HCN Tr. Ct., July 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 private schooling. The Court granted the petition in part due to the failure of the petitioner to demonstrate an exhaustion of an available state entitlement.

JULY 8, 2009

In the Interest of Minor Child: D.M.C., DOB 03/06/1996, by Myra Cunneen v. HCN Office of Tribal Enrollment, CV 09-58 Order (Petition Granted) (HCN Tr. Ct., July 8, 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 05/18/1997, by Yvonne L. Funmaker v. HCN Office of Tribal Enrollment CV 09-18 Order (Requesting Accounting) (HCN Tr. Ct., July 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 Children: A.W., DOB 10/28/1991; D.W., DOB 03/17/1994; D.W., DOB 12/14/1996; and V.W., DOB 07/25/1995, by Joanne Mann v. HCN Office of Tribal Enrollment, CV 08-65 Order (Show Cause) (HCN Tr. Ct., July 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 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 Children: M.W., DOB 12/16/1993 and Z.W., DOB 07/28/1991, by Rita Wolf v. HCN Office of Tribal Enrollment, CV 08-44 Order (Demanding Accounting) (HCN Tr. Ct., Jul 8, 2009) (Rockman, A).

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

In the Interest of Minor Children: A.T.R., DOB 09/27/1996, by Tina L. Boisen v. HCN Office of Tribal Enrollment, CV 09-19 Order (Requesting Accounting) (HCN Tr. Ct., July 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.

JULY 9, 2009

In the Interest of Minor Child: D.M.B., DOB 04/20/1994, by Helene M. Bean, v. HCN Office of Tribal Enrollment, CV 09-56 Order (Petition Granted) (HCN Tr. Ct., July 9, 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.

JULY 10, 2009

In the Interest of Minor Child: S.F.S., DOB 07/02/1997, by Kristyl A. Simonson v. HCN Office of Tribal Enrollment, CV 09-47 Order (Accepting Accounting) (HCN Tr. Ct., July 10, 2009) (Rockman, A).

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

In the Interest of Minor Children: M.W., DOB 12/16/1993, and Z.W., DOB 07/28/1991, by Rita Wolf v. HCN Office of Tribal Enrollment, CV 08-44 Order (Accepting Accounting) (HCN Tr. Ct., July 10, 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 additional required accounting.

JULY 13, 2009

In the Interest of Minor Child: S.K.B., DOB 07/02/1997, by Kristyl A. Simonson v. HCN Office of Tribal Enrollment, CV 08-96 Order (Accepting Accounting) (HCN Tr. Ct., July 13, 2009) (Rockman, A).

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

JULY 15, 2009

In the Interest of Minor Child: V.S.B., DOB 07/22/1998, by Heidi M. Bird v. HCN Office of Tribal Enrollment CV 09-21 Order (Requesting Accounting) (HCN Tr. Ct., July 15, 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.

JULY 17, 2009

In the Interest of Adult CTF Beneficiary: CiCi B. BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 09-04 Order (Suspending Release) (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court directed Fifth Third Bank to suspend all future releases of CTF monies due to the petitioner's failure to comply with a judicial condition.

In the Interest of Minor Child: R.A.W., DOB 02/24/1996, by Joanne R. Whiterabbit v. HCN Office of Tribal Enrollment CV 09-26 Order (Requesting Accounting) (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

In the Interest of Minor Child: A.V.R., DOB 12/26/07, by Ardith Snowball v. HCN Office of Tribal Enrollment, CV 09-51 Order (Dismissal Without Prejudice) (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court dismissed the case due to the petitioner's failure to attend the *Fact-Finding Hearing*.

In the Interest of Minor Child: T.R.P., DOB 11/20/1992, by Lori Ann Pettibone v. HCN Office of Tribal Enrollment, CV 08-76 Order (Demanding Accounting) (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

In the Interest of Minor Child: S.K.O., DOB 03/24/1996, by Lori Ornellas v. HCN Office of Tribal Enrollment CV 09-14 Order (Requesting Accounting) (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

In the Interest of Minor Child: A.A.W., DOB 09/14/1997, by Angelina Waege v. HCN Office of Tribal Enrollment, CV 08-66 Order (Accepting Accounting) (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

In the Interest of Minor Children: M.K.C., DOB 08/21/1992; A.L.C., DOB 08/18/1993; M.R.C., DOB 08/30/1996; and D.A.W., DOB 08/07/2001, by Ellen Duma v. HCN Office of Tribal Enrollment, CV 09-57 Order (Motion Hearing) (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court granted the respondent an opportunity to argue its *Motion to Dismiss*.

JULY 21, 2009

In the Interest of Minor Child: M.E.F., DOB 05/18/1997, by Yvonne L. Funmaker v. HCN Office of Tribal Enrollment, CV 09-18 Order (Accepting Accounting) (HCN Tr. Ct., July 21, 2009) (Rockman, A).

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

JULY 28, 2009

In the Interest of Minor Child: S.B.G., DOB 04/21/1996, by Taryn Power Greendeer v. HCN Office of Tribal Enrollment, CV 09-05 Order (Release) (HCN Tr. Ct., July 28, 2009) (Matha, T).

The Court previously authorized release funds from the CTF account of the child for a pro rata share of private school tuition contingent upon proper documentation. The petitioner submitted a bill, confirming the amount due. The Court therefore released funds.

JULY 29, 2009

In the Interest of Minor Child: M.T.H-W., DOB 12/23/1993, by Kathy White v. HCN Office of Tribal Enrollment, CV 09-55 Order (Dismissal Without Prejudice) (HCN Tr. Ct., July 29, 2009) (Matha, T).

The Court dismissed the case due to the petitioner's failure to attend the *Fact-Finding Hearing*.

In the Interest of Adult CTF Beneficiary: Sarah Balderas, DOB 03/27/1990 v. HCN Office of Tribal Enrollment, CV 08-93 Order (Accepting Accounting) (HCN Tr. Ct., July 29, 2009) (Matha, T).

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

In the Interest of Minor Children: A.W., DOB 10/28/1991; D.W., DOB 03/17/1994; D.W., DOB 12/14/1996; and V.W., DOB 07/25/1995, by Joanne Mann v. HCN Office of Tribal Enrollment, CV 08-65 Order (Accepting Accounting) (HCN Tr. Ct., July 29, 2009) (Rockman, A).

The Court previously released funds from the CTF account of the petitioner for costs associated with an outstanding family mortgage. The petitioner submitted a payment history, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Children: C.E.B., DOB 10/20/1994, and K.A.B., DOB 06/14/2001, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 09-66 Order (Petition Granted) (HCN Tr. Ct., July 29, 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 Adult CTF Beneficiary: Jesse Saidman, DOB 07/29/1988 v. HCN Office of Tribal Enrollment, CV

09-60 Order (Motion Hearing) (HCN Tr. Ct., July 29, 2009) (Matha, T).

The Court granted the respondent an opportunity to argue its *Motion to Dismiss*.

JULY 30, 2009

In the Interest of Minor Child: A.T.R., DOB 09/27/1996, by Tina L. Boisen v. HCN Office of Tribal Enrollment, CV 09-19 Order (Accepting Accounting) (HCN Tr. Ct., July 30, 2009) (Rockman, A).

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

In the Interest of Minor Child: D.R.M., DOB 02/11/1994, by Gary and Sandra Kalan v. HCN Office of Tribal Enrollment, CV 09-61 Order (Motion Hearing) (HCN Tr. Ct., July 30, 2009) (Matha, T).

The Court granted the respondent an opportunity to argue its *Motion to Dismiss*.

In the Interest of Minor Child: L.P.L., DOB 10/21/1999, by Elaina S. Lopez v. HCN Office of Tribal Enrollment, CV 09-50 Order (Accepting Accounting) (HCN Tr. Ct., July 30, 2009) (Rockman, A).

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

AUGUST 6, 2009

In the Interest of Minor Child: A.E.B., DOB 04/27/2005, by Francesca J. Bird v. HCN Office of Tribal Enrollment, CV 06-119 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

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

In the Interest of Minor Child: F.V.W., DOB 10/22/2004, by Felicia Jo Wanna v. HCN Office of Tribal Enrollment, CV 08-59 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

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

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

In the Interest of Minor Child: T.R.F., DOB 07/13/2000, by Dylan R. Thundercloud v. HCN Office of Tribal Enrollment, CV 08-58 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

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

In the Interest of Minor Child: S.K.O., DOB 03/24/1996, by Lori Ornellas v. HCN Office of Tribal Enrollment, CV 09-14 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

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

In the Interest of Minor Children: M.K.C., DOB 08/21/1992; A.L.C., DOB 08/18/1993; M.R.C., DOB 08/30/1996; and D.A.W., DOB 08/07/2001, by Ellen Duma v. HCN Office of Tribal Enrollment, CV 09-57 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

The Court convened a *Motion Hearing* which the petitioner did not attend. Therefore' the Court dismissed the action.

AUGUST 7, 2009

In the Interest of Minor Children: T.B.F., DOB 03/18/1993, by Toni Funmaker v. HCN Office of Tribal Enrollment, CV 09-64 Order (Motion Hearing) (HCN Tr. Ct., Aug. 7, 2009) (Matha, T).

The Court scheduled a *Motion Hearing* to allow the respondent the ability to argue their *Motion to Dismiss*.

AUGUST 10, 2009

In the Interest of Minor Children: M.R.W., DOB 04/05/1995, by Miriam E. Whiteeagle v. HCN Office of Tribal Enrollment, CV 09-65 Order (Motion Hearing) (HCN Tr. Ct., Aug. 10, 2009) (Matha, T).

The Court scheduled a *Motion Hearing* to allow the respondent the ability to argue their *Motion to Dismiss*.

AUGUST 17, 2009

In the Interest of Adult CTF Beneficiary: Caleb F. Funmaker, DOB 03/03/1987 v. HCN Office of Tribal

Enrollment, CV 08-52 Order (Partial Release of Contempt Fine) (HCN Tr. Ct., Aug. 17, 2009) (Matha, T).

The Court had to determine whether to retain the entire contempt fine accrued in the instant case. The petitioner eventually submitted the required documentation. Therefore, the Court required a payment of a diminished contempt fine.

In the Interest of Adult CTF Beneficiary: Jesse Saidman, DOB 07/29/1988 v. HCN Office of Tribal Enrollment, CV 09-60 Order (Denying Petition) (HCN Tr. Ct., Aug. 17, 2009) (Matha, T).

The Court had to decide whether to release monies from the petitioners CTF for educational expenses. The petitioner failed to satisfy the criteria for such release, and the Court denied the petition.

In the Interest of Minor Children: D.R.M., DOB 02/11/1994, by Gary & Sandra Kalan v. HCN Office of Tribal Enrollment, CV 09-61 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Aug. 17, 2009) (Matha, T).

The Court granted the petitioner's request to appear telephonically.

AUGUST 18, 2009

In the Interest of Minor Child: D.M.B., DOB 04/20/1994, by Helene M. Bean v. HCN Office of Tribal Enrollment, CV 09-56 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 18, 2009) (Matha, T).

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

AUGUST 24, 2009

In the Interest of Minor Children: V.S.B., DOB 07/22/1998, by Heidi M. Bird v. HCN Office of Tribal Enrollment, CV 09-21 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 24, 2009) (Rockman, A).

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

AUGUST 25, 2009

In the Interest of Minor Children: R.A.W., DOB 02/24/1996, by Joanne Whiterabbit v. HCN Office of Tribal Enrollment, CV 09-26 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 25, 2009) (Matha, T).

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

orthodontic procedures. The petitioner submitted a payment history, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Children: C.L.M., DOB 05/26/1998, by Karen L. Klonglamd v. HCN Office of Tribal Enrollment, CV 09-69 Order (Motion Hearing) (HCN Tr. Ct., Aug. 25, 2009) (Matha, T).

The Court scheduled a *Motion Hearing* to allow the respondent the ability to argue their *Motion to Dismiss*.

CONTRACTS

JULY 15, 2009

Ho-Chunk Nation and Ho-Chunk Nation Department of Labor v. Danielle Tucker, CV 09-24 Order (Default Judgment) (HCN Tr. Ct., July 15, 2009) (Matha, T).

The Court had to determine whether to grant the relief requested. The respondent failed to timely answer the amended petition. Therefore the Court granted the relief requested.

JULY 17, 2009

Ho-Chunk Nation and Ho-Chunk Nation Department of Labor v. Michael Sheahan, CV 09-25 Order (Requiring Amended Compliant) (HCN Tr. Ct., July 17, 2009) (Matha, T).

The Court issued an Order requiring the petitioner to amend its complaint to include, an appropriate jurisdictional statement.

JULY 22, 2009

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Veronica Wilbur, CV 09-12 Order (Permitting Further Amendment) (HCN Tr. Ct., July 22, 2009) (Matha, T).

The Court issued an Order allowing the petitioners to amend their petition in order to assert the basis of the Court's subject matter jurisdiction.

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Troy Swallow, CV 09-11 Order (Permitting Further Amendment) (HCN Tr. Ct., Jul 22, 2009) (Matha, T).

The Court issued an Order allowing the petitioners to amend their petition in order to assert the basis of the Court's subject matter jurisdiction.

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

The Court issued an Order requiring the petitioner to amend its complaint to include, an appropriate jurisdictional statement.

Ho-Chunk Nation and Ho-Chunk Nation Department of Labor v. Danielle Tucker, CV 09-23 Order (Permitting Further Amendment) (HCN Tr. Ct., July 22, 2009) (Matha, T).

The Court issued an Order allowing the petitioners to amend their petition in order to assert the basis of the Court's subject matter jurisdiction.

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Charles Hindsley, CV 09-13 Order (Permitting Further Amendment) (HCN Tr. Ct., July 22, 2009) (Matha, T).

The Court issued an Order allowing the petitioners to amend their petition in order to assert the basis of the Court's subject matter jurisdiction.

JULY 24, 2009

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Sheila Pagel, CV 09-39 Order (Requiring Amended Compliant) (HCN Tr. Ct., July 24, 2009) (Rockman, A).

The Court issued an Order requiring the petitioner to amend its complaint to include, an appropriate jurisdictional statement.

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Travis Prescott, CV 09-38 Order (Requiring Amended Compliant) (HCN Tr. Ct., July 24, 2009) (Rockman, A).

The Court issued an Order requiring the petitioner to amend its complaint to include, an appropriate jurisdictional statement.

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Sarah Jones Decora, CV 09-41 Order (Requiring Amended Compliant) (HCN Tr. Ct., July 24, 2009) (Rockman, A).

The Court issued an Order requiring the petitioner to amend its complaint to include, an appropriate jurisdictional statement.

