

# HO-CHUNK NATION COURT BULLETIN

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## FORMER STAFF ATTORNEY JOCELYN FABRY APPOINTED CHIEF JUDGE OF SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS



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BY RICK SMITH

Sault Tribe member Jocelyn Fabry will be sworn in as the chief judge for the Sault Tribal Court in the George K. Nolan Building in Sault Ste. Marie at 1:30 p.m. on Friday, March 5.

According to her resume, the new judge studied at Michigan State University where she graduated cum laude from the Honors College in 2001 and received a Juris Doctor from the University of Colorado School of Law in 2004.

In recent years, she gained experience with a strong background in civil and criminal litigation along with federal law regarding American Indians. She has extensive knowledge of federal, tribal, state and local court policies and procedures and is licensed to practice in Michigan, the U.S. District Court for the Western District of Michigan and the Sault Tribal Court.

She served as a law clerk and staff attorney for the Ho-Chunk Nation Tribal Court in Wisconsin before taking a position as a tribal attorney for Sault Tribe in 2005. She became a tribal prosecutor for our tribe in 2005 before a stint as a partner and law office manager of a Sault law firm. She also served the Sault Tribal Court as a legal aid attorney until accepting her new position.

As chief judge, Fabry will be responsible for the administration of justice in the Sault Ste. Marie

Chippewa Tribal Court along with the overall organization and administration of the court and all of its programs.

“It is with great pleasure to have Jocelyn Fabry accept the position of chief judge for the Sault Ste. Marie Tribe of Chippewa Indians,” said Kristi Harwood, executive director for Sault Tribe. “Ms. Fabry’s past experience working for the Ho -Chunk Nation and within the Sault Tribe and Chippewa County legal systems provides her with the background required for the position. I look forward to working with Jocelyn to enhance our current system.”

Fabry actively contributes to the Sault area community in other ways through involvement with the Chippewa County Bar Association, the Rotary Club, United Way of the Eastern Upper Peninsula and as a member of the Diane Pepler Resource Center Board of Directors.

“I am deeply humbled by this appointment and the enormous responsibility that comes with it,” Fabry noted. “This position presents an amazing opportunity to impact tribal members in a significant way and a responsibility to have that be a positive impact. I look forward to working with staff in building upon the foundations the judges who came before me have laid and finding new and innovative methods of working with people who find themselves involved with the court. My goal each day will be strive to meet and exceed the expectations the tribe has of me in hearing and deciding the cases before me according to the laws enacted by our tribe.”



## RECENT TRIAL COURT DECISIONS

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

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

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

## CHILD SUPPORT CASES

### DECEMBER 1, 2009

*Rebecca Abrego v. Javier Salas, CS 08-34 Order (Modifying & Enforcing Child Support Against Wages)* (HCN Tr. Ct., Dec. 1, 2009) (Rockman, A).

The Court had to determine whether to change the source of withholding from per capita payments to wages. The respondent failed to timely respond, thus the Court granted the motion to modify.

### DECEMBER 22, 2009

*Anna Kingswan v. Anthony Kingswan CS 05-78 Order (Modifying & Enforcing Child Support Against Wages)* (HCN Tr. Ct., Dec. 1, 2009) (Rockman, A).

The Court had to determine whether to change the amount of withholding from wages. The respondent failed to timely respond, thus the Court granted the motion to modify.

### JANUARY 4, 2010

*Jeanne L. Wellman v. David L. Wellman, CS 09-62 Order (Enforcing Arrearage Withholding)* (HCN Tr. Ct., Jan. 4, 2010) (Rockman, A).

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

*Margaret Newman v. Benjamin J. Boardman*, CS 08-22 Order (Enforcing Arrearage Withholding) (HCN Tr. Ct., Jan. 4, 2010) (Rockman, A).

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

#### **JANUARY 7, 2010**

*State of Wisconsin ex rel. v. Joseph I. Antone*, CS 05-64 Order (Ceasing Arrearage Withholding) (HCN Tr. Ct., Jan. 7, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to suspend arrearage withholding. The Court granted the petitioner's motion.

*State of Wisconsin ex rel. v. William B. Collins*, CS 03-21 Order (Ceasing Arrearage Withholding) (HCN Tr. Ct., Jan. 7, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to suspend arrearage withholding. The Court granted the petitioner's motion.

*State of Wisconsin ex rel. v. Thunderhawk L. Decorah*, CS 03-30 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 7, 2010) (Matha, T).

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

#### **JANUARY 8, 2010**

*Pamela Berefsky v. Darryl Berefsky*, CS 09-69 Order (Enforcing Arrearage Withholding) (HCN Tr. Ct., Jan. 8, 2010) (Matha, T).

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

*Rose Delgado v. Edward Mendez*, CS 98-69 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 8, 2010) (Matha, T).

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

*State of Wisconsin ex rel. v. Matthew White*, CS 09-64 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 8, 2010) (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.

#### **JANUARY 11, 2010**

*State of Wisconsin ex rel. v. Angela B. Wanatee*, CV 97-126 Order (Cessation of Child Support) (HCN Tr. Ct., Jan. 11, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's request to cease per capita withholding. The Court ceased withholding against the respondent's per capita payments.

*Milwaukee County ex rel. v. Harry Blackhawk*, CS 09-63 Default Judgment (Enforcing Arrears) (HCN Tr. Ct., Jan. 11, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. Janis Long*, CS 08-55 Order (Cessation of Withholding) (HCN Tr. Ct., Jan. 11, 2010) (Matha, T).

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

#### **JANUARY 12, 2010**

*State of Wisconsin ex rel. v. Jayce R. Littlegeorge*, CS 09-60 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 12, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. David A. Decora*, CS 01-35, 02-26, 08-27 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 12, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. Troy J. Soldier*, CS 06-38 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Jan. 12, 2010) (Rockman, A).

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

*Ryen C. Knuth v. Nellie Blackdeer*, CS 09-72 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 12, 2010) (Matha, T).

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

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

*State of Wisconsin ex rel. et al. v. Geoffrey Lonetree*, CS 03-55, 09-68 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., Jan. 12, 2010) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

*Sawyer Co. ex rel. v. Woody Bird*, CS 08-46 Order (Reinstating Child Support) (HCN Tr. Ct., Jan 12, 2010) (Matha, T).

The Court had to determine whether grant the petitioners' motion to reinstate child support withholding. The Court granted the request of the petitioner.

*State of Wisconsin ex rel. v. Susan A. Redfearn*, CS 09-54 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 12, 2010) (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.

#### **JANUARY 13, 2010**

*Barbara Funmaker v. John L. Whitewater*, CV 97-148 Order (Cessation of Current Child Support) (HCN Tr. Ct., Jan 13, 2010) (Matha, T).

The Court *sua sponte* ceased current child support as the child had reached the age of majority.

*Barbara Funmaker et al. v. John L. Whitewater*, CV 97-148, CS 06-27 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., Jan. 13, 2010) (Matha, T).

The Court had to determine whether to change the amount of withholding from per capita. The respondent failed to timely respond, thus the Court granted the motion to modify.

*Shirley A. Keezer v. Christopher J. Sweet*, CS 09-14 (Modifying & Enforcing Child Support) (HCN Tr. Ct., Jan. 13, 2010) (Rockman, A).

The Court had to determine whether to resume the withholding from per capita. The respondent failed to timely respond, thus the Court granted the motion to modify.

*Christine Armendariz et al. v. Dana Armendariz*, CS 05-46, 07-24 Order (Equitable Adjustment) (HCN Tr. Ct., Jan. 13, 2010) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

*Jennifer Wolford v. David J. Rose*, CS 02-08 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., Jan. 13, 2010) (Rockman, A).

The Court had to determine whether to change the amount of withholding from per capita. The respondent failed to timely respond, thus the Court granted the motion to modify.

#### **JANUARY 14, 2010**

*State of Wisconsin ex rel. v. Robert W. Blackdeer*, CS 09-56 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 14, 2010) (Matha, T).

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

*State of Wisconsin ex rel. v. Mary J. Whiteeagle*, CS 09-71 Default Judgment (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 14, 2010) (Matha, T).

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

*Anna Kingswan v. Anthony Kingswan*, CS 05-78 Order (Cessation of Child Support) (HCN Tr. Ct., Jan. 14, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's request to cease per capita withholding. The Court ceased withholding against the respondent's per capita payments.

*State of Wisconsin ex rel. v. Zachary Thundercloud*, CV 97-39 Order (Modifying Child Support) (HCN Tr. Ct., Jan. 14, 2010) (Rockman, A).

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

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

*State of Iowa ex rel. v. Luther Aaron Dixon II*, CS 99-11 Order (Reinstating Child Support) (HCN Tr. Ct., Jan 14, 2010) (Rockman, A).

The Court reinstated child support as the petitioner filed proof of high school enrollment.

*State of Wisconsin ex rel. et al. v. Augustus G. Downey*, CS 02-04, 07-35 Order (Modifying Equitable Adjustment) (HCN Tr. Ct., Jan. 14, 2010) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

*Deena M. Basina v. William P. Smith*, CS 98-53 Default Judgment (Modifying and Enforcing Child Support) (HCN Tr. Ct., Jan. 14, 2010) (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.

#### **JANUARY 13, 2010**

*State of Wisconsin ex rel. et al. v. Isaiah Funmaker*, CS 07-54, 08-56 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Jan. 15, 2010) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

*Heather Eklund v. Isaiah Funmaker*, 08-56 Order (Suspending Child Support Withholding - Wages) (HCN Tr. Ct., Jan. 15, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's request to suspend withholding, as the respondent is no longer employed with the Nation. The Court granted the petitioner's uncontested motion.

*Amber L. Dowling v. Lloyd G. Whiteeagle*, CS 09-37 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Jan. 15, 2010) (Matha, T).

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

*Mike McClure v. Lisa A. Decorah*, CS 09-70 Order (Enforcing Child Support) (HCN Tr. Ct., Jan. 15, 2010) (Matha, T).

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

*State of Wisconsin ex rel. et al. v. Mary R. Smith*, CS 05-16, 06-48 Order (Equitable Adjustment) (HCN Tr. Ct., Jan. 15, 2010) (Matha, T).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent failed to timely respond, thus the Court granted recognition and enforcement of the foreign judgment. The Court also performed an equitable adjustment in light of the respondent's status as a serial payer.

*Catherine Gourd et al. v. Alexander D. Gourd*, CS 99-13, 00-27 Order (Redirecting Payment of Child Support) (HCN Tr. Ct., Jan. 15, 2010) (Matha, T).

The Court had to determine whether to grant a recent motion to redirect the payment of child support from the mothers to the State of Hawaii. The Court granted the respondent's uncontested motion.

#### **JANUARY 19, 2010**

*State of Wisconsin ex rel. v. Anthony J. Kingswan*, CS 09-48 Order (Enforcing Child Support) (HCN Tr. Ct., Jan. 19, 2010) (Rockman, A).

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

#### **JANUARY 27, 2010**

*State of Wisconsin ex rel. v. Mary Hernandez n/k/a Thompson*, CS 01-28 Order (Releasing Impound) (HCN Tr. Ct., Jan. 27, 2010) (Rockman, A).

The Court released money that had been impounded from by a previous decision.

## **JANUARY 28, 2010**

*State of Wisconsin ex rel. v. Joshua Thompson*, CS 09-47 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Jan. 28, 2010) (Rockman, A).

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

## **FEBRUARY 15, 2010**

*Aimee Jo Merrell v. Levi R. Smith*, CS 08-57 *Default Judgment (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Feb. 15, 2010) (Rockman, A).

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

# **CIVIL GARNISHMENT CASES**

## **DECEMBER 8, 2009**

*David Rotering v. Austin Domenget*, CG 09-94 *Order (Granting Telephonic Appearance)* (HCN Tr. Ct., Dec. 8, 2009) (Matha, T).

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

## **DECEMBER 14, 2009**

*In the Matter of the Outstanding Obligations of: Pine G. Giroux*, CG 08-101 *Order (Satisfaction of Judgment)* (HCN Tr. Ct., Dec. 14, 2009) (Matha, T).

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

## **DECEMBER 15, 2009**

*Alliance Collection Agencies, Inc. v. Christopher M. Thompson*, CG 09-69 *Order (Suspension of Activity)* (HCN Tr. Ct., Dec. 15, 2009) (Matha, T).

The Court suspended activity as the respondent was no longer employed by the HCN.

## **DECEMBER 17, 2009**

*David Rotering et al. v. Austin Domenget et al.*, CG 09-94 *Order (Petition Granted)* (HCN Tr. Ct., Dec. 17, 2009) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The timely answered, thus the Court scheduled a hearing. The respondent was unable to provide a cognizable objection to the action. Therefore, the Court granted the petition.

*Alliance Collection Agencies, Inc. v. Midge Bauer*, CG 09-110 *Order (Default Judgment)* (HCN Tr. Ct., Dec. 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.

*Gundersen Clinic LTD. v. Andrea Pettibone*, CG 09-111 *Order (Default Judgment)* (HCN Tr. Ct., Dec. 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.

*Gundersen Lutheran Medical Center v. Andrea Pettibone*, CG 09-113 *Order (Default Judgment)* (HCN Tr. Ct., Dec. 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.

*Black River Memorial v. Andrea Pettibone*, CG 09-112 *Order (Default Judgment)* (HCN Tr. Ct., Dec. 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.

## **DECEMBER 22, 2009**

*Family & Children's Center v. Stephanie Littlegeorge*, CG 09-84 *Order (Default Judgment)* (HCN Tr. Ct., Dec. 22, 2009) (Matha, T).

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

## **DECEMBER 28, 2009**

*In the Matter of the Outstanding Obligations of: Clarissa Pettibone*, CG 09-119 *Order (Extension of Full Faith & Credit)* (HCN Tr. Ct., Dec. 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 recognizes and enforces the foreign judgment out of due respect to its state counterpart.

*Michelle Rave v. Jeriah Rave, Sr.*, CG 09-103 Order (Petition Granted) (HCN Tr. Ct., Dec. 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 answered, thus the Court scheduled a hearing. The respondent was unable to provide a cognizable objection to the action. Therefore, the Court granted the petition.

*Szmanda Dental Center (Wittenberg) v. Kandi Laatsch*, CG 09-114 Order (Petition Granted) (HCN Tr. Ct., Dec. 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 answered, thus the Court scheduled a hearing. The respondent failed to attend the hearing. Therefore, the Court granted the petition.

#### **JANUARY 4, 2010**

*Asprius Doctors' Clinic, Inc. v. Curtis White Eagle*, CG 09-99 Order (Default Judgment) (HCN Tr. Ct., Jan. 4, 2010) (Matha, T).

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

#### **JANUARY 22, 2010**

*Black River Memorial v. Angela M Marek*, CG 09-123 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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. hearing. Therefore, the Court granted the petition.

*Creditor Recovery Service, LLC v. Christina Grzywacz*, CG 09-122 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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.

*National Educational Music Company v. Valerie Lyons*, CG 09-120 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (Matha, T).

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

*Midland Credit Management, Inc. v. Leah R. Jackson*, CG 09-125 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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.

*Conway & Seefeld, S.C. v. John/Doris Aughtman*, CG 09-26 Order (Requiring Amended Petition) (HCN Tr. Ct., Jan. 22, 2010) (Matha, T).

The petitioner filed a *Petition to register and Enforce a Foreign Judgment or Order*. The Petitioner attached a certified copy of a State of Wisconsin judgment originally entered on June 11, 1997. Since Wisconsin law prohibits an execution on a judgment from issuing after 5 years, the Court required proof that the petitioner had revived the judgment.

*Conway & Seefeld, S.C. v. Barbara M. Funmaker*, CG 09-32 Order (Requiring Amended Petition) (HCN Tr. Ct., Jan. 22, 2010) (Matha, T).

The petitioner filed a *Petition to register and Enforce a Foreign Judgment or Order*. The Petitioner attached a certified copy of a State of Wisconsin judgment originally entered on June 11, 1997. Since Wisconsin law prohibits an execution on a judgment from issuing after 5 years, the Court required proof that the petitioner had revived the judgment.

*Dane County Clerk of Courts v. Rebecca A. Pidgeon*, CG 09-128 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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 Courts v. Rebecca A. Pidgeon*, CG 09-127 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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. Jessica J. Wunrow*, CG 09-129 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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. Hilary Johnson*, CG 09-126 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (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.

*Krohn Clinic, Ltd. v. David Turner*, CG 09-124 Order (Default Judgment) (HCN Tr. Ct., Jan. 22, 2010) (Matha, T).

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

#### **FEBRUARY 8, 2010**

*David Rotering et al. v. Austin Domenget et al.*, CG 09-94 Order (Modification of Judgment) (HCN Tr. Ct., Feb. 8, 2010) (Matha, T).

The Court increased the weekly withholding as the respondent had not provided monthly updates regarding the status of the state income tax levy.

*Alliance Collection Agencies, Inc. v. Rachel Montana*, CG 09-115 Order (Default Judgment) (HCN Tr. Ct., Feb. 8, 2010) (Matha, T).

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

#### **FEBRUARY 10, 2010**

*Water Works Lighting Commission v. Patrick L. Houghton*, CG 09-117 Order (Default Judgment) (HCN Tr. Ct., Feb. 10, 2010) (Matha, T).

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

*Gerald M. Voelker v. Leroy Sawyer*, CG 09-118 Order (Default Judgment) (HCN Tr. Ct., Feb. 10, 2010) (Matha, T).

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



## **CIVIL CASES**

#### **DECEMBER 22, 2009**

*HCN v. Jess Steindorf*, CV 03-33 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., Dec. 22, 2009) (Matha, T).

The Court informed the parties that it would dismiss the case for inactivity, unless the petitioner demonstrates good cause justifying the inactivity.

#### **JANUARY 7, 2010**

*HCN et al. v. Rayce L. Pettibone*, CV 09-54 Order (Dismissal Without Prejudice) (HCN Tr. Ct., Jan. 7, 2010) (Rockman, A).

The Court has to determine whether to grant the relief requested by the plaintiff. The plaintiff failed to include a proper jurisdictional statement. Therefore, the Court dismissed the instant action.

#### **JANUARY 11, 2010**

*HCN et al. v. Michael Sheahan*, CV 09-99 Order (Default Judgment) (HCN Tr. Ct., Jan. 11, 2010) (Rockman, A).

The Court has to determine whether to grant the relief requested by the petitioner. The respondent failed to answer the initial petition, despite proper service. Thus, the Court rendered a default judgment against the respondent and awarded the petitioner the relief sought under the initial petition.

*HCN et al. v. Danielle Tucker*, CV 09-98 Order (Default Judgment) (HCN Tr. Ct., Jan. 11, 2010) (Rockman, A).

The Court has to determine whether to grant the relief requested by the petitioner. The respondent failed to answer the initial petition, despite proper service. Thus, the Court rendered a default judgment against the respondent and awarded the petitioner the relief sought under the initial petition.

#### **JANUARY 20, 2010**

*Fay Begay v. Jean Ann Day et al.*, CV 03-09, Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., Jan. 20, 2010) (Rockman, A).

The Court informed the parties that it would dismiss the case for inactivity, unless the petitioner demonstrates good cause justifying the inactivity.

#### **JANUARY 26, 2010**

*HCN v. Jess Steindorf*, CV 03-33 Order (Granting Motion of Petitioner) (HCN Tr. Ct., Jan. 26, 2010) (Matha, T).

The Court granted the petitioner's request for a 30-day extension to file a response.

**FEBRUARY 8, 2010**

*HCN et al. v. Kristopher Decorah*, CV 09-101 Order (Default Judgment) (HCN Tr. Ct., Feb. 8, 2010) (Matha, T).

The Court has to determine whether to grant the relief requested by the petitioner. The respondent failed to answer the initial petition, despite proper service. Thus, the Court rendered a default judgment against the respondent and awarded the petitioner the relief sought under the initial petition.

**FEBRUARY 13, 2010**

*Patricia Boyles v. Wesley Boyles*, CV 09-70 Order (Requesting Attorney General Opinion) (HCN Tr. Ct., Feb. 13, 2010) (Rockman, A).

The Court requested the opinion of the HCN Attorney General in the instant case.


**ADMINISTRATIVE APPEALS**
**JANUARY 13, 2010**

*Roger T. Subera v. HCN*, CV 09-67 Order (Dismissal) (HCN Tr. Ct., Jan. 13, 2010) (Rockman, A).

The Court dismissed the instant case for failure of the petitioner to file an *Initial Brief*.

**JANUARY 18, 2010**

*Kyle Funmaker v. HCN Grievance Review Bd. et al.*, CV 10-07 Scheduling Order (HCN Tr. Ct., Jan. 18, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

**JANUARY 20, 2010**

*Susan F. Bosgraff et al. v. HCN et al.*, CV 06-99, Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., Jan. 20, 2010) (Rockman, A).

The Court informed the parties that it would dismiss the case for inactivity, unless the petitioner demonstrates good cause justifying the inactivity.

**FEBRUARY 5, 2010**

*Kyle Funmaker v. HCN Grievance Review Bd. et al.*, CV 10-12 Scheduling Order (HCN Tr. Ct., Feb. 5, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

**FEBRUARY 19, 2010**

*Darren L. Brinegar v. HCN Grievance Review Bd.*, CV 08-50 Order (Final Judgment) (HCN Tr. Ct., February 19, 2010) (Rockman, A).

The Court must determine whether to grant the petitioner's request for relief. The Court held that the petitioner was an at-will employee and did not argue discrimination or harassment. The petitioner consequently

could not demonstrate a constructive discharge. Therefore the Court upheld the decision of the GRB.

**CHILDREN'S TRUST FUND (CTF)****DECEMBER 1, 2009**

*In the Interest of Minor Child: H.P.F., DOB 04/18/95*, by *Aubrey McCauley-Loera v. HCN Office of Tribal Enrollment*, CV 09-86 Order (Motion Hearing) (HCN Tr. Ct., Dec. 1, 2009) (Matha, T).

The Court scheduled a *Motion Hearing* to give the petitioner the opportunity to offer a response to the respondents *Motion to Dismiss*.

**DECEMBER 14, 2009**

*In the Interest of Minor Child: D.E.A., DOB 12/09/94*, by *Jamie L. Funmaker v. HCN Office of Tribal Enrollment*, CV 09-92 Order (Petition Granted) (HCN Tr. Ct., Dec. 14, 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.

**DECEMBER 15, 2009**

*In the Interest of Minor Child: H.M.B., DOB 08/21/95*, by *Carrie Reuter v. HCN Office of Tribal Enrollment*, CV 09-91 Order (Dismissal without Prejudice) (HCN Tr. Ct., Dec. 15, 2009) (Rockman, A).

The Court dismissed the instant case, as the petitioner requested to withdraw the *Petition*. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

**DECEMBER 16, 2009**

*In the Interest of Minor Child: M.B., DOB 01/04/93*, by *Rosalie Decorah v. HCN Office of Tribal Enrollment*, CV 09-85 Order (Dismissal without Prejudice) (HCN Tr. Ct., Dec. 16, 2009) (Rockman, A).

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

*In the Interest of Minor Child: C.J.R., DOB 08/21/96*, by *Leslie Rave v. HCN Office of Tribal Enrollment*, CV 09-93 Order (Petition Granted) (HCN Tr. Ct., Dec. 16, 2009) (Rockman, A).

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

**DECEMBER 17, 2009**

*In the Interest of Minor Child: H.P.F., DOB 04/18/95, by Aubrey McCauley-Loera v. HCN Office of Tribal Enrollment, CV 09-86 Order (Dismissal without Prejudice) (HCN Tr. Ct., Dec. 17, 2009) (Matha, T).*

The Court dismissed the instant case, as the petitioner failed to appear and did not communicate with the Court. The case is dismissed without prejudice to reflect the status of this non-adversarial case.

**DECEMBER 22, 2009**

*In the Interest of Minor Child: J.A.T., DOB 07/14/95, by Susan M. Webe v. HCN Office of Tribal Enrollment, CV 09-31 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 22, 2009) (Matha, T).*

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

*In the Interest of Minor Child: D.R.W., DOB 09/22/92, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 09-95 Order (Motion Hearing) (HCN Tr. Ct., Dec. 22, 2009) (Matha, T).*

The Court scheduled a *Motion Hearing* to give the petitioner the opportunity to offer a response to the respondent's *Motion to Dismiss*.

**DECEMBER 31, 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 (Motion Granted) (HCN Tr. Ct., Oct. 14, 2008) (Rockman, A).*

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

**JANUARY 4, 2010**

*In the Interest of Adult CTF Beneficiary: Toby Jones, Jr., DOB 06/07/90 v. HCN Office of Tribal Enrollment, CV 09-90 Order (Petition Granted) (HCN Tr. Ct., Jan. 4, 2010) (Rockman, A).* The Court had to determine whether to grant the petitioner's request to access CTF monies for costs associated with dental procedures. The Court granted the petition.