Ho-Chunk Nation and Ho-Chunk Housing & Community Development Agency v. Daryl Decora, CV 09-42 Order (Requiring Amended Compliant) (HCN Tr. Ct., July 24, 2009) (Rockman, A).

The Court issued an Order requiring the petitioner to amend its complaint to include, an appropriate jurisdictional statement.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

EMPLOYMENT

NO DECISIONS AT THIS TIME.

ENROLLMENT

AUGUST 13, 2009

Leilani Jean Chamberlain v. Adam Hall, Enrollment Officer of the Ho-Chunk Nation, CV 05-109 Order (Denial of Contempt Motion) (HCN Tr. Ct., Aug. 13, 2009) (Matha, T).

The Court had to determine whether to hold the respondent in contempt of court for allegedly failing to provide discovery responses, thereby violating an order of the Court. The Court held that the respondent had exhibited a reasonable and diligent effort to respond.

HOUSING

AUGUST 17, 2009

HCN and HHCDCA v. Genevieve Pettibone, CV 09-40 Scheduling Order (HCN Tr. Ct., Aug. 17, 2009) (Matha, T). The Court issued a Scheduling Order in the instant case.

INCOMPETENT'S TRUST FUND (ITF)

JULY 29, 2009

In the Interest of B.P.O., DOB 04/03/1934, by Elethe Nichols v. HCN Office of Tribal Enrollment, CV 96-46 Order (Motion Granted) (HCN Tr. Ct., July 29, 2009) (Rockman, A).

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

JULY 30, 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., July 30, 2009) (Rockman, A).

The Court previously released funds from the ITF account of the adult incompetent for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted 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 02/19/1960, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., July 30, 2009) (Rockman, A).

The Court previously released funds from the ITF account of the adult incompetent for costs associated with ongoing guardian services. 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 K.K.R., DOB 10/09/1968, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Requesting Additional Accounting) (HCN Tr. Ct., July 30, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the ward for costs associated with court ordered GAL fees and monthly fees to guardian. 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 K.K.R., DOB 10/09/1968, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Requesting Accounting) (HCN Tr. Ct., July 30, 2009) (Rockman, A).

The Court previously released funds from the ITF accounts of the ward for costs associated with court ordered monthly fees to guardian. The petitioner failed to submit a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

AUGUST 11, 2009

In the Interest of D.H., DOB 07/10/1964, by Jamie Pastika, Pastika Guardianship v. HCN Office of Tribal Enrollment, CV 09-32 Order (Petition Granted) (HCN Tr. Ct., Aug. 11, 2009) (Rockman, A).

The Court had to determine whether funds from the ITF account of the adult incompetent can be released for costs associated with a past due balance for residential living. The Court granted a release of funds to accommodate the petitioner's request.

AUGUST 25, 2009

In the Interest of O.S.R., DOB 05/14/1968 v. HCN Office of Tribal Enrollment, CV 97-117 Order (Appointing Successor Protective Payee) (HCN Tr. Ct., Aug. 25, 2009) (Matha, T).

The Court independently appoints a successor payee, as it received no recommendation from the petitioner.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. TWO (2) DECISIONS WERE ISSUED BETWEEN JULY 1, 2009 AND AUGUST 31, 2009.

FAMILY

DIVORCE

AUGUST 25, 2009

Sherri Mann v. Richard Mann, FM 09-03 Order (Granting Request for Continuance) (HCN Tr. Ct., Aug. 25, 2009) (Matha, T).

The Court granted petitioner's request for a continuance

JUVENILE CASES

JULY 8, 2009

In the Interest of Minor Children: S.M., DOB 11/18/1992; K.M., DOB 10/18/1993; S.M., DOB 12/13/1995; A.M., DOB 09/16/2001; A.M., DOB 06/16/2004; and A.M., DOB 03/14/2006, JV 07-09-14 Order (Motion Hearing) (HCN Tr. Ct., July 8, 2009) (Rockman, A).

The Court had to determine whether to reunify the children with the parents in the instant case. The Court determined the transition plan would commence after one (1) month of clean urinalysis.

In the Interest of Minor Child: S.S., DOB 11/26/1991, JV 09-13 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., July 8, 2009) (Matha, T).

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

JULY 10, 2009

In the Interest of Minor Children: A.E.O., DOB 02/23/2001; D.E.O., DOB 04/12/2002; and V.A.F., DOB 12/23/2006, JV 08-10-12 Order (Requesting Guardian Ad Litem Opinion) (HCN Tr. Ct., July 10, 2009) (Rockman, A).

The Court convened a *Guardianship Hearing* and requested that the GAL submit a report no later than July 7, 2009.

In the Interest of Minor Child: A.C., DOB 09/18/2000, JV 07-08 Order (Requesting Guardian Ad Litem Opinion) (HCN Tr. Ct., July 10, 2009) (Rockman, A).

The Court convened a *Guardianship Hearing* and requested that the GAL submit a report no later than July 7, 2009.

In the Interest of Minor Children: S.M., DOB 11/18/1992; K.M., DOB 10/18/1993; S.M., DOB 12/13/1995; A.M., DOB 09/16/2001; A.M., DOB 06/16/2004; and A.M., DOB 03/14/2006, JV 07-09-14 Order (Motion Hearing) (HCN Tr. Ct., July 10, 2009) (Rockman, A).

The Court had to determine compliance with the dispositional requirements. It was determined that the status quo would be kept.

JULY 15, 2009

In the Interest of Minor Child: D.B.M., DOB 10/06/07, JV07-45 Order (Requesting Guardian Ad Litem Opinion) (HCN Tr. Ct., July 15, 2009) (Rockman, A).

The Court convened a *Guardianship Hearing* and requested that the GAL submit a report no later than July 29, 2009.

In the Interest of Minor Child: D.B.M., DOB 10/06/07, JV07-45 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., July 15, 2009) (Rockman, A).

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

JULY 17, 2009

In the Interest of Minor Children: M.L.H., DOB 08/18/1997; M.H., DOB 02/19/1999; and M.H., DOB 02/09/2000, JV 05-16-18 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., July 17, 2009) (Rockman, A).

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

In the Interest of Minor Child: M.R.S., DOB 02/15/1994, JV 08-36 Order (Child Protection Review Hearing) (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

In the Interest of Minor Child: K.J.C., DOB 03/02/1992, JV 08-33 Order (Modifying Child Support Sua Sponte) (HCN Tr. Ct., July 17, 2009) (Rockman, A).

The Court had to determine whether to modify a child support obligation due to one of the children attaining the age of majority. The Court modified the current child support order to reflect the change.

In the Interest of Minor Children: A.A.F., DOB 01/10/1992; E.M.F., DOB 03/27/1993; and M.R.F., DOB 01/25/1999, JV 08-02-04 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., July 17, 2009) (Matha, T).

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

JULY 20, 2009

In the Interest of Minor Child: A.C., DOB 09/18/2000, JV 07-08 Order (Establishment of Child Support) (HCN Tr. Ct., July 20, 2009) (Rockman, A).

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

JULY 21, 2009

In the Interest of Minor Children: S.S., DOB 04/23/1998; R.S., DOB 05/25/07, JV 07-55-56 Order (Child Protection Review Hearing) (HCN Tr. Ct., July 21, 2009) (Matha, T).

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

JULY 23, 2009

In the Interest of Minor Children: J.C., DOB 06/10/2004; A.C., DOB 01/31/2006; R.C., DOB 05/12/2007; D.C., DOB 04/22/2008, JV 07-04-05, 07-34, 08-13 Capias Order (HCN Tr. Ct., July 23, 2009) (Matha, T).

The Court issued an order allowing the state law enforcement to retrieve the minor children.

In the Interest of Minor Child: S.S., DOB 04/23/98, JV 07-62-64 Order (Default Judgment) (HCN Tr. Ct., July 23, 2009) (Rockman, A).

The Court convened a Trial to determine whether the CFS could prove allegations in their *Petition*. The father of the minor child failed to appear, and CFS demonstrated it could establish elements of the *Petition*. The Court adopted CFS's suggested dispositional requirements.

JULY 24, 2009

In the Interest of Minor Children: T.L.B., DOB 04/06/2004, JV 07-41 Order (Denial of Motion to Cease Child Support) (HCN Tr. Ct., July 24, 2009) (Rockman, A).

The Court had to decide whether grant a motion to relieve CFS of its responsibility of receiving and disbursing parental child in an ongoing guardianship matter. The Court denied the motion.

JULY 27, 2009

In the Interest of Minor Children: C.M.B., DOB 09/24/1992; J.R.N., DOB 07/08/1995; D.R.N., DOB 12/30/1997; B.S.L., DOB 12/26/1999; and B.S.L., DOB 05/03/2001 JV 08-22-26 Order (Motion Hearing) (HCN Tr. Ct., July 27, 2009) (Rockman, A).

The Court convened a *Modification Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the Court had to determine whether to include an additional dispositional requirement for the father of the minor children. The Court determined to adopt an additional dispositional requirement.

JULY 30, 2009

In the Interest of Minor Children: J.R.M., DOB 07/15/1994; A.D.M., DOB 10/09/1995; and D.M.M., DOB 04/18/1998, JV 08-18-20 Order (Six Month Review Hearing) (HCN Tr. Ct., July 30, 2009) (Rockman, A).

The Court convened a *Six Month Review Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the Court assessed compliance with the standing dispositional order and determined to hold a termination hearing.

AUGUST 4, 2009

In the Interest of Minor Children: A.E.O., DOB 02/23/2001; D.E.O., DOB 04/12/2002; and V.A.F., DOB 12/22/2005, JV 08-10-12 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 4, 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.

AUGUST 4, 2009

In the Interest of Minor Children: A.A.F., DOB 01/10/1992; E.M.F., DOB 03/27/1993; and M.R.F., DOB 01/25/1999, JV 08-02-04 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 4, 2009) (Matha, T).

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

AUGUST 5, 2009

In the Interest of Minor Children: A.A.F., DOB 01/10/92; E.M.F., DOB 03/27/93; and M.R.F., DOB 01/25/99, JV 08-02-04 Order (Denial of Motion for Reconsideration) (HCN Tr. Ct., Aug. 5, 2009) (Matha, T).

The Court had to determine whether to reconsider its child support judgment. The Court denies the request of CFS.

In the Interest of Minor Child: J.R.P., DOB 02/27/1992, JV 03-01 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 5, 2009) (Matha, T).

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

In the Interest of Minor Child: K.C., DOB 03/02/1992, JV 08-33 Capias Order (HCN Tr. Ct., Aug. 5, 2009) (Rockman, A).

The Court issued a *Capias Order* directing any Wisconsin law enforcement agency to assist CFS in the retrieval of the minor child.

AUGUST 6, 2009

In the Interest of Minor Children: R.A.R., DOB 07/30/95; R.G.R., DOB 02/10/99; N.A.R., DOB 11/25/96; J.C., DOB 08/01/92; and C.L., DOB 05/30/01, JV 07-23-25, JV 07-52-53 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

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

In the Interest of Minor Child: T.K.W., DOB 10/15/2007, JV 07-42 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 6, 2009) (Matha, T).

The Court directed CFS to file a *Transitional Plan* on or before August 11, 2009.

AUGUST 7, 2009

In the Interest of Minor Children: R.A.R., DOB 07/30/95; R.G.R., DOB 02/10/99; N.A.R., DOB 11/25/96; J.C., DOB 08/01/92; and C.L., DOB 05/30/01, JV 07-23-25, 52-53 Order (Erratum) (HCN Tr. Ct., Aug. 7, 2009) (Matha, T).

The Court an *Erratum Order* to correct a clerical mistake made in a previous order.

AUGUST 14, 2009

In the Interest of Minor Child: D.B.M., DOB 10/06/2006, JV 07-45 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug 14, 2009) (Matha, T).

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

In the Interest of Minor Child: A.C., DOB 09/18/2000, JV 07-08 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 14, 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.

AUGUST 17, 2009

In the Interest of Minor Children: E.I.V., DOB 11/22/2007, JV 07-52 Order (Paternal Dispositional Requirements) (HCN Tr. Ct., Aug. 17, 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 parents.

AUGUST 18, 2009

In the Interest of Minor Children: M.M.M., DOB 12/18/2001; and A.L.A., DOB 06/18/2004, JV 09-02-03 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug. 18, 2009) (Matha, T).

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

AUGUST 24, 2009

In the Interest of Minor Children: L.H.C., DOB 03/05/2001, and M.K., DOB 03/10/2005, JV 07-44-45 Order (Termination of Jurisdiction) (HCN Tr. Ct., Aug. 24, 2009) (Rockman, A). The Court determined that a reversion of legal custody to the mother was in the children's best

interests. Thus, the Court terminated its jurisdiction over and supervision of the instant case in accordance with the CHILDREN'S ACT, § 3.16d.

In the Interest of Minor Child: C.C.C., DOB 06/25/1992, 93 CU 04 Order (Motion Hearing) (HCN Tr. Ct., Aug. 24, 2009) (Rockman, A).

The Court convened a *Motion Hearing* and dismissed the motion in accordance with the uncontested request of the non-movant.

In the Interest of Minor Children: J.B., DOB 11/27/1995, and A.B., DOB 07/25/1994, JV 01/06-07 Order (Dismissal of Petition) (HCN Tr. Ct., Aug. 24, 2009) (Rockman, A).

The petitioners withdrew their petition. Therefore, the Court accordingly dismissed the petition.

AUGUST 28, 2009

In the Interest of Minor Child: A.L.A., DOB 06/18/2004, JV 09-03 Order (Conditional Termination) (HCN Tr. Ct., Aug. 28, 2009) (Matha, T). The Court determined to maintain the status quo until the father has the opportunity to proceed with a private custody action in the appropriate county court.

In the Interest of Minor Child: L.D.C., DOB 03/14/1997, JV 07-18 Order (Child Protection Review Hearing) (HCN Tr. Ct., Aug 28, 2009) (Matha, T).

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



RECENT SUPREME COURT DECISIONS

HCN Grievance Review Board et al. v. Karen Litscher SU 09-03 Scheduling Order (HCN S. Ct., July 20, 2009).

The Court issued a *Scheduling Order*.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

JULY 8, 2009

Michelle Greendeer v. Silas M. Cleveland, Sr., CS 09-41 (Matha, T).

JULY 10, 2009

Kristin Roth v. Christian Roth, CS 09-42 (Matha, T).

State of Wisconsin ex rel. v. Selina Littlewolf, CS 09-43 (Matha, T).

State of Wisconsin ex rel. v. Lesley Decorah, CS 09-44 (Matha, T).

State of Wisconsin ex rel. v. Collin J. Cloud, CS 09-45 (Matha, T).

JULY 13, 2009

State of Wisconsin ex rel. v. Manda Whitethunder, CS 09-46 (Rockman, A).

JULY 14, 2009

Allison Thompson v. Joshua A. Thompson, CS 09-47 (Rockman, A).

Lori Littlegeorge v. Anthony J. Kingswan, CS 09-48 (Rockman, A).

State of Wisconsin ex rel. v. Dixon H. Funmaker, CS 09-49 (Rockman, A).

JULY 22, 2009

State of Wisconsin ex rel. v. Carly Craven, CS 09-50 (Matha, T).

AUGUST 11, 2009

State of Wisconsin ex rel. v. Henry Whitethunder, CS 09-51 (Rockman, A).

AUGUST 17, 2009

Nancy Texidor v. Silas M. Cleveland, Sr., CS 09-52 (Matha, T).

Theresa Peterson v. Rene Peterson, CS 09-53 (Matha, T).

State of Wisconsin ex rel. v. Susan Red Fern, CS 09-54 (Matha, T).

 **CIVIL CASES**

JULY 1, 2009

In the Interest of Minor Child: K.F., DOB 01/10/1998, Cheryl Funmaker v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-59 (Rockman, A).

JULY 6, 2009

In the Interest of Adult CTF Beneficiary: Jesse Saidman, DOB 07/29/1988 v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-60 (Matha, T).

JULY 10, 2009

In the Interest of Minor Child: D.R.M., DOB 02/11/1994, by Gary and Sandra Kalan v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-61 (Matha, T).

In the Interest of Minor Child: D.K.L., DOB 04/22/1997, by Lance F. Long v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-62 (Matha, T).

JULY 16, 2009

In the Interest of Minor Child: J.W.T., DOB 12/08/1995, by Tara Tindall v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-63 (Rockman, A).

JULY 23, 2009

In the Interest of Minor Child: T.F., DOB 03/18/1993, by Toni Funmaker v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-64 (Matha, T).

In the Interest of Minor Child: M.R.W., DOB 04/05/1996, by Miriam Whiteagle v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-65 (Matha, T).

In the Interest of Minor Children: C.E.B., DOB 10/20/199, and K.A.B., DOB 06/14/01 by Keith Blackdeer v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-66 (Matha, T).

JULY 27, 2009

Roger Subera, v. Ho-Chunk Nation, CV 09-67 (Rockman, A).

JULY 28, 2009

In the Interest of Minor Children: B.A.T., DOB 09/11/1994; C.A.T., DOB 07/06/1995, by Rosemary Thundercloud v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-68 (Rockman, A).

AUGUST 5, 2009

In the Interest of Minor Child: C.L.M., DOB 05/26/1998, by Karen Klomgland v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-69 (Matha, T).

AUGUST 7, 2009

Patricia Boyles v. Wesley Boyles, CV 09-70 (Matha, T).

AUGUST 12, 2009

In the Interest of Decedent: Miracle White Buffalo Morris, DOD 04/11/2009 v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-71 (Rockman, A).

AUGUST 12, 2009

In the Interest of Minor Child: W.D.S., DOB 06/27/2000, by John Steindorf v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-72 (Matha, T).

 **CIVIL GARNISHMENT CASES**

JULY 16, 2009

Creditor Recovery Service, LLC. v. Leroy Sawyer, CG 09-60 (Matha, T).

Alliance Collection Agencies v. Leah Rice, CG 09-61 (Matha, T).

Creditor Recovery Service, LLC. v. Evelyn Arendt, CG 09-62 (Matha, T).

Creditor Recovery Service, LLC. v. Fenton Chasenah, CG 09-63 (Matha, T).

JULY 20, 2009

Warren Loveland v. Luann Littlegeorge, CG 09-64 (Matha, T).

Warren Loveland v. Stephanie Littlegeorge, CG 09-65 (Matha, T).

JULY 29, 2009

Sauk County Clerk of Court v. Christopher A. Lichman, CG 09-66 (Matha, T).

AUGUST 5, 2009

Jackson County Circuit Court v. Skylar Q. Funmaker, CG 09-67 (Matha, T).

AUGUST 10, 2009

Money Centers of America of Wisconsin v. Christien Brown, CG 09-68 (Matha, T).

Alliance Collection Agencies v. Heather Green, CG 09-70 (Matha, T).

In the Interest of Minor Child: A.C., DOB 11/10/2002, JV 09-28 (Matha, T).

S.C. Swiderski, LLC. v. Heather Rodriguez, CG 09-71 (Matha, T).

RECENT SUPREME COURT FILINGS

AUGUST 21, 2009

Luther Midelfort – Mayo Health System v. Veronica Danielson, CG 09-72 (Matha, T).

JULY 1, 2009

HCN Grievance Review Board et al. v. Karen Litscher, SU 09-03.

American General Financial Service of WI, Inc. v. Jackie M. Henneha, CG 09-73 (Matha, T).

JULY 23, 2009

HCN Grievance Review Board et al. v. Kerry Funmaker, SU 09-04.

Creditor Recovery Service, LLC. v. Jerry McCrossen, CG 09-74 (Matha, T).

AUGUST 6, 2009

Wayne Falcon v. Liz Haller et al., SU 09-05.

Creditor Recovery Service, LLC. v. Daniel S. Downing, CG 09-75 (Matha, T).

Alliance Collection Agencies v. Elizabeth Walker, CG 09-76 (Matha, T).

Fransiskan Skemp Healthcare. v. Rose A. Lemke, CG 09-77 (Matha, T).

Caital One Bank v. Patricia Houghton, CG 08-78 (Matha, T).



FAMILY CASES

NO FILINGS AT THIS TIME.



DIVORCE CASES

JULY 17, 2009

Cecil Thundercloud v. Tracy Thundercloud, FM 09-04 (Rockman, A).

AUGUST 17, 2009

Evans Littlegeorge v. Judith Ann Littlegeorge, FM 09-05 (Rockman, A).



DOMESTIC VIOLENCE

SUCH FILINGS ARE CONSIDERED CONFIDENTIAL. THERE HAS BEEN ONE (1) FILING FROM JULY 1, 2009 THROUGH AUGUST 31, 2009.



JUVENILE CASES

AUGUST 10, 2009

In the Interest of Minor Children: R.C., DOB 10/17/2001 09-27 (Matha, T).



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

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

Traditional Court – Earl Blackdeer

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

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

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

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

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

HCN Judiciary Fee Schedule

Filing Fees

- *Complaint*.....\$50.00

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

Court Fees

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

Legal Citation Forms

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

Ho-Chunk Nation Constitution

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

Ho-Chunk Nation Code

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

HCN Supreme Court Case Law

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

HCN Trial Court Case Law

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

Ho-Chunk Nation Rules of Civil Procedure

HCN R. Civ. P. 19(B)

HO-CHUNK NATION COURT BULLETIN

September 2009



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Wa Ehi Hoci

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Wisconsin Legislature Passes ICWA Codification Bill: SB 288 and AB 421

Submitted by Kris M. Goodwill, Ho-Chunk Department of Justice

As you may already know, the Indian Child Welfare Act ("ICWA") was passed by Congress in 1978, after extensive congressional hearings and findings on the wholesale removal of Indian children from their homes. In Wisconsin, the risk of Indian children being separated from their parents was nearly 1,600 percent greater than it was for non-Indian children. Congress sought to prevent these detrimental practices by giving Indian tribes a greater say in state court child custody proceedings involving Indian children. The Act gives Tribes a number of ways to influence child custody proceedings in state court. As with many laws, litigation and practice exposed areas where the federal statute could be clearer and more detailed. As a result, the following states codified ICWA in some form into their respective state statutes: California, Iowa, Minnesota, Oklahoma, Washington, Nebraska, Montana, Colorado, Alaska and Oregon.

Approximately three years ago, a Workgroup was formed consisting of representatives from the State of Wisconsin Department of Children and Families (DCF), Wisconsin Tribes, the Office of State Courts, and Wisconsin Judicare, with input from Legislative Counsel and the Legislative Reference Bureau. The purpose of the Workgroup was to codify ICWA into Chapters 48

and 938 of the Wisconsin statutes. The effort was also prompted by the significant need to address non-compliance with ICWA in Wisconsin. In 2004, the federal government indicated the inadequacies of ICWA compliance in its report of Wisconsin's Child and Family Services Review. There is additional documentation of non-compliance with ICWA in EWISACWIS (a statewide database maintained by DCF) and in the Children's Court Initiative conducted by the Director of State Courts Office.

While working on the proposed codification bill, the Workgroup identified stakeholders and invited various groups and individuals to participate in the process. In November 2008, there was an informational hearing sponsored by Senator Robert Jauch and the Senate Committee on Children and Families and Workforce Development. Subsequently, there were six negotiation sessions between the Workgroup and identified stakeholders.¹ On September 16, 2009, there was a public hearing on the bill before the joint meeting of the Assembly Committee on Children and Families chaired by Representative Tamara Grigsby and the Senate Committee chaired by Senator Jauch. On September 30, 2009, the Assembly Committee voted unanimously to move the bill out of Committee. On October 07, 2009, the Senate Committee voted unanimously to move the bill out of Committee.

Upon successful vote out of Committee, several amendments were made to the bill. There were three amendments to the bill that were mostly technical. One provision of an amendment changed the time frame and removed a gross negligence standard when a court is considering transfer of an ICWA case from state court to tribal court.

Other substantive provisions in the bill include the definition and description of the testimony of a qualified expert witness; the application of ICWA regardless of whether an Indian child is currently a part of an “existing Indian family;” the definition and description of active efforts; the requirement of notice to the parent(s), Indian custodian and Tribe by registered mail; the use of placement preferences; the withdrawal of

consent in a voluntary proceeding; the invalidation of certain orders upon a violation of ICWA; and the conduction of home studies by Tribal child welfare agencies.

On October 20, 2009, the Senate passed SB 288 by a vote of 32 to 0. On the same date, the Assembly passed AB 421 (its companion bill) by a vote of 95 to 0. In the near future, Governor Doyle is expected to sign the ICWA codification bill. The Department of Children and Families is planning extensive training and implementation statewide on the provisions of the bill. Wisconsin Tribes hope to see and experience compliance with the ICWA and WICWA which is meant to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families.

For further information, please contact Kris Goodwill, Tribal Attorney, Ho-Chunk Department of Justice at Kris.Goodwill@ho-chunk.com.



14TH ANNUAL LAW DAY

On October 8, 2009, the HCN Trial Court hosted the fourteenth annual “Law Day”, designed as a continuing legal education program for legal practitioners, and a community education event for tribal members. Law Day was held in conjunction with the annual meeting of the Wisconsin Tribal Judge’s Association, Inc. The discussion topic was “Discerning Obligations: Judicial, Parental & Tribal Role in Support.” Tribal judges, tribal members, and court staff attended and participated in this year’s Law Day. The Court is anticipating the Wisconsin Supreme Court Board of Bar Examiners to award 3 credits this year.–HCN-

¹ Identified stakeholders included, but were not limited to: County child welfare agencies, District Attorneys, Corporation Counsel, WHCSA, CASA, Children and the Law and the ~~Indian Law Sections of the Wisconsin State Bar, Wisconsin~~



Ethical Advocacy

December 11, 2009 @ Wa Ehi Hoci
8:30a.m. – noon

Ethics CLE Credits

(No Cost to Attendees)

It is our objective to help shed light on ethical dilemmas and principles regarding refusal and termination of client representation as it relates to SCR 20:3.1-5.² “Just Saying No” will last for three (3) hours and cover four (4) sub-areas of the topic concerning refusal and withdrawal:

Meritorious Claims and Contentions—Hon. Todd R. Matha, Chief Judge

Expediting Litigation—Rebecca L. Maki, Staff Attorney

Candor Toward the Tribunal—Hon. Amanda L. Rockman, Associate Judge

Fairness, Impartiality and Decorum—Joshua O. Rees, Staff Attorney



UPDATES FROM OUTSIDE COURTS

UNITED STATES COURT OF APPEALS, NINTH CIRCUIT

² The Ho-Chunk Nation Supreme Court has adopted the Wisconsin *Rules of Professional Conduct for Attorneys* for usage in this jurisdiction. *In Re Adoption of Rules of Prof'l Conduct for Att'ys*, (HCN S. Ct., Aug. 31, 1996).

North County Community Alliance, Inc. v. Salazar et al., No. 07-36048, 36 Indian L. Rep. 2171 (9th Cir., July 15, 2009). The U.S. Court of Appeals for the Ninth Circuit holds that: (1) the appellant’s challenge to the National Indian Gaming Commission’s (NIGC) 1993 approval of a tribal gaming ordinance as it relates to the licensing and construction of a casino is not time-barred; (2) the NGIC did not have the duty under the Indian Gaming Regulatory Act (IGRA) to make an Indian lands determination in 1993 before approving the Nooksack Tribe’s non-site-specific proposed gaming ordinance; (3) the NGIC did not have a duty under the IGRA to make an Indian lands determination in 2006 when the Tribe licensed and began construction of a casino pursuant to the approved ordinance; and (4) there was no violation of the National Environmental Policy Act because the NIGC’s failure to make an Indian lands determination does not constitute a “major Federal action” under U.S.C. § 4332(C) requiring environmental review, including the preparation of an environmental impact statement under the Act.

UNITED STATES COURT OF APPEALS, TENTH CIRCUIT

Nettle v. Central Oklahoma American Indian Health Council, Inc. No. 08-6023, 36 Indian L. Rep. 2177 (10th Cir., July 1, 2009). The U.S. Court of Appeals for the Tenth Circuit affirms the district court’s ruling that the defendant is entitled to summary judgment on the plaintiff’s hostile work environment claim, and holds that the plaintiff did not suffer an adverse employment action.



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

SEPTEMBER 29, 2009

State of Wisconsin ex rel. v. Robert Funmaker, CS 09-26 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Sept. 29, 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.

Shelly Thundercloud v. William J. Greendeer, CV 97-67 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 29, 2009) (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.

Jodi A. Cornelius Rodriguez v. Steven F. Sallaway, CS 98-16 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 29, 2009) (Matha, T).

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

SEPTEMBER 30, 2009

State of Wisconsin ex rel. v. Frederick Greendeer, CS 03-05 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 30, 2009) (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.

Evangeline Two Crow v. Gregory Harrison, CV 97-153 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 30, 2009) (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.

Margaret R. Newman Boardman v. Benjamin J. Boardman, CS 08-22 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Sept. 30, 2009) (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.