**JANUARY 11, 2010**

*In the Interest of Adult CTF Beneficiary: Shawntel L. Smith, DOB 01/03/86 v. HCN Office of Tribal Enrollment, CV 09-73 Order*

*(Accepting Accounting) (HCN Tr. Ct., Jan. 11, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with education. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

**JANUARY 13, 2010**

*In the Interest of Minor Child: D.R.W., DOB 09/22/92, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 09-95 Order (Petition Granted) (HCN Tr. Ct., Jan. 13, 2010) (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 overseas educational excursion. The Court granted the petition.

**JANUARY 15, 2010**

*In the Interest of Minor Children: B.A.T., DOB 09/11/94; and C.A.T., DOB 07/06/95, by Rosemary Thundercloud, v. HCN Office of Tribal Enrollment, CV 09-68 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 15, 2010) (Rockman, A).*

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

*In the Interest of Adult CTF Beneficiary: CiGi Bigjohn, DOB 03/05/88 v. HCN Office of Tribal Enrollment, CV 09-04 Order (Granting Release) (HCN Tr. Ct., Jan. 15, 2010) (Matha, T).*

The Court released monies from the petitioner's CTF to reimburse her for educational expenses per a previous decision.

**JANUARY 21, 2010**

*In the Interest of Adult CTF Beneficiary: Kasha Irene Newsom, DOB 08/21/91 v. HCN Office of Tribal Enrollment, CV 09-78 Order (Petition Denied) (HCN Tr. Ct., Jan. 21, 2010) (Rockman, A).*

The Court had to determine whether to grant the petitioner's request to access CTF monies for costs associated with purchase of a house. The Court denied the petition.

*In the Interest of Minor Child: S.L.O., DOB 02/15/92, by Nora Ortiz v. HCN Office of Tribal Enrollment, CV 09-96 Order (Petition Granted) (HCN Tr. Ct., Jan. 21, 2010) (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. The Court granted the petition.

**JANUARY 21, 2010**

*In the Interest of Minor Child: S.J.R., DOB 03/31/99, by Steven Eades v. HCN Office of Tribal Enrollment, CV 10-03 Order (Petition Granted) (HCN Tr. Ct., Jan. 22, 2010) (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. The Court granted the petition.

#### **JANUARY 29, 2010**

*In the Interest of Minor Child: F.S., DOB 10/12/95, by Fredricka Miner v. HCN Office of Tribal Enrollment, CV 09-79 Order (Petition Denied) (HCN Tr. Ct., Jan. 29, 2010) (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 modeling school. The Court denied the petition.

#### **FEBRUARY 4, 2010**

*In the Interest of Minor Children: M.H.W., DOB 12/23/93; A.H.W., DOB 09/10/96; and D.H.W., DOB 07/23/98, by Kathy S. White v. HCN Office of Tribal Enrollment, CV 10-10 Order (Petition Granted) (HCN Tr. Ct., Feb. 4, 2010) (Matha, T).*

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

#### **FEBRUARY 5, 2010**

*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., Feb. 5, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with orthodontia. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

*In the Interest of Adult CTF Beneficiary: CiCi Bigjohn., DOB 03/05/88 v. HCN Office of Tribal Enrollment, CV 09-04 Order (Granting Release) (HCN Tr. Ct., Feb. 5, 2010) (Matha, T).*

The Court released monies from the petitioner's CTF to reimburse her for educational expenses per a previous decision.

#### **FEBRUARY 8, 2010**

*In the Interest of Minor Child: N.T.M., DOB 02/16/99, by Nial Masuda v. HCN Office of Tribal Enrollment, CV 10-11 Order (Petition Granted) (HCN Tr. Ct., Feb. 8, 2010) (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. The Court granted the petition.

*In the Interest of Minor Child: S.R.S., DOB 02/06/95, by Maria Blackhawk v. HCN Office of Tribal Enrollment, CV 10-09 Order (Petition Granted) (HCN Tr. Ct., Feb. 8, 2010) (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. The Court granted the petition.

#### **FEBRUARY 10, 2010**

*In the Interest of Minor Child: J.W.J., DOB 12/30/92, by Roxanne Tallmadge-Johnson v. HCN Office of Tribal Enrollment, CV 10-14 Order (Petition Granted) (HCN Tr. Ct., Feb. 10, 2010) (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. The Court granted the petition.

#### **FEBRUARY 11, 2010**

*In the Interest of Minor Child: K.F., DOB 01/10/98, by Cheryl Funmaker v. HCN Office of Tribal Enrollment, CV 09-59 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 11, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with a professional tutoring program. The Court requested the required accounting within a specified time frame.

*In the Interest of Minor Children: B.A.T., DOB 09/11/94; and C.A.T., DOB 9/07/06/95, by Rosemary Thundercloud v. HCN Office of Tribal Enrollment, CV 09-68 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 11, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the children for costs associated with orthodontia. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

*In the Interest of Minor Children B.Y., DOB 06/30/92; and D.Y., DOB 09/02/93, by Judith Youngthunder v. HCN Office of Tribal Enrollment, CV 09-43 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 11, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with dental procedures. The Court requested the required accounting within a specified time frame.

#### **FEBRUARY 12, 2010**

*In the Interest of Minor Child: R.H.G., DOB 10/07/98, by Eliza Green v. HCN Office of Tribal Enrollment, CV 09-82 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 12, 2010) (Matha, T).*

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

*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 (Requesting Accounting) (HCN Tr. Ct., Feb. 12, 2010) (Matha, T).*

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

*In the Interest of Minor Child: C.C., DOB 08/26/98, by Jessica Clark v. HCN Office of Tribal Enrollment, CV 09-76 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 12, 2010) (Matha, T).*

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

*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 (Requesting Accounting) (HCN Tr. Ct., Feb. 12, 2010) (Matha, T).*

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

*In the Interest of Minor Children: C.E.B., DOB 10/20/94; K.A.B., DOB 06/14/01, by Keith Blackdeer v. HCN Office of Tribal Enrollment, CV 09-66 Order (Requesting Accounting) (HCN Tr. Ct., Feb. 12, 2010) (Matha, T).*

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

*In the Interest of Minor Child: M.L., DOB 03/03/94, by Christine Luke v. HCN Office of Tribal Enrollment, CV 07-25 Order (Demanding Accounting) (HCN Tr. Ct., Feb. 12, 2010) (Matha, T).*

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

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

#### **FEBRUARY 15, 2010**

*In the Interest of Minor Children: M.D., DOB 10/11/93; and E.D., DOB 04/09/96, by Leland Whitegull v. HCN Office of Tribal Enrollment, CV 10-16 Order (Petition Granted) (HCN Tr. Ct., Feb. 15, 2010) (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. The Court granted the petition.

#### **FEBRUARY 17, 2010**

*In the Interest of Minor Child: C.L.R., DOB 08/19/93, by Thomas Redbird v. HCN Office of Tribal Enrollment, CV 10-18 Order (Petition Granted) (HCN Tr. Ct., Feb. 17, 2010) (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. The Court granted the petition.

*In the Interest of Minor Child: R.B.L., DOB 12/03/96, by Melanie TwoBears v. HCN Office of Tribal Enrollment, CV 09-52 Order (Conditional Granting of Petition) (HCN Tr. Ct., Feb. 17, 2010) (Rockman, A).*

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child for costs associated with a summer school program. The Court granted the petition pending the denial of funds from the HCN K-12 Program.

*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 (Accepting Accounting) (HCN Tr. Ct., Feb. 17, 2010) (Matha, T).*

The Court previously released funds from the CTF account of the child for costs associated with orthodontia. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

#### **FEBRUARY 22, 2010**

*In the Interest of Minor Child: S.B.G., DOB 04/21/96, by Taryn Power-Greendeerv. HCN Office of Tribal Enrollment, CV 09-05 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 22, 2010) (Matha, T).*

The Court previously released funds from the CTF account of the child for partial costs associated with private school tuition. Petitioner submitted an accounting, confirming the proper use of funds, which the Court accepted.

## **FEBRUARY 23, 2010**

*In the Interest of Minor Child: B.K., DOB 11/13/94, by Ethel C. Funmaker v. HCN Office of Tribal Enrollment, CV 10-20 Order (Petition Granted) (HCN Tr. Ct., Feb. 23, 2010) (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. The Court granted the petition.



## **CONTRACTS**

**NO DECISIONS AT THIS TIME.**



## **ELECTION MATTERS**

**NO DECISIONS AT THIS TIME.**



## **EMPLOYMENT**

**NO DECISIONS AT THIS TIME.**



## **ENROLLMENT**

**NO DECISIONS AT THIS TIME.**



## **HOUSING**

### **DECEMBER 15, 2009**

*Ho-Chunk Nation et al. v. Veronica Wilbur, CV 09-87 Order (Default Judgment) (HCN Tr. Ct., Dec. 15, 2009) (Matha, T).*

The Court had to determine whether to grant the relief of damages sought by the plaintiff. The defendant failed to timely respond to the *Complaint*. Therefore, the Court issued a *Default Judgment* in favor of the plaintiff.

### **JANUARY 6, 2010**

*Ho-Chunk Nation et al. v. Sarah (Jones) Decorah, CV 09-41 Order (Default Judgment) (HCN Tr. Ct., Jan. 6, 2010) (Rockman, A).*

The Court had to determine whether to grant the relief of damages sought by the plaintiff. The defendant failed to timely respond to the *Complaint*. Therefore, the Court issued a *Default Judgment* in favor of the plaintiff.

*Ho-Chunk Nation et al. v. Daryl Decora, CV 09-42 Order (Default Judgment) (HCN Tr. Ct., Jan. 6, 2010) (Rockman, A).*

The Court had to determine whether to grant the relief of damages sought by the plaintiff. The defendant failed to timely respond to the *Complaint*. Therefore, the Court issued a *Default Judgment* in favor of the plaintiff.

*Ho-Chunk Nation et al. v. Sheila Pagel, CV 09-39 Order (Default Judgment) (HCN Tr. Ct., Jan. 6, 2010) (Rockman, A).*

The Court had to determine whether to grant the relief of damages sought by the plaintiff. The defendant failed to timely respond to the *Complaint*. Therefore, the Court issued a *Default Judgment* in favor of the plaintiff.

### **JANUARY 26, 2010**

*Ho-Chunk Nation et al. v. Genevieve Pettibone, CV 09-40 Order (Requiring Response) (HCN Tr. Ct., Jan. 26, 2010) (Rockman, A).*

The Court clarified in open court that the amount sought in the *Complaint* was for damages and not back rent. The Court afforded the defendant time to respond to the plaintiff's claims for damages.

### **FEBRUARY 4, 2010**

*Ho-Chunk Nation et al. v. Genevieve Pettibone, CV 09-40 Scheduling Order (HCN Tr. Ct., Feb. 4, 2010) (Rockman, A).* The Court issued a *Scheduling Order* to set the timelines needed for trial.



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

### **DECEMBER 31, 2009**

*In the Interest of: K.K.R., DOB 10/09/68, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Motion Granted) (HCN Tr. Ct., Dec. 31, 2009) (Rockman, A).*

The Court must determine whether the guardian can access ITF monies to pay the ward's outstanding medical bills. The Court released part of the funds due to the lack of available funds in the ITF.

### **JANUARY 5, 2010**

*In the Interest of Adult Incompetent: H.C., DOB 01/31/31, by Barbara Meltesen v. HCN Office of Tribal Enrollment, CV 05-72 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 5, 2010) (Rockman, A).*

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

### **FEBRUARY 4, 2010**

*In the Interest of: K.K.R., DOB 10/09/68, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Motion Granted) (HCN Tr. Ct., Feb. 4, 2010) (Rockman, A).*

The Court must determine whether the guardian can access ITF monies to pay the ward's outstanding medical bills. The Court released part of the funds due to the lack of available funds in the ITF.

*In the Interest of Adult Incompetent: K.S.B., DOB 02/19/60, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 4, 2010) (Rockman, A).*

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

## **RECALL/REMOVAL**

**NO DECISIONS AT THIS TIME.**

## **DOMESTIC ABUSE**

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. ONE (1) DECISION WERE ISSUED FROM DECEMBER 1, 2009 THROUGH FEBRUARY 28, 2010.

## **FAMILY**

### **DIVORCE**

**DECEMBER 1, 2009**

*Sherri M. Mann v. Richard R. Mann, FM 09-03 Order (Motion Hearing)(HCN Tr. Ct., Dec. 1, 2009) (Matha, T).*

The Court scheduled a *Motion Hearing* to entertain the petitioner's *Post Judgment Motion*.

**DECEMBER 17, 2009**

*Sherri M. Larsen v. Richard R. Mann, FM 09-03 Order (Granting Post Judgment Motion)(HCN Tr. Ct., Dec. 1, 2009) (Matha, T).*

The Court scheduled a *Motion Hearing* to determine the petitioner's *Post Judgment Motion*.

**DECEMBER 28, 2009**

*Clariss J. Funmaker v. Eduard G. Korbut, FM 08-05 Order (Conditional Dismissal without Prejudice)(HCN Tr. Ct., Dec. 28, 2009) (Matha, T).*

The Court dismissed the action due to inactivity.

**FEBRUARY 15, 2010**

*In re Marriage of: Minette Goodbear and Dana Goodbear, FM 09-06 Final Judgment of Divorce (HCN Tr. Ct., Dec. 28, 2009) (Rockman, A).*

The Court granted the joint petition for divorce.

## **JUVENILE CASES**

**DECEMBER 3, 2009**

*In the Interest of Minor Child: J.R.M., DOB 07/15/94; A.D.M., DOB 10/09/95; and D.M.M., DOB 04/18/98, JV 07-35 Order (Conditional Termination of Jurisdiction) (HCN Tr. Ct., Dec. 3, 2009) (Rockman, A).*

The Court conditionally terminated its jurisdiction over the instant case, pending the father's full compliance with the conditions of the Court.

**DECEMBER 11, 2009**

*In the Interest of Minor Child: S.E.C., DOB 02/25/96, JV 08-21 Order (Child Protection Review Hearing) (HCN Tr. Ct., Dec. 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 Children: C.B.M., DOB 09/24/92; J.R.N, DOB 01/18/95; D.R.N., DOB 07/18/97; B.S.L., DOB 12/26/99; and B.S.L., DOB 05/03/01, JV 08-22-26 Order (Child Protection Review Hearing) (HCN Tr. Ct., Dec. 14, 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 scheduled a *Termination Hearing*.

*In the Interest of Minor Children: C.B.M., DOB 09/24/92; J.R.N, DOB 01/18/95; D.R.N., DOB 07/18/97; B.S.L., DOB 12/26/99; and B.S.L., DOB 05/03/01, JV 08-22-26 Order (Guardian ad litem Withdrawal) (HCN Tr. Ct., Dec. 14, 2009) (Rockman, A).*

GAL Michelle Oravez requested to be withdrawn from the case. The Court directed the HCN Clerk of Courts to seek a successor GAL.

**DECEMBER 18, 2009**

*In the Interest of Minor Children: A.H., DOB 07/03/06; E.I.V., DOB 11/22/07, JV 07-07, -52 Order (Child Protection Review Hearing) (HCN Tr. Ct., Dec. 18, 2009) (Rockman, A).*

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

*In the Interest of Minor Child: V.L.S., DOB 01/15/93, JV 09-30 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Dec. 18, 2009) (Rockman, A).*

The Court appointed GAL Brenda Neff to represent the interests of the minor child.

**DECEMBER 23, 2009**

*In the Interest of Minor Child: V.L.S., DOB 01/15/93, JV 09-30 Order (Entrance of Plea)* (HCN Tr. Ct., Dec. 23, 2009) (Rockman, A).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the parent of the minor children pleaded no contest to the allegations of the *Petition*.

*In the Interest of Minor Child: J.W., DOB 01/16/09, JV 09-31 Order (Conditional Acceptance of Transfer)* (HCN Tr. Ct., Dec. 23, 2009) (Matha, T).

The Court must determine whether to conditionally accept transfer of a State of Wisconsin children's case. The Court, absent good cause to the contrary, shall not decline transfer of this action.

#### **DECEMBER 30, 2009**

*In the Interest of Minor Child: A.L.A., DOB 06/18/04, JV 09-30 Order (Termination of Jurisdiction)* (HCN Tr. Ct., Dec. 30, 2009) (Matha, T).

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

#### **DECEMBER 31, 2009**

*In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-12 Order (Sanctioning Reunification)* (HCN Tr. Ct., Dec. 31, 2009) (Matha, T).

The Court sanctioned reunification pending completion of the reunification plan.

#### **JANUARY 6, 2010**

*In the Interest of Minor Child: S.L.D., DOB 06/06/94, JV 09-32 Order (Entrance of Plea)* (HCN Tr. Ct., Jan. 6, 2010) (Rockman, A).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the parents of the minor child pleaded no contest to the allegations of the *Petition*.

#### **JANUARY 7, 2010**

*In the Interest of Minor Child: K.L.M., DOB 01/03/10, JV 10-01 Order (Emergency Removal Hearing)* (HCN Tr. Ct., Nov. 3, 2008) (Rockman, A).

The Court convened a hearing to advise the parties of their rights, notify the parties of their need to attend a *Plea Hearing* and discuss the current status of the instant case.

#### **JANUARY 11, 2010**

*In the Interest of Minor Child: B.B.D., DOB 01/11/10, JV 10-02 Order (Emergency Conditional Custody)* (HCN Tr. Ct., Jan. 11, 2010) (Rockman, A).

The Court had to determine whether to grant emergency temporary physical and legal custody of the minor child.

Determining it was in the children's best interests, the Court granted the *Petition*.

#### **JANUARY 12, 2010**

*In the Interest of Minor Children: C.M.B., DOB 09/24/92; J.R.N., DOB 01/18/95; D.R.N., DOB 07/18/97; B.S.L., DOB 12/26/99; and B.S.L., DOB 05/03/99, JV 08-22-26 Order (Termination of Jurisdiction)* (HCN Tr. Ct., Jan. 12, 2010) (Rockman, A).

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

#### **JANUARY 14, 2010**

*In the Interest of Minor Child: C.J.D., DOB 05/19/93, JV 09-21 Order (Maternal Reimbursement Obligation)* (HCN Tr. Ct., Jan. 14, 2010) (Rockman, A).

The Court had to determine an appropriate reimbursement scheme for the mother of the minor child. The Court required the mother to reimburse CFS for the cost of placement of the minor child.

*In the Interest of Minor Children: S.S., DOB 04/23/98; R.S., DOB 05/25/07, JV 07-55-56 Order (Notice of Termination)* (HCN Tr. Ct., Jan. 14, 2010) (Matha, T).

The Court notified the non-participating parties of the imminent termination of jurisdiction.

#### **JANUARY 22, 2010**

*In the Interest of Minor Child: A.E.O., DOB 02/23/01; D.E.O., 04/12/02; V.A.F., DOB 12/22/05, Order (Child Protection Review Hearing)* (HCN Tr. Ct., Jan. 22, 2010) (Rockman, A).

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

#### **JANUARY 25, 2010**

*In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08 Order (Notice of Termination)* (HCN Tr. Ct., Jan. 25, 2010) (Rockman, A).

The Court notified the non-participating parties of the imminent termination of jurisdiction.

*In the Interest of Minor Child: A.S., DOB 09/14/08, JV 08-31 Order (Appointment of Permanent Guardian)* (HCN Tr. Ct., Jan. 25, 2010) (Butterfield, M).

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

#### **JANUARY 27, 2010**

*In the Interest of Minor Child: K.L.M., DOB 01/03/10, JV 10-01 Order (Entrance of Plea) (HCN Tr. Ct., Jan. 27, 2010) (Matha, T).*

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the parents of the minor child pleaded not guilty to the allegations of the *Petition* and the Court scheduled a *Trial*.

#### **JANUARY 28, 2010**

*In the Interest of Minor Children: C.D.L., DOB 03/28/07; and J.L., DOB 10/26/08, JV 10-03-04 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Jan. 28, 2010) (Rockman, A).*

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

#### **JANUARY 29, 2010**

*In the Interest of Minor Child: L.M., DOB 01/08/92, JV 98-14 Order (Termination of Jurisdiction) (HCN Tr. Ct., Jan. 29, 2010) (Rockman, A).*

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

#### **FEBRUARY 5, 2010**

*In the Interest of Minor Children: S.S., DOB 04/23/98; R.S., DOB 05/25/07, JV 07-55-56 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 5, 2010) (Matha, T).*

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

*In the Interest of Minor Children: R.A.R., DOB 07/30/95; R.G.R., DOB 02/10/99; N.A.R., DOB 11/25/96; J.C., DOB 08/01/92 and C.L., DOB 05/30/01, JV 07-23, -25, -53-54 Order (Child Protection Review Hearing) (HCN Tr. Ct., Feb. 5, 2010) (Matha, T).*

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

#### **FEBRUARY 8, 2010**

*In the Interest of Minor Child: A.C., DOB 09/18/00, JV 07-08 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 8, 2010) (Rockman, A).*

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

*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 (Status Hearing) (HCN Tr. Ct., Feb. 8, 2010) (Rockman, A).*

The Court conducted a *Status Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with standing dispositional requirements. The Court determined to maintain the status quo and added additional dispositional requirements as agreed to by the parties.

*In the Interest of Minor Children: A.C., DOB 11/10/02; and R.C., DOB 10/17/01, JV 09-27-28 Order (Case Suspension) (HCN Tr. Ct., Feb. 8, 2010) (Rockman, A).*

The Court suspended action in this case pending a decision from The Mille Lacs Band of Chippewa Tribal Court regarding concurrent jurisdiction..

#### **FEBRUARY 9, 2010**

*In the Interest of Minor Children: A.B., DOB 07/29/98; S.G., DOB 08/20/03; K.G., DOB 01/14/05; and K.G., DOB 11/20/06, JV 10-05-08 Order (Granting Emergency Temporary Legal Custody) (HCN Tr. Ct., Feb. 9, 2010) (Rockman, A).*

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

#### **FEBRUARY 10, 2010**

*In the Interest of Minor Child: B.G.D., DOB 01/09/09, JV 09-05 Order (Granting Modification) (HCN Tr. Ct., Feb. 10, 2010) (Rockman, A).*

The Court had to determine whether to grant the motion filed by one of the permanent guardians to have his guardianship terminated due to his being estranged from his wife. As there was no objection, the Court granted the motion.

#### **FEBRUARY 11, 2010**

*In the Interest of Minor Child: B.B.D., DOB 01/11/10, JV 10-02 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Feb. 11, 2010) (Rockman, A).*

The Court appointed GAL Brenda Neff to represent the interests of the minor child.

*In the Interest of Minor Child: A.P.W., DOB 10/28/91, JV 04-10 Order (Termination of Jurisdiction) (HCN Tr. Ct., Feb. 11, 2010) (Rockman, A).*

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

#### **FEBRUARY 25, 2010**

*In the Interest of Minor Child: V.L.S., DOB 01/15/93, JV 09-30 Order (Dispositional Requirements) (HCN Tr. Ct., Feb. 11, 2010) (Rockman, A).*

The Court adopted the Dispositional Requirements recommended by HCN CFS in hope of returning legal custody to the parent.



## RECENT SUPREME COURT DECISIONS

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### AUGUST 24, 2009

*Joyce Warner v. HCN et al.*, SU 09-02, *Order of Extension* (HCN S. Ct., Aug. 24, 2009) (Funmaker, D).

The Court issued a 45-day extension due to the complex nature of the appeal and the lack of administrative support.

### SEPTEMBER 2, 2009

*HCN GRB v. Kerry Funmaker*, SU 09-04, *Scheduling Order* (HCN S. Sept. 2, 2009) (Greendeer-Lee, J).

The Court scheduled the proceedings of the case

### SEPTEMBER 25, 2009

*Wayne Falcon v. Liz Haller et al.*, SU 09-05, -07, CV 07-44, *Order of Consolidating Cases and Order of Stay* (HCN S. Ct., Sept. 25, 2009) (Greendeer-Lee, J.).

The Court consolidated the above cases and ordered a stay in the Trial Court Judgment.

### OCTOBER 16, 2009

*Cheryl Brinegar v. HCN GRB*, SU 09-09, *Scheduling Order* (HCN S. Oct. 16, 2009) (Hunter, M).

The Court scheduled the proceedings of the case

*Daniel Topping v. HCN GRB*, SU 09-08, *Scheduling Order* (HCN S. Oct. 16, 2009) (Greendeer-Lee, J).

The Court scheduled the proceedings of the case

*Joyce Warner v. HCN et al.*, SU 09-02, *Statement of Affirmative Decision* (HCN S. Ct., Oct. 16, 2009) (Funmaker, D).

The Court issued a statement in an effort to apprise the parties of the decision. A formal decision is forthcoming.

### OCTOBER 23, 2009

*HCN GRB v. Kerry Funmaker*, SU 09-04, *Order for Oral Argument* (HCN S. Oct. 23, 2009) (Greendeer-Lee, J).

The Court scheduled the Oral Arguments in the instant case.

### NOVEMBER 30, 2009

*Karen Litscher v. HCN GRB*, SU 09-03, *Order for Oral Argument* (HCN S. Oct. 23, 2009) (Hunter, M).

The Court scheduled the Oral Arguments in the instant case.

### DECEMBER 12, 2009

*Wayne Falcon v. Liz Haller et al.*, SU 09-05, -07, *Order for Oral Argument* (HCN S. Dec. 12, 2009) (Greendeer-Lee, J).

The Court scheduled the Oral Arguments in the instant case.

*Cheryl Brinegar v. HCN GRB*, SU 09-09, *Order for Oral Argument* (HCN S. Dec. 12, 2009) (Hunter, M).

The Court scheduled the Oral Arguments in the instant case.

*Daniel Topping v. HCN GRB*, SU 09-08, *Scheduling Order* (HCN S. Dec. 12, 2009) (Funmaker, D).

The Court scheduled the proceedings of the case.

### JANUARY 25, 2010

*Daniel Topping v. HCN GRB*, SU 09-08, *Amended Order for Oral Arguments* (HCN S. Jan. 25, 2010) (Funmaker, D).

The Court scheduled the Oral Arguments in the instant case.

*HCN GRB v. Kerry Funmaker*, SU 09-04, *Notice of Extension* (HCN S. Ct., Feb. 27, 2010) (Greendeer-Lee, J).

The Court issued a 20-day extension due to an unexpected delay by the author of the decision.



## RECENT TRIAL COURT FILINGS

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### CHILD SUPPORT CASES

DECEMBER 29, 2009

State of Wisconsin ex rel. v. Harry Heisel, CS 09-73 (Rockman, A).

Stacie Lancaster v. Harry Heisel, CS 09-74 (Rockman, A).

Shannon Brannan v. Harry Heisel, CS 09-75 (Rockman, A).

Shanee Allen v. Rico Contreras, CS 09-76 (Rockman, A).

Rosella Stanley v. Cheskay Stanley, CS 09-77 (Rockman, A).

Cecilia Willcuts v. Michael King, CS 09-78 (Rockman, A).

Ronette Crasty v. Wesley Green III, CS 09-79 (Rockman, A).

#### **JANUARY 6, 2010**

State of Wisconsin ex rel. v. Erin Pettibone, CS 10-01 (Matha, T).

#### **JANUARY 8, 2010**

Cynthia A. Joski v. Erin Pettibone, CS 10-02 (Matha, T).

#### **JANUARY 20, 2010**

State of Wisconsin ex rel. v. Vern E. WhiteEagle, CS 10-03 (Matha, T).

Tracy Shuffield v. Rene D. Peterson, CS 10-04 (Matha, T).

#### **FEBRUARY 9, 2010**

Karla Smallwood v. Amber M. Downwind, CS 10-05 (Rockman, A).

State of Wisconsin ex rel. v. Ginger Goodbear, CS 10-06 (Rockman, A).

State of Wisconsin ex rel. v. Joseph Bowling, CS 10-07 (Rockman, A).

#### **FEBRUARY 10, 2010**

Sara Dick v. John Dick, CS 10-08 (Rockman, A).

### **CIVIL CASES**

#### **DECEMBER 1, 2009**

In the Interest of Minor Child: C.J.R., DOB 08/21/96, by Leslie Rave v. HCN Office of Tribal Enrollment, CV 09-93 (Rockman, A).

#### **DECEMBER 4, 2009**

In the Interest of Minor Child: S.G., DOB 10/16/92, by Doran & Linda Goodbear v. HCN Office of Tribal Enrollment, CV 09-94 (Rockman, A).

#### **DECEMBER 9, 2009**

In the Interest of Minor Child: D.R.W., DOB 09/22/92, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 09-95 (Matha, T).

#### **DECEMBER 14, 2009**

In the Interest of Minor Child: S.L.O., DOB 02/15/92, by Nora Ortiz v. HCN Office of Tribal Enrollment, CV 09-96 (Rockman, A).

HCN Department of Labor v. Dodie Topping, CV 09-97 (Rockman, A).

HCN Department of Labor v. Danielle Tucker, CV 09-98 (Rockman, A).

HCN Department of Labor v. Michael Sheahan, CV 09-99 (Rockman, A).

#### **DECEMBER 15, 2009**

Jenna Littlegeorge v. Adam Hall et al., CV 09-100 (Rockman, A).

#### **DECEMBER 21, 2009**

HCN Department of Labor v. Kristopher Decorah, CV 09-101 (Matha, T).

#### **DECEMBER 28, 2009**

In the Interest of Adult CTF Beneficiary: Athena Smekoske, DOB 04/04/89 v. HCN Office of Tribal Enrollment, CV 09-102 (Rockman, A).

#### **DECEMBER 29, 2009**

In the Interest of Adult CTF Beneficiary: E.A. Slowey, DOB 06/11/91 v. HCN Office of Tribal Enrollment CV 09-103 (Rockman, A).

#### **JANUARY 6, 2010**

HCN Business Department v. Indiana Recycling and Renewable Fuels, CV 10-01 (Matha, T).

#### **JANUARY 12, 2010**

In the Interest of Adult CTF Beneficiary: L. Whitewater, DOB 08/27/86 v. HCN Office of Tribal Enrollment CV 10-02 (Rockman, A).

#### **JANUARY 13, 2010**

In the Interest of Minor Child: S.J.R., DOB 03/31/99, by Steven Eades v. HCN Office of Tribal Enrollment, CV 10-03 (Rockman, A).

HCN North Wittenberg v. Tom Sterinkel et al., CV 10-04 (Rockman, A).

HCN North Wittenberg v. Finkus Trucking et al., CV 10-05 (Rockman, A).

HCN North Wittenberg v. Scott Tatro et al., CV 10-06 (Rockman, A).

**JANUARY 14, 2010**

HCN Department of Health v. Ginny Stenroos et al., CV 10-07 (Matha, T).

**JANUARY 25, 2010**

In the Interest of Minor Child: S.R.S., DOB 02/06/95, by Maria Blackhawk v. HCN Office of Tribal Enrollment, CV 10-09 (Rockman, A).

**JANUARY 27, 2010**

In the Interest of Minor Children: M.H.W., DOB 12/23/93; A.H.W., DOB 09/10/96; and D.H.W., DOB 07/13/98, by Kathy White v. HCN Office of Tribal Enrollment, CV 10-10 (Rockman, A).

**FEBRUARY 1, 2010**

In the Interest of Minor Child: N.T.M., DOB 02/16/99, by Nial Masuda v. HCN Office of Tribal Enrollment, CV 10-11 (Matha, T).

**FEBRUARY 4, 2010**

Kyle Funmaker v. HCN GRB, CV 10-12 (Matha, T).

Jenna Littlegeorge v. HCN Enrollment Committee, CV 10-13 (Matha, T).

In the Interest of Minor Child: J.W.J., DOB 12/30/92, by Roxanne Tallmadge-Johnson v. HCN Office of Tribal Enrollment, CV 10-14 (Matha, T).

**FEBRUARY 8, 2010**

Daria Powless v. HCN Enrollment Committee, CV 10-15 (Rockman, A).

**FEBRUARY 9, 2010**

In the Interest of Minor Children: M.D., DOB 10/11/93; and E.D., DOB 04/09/96, by Leland Whitegull v. HCN Office of Tribal Enrollment, CV 10-16 (Rockman, A).

**FEBRUARY 11, 2010**

HCN et al. v. Zachary Thundercloud, CV 10-17 (Rockman, A).

In the Interest of Minor Child: C.L.R., DOB 08/19/93, by Thomas Redbird v. HCN Office of Tribal Enrollment, CV 10-18 (Rockman, A).

**FEBRUARY 17, 2010**

In the Interest of Adult Incompetent: L.L., DOB 12/22/44, by Lenore Sweet v. HCN Office of Tribal Enrollment, CV 10-19 (Matha, T).

**FEBRUARY 19, 2010**

In the Interest of Minor Child: B.S.K., DOB 11/13/94, by Ethel Funmaker v. HCN Office of Tribal Enrollment, CV 10-20 (Matha, T).

**FEBRUARY 22, 2010**

In the Interest of Minor Child: L.W., DOB 08/10/02, by Ethel Funmaker v. HCN Office of Tribal Enrollment, CV 10-21 (Rockman, A).

In the Interest of Minor Child: R.M.R., DOB 07/24/98, by Michelle Rave v. HCN Office of Tribal Enrollment, CV 10-22 (Rockman, A).

In the Interest of Adult CTF Beneficiary: C. Allen, DOB 01/28/90 v. HCN Office of Tribal Enrollment CV 10-23 (Rockman, A).

**FEBRUARY 23, 2010**

In the Interest of Minor Child: M.L.P., DOB 01/24/96, by Patsy Snowball v. HCN Office of Tribal Enrollment, CV 10-24 (Rockman, A).



**CIVIL GARNISHMENT CASES**

**DECEMBER 8, 2009**

Alliance Collection Agency v. Rachel Montana, CG 09-115 (Matha, T).

Solarus v. Darrell W. Burns, CG 09-116 (Matha, T).

Water Works & Lighting Commission v. Patrick L. Houghton, CG 09-117 (Matha, T).

Gerald M. Voelker v. Leroy Sawyer, CG 09-118 (Matha, T).

State of Wisconsin v. Clarissa Pettibone, CG 09-119 (Matha, T).

**DECEMBER 29, 2009**

National Ed. Music Company v. Valerie Lyons aka Looms, CG 09-120 (Matha, T).

Discover Financial Service v. Frank Borvansky, CG 09-121 (Matha, T).

*Mobil Pet Memorial v. Christina Grzywacz*, CG 09-122 (Matha, T).

*Black River Memorial v. Angela Merek*, CG 09-123 (Matha, T).

*Krohn Clinic v. David Turner*, CG 09-124 (Matha, T).

*Midland Credit Managment v. Leah Jackson aka Rice*, CG 09-125 (Matha, T).

**DECEMBER 31, 2009**

*Alliance Collection Agency v. Hilary Johnson*, CG 09-126 (Matha, T).

*Sauk County Clerk v. Rebecca A. Pidgeon*, CG 09-127 (Matha, T).

*Dane County Clerk v. Rebecca A. Pidgeon*, CG 09-128 (Matha, T).

*Alliance Collection Agency v. Jessica Warrow*, CG 09-129 (Matha, T).

**FEBRUARY 18, 2010**

*Solarus v. Keli S. Roy*, CG 10-01 (Matha, T).

*Discover Financial Service v. Melissa A. Lowe*, CG 10-02 (Matha, T).

**FEBRUARY 19, 2010**

*Dane County Clerk v. Paul A. Platt*, CG 10-03 (Matha, T).

*Midland Funding v. Donna Littlegeorge*, CG 10-04 (Matha, T).

*River View Hospital v. Stephanie Tina Falkner*, CG 10-05 (Matha, T).

*Bryan Ringer v. Yesenia V. Meza*, CG 10-06 (Matha, T).

 **JUVENILE CASES**

**DECEMBER 17, 2009**

*In the Interest of Minor Child: V.L.S.*, DOB 01/05/93, JV 09-30 (Rockman, A).

**DECEMBER 22, 2009**

*In the Interest of Minor Child: J.W.*, DOB 01/16/09, JV 09-31 (Rockman, A).

**DECEMBER 31, 2009**

*In the Interest of Minor Child: S.L.D.*, DOB 06/06/94, JV 09-32 (Rockman, A).

**JANUARY 4, 2010**

*In the Interest of Minor Child: K.L.L.M.*, DOB 01/03/10, JV 10-01 (Matha, T).

**JANUARY 11, 2010**

*In the Interest of Minor Child: B.B.D.*, DOB 01/11/10, JV 10-02 (Rockman, A).

**JANUARY 27, 2010**

*In the Interest of Minor Child: C.D.L.*, DOB 03/27/07, JV 10-03 (Rockman, A).

*In the Interest of Minor Child: J.L.*, DOB 10/26/08, JV 10-04 (Rockman, A).

**FEBRUARY 8, 2010**

*In the Interest of Minor Child: A.B.*, DOB 03/27/07, JV 10-05 (Rockman, A).

*In the Interest of Minor Child: S.G.*, DOB 08/20/03, JV 10-06 (Rockman, A).

*In the Interest of Minor Child: K.G.*, DOB 01/14/05, JV 10-07 (Rockman, A).

*In the Interest of Minor Child: K.G.*, DOB 11/20/06, JV 10-08 (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**

**NO FILINGS AT THIS TIME.**



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

**Supreme Court** – Mary Jo B. Hunter, Chief Justice

Joan Greendeer-Lee, Associate Justice

Dennis Funmaker, Associate Justice

Clerk of Court, Supreme Court– Mary K. Endthoff

**Traditional Court** – Earl Blackdeer

Wayne Falcon

Dennis Funmaker

Cecil Garvin

Conroy Greendeer

Roy Greengrass

Thomas Hopinkah

Richard Mann

Desmond Mike

Douglas Red Eagle

Preston Thompson, Jr.

Eugene Thundercloud

Morgan Whiteeagle

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

March/April/May 2010 Issue



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## Former Chief Judge Prevails in Federal District Court

Former HCN Chief Judge Bossman was recently part of a Federal Court decision that reinforced tribal sovereign immunity. *Moss v. Bossman*, 2009 U.S. Dist. LEXIS 26367 (D.S.D. 2009). Judge Bossman, who at the time of the lawsuit was the Chief Judge of the Yankton Sioux Tribe, was named as a party to the lawsuit because of an *Ex parte Emergency Removal Order* which he issued. *Id* at 6.

The lawsuit centered on a large hog farm owned by the Plaintiffs. The Plaintiffs had built a farrowing confinement unit (hog barn) on land that was within the Yankton Sioux Reservation as defined by federal law as well as case law. *Id.* at 8. The problems began when the "Yankton Sioux Tribe filed an *ex parte* Petition for Emergency Removal and Exclusion against Plaintiffs, its Employees, Agents, Representatives, Contractors and Vendors in Yankton Sioux Tribal Court." *Id* at 5. The Tribe argued that pursuant to the Tribal Exclusion and Removable Code that there is an immediate need to remove the Plaintiffs from the reservation, and that any notice of hearing would cause delay that was seriously detrimental to the Tribe. *Id* at 6. There were no other grounds for removal stated in the petition. *Id.*

That same day, Chief Judge Bossman ordered, *ex parte*, that Plaintiffs be "immediately excluded and removed from the Yankton Sioux Reservation." *Id.* The Order found that prior notice would have caused delay "seriously detrimental to the interest of the Tribe, its members, and other residents of the Yankton Sioux Reservation,"

but concluded that once Plaintiffs "have complied with the Order and removed themselves from and have not further entered the Yankton Sioux Reservation," that Plaintiffs could petition the court for a hearing to reconsider the order, and "that they may be allowed safe conduct to specially appear at such hearing represented by counsel and present evidence in their defense, as allowed by the Yankton Sioux Tribe's Exclusion and Removal Order." *Id.*

Subsequently, the Plaintiffs filed a lawsuit in District of South Dakota Federal Court. “Specifically, Plaintiffs contest the following efforts by Defendants to assert tribal jurisdiction over non-member Defendants and over the farrowing confinement unit that Plaintiffs were constructing on land outside the boundaries of the Yankton Sioux Reservation: (1) a petition filed by Yankton Sioux Tribe against Plaintiffs and the employees, agents, representatives, contractors, and vendors of Longview Farm, LLP, for an ex parte emergency exclusion and removal order which was granted ex parte by the Honorable William Bossman, Chief Judge, Yankton Sioux Tribal Court; (2) an action initiated in Yankton Sioux Tribal Court by Defendant, Director of the Tribal Employment Rights Ordinance Commission, Leonard R. Heth, claiming at least Three Hundred Fifty-Five Thousand Dollars (\$ 355,000.00) in tribal sanctions since April 7, 2008, and expressly directing Plaintiffs to stop all operations with respect, to the farrowing confinement unit; and (3) a pro se petition filed by Adelberto Michael Zephier, Jr. against, "Lyndon Moss and fellow Investors of Longview Farms, LLC and Castle Construction," praying for an "Injunction to Stop All further construction of the buildings at Longview Farms (sic) jobsite." *Id* at 4-5

Judge Bossman and Yankton Sioux Tribal Court then filed a motion to dismiss Plaintiffs' Complaint for Declaratory Judgment and Permanent Injunction in its entirety, on the following grounds: (1) lack of subject matter jurisdiction, (2) failure to exhaust tribal court remedies, (3) the doctrines of sovereign and judicial immunity; and (4) failure to state a claim upon which relief may be granted. *Id* at 10-11. The Court recognized that the even though the Yankton Sioux Tribe for purposes of this litigation must honor the reservation boundaries as established in Podhrasky, the Yankton Sioux Tribe on its current appeal from this Court's decision in Podhrasky does not agree with the reservation boundaries as determined by this Court. *Id* at 13. Furthermore, since there is not a *Montana* issue presented and since the Tribal Court is not attempting to exercise jurisdiction over non-members outside of reservation boundaries, the claims against the Tribal Court will be dismissed without prejudice. Since no valid claim was presented, the immunity defense is not addressed. *Id*. The other parties to the case were also dismissed on similar grounds.

While this decision will probably not be placed in the canon of Indian Law decisions, it nonetheless is still another win for sovereign immunity. It stands for the premise that tribes can assert jurisdiction over non-members residing on disputed lands, which may or may not be part of the reservation. It is also nice to see a former member of the Ho-Chunk Nation Judiciary be part of something that reinforces the rights of all tribes.



## A Final Farewell

It seems like just yesterday I was entering the doors of Wa Ehi Hoci for the first time. The time has truly flown by. My time is now quite short. By the time most of you read this bulletin, I will have begun my new job as Assistant Tribal Attorney for the Menominee Indian Tribe of Wisconsin. I have grown so much over the past two years and have many people to thank. Judge Matha, my legal writing and knowledge of Indian Law has improved greatly under your watchful eye. Judge Rockman, your desire to serve your people and be involved

has helped me understand that I want to continue working for Native American interests. Rebecca, thank you for picking up my copious amounts of slack. Maggie, thank you for being such a hard worker. Rosie, thank you for being yourself and making me laugh all of the time. Al, thank you for your daily bits of wisdom. Selina, thank you for your diligent bookkeeping, without you I would have been much poorer. Marcella, thank you for always knowing what is going on in the cases, who needs CaseTrack anyway. Last, but certainly not least, thanks to all of you who take the time to read the bulletin. I wish you all the best of luck. – Joshua Rees

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## GUARDIAN AD LITEM TRAINING July 27-29, 2010

The **HOCUK NATION CHILDREN AND FAMILY ACT** advises that the Trial Court “appoint a *Guardian Ad Litem* to protect the best interests of the child,” in juvenile cases. 4 HCC § 3.25a. Additionally, *Guardians Ad Litem* perform an instrumental and vital role in the Court’s appointment of legal guardians under the new **HOCUK THIRD PARTY GUARDIANSHIP ACT**, 4HCC § 11.

The Court will host an on-site GAL training session on July 27-29, 2010, at Wa Ehi Hoci in Black River Falls. Wisconsin Judicare, Inc. will conduct the training, which is free to Ho-Chunk members and Nation employees.

Current guardians at litem seeking to serve as a GAL for 2010-11 are required to attend under the *HCN Rules for Guardian Ad Litem* adopted by the Supreme Court, provided they received initial training prior to last year. The rules are available at [www.ho-chunknation.com](http://www.ho-chunknation.com).

Ho-Chunk employees may receive paid Educational Leave to attend the course. Please contact your immediate supervisor.

A Guardian Ad Litem serves as an independent advocate and informs the Court of a child’s interests in child protection actions and guardianship matters.

The Ho-Chunk Nation Judiciary currently seeks conscientious, caring and dependable individuals to fill this important role. Guardians ad litem receive compensation for their services and reimbursement for accumulated expenses.

Information regarding service as a GAL is available from the Clerk of Court at (800) 434-4070 or (715) 284-2722.



## RECENT TRIAL COURT DECISIONS

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

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

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

## CHILD SUPPORT CASES

### MARCH 22, 2010

*Cecilia Willcuts v. Michael T. King*, CS 09-78 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Mar. 22, 2010) (Matha, T).

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

### MARCH 23, 2010

*Tracy Shuffield v. Rene D. Peterson*, CS 10-04 Default Judgment (Enforcing Child Support Against Wages) (HCN Tr. Ct., Mar. 23, 2010) (Matha, T).

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

### MARCH 26, 2010

*State of Wisconsin ex rel. v. Ruben Rave, Jr.*, CS 97-171 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Mar. 26, 2010) (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.

*April V. Bourdon v. Max P. Funmaker, Jr.*, CS 98-12 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Mar. 26, 2010) (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.

*Wilma Thompson v. Joy Thompson*, CS 04-35 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Mar. 26, 2010) (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.

*Jennifer L. White Eagle v. Paul Salaway*, CS 00-14 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Mar. 26, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. Gene J. Cloud*, CS 98-37 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Mar. 26, 2010) (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.

### MARCH 29, 2010

*Roberta Mustache v. Douglas Decora*, CS 05-28 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., Mar. 29, 2010) (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.

**APRIL 1, 2010**

*Marie C. Decora v. Francis T. Decora*, CS 08-30 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Apr. 1, 2010) (Rockman, A).

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

**APRIL 2, 2010**

*Mary J. Sams v. Daniel L. Sams*, CS 09-65 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 2, 2010) (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.

**APRIL 6, 2010**

*State of Wisconsin ex rel. v. Mary Hernandez*, CS 01-28 Order (Enforcing Arrearage Withholding) (HCN Tr. Ct., Apr. 6, 2010) (Rockman, A).

The Court had to determine whether to enforce a withholding for arrears from the respondent's per capita. In accordance with Court policies the withholding was enforced.

*State of Wisconsin ex rel. v. Orin White Eagle*, CV 96-56 Order (Enforcing Arrearage Withholding) (HCN Tr. Ct., Apr. 6, 2010) (Matha, T).

The Court had to determine whether to enforce a withholding for arrears from the respondent's per capita. In accordance with Court policies the withholding was enforced.

**APRIL 7, 2010**

*Melanie Stacy v. Harrison Funmaker*, CS 96-48 Order (Cessation of Withholding) (HCN Tr. Ct., Apr. 7, 2010) (Matha, T).

The Court had to determine whether to grant the respondent's motion to suspend child support withholding.

As the underlying court terminated the underlying order, the Court granted the motion.

**APRIL 11, 2010**

*State of Wisconsin ex rel. v. Ginger Goodbear*, CS 10-06 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 11, 2010) (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.

**APRIL 13, 2010**

*April V. Bourdon v. Max P. Funmaker, Jr.*, CS 98-12 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).

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

*State of Wisconsin et al. v. Gene J. Cloud*, CS 98-37 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).

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

*State of South Dakota ex rel. v. Gary S. Funmaker, Jr.*, CS 01-26 Order (Cessation of Withholding) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).

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

*Wilma Thompson v. Joy Thompson* CS 04-35 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 13, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. James Pettibone.*, CS 00-07 Order (Cessation of Arrears) (HCN Tr. Ct., Apr. 13, 2010) (Rockman, A).

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

As the arrears are paid in full, the Court granted the motion.

*Cynthia Tack v. Matthew Thundercloud*, CV 97-47 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).

The Court updated the arrears owed for child support withholding.

*State of Wisconsin ex rel. v. Rosemarie Powless*, CV 97-82 Order (Updating Arrearage Withholding) (HCN Tr. Ct., Apr. 13, 2010) (Rockman, A).

The Court updated the arrears owed for child support withholding.

*State of Wisconsin ex rel. v. Erin E. Pettibone*, CS 10-01 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 13, 2010) (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.

#### **APRIL 14, 2010**

*Marissa Youngthunder v. Michael Youngthunder, Sr.*, CS 06-40 Order (Cessation of Arrears) (HCN Tr. Ct., Apr. 14, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to terminate withholding for arrears. As the arrears are paid in full, the Court granted the motion.

*Heidi A. Simenson et al. v. Joseph W. Bowling*, CS 04-25, 10-07 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 14, 2010) (Matha, T).

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

*State of Nebraska et al. v. Shane A. Oknewski*, CS 05-39, 06-12, -18, 07-48, -49, 08-74 Order (Equitable Adjustment) (HCN Tr. Ct., Apr. 14, 2010) (Rockman, A).

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

respondent, the Court also performed an equitable adjustment.

*Myra J. Blackdeer v. William J. Thunder*, CS 10-11 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 14, 2010) (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.

*Nicole Kornuth et al. v. Harry Heisel*, CS 09-73-74, 09-75 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 14, 2010) (Rockman, A).