CIVIL GARNISHMENT CASES

SEPTEMBER 1, 2009

In the Matter of the Outstanding Obligations of: John L Castile, CG 09-81 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Sept. 1, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Circuit Court filed a certified copy of its money 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: Reginald E. Haskins, CG 09-80 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Sept. 1, 2009) (Matha, T).

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

SEPTEMBER 3, 2009

Tower Credit Union v. Julie Boruch, CG 09-47 Order (Voluntary Dismissal) (HCN Tr. Ct., Sept. 3, 2009) (Matha, T).

The petitioner filed a request to dismiss. The Court granted the request.

Alliance Collection Agencies, Inc. v. Jones Funmaker, CG 09-56 Order (Default Judgment) (HCN Tr. Ct., Sept. 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.

SEPTEMBER 8, 2009

Gundersen Clinic, Ltd. v. Arleen Tostenson, CG 09-24 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Sept. 8, 2009) (Matha, T).

The Court granted the petitioner’s request to appear via telephone.

SEPTEMBER 11, 2009

Black River Memorial v. Melany Tobin a/k/a Melany Ramey, CG 09-38 Order (Voluntary Dismissal) (HCN Tr. Ct., Sept. 11, 2009) (Matha, T).

The petitioner filed a request to dismiss. The Court granted the request.

Warren Loveland v. Stephanie Littlegeorge, CG 09-65 Order (Default Judgment) (HCN Tr. Ct., Sept. 11, 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 09-64 Order (Default Judgment) (HCN Tr. Ct., Sept. 11, 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.

SEPTEMBER 18, 2009

Alliance Collection Agencies, Inc. v. Leah Rice, CG 09-61 Order (Default Judgment) (HCN Tr. Ct., Sept. 18, 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.

Money Centers of America – WI v. Christine Brown, CG 09-68 Order (Dismissal) (HCN Tr. Ct., Sept. 18, 2009) (Matha, T).

The petitioner filed a request to dismiss. The Court granted the request.

SEPTEMBER 21, 2009

Creditor Recovery Service, LLC v. Leroy Sawyer, CG 09-60 Order (Default Judgment) (HCN Tr. Ct., Sept. 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.

SEPTEMBER 23, 2009

Gundersen Clinic, Ltd. v. Arleen Tostenson, CG 09-24 Order (Petition Granted) (HCN Tr. Ct., Sept. 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 timely responded, but failed to provide a cognizable objection to the foreign judgment. Thus, the Court granted the *Petition*.



CIVIL CASES



ADMINISTRATIVE APPEALS

NO DECISIONS AT THIS TIME



CHILDREN’S TRUST FUND (CTF)

SEPTEMBER 1, 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 (Accepting Accounting) (HCN Tr. Ct., Sept. 1, 2009) (Rockman, A).

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

SEPTEMBER 3, 2009

In the Interest of Minor Child: W.J.D.S., DOB 06/27/00, by John D. Steindorf v. HCN Office of Tribal Enrollment, CV 09-72 Order (Petition Granted) (HCN Tr. Ct., Sept. 3, 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.

SEPTEMBER 4, 2009

In the Interest of Minor Children: D.A.D., DOB 06/09/98, and G.E.D., DOB 08/20/99, by Maryla Day v. HCN Office of Tribal Enrollment, CV 09-29 Order (Petition Denied) (HCN Tr. Ct., Sept. 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 private school tuition. The petitioner failed to satisfy the four-prong test. Thus, the Court denied the petition.

In the Interest of Minor Child: T.B.F., DOB 03/18/93, by Toni Funmaker v. HCN Office of Tribal Enrollment, CV 09-64 Order (Dismissal without Prejudice) (HCN Tr. Ct., Sept. 4, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child. A *Fact-Finding Hearing* was scheduled but the petitioner failed to attend. Thus, the Court dismissed the action.

SEPTEMBER 8, 2009

In the Interest of Adult CTF Beneficiary: Vincent G. Decorah, DOB 11/22/85 v. HCN Office of Tribal Enrollment, CV 09-16 Order (Suspending Release) (HCN Tr. Ct., Sept. 8, 2009) (Matha, T).

The Court suspended the release of Children's Trust Fund monies, as the petitioner failed to comply with a clearly articulated judicial condition.

SEPTEMBER 11, 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 09-69 Order (Petition Granted) (HCN Tr. Ct., Sept. 11, 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 the family mortgage. The Court granted the petition.

SEPTEMBER 18, 2009

In the Interest of Minor Child: M.R.W., DOB 04/05/95, by Miriam E. Whiteagle v. HCN Office of Tribal Enrollment, CV 09-65 Order (Petition Denied) (HCN Tr. Ct., Sept. 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 private school tuition. The Court denied the petition.

In the Interest of Minor Child: D.M.L., DOB 04/22/97, by Lance F. Long v. HCN Office of Tribal Enrollment, CV 09-62 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 18, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with a professional tutoring program. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

In the Interest of Minor Child: M.C.D., DOB 03/29/99, by Randall Mann v. HCN Office of Tribal Enrollment, CV 09-75 Order (Petition Granted) (HCN Tr. Ct., Sept. 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 petition.

SEPTEMBER 23, 2009

In the Interest of Adult CTF Beneficiary: Vincent G. Decorah, DOB 11/22/85 v. HCN Office of Tribal Enrollment CV 009-16 Order (Denying Motion for Reconsideration) (HCN Tr. Ct., Oct. 23, 2009) (Matha, T).

The Court had to determine whether to reverse its previous judgment. The Court declined to disrupt the *status quo*.

In the Interest of Decedent: M.W.B.M., DOB 01/28/02, by Bridget A. Morris v. HCN Office of Tribal Enrollment, CV 09-71 Order (Releasing Children's Trust Fund to Estate) (HCN Tr. Ct., Sept. 23, 2009) (Rockman, A).

The Court had to determine whether to release CTF monies of a decedent child to the estate. The petitioner filed a *Transfer by Affidavit* form, thus the Court released the monies.

SEPTEMBER 25, 2009

In the Interest of Minor Child: H.A.O., DOB 01/09/98, by Sande Decorah-Ostenson v. HCN Office of Tribal Enrollment, CV 09-77 Order (Petition Granted) (HCN Tr. Ct., Sept. 25, 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.

CONTRACTS

NO DECISIONS AT THIS TIME

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

EMPLOYMENT

SEPTEMBER 4, 2009

Kenneth Lee Twin v. HCN Grievance Review Board et al. and Ho-Chunk Nation et al. v. Kenneth Lee Twin CV 08-79, -83 Order (Remand to the Grievance Review Board) (HCN Tr. Ct., Sept. 4, 2009) (Rockman, A).

The Court remanded the matter to the GRB, for the GRB's failure to follow directives of the Ho-Chunk Nation Supreme Court.

Cheryl Brinegar v. HCN Grievance Review Board, CV 08-45 Order (Affirming) (HCN Tr. Ct., Sept. 4, 2009) (Rockman, A).

The Court affirmed the GRB's decision, holding that the GRB does not have authority under the ERA to hear grievances regarding voluntary resignations.

SEPTEMBER 18, 2009

Marilyn LaMere v. Ho-Chunk Nation et al., CV 08-84 Order (Affirming) (HCN Tr. Ct., Sept. 18, 2009) (Rockman, A).

The Court affirmed the GRB's decision, holding that the decision of the GRB was not arbitrary and capricious.

SEPTEMBER 30, 2009

Leslie A. Thompson v. Majestic Pines Casino Maintenance Dept. et al., CV 09-34 Order (Dismissal) (HCN Tr. Ct., Sept. 30, 2009) (Matha, T).

The Court had to decide whether to grant the respondents' *Motion to Dismiss*. The petitioner never filed an *Initial Brief* nor did he file a response to the motion. Thus, the Court granted the respondents' *Motion*.

ENROLLMENT

SEPTEMBER 25, 2009

Leilani J. Chamberlain v. Adam Hall, CV 05-109 Order (Granting Extension) (HCN Tr. Ct., Sept. 25, 2009) (Matha, T).

The Court granted the petitioner's request to extend the deadline for presenting any unresolved issues to the Court.

HOUSING

SEPTEMBER 21, 2009

HHCDA v. Veronica Wilbur, CV 09-12 Order (HCN Tr. Ct., Sept. 21, 2009) (Matha, T).

The Court had afforded the plaintiff thirty (30) days to file a *Second Amended Complaint*. The plaintiff filed the *Second Amended Complaint* after the expiration of the time period. Thus, the Court dismissed the action.

HHCDA v. Troy Swallow, CV 09-11 Order (HCN Tr. Ct., Sept. 21, 2009) (Matha, T).

The Court had afforded the plaintiff thirty (30) days to file a *Second Amended Complaint*. The plaintiff filed the *Second Amended Complaint* after the expiration of the time period. Thus, the Court dismissed the action.

HHCDA v. Charles Hindsley, CV 09-13 Order (HCN Tr. Ct., Sept. 21, 2009) (Matha, T).

The Court had afforded the plaintiff thirty (30) days to file a *Second Amended Complaint*. The plaintiff filed the *Second Amended Complaint* after the expiration of the time period. Thus, the Court dismissed the action.

INCOMPETENT'S TRUST FUND (ITF)

SEPTEMBER 9, 2009

In the Interest of Adult Incompetent: K.K.R. DOB 09/09/09, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 9, 2009) (Rockman, A).

The Court previously released funds from the ITF account of the adult incompetent for costs associated with court-ordered GAL fees as well as monthly fees to the guardian. Petitioner submitted correspondences, confirming the proper use of funds, which the Court accepted.

SEPTEMBER 14, 2009

In the Interest of T.M.A., DOB 05/13/86, by Pamela Anderson v. HCN Office of Tribal Enrollment, CV 09-36 Order (Petition Granted in Part, Denied in Part) (HCN Tr. Ct., Sept. 14, 2009) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to release funds from the ITF account of the adult incompetent for costs associated with care and maintenance as well as debts. The Court granted a release of funds for personal expenses; however, the Court denied the other request due to lack of documentation.

SEPTEMBER 15, 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 (Motion Granted) (HCN Tr. Ct., Sept. 15, 2009) (Rockman, A).

The Court must determine whether to allow access to the adult incompetent's ITF for costs associated with ongoing and outstanding nursing home care. The Court granted release of the funds to satisfy the request of the guardian.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.



DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. FIVE (5) DECISIONS WERE ISSUED FROM SEPTEMBER 1, 2009 THROUGH SEPTEMBER 30, 2009.



FAMILY



DIVORCE

NO DECISIONS AT THIS TIME.



JUVENILE CASES

SEPTEMBER 1, 2009

In the Interest of Minor Children: M.M.M., DOB 12/18/01, and A.L.A., DOB 06/14/04, JV 09-02-03, Order (Modification of Maternal Child Support) (HCN Tr. Ct., Sept. 1, 2009) (Matha, T).

The Court had to determine whether to modify a child support obligation for the mother of minor children. The Court modified the standing child support order.

SEPTEMBER 2, 2009

In the Interest of Minor Child: S.J.K., DOB 09/23/06, JV 09-16 Order (Regarding Guardianship Hearing) (HCN Tr. Ct., Sept. 2, 2009) (Matha, T).

The Court had to unilaterally reschedule the *Guardianship Hearing* as it had previously granted a continuance to accommodate a scheduling conflict, and the parties never rescheduled the hearing.

SEPTEMBER 3, 2009

In the Interest of Minor Child: L.D.C., DOB 03/14/97, JV 07-18 Order (Maternal Reimbursement Obligation) (HCN Tr. Ct., Sept. 3, 2009) (Matha, T).

The Court had to determine an appropriate reimbursement scheme for the mother of the minor child. The Court ordered a garnishment of the future per capita distributions of the mother to reimburse CFS for monies expended on child placement assistance.

SEPTEMBER 4, 2009

In the Interest of Minor Child: G.E.M., DOB 08/25/95, JV 03-08 Capias Order (HCN Tr. Ct., Sept. 4, 2009) (Rockman, A).

The Court issued an order directing the appropriate law enforcement officials to take the minor child into custody.

SEPTEMBER 8, 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 (Maternal Reimbursement Obligation) (HCN Tr. Ct., Sept. 8, 2009) (Matha, T).

The Court had to determine an appropriate reimbursement scheme for the mother of the minor child. The Court ordered a garnishment of the future per capita distributions to reimburse CFS for monies expended on child placement assistance.

In the Interest of Minor Children: R.C., DOB 10/17/01, and A.C., DOB 11/10/02, JV 09-27-28 Order (Notification of Concurrent Jurisdiction) (HCN Tr. Ct., Sept. 8, 2009) (Rockman, A).

The Court issued notification to the Mille Lacs Band of Ojibwe Indians that the Court had before it a *Petition for Guardianship* upon which Mille Lacs could exercise jurisdiction. The Court gave Mille Lacs 15 days to respond.

SEPTEMBER 11, 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; and A.M., DOB 03/14/06, JV 07-09-14 Order (Motion Hearing) (HCN Tr. Ct., Sept. 11, 2009) (Rockman, A).

The Court had to determine whether to reunify the children with their father. The Court reunified three (3) of the children and scheduled an additional hearing to discuss the other three (3).

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05 Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 11, 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: M.M.M., DOB 12/18/01, JV 09-02 Order (Paternal Reimbursement Obligation) (HCN Tr. Ct., Sept 18, 2009) (Matha, T).

The Court had to determine an appropriate reimbursement scheme for the father of the minor child. The Court ordered the father to reimburse CFS for monies expended on child placement assistance.

SEPTEMBER 18, 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 (Termination Hearing) (HCN Tr. Ct., Sept. 18, 2009) (Rockman, A).

The Court had to determine whether to terminate jurisdiction over the instant case. The Court declined to immediately terminate jurisdiction, but required the father to submit information regarding his housing situation.

In the Interest of Minor Child: S.J.K., DOB 09/23/06, JV 09-16 Order (Dismissal of Petition) (HCN Tr. Ct., Sept. 18, 2009) (Matha, T).

The petitioner filed a *Petition for Temporary Guardianship*. The Court scheduled a *Guardianship Hearing*, which was not attended by the petitioner. Thus, the Court dismissed the petition.

SEPTEMBER 21, 2009

In the Interest of Minor Children: M.B.C., DOB 06/20/97; S.P.C., DOB 03/22/96; and S.J.C., DOB 07/09/02, JV 09-24-26 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Sept. 21, 2009) (Rockman, A).

The Court appointed GAL Dana Tartar to represent the interests of the minor children.

SEPTEMBER 25, 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; and A.M., DOB 03/14/06, JV 07-09-14 Order (Establishment of Child Support) (HCN Tr. Ct., Sept. 25, 2009) (Rockman, A).