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

#### **APRIL 15, 2010**

*State of Wisconsin ex rel. v. Ruben Rave, Jr.*, CS 97-171 Order (Proof of High School Enrollment Filed) (HCN Tr. Ct., Apr. 15, 2010) (Rockman, A).

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

*Courtney White v. Greg Whitegull*, CS 06-23 Order (Modifying Child Support) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*Cynthia Joski v. Adam Sturdevant*, CS 10-02 Default Judgment (Enforcing Child Support Against Wages) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*State of Wisconsin et al. v. Geoffrey Lonetree*, CS 03-55, 09-68 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*State of Wisconsin et al. v. Jason King*, CS 05-03, -05 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*State of Wisconsin ex rel. v. Cheskay L. Stanley*, CS 10-10 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*Anna Webb et al. v. Nathaniel H. Long, Jr.*, CS 98-49, 02-03, 05-83, 08-79 Order (Equitable Adjustment) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*Leslie Ann Rave v. Maynard A. Rave, Jr.*, CS 98-63 Order (Modifying Child Support Against Wages and Per Capita) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

*State of Wisconsin et al. v. Lance E. Crowder* CS 10-12-13 Order (Equitable Adjustment) (HCN Tr. Ct., Apr. 15, 2010) (Rockman, A).

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

respondent's per capita. The respondent failed to timely respond, and thus, the Court granted the relief requested by the petitioners. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

*State of Wisconsin ex rel. v. Wesley W. Green, III*, CS 09-79 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., Apr. 15, 2010) (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.

*Michelle Hass v. Sanford Decorah*, CS 97-134 Order (Modifying and Enforcing Child Support) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

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

#### **APRIL 19, 2010**

*Shirley A. Keezer v. Christopher J. Sweet*, CS 09-14 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Apr. 19, 2010) (Rockman, A).

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

#### **MAY 21, 2010**

*Tegan Sweeney v. Roland T. LaBarge*, CS 10-16 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., May 21, 2010) (Rockman, A).

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

#### **MAY 28, 2010**

*State of Wisconsin ex rel. v. Cheskay L. Stanley*, CS 10-10 Order (Closing Case) (HCN Tr. Ct., May 28, 2010) (Matha, T).

The Court closed the instant case do to the death of the respondent.

 **CIVIL GARNISHMENT****CASES****MARCH 9, 2010**

*In the Matter of the Outstanding Obligations of: Leila T. Patton, CG 10-08 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Mar. 9, 2010) (Matha, T).*

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

**MARCH 26, 2010**

*Alliance Collection Agencies, Inc. v. Lenny Cloud, CG 10-18 Order (Voluntary Dismissal) (HCN Tr. Ct., Mar. 26, 2010) (Matha, T).*

The petitioner sought enforcement of a foreign judgment. Prior to the responsive pleading the petitioner filed a request to dismiss. The Court granted the request.

*Gundersen Clinic LTD v. Lisa M. Stoller a/k/a Lisa M. Servant, CG 10-19 Order (Voluntary Dismissal) (HCN Tr. Ct., Mar. 26, 2010) (Matha, T).*

The petitioner sought enforcement of a foreign judgment. Prior to the responsive pleading the petitioner filed a request to dismiss. The Court granted the request.

*Midland Credit Mgmt., Inc. v. Donna Littlegeorge, CG 10-04 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Mar. 26, 2010) (Matha, T).*

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

**MARCH 30, 2010**

*Alliance Collection Agencies, Inc. v. Tina M. Falkner, CG 10-05 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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.

*Dane County Clerk of Courts v. Paul A. Platt, CG 10-03 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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.

*Joshua Ramirez and Rebecca Parchem v. Vanessa M. Parchem, CG 10-09 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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.

*Mid-Towne Dental Associates SC v. Kenneth Jardine, CG 10-07 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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. Evelyn Arendt, CG 10-12 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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.

*Radiology Associates of Wausau v. Lanette R. Walker, CG 10-10 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (Matha, T).*

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

*American General Finance v. Rosemarie C. Funmaker, CG 10-11 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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.

*Discover Card Services, Inc. v. Mary Metoxen, CG 10-13 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (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. Kiel S. Roy*, CG 10-01 Order (Default Judgment) (HCN Tr. Ct., Mar. 30, 2010) (Matha, T).

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

**MARCH 31, 2010**

*Midland Credit Management, Inc. v. Donna Littlegeorge*, CG 08-45 Order (Petition Granted) (HCN Tr. Ct., Mar. 31, 2010) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent timely responded and the parties stipulated to a reduced weekly withholding arrangement. Thus, the Court granted the relief requested by the petitioner.

**APRIL 1, 2010**

*In the Matter of the Outstanding Obligations of: Kelly L. Logan*, CG 10-22 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Apr. 1, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

*In the Matter of the Outstanding Obligations of: Tina Cochise*, CG 10-20 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Apr. 1, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

*In the Matter of the Outstanding Obligations of: Vincent E. Lonetree*, CG 10-21 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Apr. 1, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

**APRIL 13, 2010**

*Robert E. and Donna J. Smith v. Michael S. and Heather L. Peterson*, CG 10-14 Order (Petition Granted) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent timely responded and a hearing was held. The

Court granted the request for relief requested by the petitioner, despite the respondent's alleged exemption to execution of the garnishment.

**APRIL 14, 2010**

*Solarus v. Darrell W. Burns*, CG 09-116 Order (Default Judgment) (HCN Tr. Ct., Apr. 14, 2010) (Matha, T).

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

**APRIL 22, 2010**

*Black River Falls Memorial Hospital v. Robert L. & Terri Clemmerson*, CG 10-16 Order (Default Judgment) (HCN Tr. Ct., Apr. 22, 2010) (Matha, T).

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

**APRIL 30, 2010**

*Discover Financial Services v. Melissa A. Lowe*, CG 10-02 Order (Default Judgment) (HCN Tr. Ct., Apr. 30, 2010) (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.

*Discover Financial Services v. Melissa A. Lowe*, CG 10-02 Order (Default Judgment) (HCN Tr. Ct., Apr. 30, 2010) (Matha, T).

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

**MAY 6, 2010**

*Solarus v. Evelyn Arendt*, CG 10-29 Order (Default Judgment) (HCN Tr. Ct., May 6, 2010) (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.

*Creative Finance, Inc. v. Dennis Hawes*, CG 10-30 Order (Default Judgment) (HCN Tr. Ct., May 6, 2010) (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.

*Dean St. Mary's v. Matthew Otto*, CG 10-27 Order (Default Judgment) (HCN Tr. Ct., May 6, 2010) (Matha, T).

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

**MAY 7, 2010**

*James Esselman, DDS v. Curtis Whiteeagle*, CG 10-41 Order (Default Judgment) (HCN Tr. Ct., May 7, 2010) (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. Jacky A. Peterson*, CG 10-43 Order (Default Judgment) (HCN Tr. Ct., May 7, 2010) (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.

*Bay Finance Company, LLC v. Mona L. Funmaker*, CG 10-44 Order (Default Judgment) (HCN Tr. Ct., May 7, 2010) (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. Glen N. Kasper*, CG 10-42 Order (Default Judgment) (HCN Tr. Ct., May 7, 2010) (Matha, T).

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

**MAY 11, 2010**

*In the Matter of the Outstanding Obligations of: Brian Martin*, CG 10-54 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., May 11, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

*In the Matter of the Outstanding Obligations of: Barbara M. Funmaker*, CG 10-48 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., May 11, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

*Creditor Recovery Service, LLC v. Jerry D. McCrossen*, CG 10-15 Order (Default Judgment) (HCN Tr. Ct., May 11, 2010) (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.

*Bryan J. Ringer v. Tyler A. Cloud and Yesenia V. Meza*, CG 10-06 Order (Default Judgment) (HCN Tr. Ct., May 11, 2010) (Matha, T).

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

*In the Matter of the Outstanding Obligations of: Christopher A. Lichman*, CG 10-47 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., May 11, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment.

*Dean Health System v. Richard Cohoon*, CG 10-17 Order (Default Judgment) (HCN Tr. Ct., May 11, 2010) (Matha, T).

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

**MAY 18, 2010**

*Alliance Collection Agencies, Inc. v. Keith D. Smith*, CG 09-04 Order (Granting Motion to Modify) (HCN Tr. Ct., May 18, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's *Motion to Modify*. The respondent failed to timely respond to the motion, therefore the Court granted the motion.

**MAY 26, 2010**

*Broadway Auto Credit, Inc. v. Charles D. Baker, Sr.*, CG 10-31 Order (Requiring Amended Petition) (HCN Tr. Ct., May 26, 2010) (Matha, T).

The Court required an amended petition showing the underlying foreign judgment had been revived.

*Lebakkens Rent to Own v. Jennifer J. Dominguez*, CG 10-46 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (Matha, T).

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

*Gerald M. Voelker, DDS v. Daniel S. Downing*, CG 10-40 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Target National Bank v. Lisa K. Lockemy*, CG 10-32 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Rick Bauer v. Jamie Wallace*, CG 10-26 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Aspirus Doctors' Clinic, Inc. v. Tina M. Falkner*, CG 10-25 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (Matha, T).

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

*Mile Bluff Clinic LLP v. Marie R. Thieme*, CG 10-34 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Boscobel Area Health Care v. James Schier*, CG 10-33 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Becker Vision Center v. Promise J. Bakken*, CG 10-38 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Mobile Link Cellular & Stereo, Inc., v. Donna R. Pabst*, CG 10-39 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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. Tanya M. Behm*, CG 10-37 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*Franciscan Skemp Health v. Mary K. Cadotte*, CG 10-36 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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.

*National Quick Cash v. Rebecca Pidgeon*, CG 10-35 Order (Default Judgment) (HCN Tr. Ct., May 26, 2010) (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. Rachel Montana*, CG 09-115 Order (Satisfaction of Judgment) (HCN Tr. Ct., May 26, 2010) (Matha, T).

The Court closed the file as the petitioner had indicated that it had relieved the respondent of any further obligations.

#### **MAY 28, 2010**

*U.S. Bank, N.A. v. Frank J. Borvansky, Jr.*, CG 10-55 Order (Granting Telephonic Appearance) (HCN Tr. Ct., May 28, 2010) (Matha, T).

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

## CIVIL CASES

### MARCH 26, 2010

*Ho-Chunk Nation v. Jess Steindorf*, CV 03-33 Order (Recognizing & Enforcing Foreign Judgment) (HCN Tr. Ct., Mar. 16, 2010) (Matha, T).

The Court had to determine whether to enforce a standing foreign order against the respondent's per capita. The respondent failed to assert a cognizable defense to the request for recognition and enforcement. Therefore, the Court granted the petition.

### MAY 24, 2010

*Patricia Boyles v. Wesley Boyles*, CV 09-70 Order (Final Judgment) (HCN Tr. Ct., May 26, 2010) (Rockman, A).

The Court had to determine whether the CTF monies of the respondent could be used to pay a debt to an Elder. The Court determined that the CTF monies could not be accessed for such purpose.

## ADMINISTRATIVE APPEALS

### MARCH 31, 2010

*Kenneth Lee Twin v. Dept. of Administration et al.*, CV 08-79 Scheduling Order (HCN Tr. Ct., Mar. 31, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

### APRIL 12, 2010

*Ho-Chunk Nation et al. v. Kenneth Lee Twin et al.* CV 08-83 Scheduling Order (HCN Tr. Ct., Apr. 12, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

### APRIL 15, 2010

*Ho-Chunk Nation et al. v. Tonette Flick et al.* CV 10-28 Scheduling Order (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).

The Court scheduled the proceedings for the instant case.

### APRIL 21, 2010

*Sarina Quarderer v. HCN Grievance Review Bd. et al.* CV 10-33 Scheduling Order (HCN Tr. Ct., Apr. 21, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

### MAY 7, 2010

*Diana Wolf v. HCN Grievance Review Bd.*, CV 09-48 Order (Denying Review) (HCN Tr. Ct., May 7, 2010) (Matha, T).

The Court declined to review the instant case due to the petitioner's failure to timely file the action.

### MAY 18, 2010

*Cheryl Brinegar v. HCN Grievance Review Bd.*, CV 08-45 Order (Remanding) (HCN Tr. Ct., May 18, 2010) (Rockman, A).

The Court remanded the case to the GRB pursuant to a directive from the HCN Supreme Court. The Court issued this decision to give the GRB guidance.

### MAY 27, 2010

*Susan F. Bosgraff v. Ho-Chunk Nation et al.*, CV 08-45 Order (Show Cause Hearing) (HCN Tr. Ct., May 27, 2010) (Rockman, A).

The Court scheduled a *Show Cause Hearing* to determine whether or not to hold the respondents in contempt for failure to carry out a Court directive.

## CHILDREN'S TRUST FUND (CTF)

### MARCH 4, 2010

*In the Interest of Minor Child: M.B., DOB 08/18/98, by Sheyenne Lemieux v. HCN Office of Tribal Enrollment*, CV 09-88 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 4, 2010) (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: D.E.A., DOB 12/09/94, by Jamie L. Funmaker v. HCN Office of Tribal Enrollment*, CV 09-92 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 4, 2010) (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: D.R.W., DOB 09/22/92, by Victoria Blackcoon v. HCN Office of Tribal Enrollment*, CV 09-95 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 4, 2010) (Matha, T).

The Court previously released funds from the CTF accounts of the minor child for costs associated with an overseas excursion. 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: K.M.R., DOB 06/20/97, by Rose M. Shumate v. HCN Office of Tribal Enrollment, CV 09-84 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 4, 2010) (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.

#### **MARCH 11, 2010**

*In the Interest of Minor Child: K.M.R., DOB 07/24/98, by Michelle S. Rave v. HCN Office of Tribal Enrollment, CV 10-22 Order (Petition Granted) (HCN Tr. Ct., Mar. 11, 2010) (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: K.G., DOB 10/13/98, by Clarissa Pettibone v. HCN Office of Tribal Enrollment, CV 08-10 Order (Motion Granted) (HCN Tr. Ct., Mar. 11, 2010) (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 additional orthodontic procedures. The Court granted the motion.

*In the Interest of Minor Child: L.W., DOB 11/13/94, by Ardith Snowball v. HCN Office of Tribal Enrollment, CV 10-21 Order (Petition Granted) (HCN Tr. Ct., Mar. 11, 2010) (Rockman, A).*

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

#### **MARCH 15, 2010**

*In the Interest of Minor Child: S.D., DOB 12/25/94, by Theresa Degler v. HCN Office of Tribal Enrollment, CV 09-83 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 15, 2010) (Matha, T).*

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

#### **MARCH 16, 2010**

*In the Interest of Minor Children: C.E.B., DOB 10/20/94; and K.A.B., DOB 06/14/01, by Ketih E. Blackdeer v. HCN Office of Tribal Enrollment, CV 09-66 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 16, 2010) (Matha, T).*

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

*In the Interest of Minor Child: M.C.D., DOB 03/29/99, by Randall Mann v. HCN Office of Tribal Enrollment, CV 09-75 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 16, 2010) (Matha, T).*

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

*In the Interest of Minor Child: C.J.R., DOB 08/21/96, by Leslie Rave v. HCN Office of Tribal Enrollment, CV 09-93 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 16, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: S.E.B., DOB 01/05/90, by Rebecca Rodriguez v. HCN Office of Tribal Enrollment, CV 07-67 Order (Partial Release of Contempt Fine) (HCN Tr. Ct., Mar. 16, 2010) (Matha, T).*

The Court had to determine whether to retain the entire contempt fine withheld from several per capita distributions. The petitioner had failed to submit an accounting prior to the date upon which the Court indicated it would purge the fine. Nonetheless, the Court released the majority of the accumulated contempt fine to the petitioner as the fine had served its purpose.

#### **MARCH 17, 2010**

*In the Interest of Minor Children: A.W., DOB 10/28/91; D.W., DOB 03/17/94; V.W., DOB 07/25/95 and, D.W., DOB 12/14/96, by Joanne Mann v. HCN Office of Tribal Enrollment, CV 08-65 Order (Requesting Repayment Schedule) (HCN Tr. Ct., Mar. 17, 2010) (Rockman, A).*

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

outstanding family mortgage. The Court also required the petitioner to submit a repayment schedule and to repay the CTF fund of the children. The Court has not received the schedule or any payments. The Court ordered that the petitioner submit the required schedule and payments.

**MARCH 18, 2010**

*In the Interest of Minor Children: B.Y., DOB 06/03/92 and, D. Y., DOB 09/02/93, by Judith Youngthunder v. HCN Office of Tribal Enrollment, CV 09-43 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 18, 2010) (Rockman, A).*

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

*In the Interest of Minor Children: B.Y., DOB 06/03/92 and, D. Y., DOB 09/02/93, by Judith Youngthunder v. HCN Office of Tribal Enrollment, CV 09-43 Order (Second Motion Granted) (HCN Tr. Ct., Mar. 18, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: K.F., DOB 01/10/98, by Cheryl Funmaker v. HCN Office of Tribal Enrollment, CV 09-59 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 18, 2010) (Rockman, A).*

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

**MARCH 19, 2010**

*In the Interest of Minor Child: M.B., DOB 08/18/98, by Sheyenne Lemieux v. HCN Office of Tribal Enrollment, CV 09-88 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 18, 2010) (Matha, T).*

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

**MARCH 23, 2010**

*In the Interest of Minor Child: S.D., DOB 12/25/94, by Theresa Degler v. HCN Office of Tribal Enrollment, CV 09-83 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 23, 2010) (Rockman, A).*

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

**MARCH 29, 2010**

*In the Interest of Minor Child: B.K., DOB 11/13/94, by Ethel C. Funmaker v. HCN Office of Tribal Enrollment, CV 10-20 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 29, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: C.J.R., DOB 02/21/96, by Leslie Rave v. HCN Office of Tribal Enrollment, CV 09-93 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 29, 2010) (Rockman, A).*

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

**MARCH 30, 2010**

*In the Interest of Adult CTF Beneficiary: CiCi B. BigJohn, DOB 03/05/88 v. HCN Office of Tribal Enrollment, CV 09-04 Order (Suspending Release) (HCN Tr. Ct., Mar. 30, 2010) (Matha, T).*

The Court suspended future releases of CTF monies due to the petitioner's failure to present documentation of her completion of two high school courses within the preceding month.

**MARCH 31, 2010**

*In the Interest of Minor Child: C.C.A., DOB 12/13/93, by Theresa and Christopher Allen v. HCN Office of Tribal Enrollment, CV 10-23 Order (Dismissal without Prejudice) (HCN Tr. Ct., Mar. 31, 2010) (Rockman, A).*

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

**APRIL 8, 2010**

*In the Interest of Adult CTF Beneficiary: Tobu Jones, Jr., DOB 06/07/90 v. HCN Office of Tribal Enrollment, CV 09-90 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 8, 2010) (Rockman, A).*

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

care. The petitioner failed to submit a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

**APRIL 9, 2010**

*In the Interest of Minor Children: T.G., DOB 04/06/92, and L.C., DOB 09/26/94, by Shelly Thundercloud v. HCN Office of Tribal Enrollment, CV 10-30 Order (Petition Granted) (HCN Tr. Ct., Apr. 9, 2010) (Rockman, A).*

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

**APRIL 12, 2010**

*In the Interest of Minor Child: S.G., DOB 10/16/92, by Doran and Linda Goodbear v. HCN Office of Tribal Enrollment, CV 09-94 Order (Petition Denied) (HCN Tr. Ct., Apr. 12, 2010) (Rockman, A).*

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor child for costs associated with the purchase of an automobile. The Court denied the petition due to the petitioner's inability to demonstrate that the automobile was a necessity, rather than a want or desire.

**APRIL 13, 2010**

*In the Interest of Minor Child: D.R.W., DOB 09/22/92, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 09-95 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with an overseas educational excursion. The petitioner submitted several receipts confirming the proper use of the funds. The Court accepted this accounting.

*In the Interest of Minor Children: L.X.L., DOB 04/03/92, and A.A.L., DOB 10/19/93, by Eric Lonetree v. HCN Office of Tribal Enrollment, CV 10-26 Order (Dismissal without Prejudice) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).*

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

**APRIL 20, 2010**

*In the Interest of Minor Child: N.L.W., DOB 10/22/96, by Robert A. Whitewing v. HCN Office of Tribal Enrollment, CV 10-27 Order (Petition Granted) (HCN Tr. Ct., Apr. 20, 2010) (Matha, T).*

The Court had to determine whether to grant the petitioner's request to access CTF monies of the minor

children for costs associated with orthodontic procedures. The Court granted the petition.

*In the Interest of Minor Child: K.M.R., DOB 06/20/97, by Rose M. Shumate v. HCN Office of Tribal Enrollment, CV 09-84 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 20, 2010) (Matha, T).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner has failed to provide accounting as directed by previous judgments. The Court demanded the required accounting.

*In the Interest of Minor Child: R.H.G., DOB 10/07/98, by Eliza M. Green v. HCN Office of Tribal Enrollment, CV 09-82 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 20, 2010) (Matha, T).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner has failed to provide accounting as directed by previous judgments. The Court demanded the required accounting.

**APRIL 21, 2010**

*In the Interest of Minor Child: J.B.K., DOB 02/17/04, by Danielle Knak v. HCN Office of Tribal Enrollment, CV 08-42 Order (Reestablishing Quarterly Disbursement) (HCN Tr. Ct., Apr. 21, 2010) (Matha, T).*

The Court had to determine whether to reestablish a disbursement which had been suspended due to the petitioner's failure to attend a hearing. The Court reestablished the disbursement.

**APRIL 22, 2010**

*In the Interest of Adult CTF Beneficiary: Shawntel L. Smith, DOB 01/03/86 v. HCN Office of Tribal Enrollment, CV 09-73 Order (Granting Motion) (HCN Tr. Ct., Apr. 22, 2010) (Rockman, A).*

The Court had to determine whether to allow access to CTF monies to pay for additional costs associated with utilities. The Court granted the motion.

**APRIL 23, 2010**

*In the Interest of Minor Child: M.L., DOB 03/03/94, by Christine Luke v. HCN Office of Tribal Enrollment CV 07-25 Order (Show Cause) (HCN Tr. Ct., Apr. 23, 2010) (Matha, T).*

The Court had previously released funds from the minor child's CTF for costs associated with orthodontic procedures. The Court had also issued two (2) accounting directives which were ignored by the petitioner. Therefore, the Court will convene a *Show Cause Hearing* to

give the petitioner an opportunity to show why she should not be held in contempt.

**APRIL 26, 2010**

*In the Interest of Minor Child: R.H.G., DOB 10/07/98, by Eliza M. Green v. HCN Office of Tribal Enrollment, CV 09-82 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 26, 2010) (Matha, T).*

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

*In the Interest of Adult CTF Beneficiary: Athena Smekofske, DOB 04/04/89 v. HCN Office of Tribal Enrollment, CV 09-102 Order (Petition Granted in Part, Dismissed in Part) (HCN Tr. Ct., Apr. 26, 2010) (Rockman, A).*

The Court had to determine whether to allow access to CTF monies to pay for costs associated with attaining a high school diploma and car repairs. The petitioner failed to attend the hearing. Nonetheless, on recommendation of the respondent, the Court partially granted the petition as it pertains to the schooling

*In the Interest of Minor Child: B.E.W., DOB 03/26/98, by Joan E. Wilson v. HCN Office of Tribal Enrollment, CV 08-21 Order (Motion Granted) (HCN Tr. Ct., Apr. 26, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner filed a motion seeking additional monies. The motion was granted.

*In the Interest of Minor Child: B.E.W., DOB 03/26/98, by Joan E. Wilson v. HCN Office of Tribal Enrollment, CV 08-21 Order (Motion Granted) (HCN Tr. Ct., Apr. 26, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner filed a motion seeking additional monies. The motion was granted.

*In the Interest of Minor Child: L.W., DOB 08/10/02, by Ardith W. Snowball v. HCN Office of Tribal Enrollment, CV 10-21 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 26, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: S.J.R., DOB 03/31/99, by Steven Eades v. HCN Office of Tribal Enrollment, CV 10-03 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 26, 2010) (Matha, T).*

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

**APRIL 29, 2010**

*In the Interest of Minor Child: S.L.O., DOB 02/15/92, by Nora Ortiz v. HCN Office of Tribal Enrollment, CV 09-96 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 29, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: A.A.G., DOB 11/13/92, by Michelle Lewis v. HCN Office of Tribal Enrollment, CV 10-32 Order (Petition Granted) (HCN Tr. Ct., Apr. 29, 2010) (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 an international educational excursion. The Court granted the petition.

*In the Interest of Adult CTF Beneficiary: Toby Jones, Jr., DOB 06/07/90 v. HCN Office of Tribal Enrollment, CV 09-90 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 29, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the adult for costs associated with dental care. The petitioner submitted several account statements confirming the proper use of the funds. The Court accepted this accounting.

**MAY 6, 2010**

*In the Interest of Minor Child: R.L.D., DOB 01/14/01, by Nicole M. Alford v. HCN Office of Tribal Enrollment, CV 10-36 Order (Petition Granted) (HCN Tr. Ct., May 6, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: E.B.T., DOB 07/24/98, by Joseph Brown Thunder v. HCN Office of Tribal Enrollment, CV 10-34 Order (Petition Granted) (HCN Tr. Ct., May 6, 2010) (Matha, T).*

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

*In the Interest of Minor Child: K.T., DOB 09/27/98, by Mark Thundercloud v. HCN Office of Tribal Enrollment, CV 10-35 Order (Petition Granted) (HCN Tr. Ct., May 6, 2010) (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.

## **CONTRACTS**

### **MARCH 18, 2010**

*Lisa and Jeff Harrison v. Nettie Kingsley CV 06-115 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., Mar. 18, 2010) (Rockman, A).*

The Court dismissed the action due to inactivity.

### **APRIL 22, 2010**

*HCN Dept. of Business v. Indiana Recycling & Renewable Fuels, CV 10-01 Order (Denying Special Appearance) (HCN Tr. Ct., Apr. 22, 2010) (Matha, T).*

The Court had to determine whether to grant the *Ex Parte Motion to Appear Pro Hoc Vice* filed on behalf of the defendant. The Court denied the request do to the failure to adhere to the requirements of the relevant rules.

### **MAY 11, 2010**

*HCN Dept. of Business et al. v. Firkus Trucking and Angelo T. Firkus CV 10-05 Order (Default Judgment) (HCN Tr. Ct., May 11, 2010) (Rockman, A).*

The Court had to determine whether to grant the relief requested by the plaintiff. The defendants failed to answer the complaint, therefore the Court granted the relief sought by the plaintiffs.

### **MAY 17, 2010**

*HCN Dept. of Business et al. v. Firkus Trucking and Angelo T. Firkus CV 10-04 Order (Dismissal) (HCN Tr. Ct., May 17, 2010) (Rockman, A).*

The Court dismissed the instant case as the plaintiffs had field a stipulation showing satisfaction of the debt.

### **MAY 18, 2010**

*HCN Dept. of Labor v. Dodie Topping, CV 09-97 Order (Default Judgment) (HCN Tr. Ct., May 18, 2010) (Rockman, A).*

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

## **ELECTION MATTERS**

**NO DECISIONS AT THIS TIME.**

## **EMPLOYMENT**

**NO DECISIONS AT THIS TIME.**

## **ENROLLMENT**

### **MARCH 4, 2010**

*Daria Powless v. HCN Enrollment Committee, CV 10-15 Scheduling Order (HCN Tr. Ct., Mar. 4, 2010) (Rockman, A).*

The Court scheduled the proceedings for the instant case.

### **MARCH 5, 2010**

*Daria Powless v. HCN Enrollment Committee, CV 09-100, 10-13 Scheduling Order (HCN Tr. Ct., Mar. 5, 2010) (Rockman, A).*

The Court scheduled the proceedings for the instant case.

### **APRIL 22, 2010**

*Leilani J. Chamberlain v. Adam Hall, CV 05-109 Order (Granting Motion for Extension of Time to File Reply) (HCN Tr. Ct., Apr. 22, 2010) (Matha, T).*

The Court granted the parties' request for an extension of time to file a reply.

### **APRIL 26, 2010**

*Leilani J. Chamberlain v. Adam Hall, CV 05-109 Order (Compelling Discovery) (HCN Tr. Ct., Apr. 26, 2010) (Matha, T).*

The Court had to determine whether to grant petitioner's *Motion to Compel*. The Court determined that the requested files were relevant, and therefore compelled discovery.

## **HOUSING**

**NO DECISIONS AT THIS TIME.**

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

### **MARCH 8, 2010**

*In the Interest of Adult Incompetent: E.V.C., DOB 05/31/36, by Larry James White Feather v. HCN Office of Tribal Enrollment, CV 10-25 Order (Petition Partially Granted) (HCN Tr. Ct., Mar. 8, 2010) (Rockman, A).*

The Court had to determine whether to grant the petitioner's request to access ITF monies of the ward for costs associated with residential living. The Court granted the petition inasmuch as it dealt with expenses already incurred, and reserved judgment on future costs of residential living.

**MARCH 16, 2010**

*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., Mar. 16, 2010) (Matha, T).*

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

*In the Interest of Adult Incompetent: B.G.S., DOB 02/07/80, by Theresa Iverson v. HCN Office of Tribal Enrollment, CV 06-34 Order (Motion Granted) (HCN Tr. Ct., Mar. 16, 2010) (Matha, T).*

The Court had to determine whether to grant the petitioner's request to access ITF monies of the ward for costs associated with a customizable communication device. The Court granted the motion

**MARCH 17, 2010**

*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 (Requesting Accounting) (HCN Tr. Ct., Mar. 17, 2010) (Rockman, A).*

The Court previously released funds from the ITF accounts of the ward for costs associated with residential living. 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 (Accepting Accounting) (HCN Tr. Ct., Mar. 17, 2010) (Rockman, A).*

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

*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 (Erratum) (HCN Tr. Ct., Mar. 17, 2010) (Rockman, A).*

The Court issued this order to correct a clerical mistake.

*In the Interest of Adult Incompetent: D.P.G., DOB 08/28/82, by Regina Taylor and Tony Salo v. HCN Office of Tribal Enrollment, CV 05-15 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 17, 2010) (Matha, T).*

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

**MARCH 26, 2010**

*In the Interest of Adult Incompetent: O.S.R., DOB 5/14/68, by Natalie Stites v. HCN Office of Tribal Enrollment, CV 97-117 Order (Requiring Action) (HCN Tr. Ct., Mar. 26, 2010) (Matha, T).*

The Court ordered the protective payee to render the services which she undertook.

**APRIL 13, 2010**

*In the Interest of Adult Incompetent: O.S.R., DOB 5/14/68 v. HCN Office of Tribal Enrollment, CV 97-117 Order (Appointing Successor Protective Payee) (HCN Tr. Ct., Apr. 13, 2010) (Matha, T).*

The Court appointed Roxanne Whitegull as protective payee.

**APRIL 28, 2010**

*In the Interest of L.R., DOB 03/04/56, by Maynard Rave, Sr. v. HCN Office of Tribal Enrollment, CV 08-24 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 28, 2010) (Rockman, A).*

The Court previously released funds from the ITF accounts of the ward for costs associated with past obligations and prospective residential living. The petitioner failed to submit a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting.

**APRIL 29, 2010**

*In the Interest of L.R., DOB 03/04/56, by Maynard Rave, Sr. v. HCN Office of Tribal Enrollment, CV 08-24 Order (Suspending Release) (HCN Tr. Ct., Apr. 29, 2010) (Rockman, A).*

The Court suspended releases from the ITF monies of the ward due to the guardian's failure to provide an accounting to the Court.

**MAY 3, 2010**

*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 (Accepting Accounting) (HCN Tr. Ct., May 3, 2010) (Rockman, A).*

The petitioner submitted a series of account statements, invoices, receipts, etc., which the Court accepted as

confirmation of the proper use of the ongoing residential living costs.

#### **MAY 6, 2010**

*In the Interest of Adult Incompetent: B.G.S., DOB 02/07/82, by Teresa Iverson v. HCN Office of Tribal Enrollment, CV 06-34 Order (Motion Granted) (HCN Tr. Ct., May 6, 2010) (Matha, T).*

The petitioner requested access to monies on behalf of an adult incompetent member, to pay for assisted vacation expenses. The Court granted the request.

#### **MAY 17, 2010**

*In the Interest of Adult Incompetent: O.S.R., DOB 5/14/68, by Roxanne Whitegull v. HCN Office of Tribal Enrollment, CV 97-117 Order (Motion Granted) (HCN Tr. Ct., May 17, 2010) (Matha, T).*

The petitioner requested access to monies on behalf of an adult incompetent member to pay a documented protective payee service fee. The Court granted the request.

### **RECALL/REMOVAL**

**NO DECISIONS AT THIS TIME.**

### **DOMESTIC ABUSE**

**PROCEEDINGS SHALL REMAIN CONFIDENTIAL.**

### **FAMILY**

#### **DIVORCE**

##### **MARCH 17, 2010**

*Sherri M. Larsen v. Richard R. Mann, FM 09-03 Order (Motion Hearing) (HCN Tr. Ct., Mar. 17, 2010) (Matha, T).*

The Court scheduled a hearing on the motion of the petitioner for an execution of judgment.

##### **APRIL 7, 2010**

*Sherri M. Larsen v. Richard R. Mann, FM 09-03 Order (Denial of Motion) (HCN Tr. Ct., April 7, 2010) (Matha, T).*

The Court denied the *Motion* as neither party attended the hearing.

### **JUVENILE CASES**

#### **MARCH 1, 2010**

*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 of Jurisdiction) (HCN Tr. Ct., Mar. 1, 2010) (Rockman, A).*

The Court terminated jurisdiction over this case, due to the parent's fulfillment of the dispositional requirements.

#### **MARCH 3, 2010**

*In the Interest of Minor Child: A.A.F., DOB 01/10/92, JV 08-02 Order (Termination of Jurisdiction) (HCN Tr. Ct., Mar. 3, 2010) (Matha, T).*

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

#### **MARCH 4, 2010**

*In the Interest of Minor Child: S.S., DOB 11/26/91, JV 09-13 Order (Termination of Jurisdiction) (HCN Tr. Ct., Mar. 4, 2010) (Matha, T).*

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

#### **MARCH 8, 2010**

*In the Interest of Minor Child: K.C., DOB 03/02/92, JV 08-33 Order (Termination of Jurisdiction) (HCN Tr. Ct., Mar. 8, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: C.Y., DOB 01/18/94, JV 05-32 Order (Scheduling Termination Hearing) (HCN Tr. Ct., Mar. 8, 2010) (Matha, T).*

The petitioner filed a *Motion for Removal*, which the Court construed as a request to terminate the existing guardianship. Thus, the Court scheduled a *Termination Hearing*.

#### **MARCH 9, 2010**

*In the Interest of Minor Child: C.Y., DOB 01/18/94, JV 05-32 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 9, 2010) (Matha, T).*

The Court appointed GAL Melanie Stacy to represent the interests of the minor child(ren).

#### **MARCH 10, 2010**

*In the Interest of Minor Child: A.C., DOB 10/07/05, JV 08-05, Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 10, 2010) (Rockman, A).*

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

*In the Interest of Minor Children: E.M.F., DOB 03/27/93; and M.R.F., DOB 01/25/99, JV 08-03-04 Order (Modification Hearing) (HCN Tr. Ct., Mar. 10, 2010) (Matha, T).*

The Court had convened a *Status Hearing* wherein CFS had declined to seek maintenance on behalf of the minor child. Thus, the Court scheduled a *Modification Hearing*.

*In the Interest of Minor Children: K.B.M., DOB 10/29/93; G.E.M., DOB 08/25/95; and A.D.M., DOB 04/25/97, JV 03-07-09 Order (Child Protection Review Hearing) (HCN Tr. Ct., Mar. 10, 2010) (Rockman, A).*

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

#### **MARCH 11, 2010**

*In the Interest of Minor Child: K.L.M., DOB 01/03/10, JV 10-01 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 11, 2010) (Matha, T).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

#### **MARCH 12, 2010**

*In the Interest of Minor Child: A.E.O., DOB 02/23/01; D.E.O., DOB 04/12/02; and V.A.F., DOB 12/22/05, JV 08-10-12 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 12, 2010) (Rockman, A).*

The Court appointed GAL Bill Harris to represent the interests of the minor child(ren).

*In the Interest of Minor Child: J.W., DOB 01/16/09, JV 09-31 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 12, 2010) (Matha, T).*

The Court appointed GAL Janette Smoke to represent the interests of the minor child(ren).

#### **MARCH 16, 2010**

*In the Interest of Minor Child: B.B.D., DOB 01/11/10, JV 10-02 Order (Emergency Conditional Custody - Extension) (HCN Tr. Ct., Mar. 16, 2010) (Rockman, A).*

The Court determined to maintain emergency conditional custody of the above referenced minor child.

#### **MARCH 18, 2010**

*In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14 Order (Notice of Modification) (HCN Tr. Ct., Mar. 18, 2010) (Matha, T).*

The Court convened a *Modification Hearing* at which it provided the parties notice of its intent to convert the existing temporary guardianship to permanent status.

*In the Interest of Minor Child: J.C., DOB 06/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07; and D.C., DOB 04/22/08, JV*

*07-04-05, -34, 08-13 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 18, 2010) (Matha, T).*

The Court appointed GAL Brenda Neff to represent the interests of the minor child(ren).

#### **MARCH 25, 2010**

*In the Interest of Minor Child: A.M., DOB 01/26/10, JV 10-09 Order (Granting Emergency Temporary Physical and Legal Custody) (HCN Tr. Ct., Mar. 25, 2010) (Rockman, A).*

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

#### **MARCH 29, 2010**

*In the Interest of Minor Child: D.J.D., DOB 04/04/92, JV 97-11 Order (Termination of Jurisdiction) (HCN Tr. Ct., Mar. 29, 2010) (Rockman, A).*

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

*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 06/16/01; and A.M., DOB 03/14/06, JV 07-09-14 Minute Order (Regarding Child Placement) (HCN Tr. Ct., Mar. 29, 2010) (Rockman, A).*

The Court issued the order to immediately deal with physical placement of the minor children.

*In the Interest of Minor Child: S.L.D., DOB 06/06/94, JV 09-32 Order (Dispositional Requirements) (HCN Tr. Ct., March 29, 2010) (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. Parental dispositions were established with the hope of reunifying the family.

#### **MARCH 31, 2010**

*In the Interest of Minor Child: K.M., DOB 10/18/93, JV 07-10 CAPIAS ORDER (HCN Tr. Ct., Mar. 31, 2010) (Rockman, A).*

The Court directed the Monroe County Sheriff's Office to assist HCN CFS in the retrieval of the minor child.

#### **APRIL 1, 2010**

*In the Interest of Minor Child: S.L.D., DOB 06/06/94, JV 09-32 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Mar. 11, 2010) (Matha, T).*

The Court appointed GAL Brenda Neff to represent the interests of the minor child.

*In the Interest of Minor Children: E.D., DOB 12/14/00; O.A., DOB 09/18/03; R.A., DOB 10/26/06; and G.A., DOB 10/31/08, JV 09-07-10 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 1, 2010) (Matha, T).*

The Court appointed GAL Brenda Neff to represent the interests of the minor child.

#### **APRIL 6, 2010**

*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, CS 08-02-04 Order (Modification of Maternal Child Support) (HCN Tr. Ct., Apr. 6, 2010) (Matha, T).*

The Court modified child support as requested by CFS.

#### **APRIL 7, 2010**

*In the Interest of Minor Child: M.M.M., DOB 12/18/01, JV 09-02 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 7, 2010) (Matha, T).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

*In the Interest of Minor Children: J.C., DOB 06/10/04; A.C., DOB 01/31/06; R.C., DOB 05/12/07; and D.C., DOB 04/22/08, JV 07-04, -34, 08-13, Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 7, 2010) (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.

#### **APRIL 8, 2010**

*In the Interest of Minor Child: K.L.M., DOB 01/03/10, JV 10-01, Order (Dispositional Requirements) (HCN Tr. Ct., Apr. 8, 2010) (Matha, T).*

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

*In the Interest of Minor Child: C.Y., DOB 01/18/94, JV 05-32, Order (Regarding Motion) (HCN Tr. Ct., Apr. 8, 2010) (Matha, T).*

The Court had to determine whether to grant the mother's motion regarding release of academic, counseling and phone records. The Court granted the request for the phone records and denied the request for the academic and counseling records.

*In the Interest of Minor Child: V.L.S., DOB 01/15/93, JV 09-30 Order (Maternal Reimbursement Obligation) (HCN Tr. Ct., Apr. 8, 2010) (Rockman, A).*

The Court established a maternal reimbursement obligation in an effort to have the mother reimburse CFS for placement assistance paid out to the physical custodial.

*In the Interest of Minor Children: L.L.T-B., DOB 06/23/96; R.R.T-B., DOB 03/16/94; and L.M.T-B., DOB 01/20/93, JV 07-62-64 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 8, 2010) (Rockman, A).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

#### **APRIL 9, 2010**

*In the Interest of Minor Child: E.W., DOB 08/02/05, JV 10-10 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 9, 2010) (Rockman, A).*

The Court appointed GAL Brenda Neff to represent the interests of the minor child.

*In the Interest of Minor Child: B.B.D., DOB 01/11/10, JV 10-11 Order (Granting Emergency Temporary Physical and Legal Custody) (HCN Tr. Ct., Apr. 9, 2010) (Rockman, A).*

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

#### **APRIL 12, 2010**

*In the Interest of Minor Children: R.C., DOB 10/17/01; and A.C., DOB 11/10/02, JV 09-27-28 Order (Requesting Mille Lacs Band of Chippewa Indians Case File) (HCN Tr. Ct., Apr. 12, 2010) (Rockman, A).*

The Court requested the case file from the Mille Lacs Band as they had previously dealt with the guardianship of the minor children.

*In the Interest of Minor Child: S.L.D., DOB 06/06/94, JV 09-32 Order (Erratum) (HCN Tr. Ct., Apr. 12, 2010) (Rockman, A).*

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

#### **APRIL 14, 2010**

*In the Interest of Minor Child: B.B.D., DOB 01/11/10, JV 10-11 Order (Entrance of Plea) (HCN Tr. Ct., Apr. 14, 2010) (Rockman, A).*

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the mother of the minor children pleaded guilty, and the father pleaded not guilty to the allegations of the *Petition*. Accordingly, a *Trial* was scheduled for the father, and a *Dispositional Hearing* was scheduled for the mother.

*In the Interest of Minor Child: A.M., DOB 1/26/10, JV 10-09 Default Judgment (Order of Child/Family Protection) (HCN Tr. Ct., Apr. 14, 2010) (Rockman, A).*

The Court had continued a *Plea Hearing* so that the parents of the minor child could obtain counsel. The Court reconvened the hearing, and the parents failed to attend. Therefore, the Court issued a *Default Judgment*.

*In the Interest of Minor Child: A.S., DOB 09/14/08, JV 08-31 Order (Establishment of Paternal Child Support) (HCN Tr. Ct., Apr. 14, 2010) (Butterfield, M).*

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

*In the Interest of Minor Child: E.J.E., DOB 10/14/07, JV 09-12 Order (Termination of Jurisdiction) (HCN Tr. Ct., Apr. 14, 2010) (Matha, T).*

The Court terminated jurisdiction over this case due to the parent completing the dispositional requirements.

#### **APRIL 15, 2010**

*In the Interest of Minor Children: E.M.F., DOB 03/27/93; and M.R.F., DOB 01/25/99, JV 08-03 Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).*

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

*In the Interest of Minor Child: T.K.W., DOB 10/15/07, JV 07-42 Order (Notice of Termination) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).*

The Court notified the parties of its intent to terminate jurisdiction and supervision over the case.

*In the Interest of Minor Child: J.M.D., DOB 03/29/06, JV 06-14 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., Apr. 15, 2010) (Matha, T).*

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

#### **APRIL 16, 2010**

*In the Interest of Minor Children: E.D., DOB 12/14/00; O.A., DOB 09/18/03; R.A., DOB 10/26/06; and G.A., DOB 10/31/08, JV 09-07-10 Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 16, 2010) (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.

#### **APRIL 26, 2010**

*In the Interest of Minor Child: A.S., DOB 09/14/08, JV 08-31 Order (Establishment of Maternal Child Support) (HCN Tr. Ct., Apr. 26, 2010) (Butterfield, M).*

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

#### **APRIL 27, 2010**

*In the Interest of Minor Children: S.M., DOB 11/18/92; K.M., DOB 10/18/93; S.M., DOB 12/13/95; A.M., DOB 09/16/01; A.M., DOB 06/16/04; and A.M., DOB 03/14/06, JV 07-09-14 Order (Child Protection Review Hearing) (HCN Tr. Ct., Apr. 27, 2010) (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 opted to modify the instant case by adding dispositional requirements and removing the children from the home.

*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 (Modification of Paternal Reimbursement Obligation) (HCN Tr. Ct., Apr. 27, 2010) (Rockman, A).*

The Court had to determine whether to modify the paternal reimbursement obligation. The Court opted to modify the obligation.

#### **APRIL 28, 2010**

*In the Interest of Minor Children: C.D.L., DOB 03/28/07; and J.L., DOB 10/26/08, JV 10-03-04, Order (Continued Guardianship Hearing) (HCN Tr. Ct., Apr. 28, 2010) (Rockman, A).*

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

#### **APRIL 29, 2010**

*In the Interest of Minor Child: T.K.W., DOB 10/15/07, JV 007-42 Order (Termination of Jurisdiction) (HCN Tr. Ct., Apr. 29, 2010) (Matha, T).*

The Court terminated jurisdiction over this case in accordance with the recommendations of CFS.

**MAY 3, 2010**

*In the Interest of Minor Child: S.M., DOB 10/18/93, JV 07-10 Order (Capias Hearing) (HCN Tr. Ct., May 3, 2010) (Rockman, A).*

The Court granted CFS discretion to determine physical placement of the minor child with CFS.

**MAY 5, 2010**

*In the Interest of Minor Children: K.B.M., DOB 10/2/93; and A.D.M., DOB 03/16/94, JV 03-07, -09 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., May 5, 2010) (Rockman, A).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

**MAY 6, 2010**

*In the Interest of Minor Child: S.M., DOB 10/18/93, JV 07-10 Reissued Order (Capias Hearing) (HCN Tr. Ct., May 6, 2010) (Rockman, A).*

The Court reissued the order to correct a clerical mistake, namely the initials of the minor child were incorrect.

*In the Interest of Minor Child: L.A.M., DOB 12/16/00, JV 03-10 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., May 6, 2010) (Rockman, A).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

*In the Interest of Minor Child: D.B.M., DOB 10/06/07, JV 07-45 Order (Submission of Child Protection Guardianship Report and Home Study) (HCN Tr. Ct., May 6, 2010) (Rockman, A).*

The Court requested CFS to prepare and submit a guardianship report and home study.

*In the Interest of Minor Child: D.B.M., DOB 10/06/07, JV 07-45 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., May 6, 2010) (Rockman, A).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

**MAY 7, 2010**

*In the Interest of Minor Children: V.A.F., DOB 12/22/05; D.E.O., DOB 04/12/02; and A.E.O., DOB 02/23/01, JV 08-10-12, Order (Conditional Termination of Jurisdiction) (HCN Tr. Ct., May 7, 2010) (Rockman, A).*

The Court concurred with the recommendations of CFS and terminated its jurisdiction and supervision of the case.

**MAY 11, 2010**

*In the Interest of Minor Children: D.S., DOB 06/16/06; V.S., DOB 07/30/07; J.S., DOB 04/16/09; J.S., DOB 05/04/10; and*

*J.S., DOB 05/04/10, JV 10-12-16 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., May 11, 2010) (Matha, T).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor children.

**MAY 13, 2010**

*In the Interest of Minor Children: C.D.L., DOB 03/28/07; and J.L., DOB 10/26/08, JV 10-03-04 Order (Dismissal) (HCN Tr. Ct., May 13, 2010) (Rockman, A).*

The Court dismissed the case as the petitioner wished to withdraw her petition.

**MAY 14, 2010**

*In the Interest of Minor Children: D.S., DOB 06/16/06; V.S., DOB 07/30/07; J.S., DOB 04/16/09; J.S., DOB 05/04/10; and J.S., DOB 05/04/10, JV 10-12-16 Order (Emergency Removal Hearing) (HCN Tr. Ct., May 14, 2010) (Matha, T).*

The Court conducted an *Emergency Removal Hearing* at which it determined that the custody of the minor children was to remain with CFS. The Court also scheduled a *Plea Hearing*

**MAY 18, 2010**

*In the Interest of Minor Child: M.R.S., DOB 02/15/94, JV 08-36 Order (Submission of Child Protection Guardianship Report and Home Study) (HCN Tr. Ct., May 18, 2010) (Matha, T).*

The Court requested CFS to prepare and submit a guardianship report and home study.

**MAY 19, 2010**

*In the Interest of Minor Child: A.H., DOB 07/03/06 and E.I.V., DOB 11/22/07, JV 07-07, -52 Order (Notice of Termination) (HCN Tr. Ct., May 19, 2010) (Rockman, A).*

The Court notified the parties of its intent to terminate jurisdiction and supervision over the case.

*In the Interest of Minor Children: A.C., DOB 11/10/02; and R.C., DOB 10/17/01, JV 09-27-28 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., May 19, 2010) (Rockman, A).*

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor children.