The Court had to determine whether to establish a child support obligation for the parents of the minor

children. The Court determined that the parents have a responsibility to support their minor children. Thus, the Court establishes a child support obligation for the parents of the minor children.

In the Interest of Minor Child: K.J.C., DOB 03/02/92, JV 08-33 Order (Child Protection Review Hearing) (HCN Tr. Ct., Sept. 25, 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.

SEPTEMBER 25, 2009

In the Interest of Minor Children: C.J.D., DOB 05/19/93; H.A.D., DOB 03/23/95; and K.A.D., DOB 09/05/96, JV 09-21-23 Order (Formal Trial) (HCN Tr. Ct., Sept. 28, 2009) (Rockman, A).

The Court convened a *Trial* to determine whether CFS could prove the allegations within its initial *Child Protection Petition*. CFS could only prove one of the allegations and dispositional requirements were rendered to rectify the situation.

SEPTEMBER 30, 2009

In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05 Order (Maternal Reimbursement Obligation) (HCN Tr. Ct., Sept. 30, 2009) (Rockman, A).

The Court had to determine an appropriate reimbursement scheme for the mother of the minor child. The Court ordered a garnishment of the future per capita distributions of the mother to reimburse CFS for monies expended on child placement assistance.



RECENT SUPREME COURT DECISIONS

SEPTEMBER 2, 2009

HCN GRB v. Kerry Funmaker, SU 09-04 Scheduling Order (HCN S. Ct., Sept. 2, 2009). The Court accepted the matter for appeal.

SEPTEMBER 22, 2009

Gale S. White v. Jean Day, SU 09-06 Scheduling Order (HCN S. Ct., Sept. 22, 2009). The Court denied the matter for appeal.

Wayne Falcon v. Liz Haller et al., SU 09-07 Scheduling Order (HCN S. Ct., Sept. 22, 2009). The Court accepted the matter for appeal.

Wayne Falcon v. Liz Haller et al., SU 09-05 Scheduling Order (HCN S. Ct., Sept. 22, 2009). The Court accepted the matter for appeal.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

SEPTEMBER 11, 2009

State of Wisconsin ex rel. v. Daniel J. Perey, CS 09-58 (Rockman, A).

SEPTEMBER 15, 2009

State of Wisconsin ex rel. v. Brandon Smith, CS 09-59 (Matha, T).

SEPTEMBER 21, 2009

State of Wisconsin ex rel. v. Jayce R. Littlegeorge, CS 09-60 (Rockman, A).

SEPTEMBER 22, 2009

Tasha M. King v. Jordan L. Vidana, CS 09-61 (Rockman, A).

SEPTEMBER 23, 2009

Jeanne Wellman v. David J. Wellman, CS 09-62 (Rockman, A).



CIVIL CASES

SEPTEMBER 15, 2009

In the Interest of Minor Child: M.D., DOB 03/29/99, by *Randall Mann v. HCN Office of Tribal Enrollment*, CV 09-75 (Matha, T).

SEPTEMBER 16, 2009

In the Interest of Minor Child: C.C., DOB 08/26/98, by *Jessica Clark v. HCN Office of Tribal Enrollment*, CV 09-76 (Matha, T).

In the Interest of Minor Child: H.A.O., DOB 01/09/98, by *Sandra Decorah-Ostenson v. HCN Office of Tribal Enrollment*, CV 09-77 (Matha, T).

SEPTEMBER 21, 2009

In the Interest of Adult CTF Beneficiary: Kasha I. Newsome, DOB 08/21/91 v. *HCN Office of Tribal Enrollment*, CV 09-78 (Rockman, A).

SEPTEMBER 22, 2009

In the Interest of F.S., DOB 10/21/95, by *Federica Minor v. HCN Office of Tribal Enrollment*, CV 09-79 (Rockman, A).

SEPTEMBER 25, 2009

In the Interest of Adult CTF Beneficiary: Melanie Pierce, DOB 09/28/90 v. *HCN Office of Tribal Enrollment*, CV 09-78 (Rockman, A).



CIVIL GARNISHMENT CASES

NO FILINGS AT THIS TIME.



JUVENILE CASES

SEPTEMBER 23, 2008

In the Interest of Minor Child: C.P.G., DOB 07/28/09, JV 09-29 (Rockman, A).



FAMILY CASES

NO FILINGS AT THIS TIME.



DOMESTIC VIOLENCE

DOMESTIC ABUSE AND ELDER PROTECTION FILINGS SHALL BE KEPT CONFIDENTIAL. ONE (1) CASE WAS FILED BY PETITIONERS.

RECENT SUPREME COURT FILINGS

SEPTEMBER 9, 2009

Gale White v. Jean Day, SU 09-06.

SEPTEMBER 21, 2009

Wayne Falcon v. Liz Haller et al., SU 09-07



**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
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 O. Rees (Ed.)
Law Clerk/Staff Attorney – Rebecca L. 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
(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

NAGPRA AT 19: FY09 IN REVIEW

FY09 BY THE NUMBERS:

- 1,551 INSTITUTIONAL SUMMARIES RECEIVED FROM 1,551 INSTITUTIONS
- 200 NOTICES PUBLISHED
- 90 NOTICES OF INTENDED DISPOSITION
- 477 NOTICES OF INTENT TO REPATRIATE PUBLISHED
- \$1.85M IN GRANT MONEY AWARDED
- 1,317 INVENTORIES RECEIVED FROM 734 INSTITUTIONS
- 150 NOTICES OF INVENTORY COMPLETION PUBLISHED

NAGPRA, the Native American Graves Protection and Repatriation Act, turned 19 on November 16! A “NAGPRA at 20” Conference is planned to discuss current issues facing those involved in implementation and revision. Below is a round-up of NAGPRA (43 CFR Part 10) issues from fiscal year 2009.

OCTOBER/NOVEMBER 2009



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2008-09 was the fifteenth year of the NAGPRA Grant Program. NAGPRA grants support agencies, Nations, and educational institutions in the implementation and furtherance of NAGPRA goals and compliance throughout the United States. Grant requests were up 100% in FY09, with a total of \$4.5 million sought for projects totaling \$5.2 million. \$1.85 million was awarded, with 48 applications received from Tribal Nations in FY09. These included two Wisconsin grants: an \$89,995 grant to the Lac de Flambeau Band of Lake Superior Chippewa and \$58,849 to the Department of Anthropology at University of Wisconsin, Madison.

The most famous example of Native remains encompassed by NAGPRA is the Kennewick Man, found along Washington's Columbia River in July 1996. Since the remains predate available historical records regarding Tribal heritage, the Kennewick bones constitute Culturally Unidentifiable Remains (CUI). In the past fiscal year, similar CUI were cataloged in 684 inventories from 623 institutions; these include both human remains and associated funerary objects. The relatively small number of funeral objects has led Tribes to speculate that prior to the inventory process required by statute, such objects may have been separated from their original human remains.

At present, collections across the US contain the remains of approximately 124,000 individuals for whom tribal affiliation has not been determined (as compared with 40,000 for whom cultural affiliation has been determined). So far, 4,846 formerly unidentifiable remains have been affiliated, with approximately 3,600 transferred to Tribal control. In addition, there are approximately 917,000 associated funerary objects currently lacking tribal disposition. The final rule regarding CUI, 10.11, is due to be released in the near future, hoping to address discrepancies as to what

constitutes "culturally affiliated" versus "Native American", following the 9th Circuit's decision in the Kennewick Man case. In the last fiscal year, 477 *Notices of Intent to Repatriate* were published (a 50% increase over the previous year).

In 2009, a total of 65 new counts of *Failure to Comply* with NAGPRA requirements were brought against a total of three museums; investigations have not yet been conducted on any of the newly-leveled counts. One museum was investigated for 41 allegations brought by several Tribes. These allegations were settled out of court. Five fiscal penalties were assessed for 18 counts of failure to comply with NAGPRA requirements, totaling approximately \$19,900. In all, a total of 12 museums were investigated in 2009 due to one or more substantiated failures on their part to adequately implement the legislation. The Government Accountability Office (GAO) has instituted a study regarding federal agency compliance with NAGPRA requirements. This study is due to be completed sometime in FY11. In FY09, 612 individuals received official training on NAGPRA from a National Parks Service-sponsored course. This number is down from FY08, but may reflect increased work dedicated to the creation of webinar training for future use. In addition, the Park Service is producing an outreach video for general release explaining NAGPRA implementation and penalties.

Finally, NAGPRA was updated in FY09 to comply with the Paperwork Reduction Act of 1980 (44 U.S.C. § 3501).

Article Submitted By: Former Staff Attorney Jennifer Gordon (Tilden).



WISCONSIN JUDICIAL CONFERENCE

The Annual Meeting of the Wisconsin Judicial Conference occurred on November 4-6, 2009, at the Hyatt Hotel & Conference Center in Milwaukee, WI. The Annual Meeting was comprised of the following: Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson's State of the Judiciary Address, a general judicial business session, and several judicial educational programs. The Executive Committee of the Judicial Conference established the agenda, which, for the first time, included an educational seminar presented by the Wisconsin Tribal Court Judges Association, Inc. (WTJA).

The standing State-Tribal Justice Forum urged the inclusion of an Indian law educational program delivered by sitting tribal court judges, and the Executive Committee obliged by scheduling two (2) consecutive one-hour long judicial educational seminars. On November 5, 2009, Chief Judge Todd R. Matha and Associate Judge Amanda L. Rockman presented the Indian law program on behalf of the WTJA entitled, *Tribal Courts: Asked & Answered*. Chief Judge Matha, serving as lead presenter, principally developed the seminar described in the Annual Meeting agenda as follows:

The Ho-Chunk Nation Tribal Court judges trace the development of federal Indian law specifically as it relates to tribal court adjudicatory jurisdiction, highlighting the sometimes contrasting approaches of the United States Congress and Supreme Court. Against this backdrop, the presenters examine the recently adopted state procedural rule regarding discretionary transfer

of civil actions to the Wisconsin tribal judiciaries. In particular, the judges address the practical operation and functional capacities of the eleven respective tribal judicial systems.

Several state and tribal court judicial officers attended the sessions, and many subsequently requested future WTJA offerings at the Annual Meeting given the quality of the program. In particular, Vilas County Circuit Court Judge Neal A. Nielsen, III offered the following comments:

Chief Judge Matha and Judge Rockman made an excellent presentation to the 2009 Wisconsin Judicial Conference. Their sessions were attended by more than thirty state and tribal judges, including Chief Justice Shirley Abrahamson, and Justices David Prosser and Patience Roggensack of the Wisconsin Supreme Court. The written materials accompanying their talk provide an excellent roadmap for understanding current tribal court jurisdictional issues against a long history of U.S. Supreme Court decisions in this area. As Chair of the State-Tribal Justice Forum, I want to thank them both for the time and legal scholarship which went into their program.

The accompanying PowerPoint presentation may be found on the judicial website at <http://www.ho-chunknation.com/?PageId=406>.



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

OCTOBER 2, 2009

State of Wisconsin ex rel. v. Lawrence Waube Jr., CS 08-42, Order (Cessation of Current Child

Support) (HCN Tr. Ct., October 2, 2009) (Rockman, A).

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

Jackson Co. Child Supp. Agency ex rel. v. Harriet M. Hopinkah, CS 08-59, Order (Cessation of Current Child Support) (HCN Tr. Ct., October 2, 2009) (Rockman, A).

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

Teresa D. Powers v. Darryl S. Powers, CS 04-53, Order (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., October 2, 2009) (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.

Kathryn Newsom v. Dennis G. Lewis, Sr., CS 01-03, Order (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., October 2, 2009) (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.

Sabrina Decorah v. Amery Decorah, CS 05-98, Order (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., October 2, 2009) (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.

OCTOBER 12, 2009

State of Wisconsin ex rel. v. Christian Roth, CS 09-42, Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., October 12, 2009) (Matha, T).

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



respondent's per capita payments. The respondent filed a response acquiescing to the child support garnishment. Therefore, the Court issued an order garnishing his per capita distribution for child support.

Margaret R. Newman Boardman v. Benjamin J. Boardman, CS 08-22, Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., October 12, 2009) (Rockman, A).

The parties filed proof of high school enrollment requested by the Court in a previous Order. The Court ordered the respondent to continue paying child support.

OCTOBER 13, 2009

June Whitethunder v. Todd Cloud, CS 07-14, Order (Cessation of Withholding) (HCN Tr. Ct., October 13, 2009) (Rockman, A).

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

April V. Bourdon v. Max P. Funmaker, Jr., CS 98-12, Order (Reinstating Child Support) (HCN Tr. Ct. October 13, 2009) (Matha, T.)

The Court issued a previous order ceasing child support withholding from the respondent's per capita. That Order should not have been issued as there is still a minor child in the petitioner's care that was covered by the original child support order. The Court reinstated the respondent's child support obligation.

State of Wisconsin ex rel. v. Carly Craven, CS 09-50, Default Judgment (Enforcing Child Support) (HCN Tr. Ct., October 13, 2009) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to attend the hearing, thus the Court granted the petition.

Kayla Giraud v. Randall Red Cloud, CS 02-50, Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., October 13, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to modify. The respondent

failed to timely respond, thus the Court granted the motion.

State of Wisconsin ex rel. v. Brandon N. Smith, CS 09-59, Default Judgment (Enforcing Child Support) (HCN Tr. Ct., October 13, 2009) (Matha, T).

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

Sarah Hilmer v. Tony Snowball, CS 08-85, Default Judgment (Modifying and Enforcing Child Support) (HCN Tr. Ct., October 13, 2009) (Rockman, A).

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

OCTOBER 14, 2009

State of Wisconsin ex rel. v. Christopher Littlewolf, CV 97-112, Order (Updating Arrearage Withholding) (HCN Tr. Ct., October 14, 2009) (Matha, T).

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

Lisa Rav, et al v. Brent R. St. Cyr, CV 97-97, -136, Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., October 14, 2009) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion to modify. The respondent failed to file a timely response. The Court granted the petitioner's motion and preformed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin v. Selina Littlewolf, CS 09-43, Default Judgment (Enforcing Child Support) (HCN Tr. Ct., October 14, 2009) (Matha, T).

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



State of Wisconsin ex rel. v. Lesley A. Decorah, CS 09-44, *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., October 14, 2009) (Matha, T).

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

State of Wisconsin ex rel. v. Benjamin J. Gleilchauf, CS 08-40, *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., October 14, 2009) (Matha, T).

The Court had to determine whether to modify a current 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.