**MAY 21, 2010**

*In the Interest of Minor Child: J.M.D., DOB 03/29/06; JV 06-14 Order (Motion Granted) (HCN Tr. Ct., May 21, 2010) (Matha, T).*

The Court had to determine whether to grant the petitioner's motion to convert a temporary guardianship to a permanent guardianship. After careful weighing of all the facts, the Court granted the motion

*In the Interest of Minor Child: C.J.D., DOB 05/19/93, JV 09-21, Order (Child Protection Review Hearing) (HCN Tr. Ct., May 21, 2010) (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.

#### **MAY 24, 2010**

*In the Interest of Minor Children: D.S., DOB 06/16/06; V.S., DOB 07/30/07; J.S., DOB 04/16/09; J.S., DOB 05/04/10; and J.S., DOB 05/04/10, JV 10-12-16 Order (Continuation of Plea Hearing) (HCN Tr. Ct., May 24, 2010) (Matha, T).*

The Court continued the *Plea Hearing* in order to allow one of the parties to obtain counsel.

*In the Interest of Minor Child: E.W., DOB 08/02/05, JV 10-10 Order (Entrance of Plea) (HCN Tr. Ct., May 24, 2010) (Rockman, A).*

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, a plea of guilty was entered by the mother of the minor child. The father pleaded not guilty and requested a jury trial. Accordingly, a *Dispositional Hearing* was scheduled for the mother, and a *Jury Trial* was scheduled for the father.

#### **MAY 28, 2010**

*In the Interest of Minor Children: L.L.T., DOB 06/23/96; R.R.T., DOB 03/16/94; and L.M.T., DOB 01/20/93, JV 07-62-63, Order (Child Protection Review Hearing) (HCN Tr. Ct., May 28, 2010) (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.



## **RECENT SUPREME COURT DECISIONS**

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#### **MARCH 1, 2010**

*Joyce Warner v. Ho-Chunk Nation et al., SU 09-02, CV 04-72 Decision (HCN Tr. Ct., Mar. 1, 2010) (Funmaker, D).*

The Court affirmed the HCN Trial Court decision finding that the Trial Court was correct in determining that the appellant could not grieve her non-disciplinary demotion.

#### **MARCH 16, 2010**

*Karen Litscher v. HCN Grievance Review Board et al., SU 09-03, CV 08-80 Decision (HCN S. Ct., Mar. 16, 2010) (Hunter, M).*

The Court reversed the Trial Court decision finding that the Trial Court abused its discretion by: 1) Making an award that exceeded the ERA; 2) Overturning the GRB decision that a minimal due process violation did not merit an award; 3) Making factual findings as to the method of damages to be awarded; 4) Failing to set forth the law upon which it calculated damages; and 5) Not citing any information in the administrative record upon which is based its finding that the GRB decision was arbitrary and capricious.

#### **MARCH 29, 2010**

*Kerry Funmaker v. HCN Grievance Review Board et al., SU 09-04, CV 08-18, 09-15, Decision (HCN S. Ct., Mar. 29, 2010) (Greendeer-Lee, J).*

The Court reversed the HCN Trial Court decision finding that the Trial Court abused its discretion by: 1) Making findings of fact rather than remanding to GRB; 2) Applying the arbitrary and capricious standard; 3) Failing to follow the precedent of the LoneTree decision; 4) Exceeding the scope of the prior remand order; and 5) Substituting findings of fact for the GRB's.

#### **MARCH 29, 2010**

*Cheryl Brinegar v. HCN Grievance Review Board et al., SU 09-09, CV 08-45 Decision (HCN S. Ct., Apr. 12, 2010) (Hunter, M).*

The Court reversed and remanded the case with instruction to the Trial Court to order the GRB to conduct another hearing allowing relevant witnesses to testify.



## **RECENT TRIAL COURT FILINGS**

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### **CHILD SUPPORT CASES**

#### **MARCH 4, 2010**

*Amanda Spears v. Jeremy L. Wilson, CS 10-09 (Matha, T).*

*Adria Sanford v. Cheskey Stanley*, CS 10-10 (Matha, T).

**MARCH 22, 2010**

*Myra J. Blackdeer v. William Thunder*, CS 10-11 (Rockman, A).

*Marissa Meyer v. Lance Crowder*, CS 10-12 (Rockman, A).

*Melony Crowder v. Lance Crowder*, CS 10-13 (Rockman, A).

**APRIL 6, 2010**

*Gwyn Prescott v. Curtis Prescott, Jr.*, CS 10-14 (Rockman, A).

**APRIL 7, 2010**

*State of Wisconsin ex rel. v. Timothy C. Scott.*, CS 10-15 (Rockman, A).

**APRIL 13, 2010**

*Tegan L. Sweeny v. Roland T. Labarge*, CS 10-16 (Rockman, A).

**APRIL 20, 2010**

*State of Wisconsin ex rel. v. Michael W. Decora*, CS 10-17 (Rockman, A).

*Patrick Collins v. Claire Billie*, CS 10-18 (Rockman, A).

**MAY 5, 2010**

*Lisa Routolo v. Joseph Cholka*, CS 10-19 (Rockman, A).

*State of Wisconsin ex rel. v. Ted L. Brown*, CS 10-20 (Rockman, A).

**MAY 11, 2010**

*State of Wisconsin ex rel. v. Lewis Frogg*, CS 10-21 (Matha, T).

**MAY 21, 2010**

*Heather Green v. Edward W. Cloud*, CS 10-22 (Rockman, A).

 **CIVIL CASES**

**MARCH 3, 2010**

*In the Interest of Minor Children: L.L., DOB 04/03/92; and A.L., DOB 10/19/93, by Eric Lonetree v. HCN Office of Tribal Enrollment*, CV 10-26 (Matha, T).

**MARCH 4, 2010**

*Ho-Chunk Nation et al. v. GRB et al.* CV 10-28 (Matha, T).

**MARCH 10, 2010**

*In the Interest of Adult CTF Beneficiary: Leon C. Blackcoon, DOB 07/29/89 v. HCN Office of Tribal Enrollment*, CV 10-29 (Rockman, A).

**MARCH 23, 2010**

*In the Interest of Minor Children: P.G., DOB 02/09/91; S.C., DOB 07/15/93; and A.L., DOB 09/26/94 by Shelly Thundercloud v. HCN Office of Tribal Enrollment*, CV 10-30 (Rockman, A).

**MARCH 30, 2010**

*In the Interest of Adult CTF Beneficiary: Christopher A. Montanez, DOB 05/12/88 v. HCN Office of Tribal Enrollment*, CV 10-31 (Matha, T).

**MARCH 31, 2010**

*In the Interest of Minor Child; A.A.G., DOB 11/13/92, by Michelle Lewis v. HCN Office of Tribal Enrollment*, CV 10-32 (Matha, T).

**APRIL 15, 2010**

*In the Interest of Minor Child; N.L.W., DOB 10/22/96, by Georgiana Funmaker v. HCN Office of Tribal Enrollment*, CV 10-27 (Matha, T).

**APRIL 21, 2010**

*Sabrina Quarder v. HCN et al.*, CV 10-33 (Rockman, A).

**APRIL 29, 2010**

*In the Interest of Incompetents: J.B., DOB 06/14/71; and E.B., DOB 07/27/78, by Joseph Brownthunder v. HCN Office of Tribal Enrollment*, CV 10-34 (Matha, T).

**MAY 4, 2010**

*In the Interest of Minor Child; K.T., DOB 09/27/98, by Mark Thundercloud v. HCN Office of Tribal Enrollment*, CV 10-35 (Rockman, A).

*In the Interest of Minor Child; R.L.D., DOB 01/14/01, by Nicole Alford v. HCN Office of Tribal Enrollment*, CV 10-36 (Rockman, A).

**MAY 18, 2010**

*Ho-Chunk Nation et al v. Nicole Koenig*, CV 10-37 (Matha, T).

*Ho-Chunk Nation et al v. Elgin Green*, CV 10-38 (Matha, T).

*Dept. of Wellness v. Vicki Greendeer*, CV 10-39 (Matha, T).

*Health Care Center v. Nicole Koenig*, CV 10-40 (Matha, T).

 **CIVIL GARNISHMENT CASES**

**MARCH 3, 2010**

*Midtown Dental Associates v. Kenneth Jardine*, CG 10-07 (Matha, T).

**MARCH 4, 2010**

*State of Wisconsin v. Leila A. Patton*, CG 10-08 (Matha, T).

*Joshua Ramirez & Rebecca Parchem v. Vanessa M. Parchem*, CG 10-09 (Matha, T).

*Radiology Associates of Wausau v. Lanette R. Walker*, CG 10-10 (Matha, T).

*American General Finance v. Rosemarie C. Funmaker*, CG 10-11 (Matha, T).

*Alliance Collection Agencies v. Evelyn Arendt*, CG 10-12 (Matha, T).

*Discover Card Services v. Mary Metoxen*, CG 10-13 (Matha, T).

*Robert & Donna Smith v. Michael & Heather Peterson*, CG 10-14 (Matha, T).

*Creditor Recovery Service v. Jerry D. McCrossen*, CG 10-15 (Matha, T).

*Black River Falls Memorial Hospital v. Robert Clemmerson*, CG 10-16 (Matha, T).

*Dean Health System v. Richard Cohoon*, CG 10-17 (Matha, T).

*Alliance Collection Agencies v. Lenny Cloud*, CG 10-18 (Matha, T).

*Gundersen Clinic LTD v. Lisa M. Stoller a/k/a Lisa M. Servant*, CG 10-19 (Matha, T).

**MARCH 24, 2010**

*Sauk Co. Clerk of Courts v. Tina L. Cashise*, CG 10-20 (Matha, T).

*Sauk Co. Clerk of Courts v. Vincent E. Lonetree*, CG 10-21 (Matha, T).

*Sauk Co. Clerk of Courts v. Kelly L. Logan*, CG 10-22 (Matha, T).

**APRIL 9, 2010**

*Alliance Collection Agencies v. Missy Redcloud*, CG 10-23 (Matha, T).

*Kris Kohlman Property Management v. Christine Simmons*, CG 10-24 (Matha, T).

**APRIL 13, 2010**

*Creditor Recovery Service v. Tina Faulkner*, CG 10-25 (Matha, T).

*Rick Bauer v. Jamie Wallace*, CG 10-26 (Matha, T).

*Dean St. Mary's v. Matthew Otto*, CG 10-27 (Matha, T).

*Creative Finance v. Charles Hopinkah*, CG 10-28 (Matha, T).

**APRIL 14, 2010**

*Creditor Recovery Service v. Evelyn Arendt*, CG 10-29 (Matha, T).

*Creative Finance v. Dennis Hawes*, CG 10-30 (Matha, T).

**APRIL 15, 2010**

*Van Boxel Auto Credit LLC n/k/a Broadway Auto Credit, Inc. v. Charles D. Baker, Sr.*, CG 10-31 (Matha, T).

*Target National Bank v. Lisa Lockmey*, CG 10-32 (Matha, T).

*Boscobel Area Health Care v. James Schier*, CG 10-32 (Matha, T).

*Mile Bluff Clinic v. Marie R. Thieme*, CG 10-32 (Matha, T).

*National Quick Cash v. Rebecca Pidgeon*, CG 10-35 (Matha, T).

*Franciscan Skemp Health v. Mary K. Cadotte*, CG 10-36 (Matha, T).

*Alliance Collection Agencies v. Tanya M. Behm*, CG 10-37 (Matha, T).

*Becker Vision Center v. Promise J. Bakken*, CG 10-38 (Matha, T).

*Mobile Link Cellular & Stereo, Inc. v. Donna R. Pabst*, CG 10-39 (Matha, T).

*Gerald M. Voelker, DDS v. Daniel S. Downing*, CG 10-40 (Matha, T).

**APRIL 16, 2010**

*James Esselman v. Curtis WhiteEagle* CG 10-41 (Matha, T).

*Alliance Collection Agencies v. Dean Kasper*, CG 10-42 (Matha, T).

*Alliance Collection Agencies v. Jackson A. Peterson*, CG 10-43 (Matha, T).

*Bay Finance Company v. Mona L. Funmaker*, CG 10-44 (Matha, T).

*Cottonwood Financial Service v. David Van Slyke*, CG 10-45 (Matha, T).

*Lebakkens Rent to Own v. Jennifer Dominguez*, CG 10-46 (Matha, T).

**MAY 6, 2010**

*Sauk Co. Clerk of Courts v. Christopher Lichman*, CG 10-47 (Matha, T).

*Sauk Co. Clerk of Courts v. Barbara Funmaker*, CG 10-48 (Matha, T).

*Black River Memorial Hospital v. Gina Whiteeagle*, CG 10-49 (Matha, T).

*Value Auto Mart v. Gerald A. Carroll, Jr.*, CG 10-50 (Matha, T).

*Nekoosa Cash Advance v. Dawn Smith*, CG 10-51 (Matha, T).

*Gundersen Clinic LTD v. James Rochester*, CG 10-52 (Matha, T).

*Alliance Collection Agencies v. Donna R. Pabst*, CG 10-53 (Matha, T).

**MAY 10, 2010**

*State of Wisconsin v. Brian Martin*, CG 10-54 (Matha, T).

**MAY 6, 2010**

*U.S. Bank v. Frank Borvansky, Jr.*, CG 10-55 (Matha, T).

 **JUVENILE CASES**

**MARCH 24, 2010**

*In the Interest of Minor Child: A.M.*, DOB 01/26/00, JV 10-09 (Rockman, A).

**APRIL 6, 2010**

*In the Interest of Minor Child: E.W.*, DOB 08/02/05, JV 10-10 (Rockman, A).

**APRIL 8, 2010**

*In the Interest of Minor Child: B.B.D.*, DOB 01/11/10, JV 10-11 (Rockman, A).

**MAY 10, 2010**

*In the Interest of Minor Child: S.S.*, DOB 06/16/06, JV 10-12 (Matha, T).

*In the Interest of Minor Child: V.S.*, DOB 07/30/07, JV 10-13 (Matha, T).

*In the Interest of Minor Child: J.S.*, DOB 04/16/09, JV 10-14 (Matha, T).

*In the Interest of Minor Child: J.S.*, DOB 05/04/10, JV 10-15 (Matha, T).

*In the Interest of Minor Child: J.S.*, DOB 05/04/10, JV 10-16 (Matha, T).

**MAY 26, 2010**

*In the Interest of Minor Child: T.M.*, DOB 07/04/07, JV 10-17 (Matha, T).

 **FAMILY CASES**

**MARCH 3, 2010**

*Marilyn Prado v. Antonio Prado*, FM 10-01 (Matha, T).

 **DOMESTIC VIOLENCE**

**NO FILINGS AT THIS TIME.**

**RECENT SUPREME COURT FILINGS**

**NO FILINGS AT THIS TIME.**



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

**Supreme Court** – Mary Jo B. Hunter, Chief Justice

Joan Greendeer-Lee, Associate Justice

Dennis Funmaker, Associate Justice

Clerk of Court, Supreme Court– Tari Pettibone

**Traditional Court** – Earl Blackdeer

Wayne Falcon

Dennis Funmaker

Cecil Garvin

Conroy Greendeer

Roy Greengrass

Thomas Hopinkah

Richard Mann

Desmond Mike

Douglas Red Eagle

Preston Thompson, Jr.

Eugene Thundercloud

Morgan Whiteeagle

Clayton Winneshiek

**Trial Court** – Todd R. Matha, Chief Judge

Amanda L. Rockman, Associate Judge

Clerk of Court, Trial Court – Marcella Cloud

Assistant Clerk of Court, Trial Court – Selina Joshua

Assistant Clerk of Court, Trial Court – Margaret Falcon

Administrative Assistant – Rosalie Kakkak

Bailiff – Al Carrimon

Law Clerk/Staff Attorney – Joshua Rees (Ed.)

Law Clerk/Staff Attorney – Rebecca Maki

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

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

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

HCN Judiciary Fee Schedule

Filing Fees

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

Court Fees

Copying

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

Legal Citation Forms

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

Ho-Chunk Nation Constitution

Constitution, Article Number, Section, Subsection.

HCN CONST., Art. II, Sec. (or §) 1(a).

Ho-Chunk Nation Code

Ordinance/Act Name Title Number HCC Section.

ELDER PROTECTION ACT, 4 HCC § 1.

EMPLOYMENT RELATIONS ACT, 6 HCC § 5.

(for detailed citation information consult LEGISLATIVE ORGANIZATION ACT, 2 HCC § 11.36)

HCN Supreme Court Case Law

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

*Johnson v. Department Inc.*, SU 96-21 (HCN S. Ct., Aug. 14, 1996).

HCN Trial Court Case Law

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

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

Ho-Chunk Nation Rules of Civil Procedure

*HCN R. Civ. P.* 19(B).

# HO-CHUNK NATION COURT BULLETIN

June/July 2010 Issue



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## Eighth Circuit Upholds Tribal Civil Jurisdiction over Nonmembers

The United States Court of Appeals for the Eighth Circuit recently upheld the Sac & Fox Tribe of the Mississippi in Iowa's (hereinafter "the Tribe") civil jurisdiction over the nonmember corporation of Attorney's Process and Investigation Services, Inc. (hereinafter "API"). *Attorney's Process & Investigation Servs., Inc. v. Sac & Fox Tribe of the Mississippi in Iowa*, No. 09-2605, 2010 U.S. App. LEXIS 13789 (8th Cir. July 7, 2010). API sought a declaratory judgment that the tribal court lacked subject matter jurisdiction over the Tribe's tort claims. *Id.* at 1. The District Court ruled in favor of the Tribe's jurisdiction, and API appealed. *Id.* at 2.

The Tribe's tort claims against API arise from events that took place in 2003. At the time, the Tribe was experiencing a power struggle between the Walker Council and the Bear Council. The Bear Council won a special election on May 22, 2003, but the Walker Council refused to step down. *Id.* at 5. The standoff between the two councils led the National Indian Gaming Commission (NIGC) to close down the Tribe's casino. *Id.* Shortly after the special election, Walker contracted with API to "perform services directly relating to the investigation of a takeover by dissidents at the Tribe's facility located on the Tribe's reservation lands." *Id.* at 6.

On October 1, 2003, agents of API, armed with batons and at least one firearm, forced their way into the casino and tribal government offices occupied by the Bear Council. *Id.* In 2005, the Tribe brought a tort action against API in tribal court, alleging that API caused "\$7,000.00 in property damage, wrongfully seized confidential information related to

the Tribe's gaming operations and finances, and committed intentional torts against tribal members." *Id.* at 7. The Tribe made official claims for trespass to tribal land and chattels, misappropriation of tribal trade secrets, and conversion of over \$1,000,000.00 in tribal funds paid to API under its contract with Walker. *Id.*

The United States Supreme Court has recognized two categories of nonmember conduct that may be regulated by tribes. First, a "tribe may regulate, through taxation, licensing, or other means, the activities of nonmembers who enter consensual relationships with the tribe or its members, through commercial dealing, contacts, leases, or other arrangements." *Id.* at 17 (quoting *Montana v. United States*, 450 U.S. 544, 565 (1981)). Second, a "tribe may also retain inherent power to exercise civil authority over the conduct of non-Indians . . . within its reservation when that conduct

threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe.” *Id.* (quoting *Montana*, 450 U.S. at 566).

API argued the court should only consider the elements of the tribal regulation or cause of action in evaluating its conduct. It argued that because tort claims in general may not threaten the political integrity, economic security, or health or welfare of the tribe, the tribal courts do not have jurisdiction. *Id.* at 22. API maintained that the limits on tribal jurisdiction were a function of positive tribal law. *Id.* The Eighth Circuit held that API misinterpreted *Montana* and misstated the source of the Tribe’s civil authority. *Id.* at 24.

*Montana* recognized that the tribes retain inherent sovereign power. The Eighth Circuit held that its task is to apply *Montana* to determine the boundaries of the retained sovereign power. *Id.* at 24. These boundaries are established by federal law, not positive tribal law. *Id.* Once a court determines that API’s conduct is within the scope of the Tribe’s power to regulate as a matter of federal law, it will not make any inquiries as to positive tribal law. *Id.* at 24-25. Thus the Tribe’s adjudicatory jurisdiction does not hinge on whether or not the Tribe’s legislature has actually codified any laws regulating API’s specific conduct. Such conduct need only be a type of conduct that the Tribe has the power to regulate under *Montana* if it so chooses.

The Eighth Circuit found the Tribe retained the inherent power to regulate API’s conduct, since an armed trespass was an attack at the political integrity, economic security, and the health and welfare of the Tribe. *Id.* at 27. API’s raid intended to return the Walker Council to power after it was removed by special election. *Id.* This constituted a direct attack on heart of tribal sovereignty occurring on the Tribe’s trust land. Thus, the tribal court had adjudicatory jurisdiction over API’s conduct. *Id.*

The Eighth Circuit found the Tribe’s claim for conversion of tribal funds to be materially different from the torts committed during API’s raid. The court held the conversion claim arose out of API’s contract with Walker, and not from the raid on the Tribe’s trust land. *Id.* at 30-31. Therefore, the conversion claim could not fall under the second *Montana* exception because the action did not occur on the Tribe’s trust land. *Id.* at 31. The court acknowledged that the conversion claim could be indirectly linked to the raid on the Tribe’s trust land, but the Tribe did not specifically allege what portion of the funds converted related directly to the raid. *Id.* at 32. A tribal court could have civil jurisdiction over the conversion claim if it falls under the first *Montana* exception. As this issue was never decided, the court remanded the conversion issue to the District Court for consideration.



## Welcome Staff Attorney Zach Atherton-Ely



On August 2, 2010, Zachary H. Atherton-Ely began his two year term as staff attorney for the Trial Court. He graduated from the State University of New York College at Geneseo in 2006 with a Bachelor of Arts in Political Science and International Relations. In 2009, Zachary earned his Juris Doctor from the University of Minnesota. During law school, he served as a certified student attorney for the Indian Child Welfare Act Law Center in Minneapolis. After graduation, Zachary continued on at the ICWA Law Center as a volunteer and later participated in a post-graduate research fellowship. Zachary is looking forward to working for the Ho-Chunk Judicial System and the people they serve.



## TRIBAL COURT CLERK TRAINING AND 15<sup>TH</sup> ANNUAL LAW DAY

On October 6-7, 2010, the HCN Trial Court will host a Tribal Court Clerk Training and the Fifteenth Annual Law Day. The Clerk Training is open to current and new clerks. The purpose of the training is to provide clerks with a better understanding of basic legal concepts they might encounter during the course of their service. As in the past, Law Day is designed as a continuing legal education program for legal practitioners, and a community education event for tribal members. The trainings will be held in conjunction with the annual meeting of the Wisconsin Tribal Judge's Association, Inc., at the Ho-Chunk Trial Court in Black River Falls, WI.

The discussion topics for the Tribal Court Clerk Training will include: Jurisdiction, Confidentiality, Due Process, and Transparency. Additionally, the topics for Law Day will include: Burden of Proof, Waivable Defenses, Dismissals With or Without Prejudice, and Post-Judgment Motions. A complete agenda can be found at our website: <http://www.ho-chunknation.com/?PageId=352>. As always, Law Day will conclude with the annual golf outing. A small fee will be required. All training participants are welcome to attend. The Court is anticipating that the Wisconsin Supreme Court Board of Bar Examiners will award 3 continuing legal education credits this year. Both trainings are free of charge and any questions should be directed to Staff Attorney Rebecca L. Maki at (715) 284-2722.–HCN-



### UPDATES FROM OUTSIDE JURISDICTIONS

#### UNITED STATES COURTS OF APPEALS, 7<sup>TH</sup> CIRCUIT

*Menominee Tribal Enterprises v. Solis*, No. 09-2806, 37 Indian L. Rep. (7<sup>th</sup> Cir., Mar. 24, 2010). The U.S. Court of Appeals for the Seventh Circuit concludes that the sawmill and related commercial activities of the Menominee Tribe's enterprises are subject to the Occupational Safety and Health Act, and thus denies the petition for review.

#### UNITED STATES COURTS OF APPEALS, 9<sup>TH</sup> CIRCUIT

*Doe et al. v. Kamehameha Schools/Bernice Pauahi Bishop Estate et al.*, No. 09-15448, 37 Indian L. Rep. 2051 (9<sup>th</sup> Cir., Mar. 2, 2010). The U.S. Court of Appeals for the Ninth Circuit affirms the district court's order dismissing an action challenging the admissions policy of a private school

based on the plaintiff's failure to disclose their identities, finding that the district court did not abuse its discretion in determining that the Doe children do not reasonably fear severe harm.

*United States v. Maggi et al.*, Nos 08-30223 and 09-30052, 37 Indian L. Rep. 2055 (9<sup>th</sup> Cir., Mar. 16, 2010). Applying a two-part test for determining whether the defendants are "Indians" for purposes of their convictions under the Major Crimes Act, the U.S. Court of Appeals for the Ninth Circuit reverses the district court and vacates the convictions, finding that the defendants were not Indians within the meaning of the Act.

#### UNITED STATES COURTS OF APPEALS, 10<sup>TH</sup> CIRCUIT

*Stewart v. Coffey et al.*, No. 09-6233, unpublished, 37 Indian L. Rep. 2059 (10<sup>th</sup> Cir., Mar. 9, 2010). The U.S. Court of Appeals for the Tenth Circuit affirms the district court's dismissal, for lack of subject matter jurisdiction and failure

to state a claim upon which relief can be granted, of a complaint alleging work-related injuries from termination of employment in the Comanche Nation's gaming enterprises.

## UNITED STATES COURTS OF APPEALS, FEDERAL CIRCUIT

*Eastern Shawnee Tribe of Oklahoma v. United States*, No. 2008-5102, 37 Indian L. Rep. 2060 (Fed. Cir., Mar. 17, 2010). The U.S. Court of Appeals for the Federal Circuit holds that 28 U.S.C. § 1500 does not bar an action filed in the U.S. Court of Federal Claims when an action filed in U.S. district court seeks different relief, and the district court lacks jurisdiction to award the relief sought in the Court of Federal Claims in an action against the United States seeking damages for alleged breach of fiduciary duty as trustee of tribal assets and property.



## RECENT TRIAL COURT DECISIONS

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

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

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

## CHILD SUPPORT CASES

JUNE 14, 2010

*State of Wisconsin ex rel. v. Erik J. Littlegeorge*, CS 09-21 Order (*Ceasing Child Support Against Wages & Per Capita*) (HCN Tr. Ct., June 14, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner and respondent's joint motion to suspend child support withholding from the respondent's wages and per capita. As the underlying court terminated the underlying order, the Court granted the motion.

*Sandra R. Ozuna v. Michael A. Koran*, CS 08-13 Order (*Ceasing Arrearage Withholding from Wages*) (HCN Tr. Ct., June 14, 2010) (Rockman, A).

The Court had to determine whether to grant the respondent's motion to suspend arrearage withholding. A certified account statement, which accompanied the motion, certified that the arrears have been paid in full. The Court granted the motion.

*State of Wisconsin ex rel. v. Curtis Prescott, Jr.*, CS 10-14 Default Judgment (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., June 14, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. Timothy C. Scott*, CS 10-15 Default Judgment (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., June 14, 2010) (Rockman, A).

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

### JUNE 30, 2010

*Johnathan C. Finch v. Allyson L. Finch*, CS 05-27 Order (*Suspending Child Support Withholding – Per Capita*) (HCN Tr. Ct., June 30, 2010) (Rockman, A).

The Court had to determine whether to grant the respondent's motion to suspend child support withholding from the respondent's per capita. As the underlying court suspended both the child support and arrearage withholding, the Court granted the motion.

*Hilary Green v. Jay Blackdeer*, CS 09-24 Order (*Updating Arrearage Withholding*) (HCN Tr. Ct., June 30, 2010) (Rockman, A).

The Court updated the arrears owed for child support withholding.

*Sara Dick v. John Dick*, CS 10-08 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., June 30, 2010) (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.

*County of Pine ex rel. v. Amber M. Downwind*, CS 10-05 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., June 30, 2010) (Rockman, A).

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

#### **JULY 1, 2010**

*State of Wisconsin v. Marsha H. Funmaker*, CS 05-31 Order (Suspending Child Support & Arrearage Withholding – Per Capita) (HCN Tr. Ct., July 1, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion requesting that the Court suspend the respondent's child support and arrearage obligations. As the underlying court order suspended the respondent's child support obligation and her arrearages have been paid in full, the Court granted the motion.

*Roberta Diaz v. Leonides A. White*, CS 05-17 Order (Cease Child Support Withholding – Per Capita) (HCN Tr. Ct., July 1, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding from the respondent's per capita. As the underlying court terminated its order due to the minor children's emancipation, the Court granted the motion.

*Dawn Bell v. Donnie Schaitel*, CS 07-84 Order (Cease Child Support Withholding – Per Capita) (HCN Tr. Ct., July 1, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease child support withholding from the respondent's per capita. As the underlying court terminated its order, the Court granted the motion.

#### **JULY 6, 2010**

*Carol Barnes et al. v. Timothy W. Bourdon*, CS 98-59 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 6, 2010) (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.

*Jacqueline Steward v. Marcus Kerby*, CS 08-17 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 6, 2010) (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.

*Lori Dorwin v. Glen Decorah*, CS 97-80 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 6, 2010) (Matha, T).

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

*State of Wisconsin ex rel. v. Vern WhiteEagle*, CS 03-14, 10-03 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., July 6, 2010) (Matha, T).

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

#### **JULY 7, 2010**

*Barbara Ann Gromoff v. Gregory D. Gromhoff*, CS 03-56 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 7, 2010) (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.

*Susan C. Oyama v. Alexander D. Gourd*, CS 00-27 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 7, 2010) (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.

*Dona J. Marinellow v. Howard Pettibone*, CS 01-32 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 7, 2010) (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.

*Julie M. Schlies v. Timothy E. Tebo*, CS 99-24 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 7, 2010) (Matha, T).

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

*State of Wisconsin ex rel. v. Fredrick K. Greendeer*, CS 99-74 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 7, 2010) (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.

*Pearl Mrotek v. Tanya Rave aka Mrotek*, CS 08-31 Notice (Child Turning Eighteen – Requiring Proof of Enrollment) (HCN Tr. Ct., July 7, 2010) (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.

*Sabrina Decorah v. Amery Decorah*, CS 05-98 Order (Updating & Enforcing Arrearage Withholding) (HCN Tr. Ct., July 7, 2010) (Matha, T).

The Court updated the arrears owed for child support withholding.

*Forest County Potawatomi Child Support Agency ex rel. v. Corena White Cloud*, CS 05-09 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 7, 2010) (Matha, T).

The Court updated the arrears owed for child support withholding.

*In re the Paternity of A.J.C. by Susanna Littlewolf v. Collin J. Cloud*, CS 05-52 Order (Suspending Child Support Withholding – Per Capita) (HCN Tr. Ct., July 7, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion requesting that the Court suspend the respondent's child support obligation. As the underlying court order suspended the respondent's child support obligation, the Court granted the motion.

*State of Wisconsin ex rel. v. Collin J. Cloud and In re the Paternity of A.J.C. by Susanna Littlewolf v. Collin J. Cloud and State of Wisconsin ex rel. v. Collin J. Cloud*, CS 05-42, -52, 09-45 Order (Modifying Equitable Adjustment) (HCN Tr. Ct., July 7, 2010) (Matha, T).

In a previous Order, the Court suspended child support withholding for CS 05-52. Therefore, the Court accordingly performed an equitable adjustment due to the respondent's serial payor status and termination of one child support obligation.

*Carissa L. Drake v. Cody A. Winters and Amanda M. Rosio v. Cody A. Winters*, CS 05-88-89 Order (Ceasing Arrearage Withhold – Per Capita) (HCN Tr. Ct., July 7, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion to cease arrearage withholding. Since a certified account statement, which accompanied the

motion, certified that the arrears have been paid in full, the Court granted the motion.

*State of Wisconsin ex rel. v. Lee J. Biard and State of Wisconsin ex rel. v. Lee J. Biard*, CS 06-53, -54 Order (Reinstating Child Support) (HCN Tr. Ct., July 7, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to reinstate child support for both cases. As the underlying court order reinstated the respondent's child support obligation, the Court granted the motion.

*State of Wisconsin ex rel. v. Stacy Yellowcloud and Sharon Chamberlain v. Stacy Yellowcloud and Alana R. Greengrass v. Stacy Yellowcloud*, CS 99-65, 08-35, -41 Order (Modifying Equitable Adjustment) (HCN Tr. Ct., July 7, 2010) (Matha, T).

In a previous Order, the Court suspended child support withholding for CS 08-35. Therefore, the Court accordingly performed an equitable adjustment due to the respondent's serial payor status and termination of one child support obligation.

*Angela Marie (Hoffman) Parker v. Clinton Coy Sitze*, CS 07-79 Order (Modifying Child Support Against Per Capita) (HCN Tr. Ct., July 7, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion to modify the respondent's child support obligation. The respondent failed to timely respond, and since the underlying court order had changed, the Court granted the motion.

*Amanda Spears v. Jeremy L. Wilson*, CS 10-09 Default Judgment (Enforcing Child Support) (HCN Tr. Ct., July 7, 2010) (Matha, T).

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

*State of Wisconsin ex rel. v. Michael W. Decora*, CS 99-03, 05-17, 10-17 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., July 7, 2010) (Matha, T).

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

*Ethel Jeanette Dakota v. Marcus Chapman and Angie Higdon v. Marcus Chapman*, CS 04-28, 10-23 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., July 7, 2010) (Rockman, A).

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

#### **JULY 8, 2010**

*State of Wisconsin ex rel. v. Genevieve Pettibone*, CS 08-86 Order (Cessation of Current Child Support) (HCN Tr. Ct., July 8, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion requesting that the Court cease the respondent's child support obligation. As the underlying court order ceased the respondent's child support obligation, the Court granted the motion.

*Carla R. L. Cornish a/k/a Meeks v. Luther Dixon II and Nicolette Smith v. Luther Dixon II and State of Iowa ex rel. v. Luther Dixon II*, CS 99-11-12, 00-12 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., July 8, 2010) (Rockman, A).

The Court had to determine whether to enforce outstanding arrears against the respondent's per capita payments. The respondent maintained an outstanding arrearage obligation; therefore, the Court updated the amount of arrearage withholding. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

*Mary J. Sams v. Daniel L. Sams*, CS 09-65 Order (Cessation of Current Child Support) (HCN Tr. Ct., July 8, 2010) (Rockman, A).

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

*Patrick K. Collins v. Claire R. Billie*, CS 10-18 Order (Enforcing Child Support) (HCN Tr. Ct., July 8, 2010) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent timely answered and a hearing was scheduled. The Court granted child support enforcement in accordance with the underlying foreign court order.

#### **JULY 9, 2010**

*Heidi A. Simenson v. Joseph W. Bowling and State of Wisconsin v. Joseph W. Bowling*, CS 04-25, 10-07 Order (Modifying Child Support & Equitable Adjustment) (HCN Tr. Ct., July 9, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's recent motion to modify. The respondent failed to timely respond, thus the Court granted the motion. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

*State of Wisconsin ex rel. v. Ted L. Brown*, CS 00-37 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., July 9, 2010) (Rockman, A).

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

*Pamela Berefsky v. Darryl Berefsky*, CS 09-69 Order (Modifying Arrears) (HCN Tr. Ct., July 9, 2010) (Matha, T).

The Court updated the arrears owed for child support withholding. Additionally, the Court had to determine whether to grant the petitioner's motion to cease child support withholding from the respondent's per capita. As the underlying court terminated its order, the Court granted the motion.

*Anna Kingswan v. Anthony Kingswan*, CS 05-78 Order (Modifying Child Support Against Wages) (HCN Tr. Ct., July 9, 2010) (Matha, T).

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

*State of Minnesota ex rel. v. Roy C. Bartlett*, CS 08-26 Order (Reinstating Per Capita Child Support Withholding) (HCN Tr. Ct., July 9, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion to reinstate child support. As the underlying court order reinstated the respondent's child support obligation, the Court granted the motion.

*Josephine Shegonee v. Justin Decora and State of Wisconsin ex rel. v. Justin Decora*, CS 03-06, 05-91 Order (Ceasing Child Support & Updating Arrears) (HCN Tr. Ct., July 9, 2010) (Rockman, A).

The Court updated the arrears owed for child support withholding.

*State of Wisconsin ex rel. v. Charles M. Smith*, CS 08-32 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., July 9, 2010) (Rockman, A).

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

#### **JULY 13, 2010**

*Hope Smith v. Kenneth Smith and State of Wisconsin v. Kenneth Smith*, CS 98-17, 06-47 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 13, 2010) (Matha, T).

The Court updated the arrears owed for child support withholding.

*State of Wisconsin ex rel. v. Edward W. Cloud*, CV 97-94 Order (Cease Child Support Withholding) (HCN Tr. Ct., July 13, 2010) (Rockman, A).

The Court had to determine whether to terminate the respondent's child support obligations due to the child's emancipation. In accordance with the underlying court's state law, the Court terminated the respondent's support obligation.

#### **JULY 14, 2010**

*Marissa Lynn Youngthunder v. Michael Blaine Youngthunder, Sr.*, CS 06-40 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., July 14, 2010) (Rockman, A).

The Court had to determine whether to grant a motion to modify, and recognize a stipulation entered into by the parties in the underlying court. The Court accordingly granted recognition and enforcement of the motion to modify.

*Jaclyn J. Carriaga v. Jorden L. Vidana and State of Wisconsin ex rel. v. Jorden L. Vidana*, CS 07-47, 09-61 Order (Updating Arrearage Withholding) (HCN Tr. Ct., July 14, 2010) (Rockman, A).

The Court updated the arrears owed for child support withholding.

#### **JULY 15, 2010**

*Stacy L. Spry v. Levi A. Lincoln*, CS 07-81 Order (Cease Child Support Withholding – Per Capita) (HCN Tr. Ct., July 15, 2010) (Rockman, A).

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

*Rebecca J. Akers v. Dario Aleman*, CS 02-10 Order (Cease Child Support Withholding – Per Capita) (HCN Tr. Ct., July 15, 2010) (Rockman, A).

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

*Carmelita Varela v. George Plamann*, CS 99-52 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., July 15, 2010) (Rockman, A).

The Court had to determine whether to grant a motion to modify, and recognize a stipulation entered into by the parties in the underlying court. The Court accordingly granted recognition and enforcement of the motion to modify.

*Julie M. Schlies v. Timothy E. Tebo*, CS 99-24 Order (Proof of Enrollment Filed) (HCN Tr. Ct., July 15, 2010) (Matha, T).

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

*Michelle Stacy v. Zachary Thundercloud*, CS 01-24 Order (Cease Child Support Withholding – Per Capita) (HCN Tr. Ct., July 15, 2010) (Rockman, A).

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

*State of Wisconsin ex rel. v. Max P. Funmaker*, CS 99-28, 00-03 Order (Modifying Equitable Adjustment) (HCN Tr. Ct., July 15, 2010) (Matha, T).

In a previous Order, the Court suspended a third child support withholding. Therefore, the Court accordingly performed an equitable adjustment due to the respondent's serial payor status and termination of one child support obligation.

#### **JULY 16, 2010**

*Carol Barnes et al. v. Timothy W. Bourdon and Kathleen Waukau-Bourdon v. Timothy W. Bourdon*, CS 98-59, 99-69 Order (Modifying & Enforcing Child Support) (HCN Tr. Ct., July 16, 2010) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita. The respondent timely answered, and a hearing was scheduled. The Court granted child support enforcement in accordance with the underlying foreign court order. Due to the serial payor status of the respondent, the Court also performed an equitable adjustment.

## **JULY 20, 2010**

*Jessica Cloud v. Joshua D. Cloud, Sr.*, CS 03-34 Order (Erratum) (HCN Tr. Ct., July 20, 2010) (Rockman, A).

The Court issued an *Erratum* to correct a clerical mistake.

# **CIVIL GARNISHMENT**

## **CASES**

### **JUNE 1, 2010**

*U.S. Bank, N.A. v. Frank J. Borvansky, Jr.*, CG 10-55 Order (Petition Granted) (HCN Tr. Ct., June 1, 2010) (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 respondent, however, failed to attend, causing the Court to grant a judgment in favor of the petitioner.

### **JUNE 2, 2010**

*Capital One Bank v. Patricia A. Houghton*, CG 09-78 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 2, 2010) (Matha, T)

The Court closed the file as the petitioner had indicated that it had relieved the respondent of any further obligations.

### **JUNE 3, 2010**

*Black River Memorial Hospital v. Gina Whiteeagle*, CG 10-49 Order (Default Judgment) (HCN Tr. Ct., June 3, 2010) (Matha, T).

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

### **JUNE 6, 2010**

*Alliance Collection Agencies, Inc. v. Kathleen S. Radle*, CG 08-68 Order (Granting Motion to Modify) (HCN Tr. Ct., June 6, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's *Motion to Modify*. The respondent failed to timely respond to the motion; therefore, the Court granted the motion.

### **JUNE 7, 2010**

*Value Auto Mart, Inc./Value Finance v. Gerald A. Carroll, Jr.*, CG 10-50 Order (Requiring Amended Petition) (HCN Tr. Ct., June 7, 2010) (Matha, T).

The Court required an amended petition showing the underlying foreign judgment had been revived.

## **JUNE 8, 2010**

*Gunderson Lutheran Med. Ctr. v. Andrea Pettibone*, CG 09-113 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 8, 2010) (Matha, T).

The Court closed the file as the petitioner had indicated that it had relieved the respondent of any further obligations.

*Gunderson Lutheran Med. Ctr. v. Darci & Lucas Spangler*, CG 09-87 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 8, 2010) (Matha, T).

The Court closed the file as the petitioner had indicated that it had relieved the respondent of any further obligations.

*Jeffrey M. Julian v. Melissa Thunder*, CG 08-82 Order (Granting Telephonic Appearance) (HCN Tr. Ct., June 8, 2010) (Matha, T).

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

*Alliance Collection Agencies, Inc. v. Donna R. Pabst*, CG 10-53 Order (Default Judgment) (HCN Tr. Ct., June 8, 2010) (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. James Rochester*, CG 10-52 Order (Default Judgment) (HCN Tr. Ct., June 8, 2010) (Matha, T).

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

### **JUNE 18, 2010**

*Alliance Collection Agencies, Inc. v. John A. Whitewing*, CG 09-03 Order (Granting Motion to Modify) (HCN Tr. Ct., June 18, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's *Motion to Modify*. The respondent failed to timely respond to the motion; therefore, the Court granted the motion.

*In the Matter of the Outstanding Obligations of: Reginald E. Haskins*, CG 09-80 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 18, 2010) (Matha, T)

The Court closed the file as the county had indicated that it had relieved the debtor of any further obligations.

*Alliance Collection Agencies, Inc. v. Missy Redcloud*, CG 10-23 Order (Default Judgment) (HCN Tr. Ct., June 18, 2010) (Matha, T).

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

**JUNE 24, 2010**

*Sauk County Clerk of Courts v. Rebecca A. Pidgeon*, CG 09-127 Order (Satisfaction of Judgment) (HCN Tr. Ct., June 24, 2010) (Matha, T)

The Court closed the file as the petitioner had indicated that it had relieved the respondent of any further obligations.

*Kris Kohlman Property Management, LLC v. Christine Simmons*, CG 10-24 Order (Default Judgment) (HCN Tr. Ct., June 24, 2010) (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.

*Cottonwood Financial Services v. David Van Slyke*, CG 10-45 Order (Dismissal) (HCN Tr. Ct., June 24, 2010) (Matha, T).

The Court granted petitioner's motion to dismiss.

**JUNE 28, 2010**

*In the Matter of the Outstanding Obligations of: Waylen D. Green*, CG 10-56 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., June 28, 2010) (Matha, T).

The Court must determine whether to grant full faith and credit to a foreign judgment. The circuit court filed a certified copy of its money judgment, representing an assessment of judicial fines and penalties. The Court enforces the foreign judgment out of due respect to its state counterpart.

**JUNE 30, 2010**

*Mile Bluff Clinic, LLP v. Peter M. Grossheim*, CG 10-59 Order (Default Judgment) (HCN Tr. Ct., June 30, 2010) (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 Recover Service, LLC v. Rita Blade flk/a Rita Pillsbury*, CG 10-58 Order (Default Judgment) (HCN Tr. Ct., June 30, 2010) (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, 2010**

*Community Dental, LLC v. Gloria Ward*, CG 10-57 Order (Default Judgment) (HCN Tr. Ct., July 13, 2010) (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 Courts v. Jerry W. St. Cyr.*, CG 10-60 Order (Default Judgment) (HCN Tr. Ct., July 13, 2010) (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 14, 2010**

*Jeffery M. Julian v. Melissa Thunder*, CG 08-82 Order (Granting Post-Judgment Motion) (HCN Tr. Ct., July 14, 2010) (Matha, T).

The respondent filed a post-judgment motion to modify the previous court order. After a hearing on the matter, the Court granted the respondent's post-judgment motion to suspend the wage garnishment. The respondent established an exemption to the earnings garnishment.

**JULY 26, 2010**

*Nekoosa Cash Advance, LLC v. Dawn M. Smith*, CG 10-51 Order (Default Judgment) (HCN Tr. Ct., July 26, 2010) (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 27, 2010**

*Creative Finance, Inc. v. Charles Hopinkah*, CG 10-28 Order (Default Judgment) (HCN Tr. Ct., July 27, 2010) (Matha, T).

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

*In the Matter of Outstanding Obligations of: Christopher A. Lichman*, CG 10-47 Order (Satisfaction of Judgment) (HCN Tr. Ct., July 27, 2010) (Matha, T)

The Court closed the file as the county had indicated that it had relieved the debtor of any further obligations.

## **JULY 30, 2010**

*James Esselman, DDS v. Evelyn Arendt*, CG 10-63 Order (Default Judgment) (HCN Tr. Ct., July 30, 2010) (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 Falls Memorial Hospital v. Eleanor S. Decorah*, CG 10-62 Order (Default Judgment) (HCN Tr. Ct., July 30, 2010) (Matha, T).

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

## **CIVIL CASES**

### **JULY 23, 2010**

*Gerald Cleveland, Jr. v. Wilfrid Cleveland, President of the Ho-Chunk Nation v. Elliot Garvin et al.*, CV 08-36 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., July 23, 2010) (Matha, T).

The Court conditionally dismissed the action due to six (6) months of inactivity, unless the parties demonstrate good cause to the contrary in writing.

### **JULY 27, 2010**

*Rita Gardner v. Tracy Littlejohn et al.*, CV 10-47 Scheduling Order (HCN Tr. Ct., July 27, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

## **ADMINISTRATIVE APPEALS**

### **JUNE 8, 2010**

*Julie Schultz v. HCN GRB*, CV 08-34 Order (Conditional Dismissal with Prejudice) (HCN Tr. Ct., June 8, 2010) (Matha, T).

The Court conditionally dismissed the action due to six (6) months of inactivity, unless the parties demonstrated good cause to the contrary in writing.

### **JUNE 9, 2010**

*Ho-Chunk Nation et al. v. HCN GRB et al.*, CV 10-07 Order (Regarding Conflicts of Interest) (HCN Tr. Ct., June 9, 2010) (Rockman, A).

The Court had to determine whether a conflict of interest arose in connection with petitioners' counsel continual representation of the petitioner in a case against the GRB, while the counselor previously and simultaneously represented the GRB in different cases. The Court established that concurrent conflicts of interest can arise from the lawyer's responsibilities to another client, a former client, a third party, or from the lawyer's own

interest. The petitioners' counsel cannot overcome the conflict, because a concurrent conflict of interest exists if the representation of one client will be directly adverse to another client. Thus, the Court found that attorneys may not simultaneously represent clients with adverse interests, even in unrelated matters.

### **JUNE 16, 2010**

*Alvane King v. HCN GRB*, CV 10-53 Scheduling Order (HCN Tr. Ct., June 16, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

### **JUNE 21, 2010**

*Kyle Funmaker v. HCN GRB*, CV 10-12 Order (Granting Stay) (HCN Tr. Ct., June 21, 2010) (Matha, T).

The Court had to determine whether to grant the respondent's motion seeking a stay of the proceedings for thirty (30) days. The Court granted the motion and amended the scheduling order for good cause.

### **JUNE 23, 2010**

*Ho-Chunk Nation et al. v. HCN GRB*, CV 10-07 Order (Granting Stay) (HCN Tr. Ct., June 23, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion seeking a stay of the proceedings for thirty (30) days. The Court granted the motion and amended the scheduling order for good cause.

*Sarina Quarderer v. HCN GRB et al.*, CV 10-33 Order (Granting Stay) (HCN Tr. Ct., June 23, 2010) (Rockman, A).

The Court had to determine whether to grant the petitioner's motion seeking a stay of the proceedings for thirty (30) days. The Court granted the motion and amended the scheduling order for good cause.

### **JUNE 28, 2010**

*Kenneth Lee Twin v. HCN GRB et al.*, CV 08-79 Order (Notice of Oral Argument) (HCN Tr. Ct., June 28, 2010) (Rockman, A).

The petitioner requested that the Court entertain oral arguments. The Court granted the request.

### **JULY 12, 2010**

*Sarina Quarderer v. HCN GRB et al.*, CV 10-33 Order (Denial of Motion for Expedited Consideration) (HCN Tr. Ct., July 12, 2010) (Rockman, A).