Theresa M. Peterson v. Rene D. Peterson, CS 09-53, *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., October 14, 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 default judgment in favor of the petitioner.

State of Wisconsin v. April D. Lincoln, CS 07-07, *Order (Cessation of Withholding)* (HCN Tr. Ct., October 14, 2009) (Matha, T).

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

State of Wisconsin ex rel. et al. v. Forrest Downey, Sr., CS 05-26, -33, 08-84, *Order (Equitable Adjustment)* (HCN Tr. Ct., October 14, 2009) (Matha, T).

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

equitable adjustment due to the respondent's serial payor status.

Tiffany R. Baker v. Daniel J. Perez, CS 09-58, *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., October 14, 2009) (Rockman, A).

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

State of Iowa ex rel. v. John Edward Climer, CS 09-57, *Order (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., October 14, 2009) (Rockman, A).

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

OCTOBER 15, 2009

State of Wisconsin ex rel. v. Terrence M. Snake, CS 09-55, *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

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

Jaclyn J. Carriaga et al. v. Jorden L. Vidana, CS 07-47, 09-61, *Order (Equitable Adjustment)* (HCN Tr. Ct., October 15, 2009) (Rockman, A).

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



equitable adjustment due to the respondent's serial payor status.

State of Wisconsin ex rel. v. Dixon Funmaker, CS 09-49, *Default Judgment (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., October 15, 2009) (Rockman, A).

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

State of Wisconsin ex rel. v. Yo Na Montelongo, CS 03-77, *Order (Reinstating Child Support)* (HCN Tr. Ct., October 15, 2009) (Rockman, A).

The Court issued a previous order ceasing child support withholding from the respondent's per capita. The Court reinstated the respondent's child support obligation.

Curtis Pidgeon v. Jan LaCount, CS 03-11, *Order (Updating Arrearage Withholding)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

The Court updated the balance of back child support owed by the respondent. The Court also increased the amount withheld from respondent's per capita due to a stipulation between the parties.

State of Wisconsin ex rel. v. Elliot Funmaker, Sr., SC 05- 59, *Order (Proof of High School Enrollment Filed)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

The parties filed proof of high school enrollment requested by the Court in a previous Order. The Court ordered the respondent to continue paying child support.

Hope B. Smith et al. v. Mary Smith, CS 05-16, 06-48, *Order (Enforcing Arrearage Withholding)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

The petitioner filed a motion to enforce arrears withholding with a certified foreign order indicating a child support arrearage. The Court granted the motion.

State of Wisconsin ex rel. v. John M. Lowe, CS 06-51, 07-32, *Order (Modifying Child Support & Equitable Adjustment)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

The Court had to determine whether to modify a current 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 and performed an equitable adjustment due to the respondent's serial payor status.

In re the Marriage of Stacey L. Russell v. James P. Russell, CS 06-42, *Order (Modifying Child Support Against Per Capita)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

The Court had to determine whether to grant a recent motion to modify. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the modified foreign judgment.

State of Nebraska, ex rel. v. Shane A. Oknewski, CS 05-59, 06-12, -18, 07-48, -49, 08-74, *Order (Equitable Adjustment)* (HCN Tr. Ct., October 15, 2009) (Rockman, A).

The Court had to determine whether to terminate a foreign child support order against the respondent's per capita payments. The respondent failed to file a timely response. The Court granted the motion to terminate a child support order, and performed an equitable adjustment due to the respondent's serial payor status.

Nancy Texidor et al. v. Silas M. Cleveland, CS 99-80, 09-41, *Order (Modifying and Enforcing Child Support)* (HCN Tr. Ct., October 15, 2009) (Matha, T).

The Court had to determine whether to grant a recent motion to modify. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the modified foreign judgment.

OCTOBER 20, 2009



Patricia Houghton et al. v. Dixon Funmaker, CS 98-68, 01-22, 09-49, *Order (Equitable Adjustment)* (HCN Tr. Ct., October 20, 2009) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita payments. The respondent failed to file a timely response. The Court granted recognition and enforcement of the foreign judgment, and performed an equitable adjustment due to the respondent's serial payor status.

NOVEMBER 9, 2009

Jeanne L. Wellman v. David J. Wellman, CS 09-62, *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., November 9, 2009) (Rockman, A).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent filed a timely response agreeing to the recognition and enforcement of the foreign judgment and waived his right to a hearing. The Court granted recognition and enforcement of the foreign judgment.

 **CIVIL GARNISHMENT CASES**

OCTOBER 2, 2009

Franciscan Skemp Healthcare v. Rose A. Lemke a/k/a Rose Smith, CG 09-77, *Order (Default Judgment)* (HCN Tr. Ct., October 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 Service, LLC v. Jerry D. McCrossen, CG 09-74, *Order (Default Judgment)* (HCN Tr. Ct., October 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 Service, LLC v. Daniel Downing, CG 09-75, *Order (Default Judgment)* (HCN Tr. Ct., October 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.

Alliance Collection Agencies, Inc. v. Elizabeth A. Walker, CG 09-76, *Order (Default Judgment)* (HCN Tr. Ct., October 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.

OCTOBER 12, 2009

American General Finance v. Jackie Henneha, CG 09-73, *Order (Default Judgment)* (HCN Tr. Ct., October 12, 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. Patricia A. Houghton, CG 09-78, *Order (Granting Telephonic Appearance)* (HCN Tr. Ct., October 12, 2009) (Matha, T).

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

Vision Search & Recovery, LLC v. Jerry McCrossen, CG 09-83, *Order (Requiring Amended Petition)* (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court ordered the petitioner to amend the petition by filing proof that petitioner revived the foreign judgment through applicable procedures.

OCTOBER 13, 2009

Alliance Collection Agencies, Inc. v. Heather A Green, CG 09-70, *Order (Default Judgment)* (HCN Tr. Ct., October 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.

OCTOBER 21, 2009

In the Matter of the Outstanding Obligations of: Jerald B. Smith, CG 09-100, Order (Extension of Full Faith & Credit) (HCN Tr. Ct., October 21, 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.

In the Matter of the Outstanding Obligations of: Pine G. Giroux, CG 09-101, Order (Extension of Full Faith & Credit) (HCN Tr. Ct., October 21, 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.

Luther Midelfort-Mayo Heath System v. Vernica Magdalene Danielson, CG 09-72, Order (Default Judgment) (HCN Tr. Ct., October 32, 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 Creditor Management, Inc. v. Jerry McCrossen, CG 09-82, Order (Default Judgment) (HCN Tr. Ct., October 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.

Arnold Haessly v. Jerry McCrossen, CG 04-124, Order (Satisfaction of Judgment) (HCN Tr. Ct., October 21, 2009) (Matha, T).

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

OCTOBER 23, 2009

Capital One Bank v. Patricia A. Houghton, CG 09-78, Order (Petition Granted) (HCN Tr. Ct., October 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 filed a timely response, but failed to provide a cognizable objection to the action. The Court therefore granted the petitioner's request for relief.

OCTOBER 26, 2009

In the Matter of the Outstanding Obligations of: Phillip T. Cholka, CG 09-105, Order (Extension of Full Faith & Credit) (HCN Tr. Ct., October 26, 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.

OCTOBER 28, 2009

Creditor Recovery Service, LLC v. Janice Hurley, CG 09-89, Order (Default Judgment) (HCN Tr. Ct., October 28, 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. Elizabeth Saylor, CG 09-88, Order (Default Judgment) (HCN Tr. Ct., October 28, 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.

Budgetline Cash Advance v. Dawn Smith, CG 09-86, Order (Default Judgment) (HCN Tr. Ct., October 28, 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.

OCTOBER 29, 2009

Budgetline Cash Advance v. Richard & Janice Hurley, CG 09-90, *Order (Default Judgment)* (HCN Tr. Ct., October 29, 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.

NOVEMBER 3, 2009

Capital One Bank v. Thomas Winkler, CG 09-91, *Order (Default Judgment)* (HCN Tr. Ct., November 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.

Doctors' Clinic SC v. David Downing, CG 09-92, *Order (Default Judgment)* (HCN Tr. Ct., November 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.

NOVEMBER 4, 2009

Valued Services of Wisconsin, LLC v. Glen Decora, CG 09-96, *Order (Default Judgment)* (HCN Tr. Ct., November 4, 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.

Gunderson Clinic, Ltd. v. Tony L. Redbird, CG 09-95, *Order (Default Judgment)* (HCN Tr. Ct., November 4, 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.

NOVEMBER 6, 2009

Creative Finance, Inc. v. Milton Jenson, CG 09-97, *Order (Default Judgment)* (HCN Tr. Ct., November 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 failed to timely respond, thus the Court granted a default judgment in favor of the petitioner.

Onan Asset Acceptance C v. Deborah Plucinski, CG 09-98, *Order (Granting Telephonic Appearance)* (HCN Tr. Ct., November 6, 2009) (Matha, T).

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

NOVEMBER 20, 2009

Alliance Collection Agencies v. Mark Houghton, CG 09-104, *Order (Default Judgment)* (HCN Tr. Ct., November 20, 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.

Solarus v. Delores A. Greendeer, CG 09-93, *Order (Default Judgment)* (HCN Tr. Ct., November 20, 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 v. Kenneth J. Jardine, CG 09-107, *Order (Default Judgment)* (HCN Tr. Ct., November 20, 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.

Wisconsin Dells Municipal Court v. Kayode M. Akinshemoyin, CG 09-106, *Order (Default Judgment)* (HCN Tr. Ct., November 20, 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.

Black River Memorial v. David R. Youngthunder, CG 09-85, *Order (Default Judgment)* (HCN Tr. Ct., November 20, 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.

S.C. Swiderski, LLC v. Heather F. Rodriguez, CG 09-71, *Order (Default Judgment)* (HCN Tr. Ct., November 20, 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.

Onan Asset Acceptance C v. Deborah Plucinski, CG 09-98, *Order (Dismissal)* (HCN Tr. Ct., November 20, 2009) (Matha, T).

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

Capital One Bank v. Rhiannon L. Wilks, CG 09-43, *Order (Satisfaction of Judgment)* (HCN Tr. Ct., November 20, 2009) (Matha, T).

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

In the Matter of the Outstanding Obligations of: Dawn N. Wilson, CG 09-109, *Order (Extension of Full Faith & Credit)* (HCN Tr. Ct., November 20, 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.



CIVIL CASES



ADMINISTRATIVE APPEALS

NOVEMBER 12, 2009

Diana Wolf v. HCN Grievance Review Bd., CV 09-48, *Order (Notice of Oral Argument)* (HCN Tr. Ct., November 12, 2009) (Rockman, A).

The Court scheduled oral arguments for the instant case.

NOVEMBER 24, 2009

Kyle M. Funmaker v. HCN Grievance Review Bd., CV 09-17, *Order (Remand)* (HCN Tr. Ct., November 24, 2009) (Matha, T).

The Court had to determine whether to uphold the decision of the GRB. The Court reversed and remanded the agency decision due to a procedural failure of the GRB and the attending lack of a complete hearing record.



CHILDREN'S TRUST FUND (CTF)

OCTOBER 12, 2009

In the Interest of Minor Child: J.A.T., DOB 07/14/1995 v. HCN Office of Tribal Enrollment, CV 09-31, *Order (Requesting Accounting)* (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court previously released funds from the CTF 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: L.G.R., DOB 05/14/1997 v. HCN Office of Tribal Enrollment, CV 09-33, *Order (Requesting Accounting)* (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court previously released funds from the CTF 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: J.L.P., DOB 04/18/1998 v. HCN Office of Tribal Enrollment, CV 09-44, Order (Requesting Accounting) (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court previously released funds from the CTF 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: W.J.D.S., DOB 06/27/2000 v. HCN Office of Tribal Enrollment, CV 09-72, Order (Accepting Accounting) (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the beneficiary 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: M.L., DOB 03/03/1994 v. HCN Office of Tribal Enrollment, CV 07-25, Order (Requesting Accounting) (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court previously released funds from the CTF 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: C.C., DOB 08/26/1998 v. HCN Office of Tribal Enrollment, CV 09-76, Order (Petition Granted) (HCN Tr. Ct., October 12, 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 orthodontia procedures. The Court granted the petition.

In the Interest of Minor Child: T.R.P., DOB 11/20/1992 v. HCN Office of Tribal Enrollment, CV 08-76, Order (Show Case) (HCN Tr. Ct., October 12, 2009) (Matha, T).

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

associated with orthodontic procedures. The petitioner has not responded to the most recent judicial directive, and thus, the Court shall convene a Show Cause Hearing to allow the petitioner the opportunity to explain why the Court should not hold her in contempt of court.

OCTOBER 16, 2009

In the Interest of Minor Child: D.R.M., DOB 02/11/1994 v. HCN Office of Tribal Enrollment, CV 09-61, Order (Petition Denied) (HCN Tr. Ct., October 16, 2009) (Matha, T).

The Court denied the petition for release of funds from the CTF since the petitioners were not the legal guardians or parents of the minor child.

In the Interest of Minor Child: D.M.C., DOB 03/06/1996 v. HCN Office of Tribal Enrollment, CV 09-58, Order (Requesting Accounting) (HCN Tr. Ct., October 16, 2009) (Rockman, A).

The Court previously released funds from the CTF 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: R.F.F., DOB 09/08/1997 v. HCN Office of Tribal Enrollment, CV 09-28, Order (Requesting Accounting) (HCN Tr. Ct., October 16, 2009) (Rockman, A).

The Court previously released funds from the CTF 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: M.A.K., DOB 03/11/1996 v. HCN Office of Tribal Enrollment, CV 09-35, Order (Requesting Accounting) (HCN Tr. Ct., October 16, 2009) (Rockman, A).

The Court previously released funds from the CTF 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: S.E.P., DOB 05/05/1994 v. HCN Office of Tribal Enrollment, CV



09-49, *Order (Requesting Accounting)* (HCN Tr. Ct., October 16, 2009) (Rockman, A).

The Court previously released funds from the CTF 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 Adult CTF Beneficiary: CiCi B. BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 09-04, Order (Reviving Release) (HCN Tr. Ct., October 16, 2009) (Matha, T).

The petitioner satisfied the condition for securing a release of CTF monies by presenting the required documentation.

OCTOBER 19, 2009

In the Interest of Minor Child: R.H.G., DOB 10/07/1998 v. HCN Office of Tribal Enrollment, CV 09-82, Order (Petition Granted) (HCN Tr. Ct., October 19, 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 orthodontia procedures. The Court granted the petition.

In the Interest of Minor Child: T.R.P., DOB 11/20/1992 v. HCN Office of Tribal Enrollment, CV 08-76, Order (Accepting Accounting) (HCN Tr. Ct., October 19, 2009) (Matha, T).

The Court previously released funds from the CTF accounts of the beneficiary 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: R.A.W., DOB 02/24/1996 and J.H.W., DOB, 10/06/1999 v. HCN Office of Tribal Enrollment, CV 09-27, Order (Accepting Accounting) (HCN Tr. Ct., October 19, 2009) (Rockman, A).

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

In the Interest of Minor Child: B.Y., DOB 09/02/1993 v. HCN Office of Tribal Enrollment, CV 09-43, Order (Accepting Accounting) (HCN Tr. Ct., October 19, 2009) (Rockman, A).

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

OCTOBER 23, 2009

In the Interest of Minor Child: M.A.K., DOB 03/11/1996 v. HCN Office of Tribal Enrollment, CV 09-35, Order (Accepting Accounting) (HCN Tr. Ct., October 23, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the beneficiary 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 Children: R.M., DOB 06/07/1997 v. HCN Office of Tribal Enrollment, CV 09-20, Order (Petition Granted) (HCN Tr. Ct., October 23, 2009) (Rockman, A).

The Court had to determine whether a parent could access monies on behalf of her minor child from the CTF to pay for costs associated with private school tuition. The Court granted the request of the petitioner since it was a one-time payment for services already rendered.

OCTOBER 27, 2009

In the Interest of Minor Child: D.M.C., DOB 03/06/1996 v. HCN Office of Tribal Enrollment, CV 09-58, Order (Accepting Accounting) (HCN Tr. Ct., October 27, 2009) (Rockman, A).

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

NOVEMBER 5, 2009

In the Interest of Minor Children: K.F., DOB 01/10/1998 v. HCN Office of Tribal Enrollment, CV 09-59, Order (Petition Granted) (HCN Tr. Ct., November 5, 2009) (Matha, T).



The Court had to determine whether a parent could access monies on behalf of her minor child from the CTF to pay for costs associated with a professional tutoring program. The Court granted a release of funds to satisfy the request of the petitioner.

NOVEMBER 6, 2009

In the Interest of Minor Child: J.L.P., DOB 04/18/1998 v. HCN Office of Tribal Enrollment, CV 09-44, Order (Accepting Accounting) (HCN Tr. Ct., November 6, 2009) (Matha, T).

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

NOVEMBER 9, 2009

In the Interest of Adult CTF Beneficiary: Melanie Pierce, DOB 09/28/1990 v. HCN Office of Tribal Enrollment, CV 09-80, Order (Dismissal without Prejudice) (HCN Tr. Ct., November 9, 2009) (Rockman, A).

The Court convened a hearing to consider the merit of the petitioner's request to access CTF monies. The petitioner failed to appear. The Court dismissed the petition without prejudice to reflect the status of this non-adversarial case.

In the Interest of Minor Children: J.R.D., DOB 01/20/1993 and S.A.M.D., DOB 12/18/1993 v. HCN Office of Tribal Enrollment, CV 09-74, Order (Dismissal without Prejudice) (HCN Tr. Ct., November 9, 2009) (Rockman, A).

The Court convened a hearing to consider the merit of the petitioner's request to access CTF monies. The petitioner failed to appear. The Court dismissed the petition without prejudice to reflect the status of this non-adversarial case.

NOVEMBER 18, 2009

In the Interest of Minor Child: R.F.F., DOB 09/08/1997 v. HCN Office of Tribal Enrollment, CV 09-28, Order (Accepting Accounting) (HCN Tr. Ct., November 18, 2009) (Rockman, A).

The Court previously released funds from the CTF accounts of the beneficiary for costs

associated with dental procedures. The petitioner submitted a receipt confirming the proper use of funds, which the Court accepted.

NOVEMBER 19, 2009

In the Interest of Minor Child: S.E.P., DOB 05/05/1994 v. HCN Office of Tribal Enrollment, CV 09-49, Order (Accepting Accounting) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

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

In the Interest of Minor Children: J.W.T., DOB 12/08/2001 v. HCN Office of Tribal Enrollment, CV 09-63, Order (Dismissal without Prejudice) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The Court convened a continued fact-finding hearing to consider the merit of the petitioner's request to access CTF monies. At the hearing, the petitioner withdrew the request for a release of per capita distribution. The Court dismissed the petition without prejudice to reflect the status of this non-adversarial case.

In the Interest of Minor Child: S.D., DOB 12/25/1994 v. HCN Office of Tribal Enrollment, CV 09-83, Order (Petition Granted) (HCN Tr. Ct., November 19, 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.

In the Interest of Minor Child: J.B.K., DOB 02/17/2004 v. HCN Office of Tribal Enrollment, CV 08-42, Order (Suspending Release) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The Court suspended all future releases of CTF monies, until the petitioner satisfied certain requirements.

NOVEMBER 20, 2009

In the Interest of Decedent Member: J.A.C., DOB 01/12/1990 v. HCN Office of Tribal Enrollment, CV 09-89, Order (Releasing Children's Trust Fund to



Estate) (HCN Tr. Ct., November 20, 2009) (Matha, T).

The Court had to determine whether to release the monies from a decedent tribal member's CTF to the estate. The Court directed the release of the CTF to the court-appointed representative of the estate.

In the Interest of Minor Child: M.B., DOB 08/18/1998 v. HCN Office of Tribal Enrollment, CV 09-88, Order (Petition Granted) (HCN Tr. Ct., November 20, 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 orthodontia procedures. The Court granted the petition.

In the Interest of Minor Child: K.M.R., DOB 06/20/1997 v. HCN Office of Tribal Enrollment, CV 09-84, Order (Petition Granted) (HCN Tr. Ct., November 20, 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 orthodontia procedures. The Court granted the petition.

In the Interest of Minor Child: L.G.R., DOB 05/14/1997 v. HCN Office of Tribal Enrollment, CV 09-33, Order (Accepting Accounting) (HCN Tr. Ct., November 20, 2009) (Matha, T).

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

CONTRACTS

OCTOBER 1, 2009

HCN and HCN Department of Business v. Rayce L. Pettibone, CV 09-54, Order (Requiring Amended Complaint) (HCN Tr. Ct., October 1, 2009) (Rockman, A).

The Court had to determine whether to grant a default judgment against the defendant. The defendant failed to answer the complaint despite proper service of process. The Court however, declined to enter a decision due to the plaintiffs'

failure to articulate a basis for the exercise of subject matter jurisdiction. The Court accordingly required the plaintiffs to file an amended pleading.

OCTOBER 12, 2009

HCN and HCN Department of Labor v. Danielle Tucker, CV 09-24, Order (Dismissal) (HCN Tr. Ct., October 12, 2009) (Matha, T).

In a previous order, the Court afforded the plaintiffs the opportunity to amend its pleading. The plaintiffs failed to file an amended pleading, thus the Court dismissed the petition.

HCN and HCN Department of Labor v. Dodie Topping, CV 09-23, Order (Dismissal) (HCN Tr. Ct., October 12, 2009) (Matha, T).

In a previous order, the Court afforded the plaintiffs the opportunity to amend its pleading. The plaintiffs failed to file an amended pleading, thus the Court dismissed the petition.

HCN and HCN Department of Labor v. Michael Sheahan, CV 09-25, Order (Dismissal) (HCN Tr. Ct., October 12, 2009) (Matha, T).

In a previous order, the Court afforded the plaintiffs the opportunity to amend its pleading. The plaintiffs failed to file an amended pleading, thus the Court dismissed the petition.

HCN and HCN Home Ownership Program v. Estate of Amy Mallory, CV 07-79, Order of Foreclosure (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court issued an order authorizing the foreclosure of the estate.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

EMPLOYMENT

NO DECISIONS AT THIS TIME.

ENROLLMENT

NO DECISIONS AT THIS TIME.



 **HOUSING****OCTOBER 14, 2009**

HCN and HCN Housing & Community Development Agency v. Sheila Pagel, CV 09-39, Order (Permitting Further Amendment) (HCN Tr. Ct., October 14, 2009) (Rockman, A).

The Court issued an order permitting the plaintiffs a further opportunity to amend its pleading.

HCN and HCN Housing & Community Development Agency v. Sarah Jones Decora, CV 09-41, Order (Permitting Further Amendment) (HCN Tr. Ct., October 14, 2009) (Rockman, A).

The Court issued an order permitting the plaintiffs a further opportunity to amend its pleading.

HCN and HCN Housing & Community Development Agency v. Daryl Decora, CV 09-42, Order (Permitting Further Amendment) (HCN Tr. Ct., October 14, 2009) (Rockman, A).

The Court issued an order permitting the plaintiffs a further opportunity to amend its pleading.

OCTOBER 16, 2009

HCN and HCN Housing & Community Development Agency v. Travis Prescott, CV 09-38, Order (Default Judgment) (HCN Tr. Ct., October 16, 2009) (Rockman, A).

The Court had to determine whether to grant the relief requested by the plaintiffs. The Court rendered a default judgment against the defendant, awarding the plaintiffs permissible relief sought in the complaint.

 **INCOMPETENT'S TRUST FUND (ITF)****OCTOBER 18, 2009**

In the Interest of Adult Incompetent: H.C., DOB 01/31/1931 v. HCN Office of Tribal Enrollment, CV 05-72, Order (Accepting Accounting) (HCN Tr. Ct., October 18, 2009) (Rockman, A).

The Court previously released funds from the ITF account of the beneficiary for costs associated with ongoing nursing home care and professional

guardianship service fees. The petitioner submitted a receipt confirming the proper use of funds, which the Court accepted.

NOVEMBER 19, 2009

In the Interest of Adult Incompetent: M.A.F., DOB 04/26/1966 v. HCN Office of Tribal Enrollment, CV 96-87, Order (Motion Granted) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The Court had to determine whether the legal guardian could access monies on behalf of the adult incompetent member from the ITF to accommodate assisted vacation expenses. The Court granted a release of funds to satisfy the request of the guardian.

In the Interest of K.K.R., DOB 10/09/1968 v. HCN Office of Tribal Enrollment, CV 09-10, Order (Suspending Release) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The petitioner requested a suspension of guardianship fees. The Court granted the request to suspend the fees, since documentation established a credit toward the guardianship fees.

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960 v. HCN Office of Tribal Enrollment, CV 05-110, Order (Accepting Accounting) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The Court previously released funds from the ITF account of the beneficiary for costs associated with ongoing guardian services. The petitioner submitted a receipt confirming the proper use of funds, which the Court accepted.

In the Interest of Adult Incompetent: B.P.O., DOB 04/03/1934 v. HCN Office of Tribal Enrollment, CV 96-46, Order (Accepting Accounting) (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The Court previously released funds from the ITF account of the beneficiary for costs associated with annual residential LP gas costs. The petitioner submitted a receipt confirming the proper use of funds, which the Court accepted.



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

 **DOMESTIC ABUSE**

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. ONE (1) DECISION WAS ISSUED FROM OCTOBER 1, 2009 THROUGH NOVEMBER 30, 2009.

 **FAMILY**

 **DIVORCE**

NOVEMBER 19, 2009

Sherri M. Mann v. Richard R. Mann, FM 09-03, *Final Judgment for Divorce* (HCN Tr. Ct., November 19, 2009) (Matha, T).

The Court had to determine whether to grant the mutual request to sever the marital relationship. Based upon the sworn testimony of the parties, the Court issued a divorce decree and further resolved issues relating to maintenance and property division.

 **JUVENILE CASES**

OCTOBER 5, 2009

In the Interest of Minor Children: C.J.D., DOB 05/19/1993; *H.A.D.*, DOB 03/23/1995; *K.A.D.*, DOB 09/05/1996, JV 09-21-23, *Order (Erratum)* (HCN Tr. Ct., October 5, 2009) (Rockman, A).

The Court corrected a clerical error in a previous order.

OCTOBER 12, 2009

In the Interest of Minor Child: E.J.E., DOB 10/14/2007, JV 09-12, *Order (Granting Telephonic Appearances)* (HCN Tr. Ct., October 12, 2009) (Matha, T).

The Court granted a party's request to appear by telephone.

In the Interest of Minor Children: K.B.M., DOB 10/29/1993; *G.E.M.*, DOB 08/25/1995; *A.D.M.*, DOB 04/25/1997, JV 03-07-09, *Order (Child Protection Review Hearing)* (HCN Tr. Ct., October 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 in relation to the minor children.

OCTOBER 13, 2009

In the Interest of Minor Children: L.L.T., DOB 06/23/1996; *R.R.T.*, DOB 03/16/1994; *L.M.T.*, DOB 01/20/1993, JV 07-62-64, *Order (Paternal Reimbursement Obligation)* (HCN Tr. Ct., October 13, 2009) (Rockman, A).

The Court had to determine an appropriate reimbursement amount owed by the father of the minor children, for costs associated with their care.

In the Interest of Minor Children: L.L.T., DOB 06/23/1996; *R.R.T.*, DOB 03/16/1994; *L.M.T.*, DOB 01/20/1993, JV 07-62-64, *Order (Maternal Reimbursement Obligation)* (HCN Tr. Ct., October 13, 2009) (Rockman, A).

The Court had to determine an appropriate reimbursement amount owed by the mother of the minor children, for costs associated with their care.

In the Interest of Minor Child: D.G., DOB 08/26/1991, JV 09-14, *Order (Termination of Jurisdiction)* (HCN Tr. Ct., October 13, 2009) (Matha, T).

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

In the Interest of Minor Children: E.D., DOB 12/14/2000; *O.A.*, DOB 09/18/2003; *R.A.*, DOB 10/26/2006; *G.A.*, DOB 10/31/2008, JV 09-07-10, *Order (Child Protection Review Hearing)* (HCN Tr. Ct., October 13, 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 relation to the minor children.



In the Interest of Minor Child: C.P.G., DOB 07/28/2009, JV 09-29, Order (Voluntary Dismissal) (HCN Tr. Ct., October 13, 2009) (Rockman, A).

The petitioner requested the petition for permanent guardianship be dismissed. The Court granted the request.

In the Interest of Minor Child: M.L.G., DOB 04/18/2007, JV 08-32, Order (Establishment of Paternal Child Support) (HCN Tr. Ct., October 13, 2009) (Matha, T).

The Court had to determine a child support obligation for the parent of the minor child.

In the Interest of Minor Child: S.S., DOB 11/26/1991, JV 09-13, Order (Establishment of Child Support) (HCN Tr. Ct., October 13, 2009) (Matha, T).

The Court had to determine a child support obligation for the parent(s) of the minor child.

OCTOBER 14, 2009

In the Interest of Minor Children: J.C., DOB 06/10/2004; A.C., DOB 01/31/06; R.C., DOB 05/12/2007; D.C., DOB 04/22/2008, JV 07-04-05, -34, 08-13, Order (Child Protection Review Hearing) (HCN Tr. Ct., October 14, 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.

OCTOBER 15, 2009

In the Interest of Minor Children: D.J.W., DOB 03/17/1994; V.W.W., DOB 07/27/1995; A.P.W., DOB 10/28/1991; D.C.W., DOB 12/14/1996 and State of Wisconsin v. Henry Whitethunder and Manda Whitethunder, JV 04-08-11; CS 09-51, -46, Minute Order (Regarding Child Support) (HCN Tr. Ct., October 15, 2009) (Rockman, A).

The Court issued a minute order to intercept the parents per capita distribution for an established child support order.

In the Interest of Minor Children: A.A.F., DOB 01/10/1992; E.M.F., DOB 03/27/1993; M.R.F., DOB

01/25/1999, JV 08-02-04, Order (Child Protection Review Hearing) (HCN Tr. Ct., October 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.

OCTOBER 16, 2009

In the Interest of Minor Child: T.K.W., DOB 10/15/2007, JV 07-42, Order (Child Protection Review Hearing) (HCN Tr. Ct., October 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.

OCTOBER 19, 2009

In the Interest of Minor Children: S.M., DOB 11/18/1992; K.M., DOB 10/18/1993; S.M., DOB 12/13/1995; A.M., DOB 09/16/2001; A.M., DOB 06/16/2004; A.M., DOB 03/14/2006, JV 07-09-14, Order (Child Protection Review Hearing) (HCN Tr. Ct., October 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.

OCTOBER 22, 2009

In the Interest of the Minor Child: E.R.S., DOB 08/16/2004, JV 09-20, Order (Appointment of Temporary Guardian) (HCN Tr. Ct., October 22, 2009) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the person of the minor child. After a careful weighing of all the presented evidence, the Court deemed such an appointment within the minor child's best interests.

In the Interest of the Minor Children: M.B.C., DOB 06/20/1997; S.P.C., DOB 03/22/1996; S.J.C., DOB 07/09/2002, JV 09-24-26, Order (Appointment of



Temporary Guardian) (HCN Tr. Ct., October 22, 2009) (Rockman, A).

The Court had to determine whether to appoint a temporary guardian of the person of the minor child. After a careful weighing of all the presented evidence, the Court deemed such an appointment within the minor child's best interests.

In the Interest of Minor Child: J.R.P., DOB 02/27/1992, JV 03-01, Order (Notice of Termination) (HCN Tr. Ct., October 22, 2009) (Matha, T).

The Court sent out notice of its intent to terminate jurisdiction over the instant case in accordance with applicable law.

OCTOBER 23, 2009

In the Interest of Minor Child: E.R.S., DOB 08/16/2004, JV 09-20, Order (Erratum) (HCN Tr. Ct., October 23, 2009) (Rockman, A).

The Court corrected a clerical error in a previous order.

OCTOBER 28, 2009

In the Interest of Minor Child: J.R.P., DOB 02/27/1992, JV 03-01, Order (Termination of Jurisdiction) (HCN Tr. Ct., October 28, 2009) (Matha, T).

The Court terminated its jurisdiction over the instant case, subject to a single limited exception, in accordance with applicable law.

In the Interest of Minor Child: J.R.P., DOB 02/27/1992, JV 03-01, Order (Terminating Child Support) (HCN Tr. Ct., October 28, 2009) (Matha, T).

The Court terminated jurisdiction over and supervision of the instant case. Therefore, the Court ordered Treasury to immediately cease current child support withholding for the minor child.

NOVEMBER 2, 2009

In the Interest of Minor Child: A.C., DOB 09/18/2000, JV 07-08, Order (Conditional

Termination Hearing) (HCN Tr. Ct., November 2, 2009) (Rockman, A).

The Court conducted a *Conditional Termination Hearing* and had to assess the extent of compliance with the parents' dispositional requirements. The parties requested additional time. Therefore, the Court determined to maintain the status quo, until the reunification hearing.

NOVEMBER 13, 2009

In the Interest of Minor Child: K.C., DOB 03/02/1992, JV 08-33, Order (Capias Hearing) (HCN Tr. Ct., November 13, 2009) (Rockman, A).

The Court commenced a *Capias Hearing* and ordered the minor child to remain at current placement location.

In the Interest of Minor Children: L.L.T., DOB 06/23/1996; R.R.T., DOB 03/16/1994; L.M.T., DOB 01/20/1993, JV 07-62-64, Order (Child Protection Review Hearing) (HCN Tr. Ct., November 13, 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.

NOVEMBER 18, 2009

In the Interest of Minor Child: T.F., DOB 12/25/1991, JV 97-01, Order (Termination of Jurisdiction) (HCN Tr. Ct., November 18, 2009) (Rockman, A).

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

In the Interest of Minor Child: C.J.D., 05/19/1993, JV 09-21, Order (Dispositional Requirements) (HCN Tr. Ct., November 18, 2009) (Rockman, A).

The Court conducted a *Dispositional Hearing* in accordance with applicable law. The Court had to assess the extent and scope of the dispositional recommendations and transition plan proposed by CFS. Dispositions were established with the hope of returning legal custody to the parent.

NOVEMBER 19, 2009



RECENT SUPREME COURT DECISIONS

NO DECISIONS AT THIS TIME.



RECENT TRIAL COURT FILINGS

CHILD SUPPORT CASES

OCTOBER 7, 2009

Vickie Hanson v. Harry Blackhawk, CS 09-63 (Rockman, A).

OCTOBER 8, 2009

State of Wisconsin ex rel. v. Matthew E. White, CS 09-64 (Rockman, A).

OCTOBER 19, 2009

Mary J. Sams v. Daniel L. Sams, CS 09-65 (Rockman, A).

OCTOBER 21, 2009

Heather Hartwig v. Steven Lincoln, CS 09-66 (Rockman, A).

State of Wisconsin ex rel. v. Anne Chamberlain, CS 09-67 (Rockman, A).

NOVEMBER 10, 2009

Jillian Ennis v. Geoffrey Lonetree, CS 09-68 (Matha, T).

Pamela Berefsky v. Darryl Berefsky, CS 09-69 (Matha, T).

Mike McClure v. Lisa Decorah, CS 09-70 (Matha, T).

State of Wisconsin ex rel. v. Mary J. Whiteeagle, CS 09-71 (Matha, T).

In the Interest of Minor Child: D.W., DOB 11/16/1991, JV 08-14, *Order (Dismissal)* (HCN Tr. Ct., November 19, 2009) (Rockman, A).

The Court previously requested that the petitioner submit additional information. The petitioner failed to submit the information, thus the Court dismissed the case due to inactivity, as well as the fact that the minor child is the age of majority.

NOVEMBER 20, 2009

In the Interest of Minor Child: D.T.S., DOB 11/20/1991, JV 01-01, *Order (Termination of Jurisdiction)* (HCN Tr. Ct., November 20, 2009) (Matha, T).

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

NOVEMBER 23, 2009

In the Interest of Minor Child: E.J.E., DOB 10/14/2007, JV 09-12, *Order (Child Protection Review Hearing)* (HCN Tr. Ct., November 23, 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.

NOVEMBER 24, 2009

In the Interest of Minor Children: S.M., DOB 11/18/1992; *K.M.*, DOB 10/18/1993; *S.M.*, DOB 12/13/1995; *A.M.*, DOB 09/16/2001; *A.M.*, DOB 06/16/2004; *A.M.*, DOB 03/14/2006, JV 07-09-14, *Order (Status Hearing)* (HCN Tr. Ct., November 24, 2009) (Rockman, A).

The Court conducted a *Status Hearing* in accordance with applicable law. The Court had to assess the extent of compliance with the standing dispositional orders.



NOVEMBER 24, 2009

Nellie R. Blackdeer v. Ryan C. Knuth, CS 09-72 (Matha, T).

 **CIVIL CASES**

OCTOBER 2, 2009

Wayne Falcon v. Dept. of Health & Social Services et al., CV 09-81 (Rockman, A).

OCTOBER 9, 2009

In the Interest of Minor Child: R.H.G., DOB 10/07/98 v. HCN Office of Tribal Enrollment CV 09-82 (Rockman, A).

OCTOBER 20, 2009

In the Interest of Minor Child: S.D., DOB 12/25/94 v. HCN Office of Tribal Enrollment, CV 09-83 (Rockman, A).

OCTOBER 27, 2009

In the Interest of Minor Child: K.M.R., DOB 06/20/97 v. HCN Office of Tribal Enrollment, CV 09-84 (Matha, T).

NOVEMBER 2, 2009

In the Interest of Minor Child: M.B., DOB 01/04/93 v. HCN Office of Tribal Enrollment, CV 09-85 (Matha, T).

NOVEMBER 12, 2009

In the Interest of Minor Child: H.P.F., DOB 04/18/95 v. HCN Office of Tribal Enrollment, CV 09-86 (Matha, T).

HCN & HCN HHCDA v. Veronica Wilbur, CV 09-87 (Matha, T).

NOVEMBER 13, 2009

In the Interest of Minor Child: M.B., DOB 08/18/98 v. HCN Office of Tribal Enrollment, CV 09-88 (Matha, T).

In the Interest of Decedent: J.A.C., DOB 01/12/90 v. HCN Office of Tribal Enrollment, CV 09-89 (Matha, T).

NOVEMBER 19, 2009

In the Interest of Minor Child: T.J., DOB 07/19/98 v. HCN Office of Tribal Enrollment, CV 09-90 (Rockman, A).

In the Interest of Minor Child: H.B., DOB 08/21/95 v. HCN Office of Tribal Enrollment, CV 09-91 (Rockman, A).

In the Interest of Minor Child: D.E.A., DOB 12/09/94 v. HCN Office of Tribal Enrollment, CV 09-92 (Rockman, A).

 **CIVIL GARNISHMENT CASES**

OCTOBER 1, 2009

Midland Credit Management v. Jerry McCrossen, CG 09-82 (Matha, T).

Vision Search Center v. Jerry McCrossen, CG 09-83 (Matha, T).

Family & Children Center v. Stephanie Littlegeorge, CG 09-84 (Matha, T).

Black River Memorial v. David Youngthunder, CG 09-85 (Matha, T).

Budgetline Cash Advance v. Dawn Smith, CG 09-86 (Matha, T).

OCTOBER 2, 2009

Gundersen Lutheran Medical Center v. Darci & Lucas Spangler, CG 09-87 (Matha, T).

Capital One Bank v. Elizabeth Saylor, CG 09-88 (Matha, T).

Creditor Recovery Service v. Janice Hurley, CG 09-89 (Matha, T).

Budgetline Cash Advance v. Richard & Janice Hurley, CG 09-90 (Matha, T).

OCTOBER 6, 2009

Capital One Bank v. Thomas Winkler, CG 09-91 (Matha, T).

OCTOBER 8, 2009



Doc. Clinic v. David Downing, CG 09-92 (Matha, T).

Solarus v. Dolores A. Greendeer, CG 09-93 (Matha, T).

OCTOBER 15, 2009

David Rotering et al. v. Austin Domenget et al., CG 09-94 (Matha, T).

Gundersen Clinic LTD. v. Tony L. Redbird, CG 09-95 (Matha, T).

Valued Service of WI v. Glen Decora, CG 09-96 (Matha, T).

Creative Finance v. Milton Jenson, CG 09-97 (Matha, T).

ONAN Asset Acceptance v. Deborah Plucinski, CG 09-98 (Matha, T).

Aspirus Doctors Clinic v. Curtis Whiteeagle, CG 09-99 (Matha, T).

State of WI v. Jerald Smith, CG 09-100 (Matha, T).

State of WI v. Pine Giroux, CG 09-101 (Matha, T).

OCTOBER 21, 2009

Creditor Recovery Service v. Mitchell Redcloud, CG 09-102 (Matha, T).

OCTOBER 22, 2009

Michelle Rave v. Jeriah Rave, CG 09-103 (Matha, T).

Alliance Collection Agency v. Mark S. Houghton, CG 09-104 (Matha, T).

Sauk Co. Cir. Ct. v. Phillip Cholka, CG 09-105 (Matha, T).

WI Dells Municipal Ct. v. Kayode Akinshemouyen, CG 09-106 (Matha, T).

OCTOBER 28, 2009

Alliance Collection Agency v. Kenneth J. Jardine, CG 09-107 (Matha, T).

Creative Finance v. Paulette Mathewson, CG 09-108 (Matha, T).

NOVEMBER 18, 2009

Sauk Co. Cir. Ct. v. Dawn N. Wilson, CG 09-109 (Matha, T).

Alliance Collection Agency v. Midge Bauer, CG 09-110 (Matha, T).

NOVEMBER 19, 2009

Gundersen Clinic v. Andrea Pettibone, CG 09-101 (Matha, T).

Black River Memorial v. Andrea Pettibone, CG 09-112 (Matha, T).

Gundersen Lutheran Medical Center v. Andrea Pettibone, CG 09-113 (Matha, T).

Szmana Dental Center v. Kandi Laatsch, CG 09-114 (Matha, T).



JUVENILE CASES

NO RECENT FILINGS



FAMILY CASES

NOVEMBER 11, 2009

Minette Goodbear v. Dana Goodbear, FM 09-06 (Rockman, A).



DOMESTIC VIOLENCE CASES

NO RECENT FILINGS

RECENT SUPREME COURT FILINGS

Daniel Topping v. HCN GRB, SU 09-08

Cheryl Brinegar v. HCN GRB, SU 09-09



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

HCN Judiciary Fee Schedule



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

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 O. Rees (Ed.)

Law Clerk/Staff Attorney – Rebecca L. 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
(Region 10 — Illinois, Indiana, Michigan, Minnesota, and Wisconsin)

Filing Fees

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

Court Fees

Copying

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

Legal Citation Forms

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

Ho-Chunk Nation Constitution

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

Ho-Chunk Nation Code

Ordinance/Act Name Title Number HCC Section.

ELDER PROTECTION ACT, 4 HCC § 1.

EMPLOYMENT RELATIONS ACT, 6 HCC § 5.

(for detailed citation information consult LEGISLATIVE

ORGANIZATION ACT, 2 HCC § 11.36)

HCN Supreme Court Case Law

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

Johnson v. Department Inc., SU 96-21 (HCN S. Ct., Aug. 14, 1996).

HCN Trial Court Case Law

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

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

Ho-Chunk Nation Rules of Civil Procedure

HCN R. Civ. P. 19(B)