The respondents filed a motion requesting expedited consideration of the motion for extension of time. The Court denied the motion for expedited consideration since the respondent failed to satisfy the two elements of *HCN R. Civ. P. 19(C)*. Specifically, the respondent failed to include the reasons why the accompanying motion should be heard prior to the normal time period, and, the respondents did not state what efforts they made to

resolve the issues with the opposing party prior to filing the motion.

#### **JULY 20, 2010**

*Ho-Chunk Nation et al. v. HCN GRB et al.*, CV 10-28 Order (Granting Extension) (HCN Tr. Ct., July 20, 2010) (Matha, T).

The Court had to determine whether to grant the petitioner's motion for extension of time to file. The Court granted the motion and modified the scheduling order for good cause.

#### **JULY 21, 2010**

*Ho-Chunk Nation et al. v. HCN GRB; Kyle Funmaker v. HCN GRB; Ho-Chunk Nation et al. v. HCN GRB; and Sarina Quarderer v. HCN GRB et al.*, CV 10-07, -12, -28, -33 Order (Status Hearing) (HCN Tr. Ct., July 21, 2010) (Matha, T and Rockman, A).

Institutional parties were required to obtain substitute legal counsel pursuant to a recent decision. See *HCN et al. v. HCN GRB et al.*, CV 10-07 (HCN Tr. Ct., June 9, 2010). The Court wished to address concerns regarding concurrent clients and non-waivable conflicts of interest. Therefore, the Court scheduled a joint status hearing.

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

#### **JUNE 3, 2010**

*In the Interest of Minor Child: D.E.A., DOB 12/09/1994, by Jamie L. Funmaker v. HCN Office of Tribal Enrollment*, CV 09-92 Order (Accepting Accounting) (HCN Tr. Ct., June 3, 2010) (Matha, T).

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

#### **JUNE 4, 2010**

*In the Interest of Minor Child: J.D.S., DOB 12/04/1993, by Angela Parker v. HCN Office of Tribal Enrollment*, CV 10-08 Order (Petition Granted in Part and Denied in Part) (HCN Tr. Ct., June 4, 2010) (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 and the purchase of an automobile. The Court granted the release of funds for costs associated with orthodontia and denied the release of funds for purchase of a new vehicle.

*In the Interest of Minor Children: B.A.T., DOB 09/11/1994, and C.A.T., DOB 07/06/1995, by Rosemary Thundercloud v. HCN*

*Office of Tribal Enrollment*, CV 09-68 Order (Motion Granted) (HCN Tr. Ct., June 4, 2010) (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 additional orthodontic procedures. The Court granted the motion.

#### **JUNE 10, 2010**

*In the Interest of Minor Child: N.L.W., DOB 10/22/1996, by Robert A. Whitewing v. HCN Office of Tribal Enrollment*, CV 10-27 Order (Accepting Accounting) (HCN Tr. Ct., June 10, 2010) (Matha, T).

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

#### **JUNE 14, 2010**

*In the Interest of Minor Child: C.L.R., DOB 08/19/1993, by Thomas Redbird v. HCN Office of Tribal Enrollment*, CV 10-18 Order (Requesting Accounting) (HCN Tr. Ct., June 14, 2010) (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: J.W.J., DOB 12/30/1992, by Roxanne Tallmadge-Johnson v. HCN Office of Tribal Enrollment*, CV 10-14 Order (Requesting Accounting) (HCN Tr. Ct., June 14, 2010) (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: N.T.M., DOB 02/16/1999, by Nial Masuda v. HCN Office of Tribal Enrollment*, CV 10-11 Order (Requesting Accounting) (HCN Tr. Ct., June 14, 2010) (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: K.M.R., DOB 06/20/1997, by Rose M. Shumate v. HCN Office of Tribal Enrollment, CV 09-84 Order (Show Case) (HCN Tr. Ct., June 14, 2010) (Matha, T).*

The Court had previously released funds from the minor child's CTF for costs associated with orthodontic procedures. The Court had also issued two (2) accounting directives that were ignored by the petitioner. Therefore, the Court will convene a *Show Cause Hearing* to give the petitioner an opportunity to show why she should not be held in contempt.

*In the Interest of Minor Child: C.L.M., DOB 05/26/1998, by Karen L. Klongland v. HCN Office of Tribal Enrollment, CV 09-69 Order (Requesting Accounting & Commencement of Repayment Obligation) (HCN Tr. Ct., June 14, 2010) (Matha, T).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with the family mortgage. The petitioner failed to submit a full accounting confirming proper use of the funds within the specified timeframe. The Court ordered that the petitioner submit the required accounting. Furthermore, the Court included a partial reimbursement obligation in accordance with past practice. The petitioner failed to satisfy the repayment obligation; therefore, the Court ordered the petitioner to begin payment.

#### **JUNE 15, 2010**

*In the Interest of Minor Children: M.H.W., DOB 12/23/1993; A.H.W., DOB 09/10/1996; and D.H.W., DOB 07/23/1998, by Kathy S. White v. HCN Office of Tribal Enrollment, CV 10-10 Order (Requesting Accounting) (HCN Tr. Ct., June 15, 2010) (Rockman, A).*

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

#### **JUNE 16, 2010**

*In the Interest of Minor Child: S.L.O., DOB 02/15/1992, by Nora Ortiz v. HCN Office of Tribal Enrollment, CV 09-96 Order (Demanding Accounting) (HCN Tr. Ct., June 16, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner has failed to provide accounting as directed by previous judgments. The Court demanded the required accounting.

*In the Interest of Minor Child: S.R.S., DOB 02/06/1995, by Maria Blackhawk v. HCN Office of Tribal Enrollment, CV 10-09 Order (Requesting Accounting) (HCN Tr. Ct., June 16, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: M.L.P., DOB 01/24/1999, by Patsy Snowball v. HCN Office of Tribal Enrollment, CV 10-24 Order (Requesting Accounting) (HCN Tr. Ct., June 16, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: R.L.D., DOB 01/14/2001, by Nicole M. Alford v. HCN Office of Tribal Enrollment, CV 10-36 Order (Accepting Accounting) (HCN Tr. Ct., June 16, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: M.D., DOB 10/11/1993, by Leland Whitegull v. HCN Office of Tribal Enrollment, CV 10-16 Order (Requesting Accounting) (HCN Tr. Ct., June 16, 2010) (Rockman, A).*

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

#### **JUNE 18, 2010**

*In the Interest of Minor Child: B.R., DOB 04/08/2000, by Aaron G. Rodriguez v. HCN Office of Tribal Enrollment, CV 10-48 Order (Petition Granted) (HCN Tr. Ct., June 18, 2010) (Matha, T).*

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

**JUNE 22, 2010**

*In the Interest of Minor Child: M.C.D., DOB 03/29/1999, by Randall Mann v. HCN Office of Tribal Enrollment, CV 09-75 Order (Motion Granted) (HCN Tr. Ct., June 22, 2010) (Matha, T).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner filed a motion seeking additional monies. The motion was granted.

**JUNE 23, 2010**

*In the Interest of Minor Child: G.R.H., DOB 08/18/1995, by Wendi A. Huling v. HCN Office of Tribal Enrollment, CV 10-48 Order (Petition Granted) (HCN Tr. Ct., June 23, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: A.W., DOB 09/14/1997, by Angelina Waege v. HCN Office of Tribal Enrollment, CV 10-41 Order (Petition Granted) (HCN Tr. Ct., June 23, 2010) (Rockman, A).*

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

*In the Interest of Minor Children: A.V.F., DOB 03/26/1998; D.R.W., DOB 09/22/1992; and D.D.W., DOB 12/16/1994, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-45 Order (Petition Granted) (HCN Tr. Ct., June 23, 2010) (Rockman, A).*

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

**JUNE 24, 2010**

*In the Interest of Minor Children: T.W.B., DOB 02/25/1996, and A.B.B., DOB 05/29/1998, by Kathleen K. Waukau v. HCN Office of Tribal Enrollment, CV 10-55 Order (Petition Granted) (HCN Tr. Ct., June 24, 2010) (Matha, T).*

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

*In the Interest of Minor Child: J.W.J., DOB 12/30/1992, by Roxanne Tallmadge-Johnson v. HCN Office of Tribal Enrollment, CV 10-14 Order (Accepting Accounting) (HCN Tr. Ct., June 24, 2010) (Matha, T).*

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

*In the Interest of Minor Child: N.T.M., DOB 02/16/1999, by Nial Masuda v. HCN Office of Tribal Enrollment, CV 10-11 Order (Accepting Accounting) (HCN Tr. Ct., June 24, 2010) (Matha, T).*

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

**JUNE 25, 2010**

*In the Interest of Minor Child: S.E.P., DOB 05/05/1994, by Deborah Pettibone v. HCN Office of Tribal Enrollment, CV 10-49 Order (Motion Hearing) (HCN Tr. Ct., June 25, 2010) (Matha, T).*

The Court scheduled a hearing on the matter so as to grant the respondent the ability to argue their motion to dismiss, and to provide the petitioner the opportunity to respond.

**JUNE 29, 2010**

*In the Interest of Minor Children: M.D., DOB 10/11/1993, and E.D., DOB 04/09/1996, by Leland Whitegull v. HCN Office of Tribal Enrollment, CV 10-16 Order (Accepting Accounting) (HCN Tr. Ct., June 29, 2010) (Rockman, A).*

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

**JULY 1, 2010**

*In the Interest of Minor Child: T.W., DOB 04/09/1993, by Sara White Eagle v. HCN Office of Tribal Enrollment, CV 10-44 Order (Dismissal) (HCN Tr. Ct., July 1, 2010) (Matha, T).*

The Court dismissed the action since the petitioner was able to secure the requested funds through a different source.

**JULY 2, 2010**

*In the Interest of Minor Child: T.G.D., DOB 05/31/1997, by Shelby Visintin v. HCN Office of Tribal Enrollment, CV 10-50 Order (Petition Granted) (HCN Tr. Ct., July 2, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: L.S., DOB 12/07/2001 v. HCN Office of Tribal Enrollment, CV 10-56 Order (Petition Granted) (HCN Tr. Ct., July 2, 2010) (Matha, T).*

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

#### **JULY 9, 2010**

*In the Interest of Minor Child: S.R.S., DOB 02/06/1995, by Maria Blackhawk v. HCN Office of Tribal Enrollment, CV 10-09 Order (Accepting Accounting) (HCN Tr. Ct., July 9, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic procedures. The petitioner submitted a receipt confirming the proper use of 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; V.W., DOB 07/25/1995; and D.W., DOB 12/14/1996, by Joanne Mann v. HCN Office of Tribal Enrollment, CV 08-65 Order (Accepting Repayment Schedule) (HCN Tr. Ct., July 9, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the minor child for costs associated with an outstanding family mortgage. The Court also required the petitioner to submit a repayment schedule and to repay the CTF fund of the children. The parties submitted a payment plan. The Court accepted the plan and will inform the parties when the debt is paid in full.

#### **JULY 12, 2010**

*In the Interest of Minor Child: C.L.R., DOB 08/19/1993, by Thomas Redbird v. HCN Office of Tribal Enrollment, CV 10-18 Order (Accepting Accounting) (HCN Tr. Ct., July 12, 2010) (Matha, T).*

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

#### **JULY 13, 2010**

*In the Interest of Minor Child: S.E.P., DOB 05/05/1994, by Deborah Pettibone v. HCN Office of Tribal Enrollment, CV 10-49 Order (Dismissal without Prejudice) (HCN Tr. Ct., July 13, 2010) (Matha, T).*

The Court dismissed the instant case due to the petitioner's failure to attend the *Motion Hearing*.

#### **JULY 20, 2010**

*In the Interest of Minor Child: K.M.R., DOB 06/20/1997, by Rose M. Shumate v. HCN Office of Tribal Enrollment, CV 09-84 Order (Contempt) (HCN Tr. Ct., July 20, 2010) (Matha, T).*

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

#### **JULY 21, 2010**

*In the Interest of Minor Child: K.G., DOB 10/13/1998, by Clarissa Pettibone v. HCN Office of Tribal Enrollment, CV 08-10 Order (Requesting Accounting) (HCN Tr. Ct., July 21, 2010) (Rockman, A).*

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

*In the Interest of Minor Child: S.L.O., DOB 02/15/1992, by Nora Ortiz v. HCN Office of Tribal Enrollment, CV 09-96 Order (Accepting Accounting) (HCN Tr. Ct., July 21, 2010) (Matha, T).*

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

#### **JULY 27, 2010**

*In the Interest of Adult CTF Beneficiary: Shawntel L. Smith, DOB 01/03/1986 v. HCN Office of Tribal Enrollment, CV 09-73 Order (Motion Granted) (HCN Tr. Ct., July 27, 2010) (Rockman, A).*

The Court previously released funds from the CTF accounts of the adult beneficiary for costs associated with utilities. The petitioner filed a motion seeking additional monies. The motion was granted.

*In the Interest of Adult CTF Beneficiary: Shawntel L. Smith, DOB 01/03/1986 v. HCN Office of Tribal Enrollment, CV 09-73 Order (Denying Motion for Living Stipend) (HCN Tr. Ct., July 27, 2010) (Rockman, A).*

The Court had to determine whether an adult could access her CTF account to pay for additional costs associated with a monthly living stipend. The Court has never allowed a recurring distribution to be made from the

CTF of an adult beneficiary for living expenses, and shall not allow a recurring distribution under the prevailing set of circumstances.

## **CONTRACTS**

### **JUNE 16, 2010**

*HCN Dept. of Business v. Indiana Recycling & Renewable Fuels, CV 10-01 Scheduling Order* (HCN Tr. Ct., June 16, 2010) (Matha, T).

The Court scheduled the proceedings for the instant case.

### **JUNE 23, 2010**

*Ho-Chunk Nation v. Money Centers of America, Inc. et al., CV 10-54 Order (Denial of Motion for Expedited Consideration)* (HCN Tr. Ct., June 23, 2010) (Rockman, A).

The petitioner filed a motion requesting expedited consideration of the motion for extension of time. The Court denied the motion for expedited consideration since the respondent failed to satisfy the two elements of the *HCN R. Civ. Pro.* 19(C). Specifically, the respondent failed to include the reasons why the accompanying motion should be heard prior to the normal time period.

### **JUNE 30, 2010**

*Ho-Chunk Nation et al. v. Vicki Greendeer, CV 10-39 Order (Default Judgment)* (HCN Tr. Ct., June 30, 2010) (Rockman, A).

The Court had to determine whether to grant the relief requested by the plaintiff. The defendants failed to answer the complaint despite proper service; therefore, the Court granted the permissible relief sought by the plaintiffs.

### **JULY 14, 2010**

*Ho-Chunk Nation v. Money Centers of America, Inc. et al., CV 10-54 Order (Granting Joint Motion for Time Extension)* (HCN Tr. Ct., July 14, 2010) (Rockman, A).

The parties filed a joint motion for time extension. The Court granted the motion.

*Ho-Chunk Nation et al. v. Jamie Peterson et al., CV 10-42 Order (Default Judgment)* (HCN Tr. Ct., July 14, 2010) (Matha, T).

The Court had to determine whether to grant the relief requested by the plaintiff. The defendants failed to answer the complaint despite proper service; therefore, the Court granted the permissible relief sought by the plaintiffs.

### **JULY 15, 2010**

*Ho-Chunk Nation et al. v. Tammy Anderson, CV 10-43 Order (Default Judgment)* (HCN Tr. Ct., July 15, 2010) (Matha, T).

The Court had to determine whether to grant the relief requested by the plaintiff. The defendants failed to answer

the complaint despite proper service; therefore, the Court granted the permissible relief sought by the plaintiffs.

*Ho-Chunk Nation et al. v. Charlene Bever, CV 10-40 Order (Default Judgment)* (HCN Tr. Ct., July 15, 2010) (Matha, T).

The Court had to determine whether to grant the relief requested by the plaintiff. The defendants failed to answer the complaint despite proper service; therefore, the Court granted the permissible relief sought by the plaintiffs.

*Ho-Chunk Nation et al. v. Eliza Green et al., CV 10-38 Scheduling Order* (HCN Tr. Ct., July 15, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

## **ELECTION MATTERS**

**NO DECISIONS AT THIS TIME.**

## **EMPLOYMENT**

### **JULY 13, 2010**

*Ho-Chunk Nation et al. v. Nicole Koenig, CV 10-37 Scheduling Order* (HCN Tr. Ct., July 13, 2010) (Rockman, A).

The Court scheduled the proceedings for the instant case.

## **ENROLLMENT**

### **JULY 30, 2010**

*Leilani Jean Chamberlain v. Adam Hall, Enrollment Officer of the Ho-Chunk Nation, CV 05-109 Order (Motion Granted-In Part)* (HCN Tr. Ct., July 30, 2010) (Matha, T).

The purpose of the order was to address plaintiff's motion for costs, fees and sanctions, and determine whether the defendant was protected by immunity as articulated in the CONSTITUTION, ART. XII, § 2. The Court held that the defendant was not protected by immunity in the instant case. The constitutional limitation of granting injunctive and non-monetary relief applies solely to suits arising "under the Constitution, laws, customs, and traditions of the Ho-Chunk Nation." CONST., ART., VII, §5(a). The plaintiff's motion was separate from the original cause of action and derives from the Courts' inherent and independent authority. Therefore, the Court, awarded a portion of the requested sanctions, fees, and costs due to prolonged discovery delays.

## **HOUSING**

### **JULY 26, 2010**

*Ho-Chunk Nation et al. v. Veronica Wilbur, CV 09-12 Order (Satisfaction of Judgment)* (HCN Tr. Ct., July 26, 2010) (Matha, T)

The Court closed the file as the petitioner had indicated that it had relieved the respondent of any further obligations.

## FAMILY

### DIVORCE

NO DECISIONS AT THIS TIME.

## JUVENILE CASES

**JUNE 1, 2010**

*In the Interest of Minor Child: S.E.C., DOB 02/25/1996, JV 08-21 Order (Child Protection Review Hearing) (HCN Tr. Ct., June 1, 2010) (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.

**JUNE 2, 2010**

*In the Interest of Minor Child: M.L.G., DOB 04/18/2007, JV 08-32 Order (Termination of Guardianship & Cessation of Child Support) (HCN Tr. Ct., June 2, 2010) (Matha, T).*

In accordance with applicable law, the Court terminated the temporary guardianship judgment in this case. Consequently, the Court also ordered a cessation of child support.

**JUNE 3, 2010**

*In the Interest of Minor Child: T.M., DOB 07/04/2007, JV 10-17 Order (Continuation of Plea Hearing) (HCN Tr. Ct., June 3, 2010) (Matha, T).*

The Court continued the *Plea Hearing* in order to allow one of the parties to obtain counsel.

*In the Interest of Minor Child: E.W., DOB 08/02/2005, JV 10-10 Order (Requiring Jury Questionnaire Completion) (HCN Tr. Ct., June 3, 2010) (Rockman, A).*

The Court required prospective jurors to complete a questionnaire prior to attending *voir dire*.

**JUNE 14, 2010**

*In the Interest of Minor Children: R.J.C., DOB 05/12/2007, and D.M.C., DOB 04/22/2008, JV 07-34, 08-13 Order (Submission of Guardianship and Guardian Ad Litem Reports) (HCN Tr. Ct., June 14, 2010) (Matha, T).*

The Court requested that CFS and the *Guardian Ad Litem* prepare and submit reports to the Court.

**JUNE 24, 2010**

*In the Interest of Minor Child: C.Y., DOB 01/18/1994, JV 05-32, Order (Denial of Motion) (HCN Tr. Ct., June 24, 2010) (Matha, T).*

The Court had to determine whether to grant the mother's motion to terminate the existing temporary guardianship. The Court denied the request since it was

## INCOMPETENT'S TRUST FUND (ITF)

**JUNE 24, 2010**

*In the Interest of Adult Incompetent: H.C., DOB 01/31/1931, by Barbara Meltesen v. HCN Office of Tribal Enrollment, CV 05-72 Order (Accepting Accounting) (HCN Tr. Ct., June 24, 2010) (Rockman, A).*

The petitioner submitted a series of invoices, which the Court accepted as confirmation of the proper use of funds for ongoing nursing home care and professional guardianship service fees.

*In the Interest of Adult Incompetent: L.L.L., DOB 09/18/1948, by Bertha Lowe v. HCN Office of Tribal Enrollment, CV 06-108 Order (Closing Case) (HCN Tr. Ct., June 24, 2010) (Rockman, A).*

The Court closed the case due to the untimely passing of the adult member.

**JULY 9, 2010**

*In the Interest of Adult Incompetent: K.K.R., DOB 10/09/1968, by Linda Stone Winter v. HCN Office of Tribal Enrollment, CV 09-10 Order (Accepting Accounting) (HCN Tr. Ct., July 9, 2010) (Rockman, A).*

The petitioner submitted a receipt, which the Court accepted as confirmation of the proper use of funds for an outstanding medical bill.

**JULY 14, 2010**

*In the Interest of L.R., DOB 03/04/1956, by Maynard Rave, Sr., Guardian v. HCN Office of Tribal Enrollment, CV 08-24 Order (Show Cause) (HCN Tr. Ct., July 14, 2010) (Rockman, A).*

The Court had previously released funds from the ITF account for costs associated with the ward's past obligations, prospective rent, and living expenses. The Court had also issued two (2) accounting directives which were ignored by the petitioner. Therefore, the Court will convene a *Show Cause Hearing* to give the petitioner an opportunity to show why he should not be held in contempt.

## RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

## DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. ONE (1) DECISION WAS ISSUED FROM JUNE 1, 2010 THROUGH AUGUST 1, 2010.

contrary to the minor child's best interests, but required an incremental resumption of reasonable parental visitation. The Court also ordered the guardian to resume physical custody of the minor child or designate a successor guardian.

*In the Interest of Minor Child: S.E.C., DOB 02/25/1996, JV 08-21 Order (Submission of Guardianship and Guardian Ad Litem Reports)* (HCN Tr. Ct., June 24, 2010) (Rockman, A).

The Court requested that CFS and the *Guardian Ad Litem* prepare and submit reports to the Court.

#### **JUNE 29, 2010**

*In the Interest of Minor Child: E.W., DOB 08/02/2005, JV 10-10 Order (Status Hearing Continuance)* (HCN Tr. Ct., June 29, 2010) (Rockman, A).

The Court granted petitioner's request for an extension of time due to counsel for the father being unavailable.

*In the Interest of Minor Child: E.W., DOB 08/02/2005, JV 10-10 Order (Dispositional Hearing Continuance)* (HCN Tr. Ct., June 29, 2010) (Rockman, A).

The Court granted the mother's request for a continuance due to the failure of the *Guardian ad Litem* to file a timely report.

#### **JUNE 30, 2010**

*In the Interest of Minor Child: R.C., DOB 07/27/1992, JV 00-26 Order (Termination of Jurisdiction)* (HCN Tr. Ct., June 30, 2010) (Rockman, A).

The Court terminated jurisdiction over this case due to the child's emancipation.

*In the Interest of Minor Child: C.C.C., DOB 06/25/1992, 94-CU-21 Order (Termination of Jurisdiction)* (HCN Tr. Ct., June 30, 2010) (Rockman, A).

The Court terminated jurisdiction over this case due to the child's emancipation.

#### **JULY 1, 2010**

*In the Interest of Minor Child: J.D.W., DOB 01/16/2009, JV 09-31 Order (Granting Telephonic Appearance)* (HCN Tr. Ct., July 1, 2010) (Matha, T).

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

#### **JULY 2, 2010**

*In the Interest of Minor Child: J.C., DOB 08/01/1992, JV 07-53 Order (Termination of Jurisdiction)* (HCN Tr. Ct., July 2, 2010) (Matha, T).

The Court terminated jurisdiction over this case due to the child's emancipation.

*In the Interest of Minor Child: G.E.M., DOB 08/25/1995, JV 03-08 Order (Appointment of Guardian ad Litem)* (HCN Tr. Ct., July 2, 2010) (Rockman, A).

The Court appointed GAL Roxanne Whitegull to represent the interests of the minor child.

*In the Interest of Minor Child: Q.J.C., DOB 08/07/1992, JV 06-06 Order (Termination of Jurisdiction)* (HCN Tr. Ct., July 2, 2010) (Matha, T).

The Court terminated jurisdiction over this case due to the child's emancipation.

#### **JULY 6, 2010**

*In the Interest of Minor Children: A.H., DOB 07/03/2006, and E.I.V., DOB 11/22/2007, JV 07-07, 07-52 Order (Termination of Jurisdiction)* (HCN Tr. Ct., July 6, 2010) (Rockman, A).

The Court terminated jurisdiction over this case due to the parent completing the dispositional requirements.

*In the Interest of Minor Child: B.B.D., DOB 01/11/10, JV 10-11 Order (Dispositional Requirements)* (HCN Tr. Ct., July 6, 2010) (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. Parental dispositions were established with the hope of reunifying the family.

#### **JULY 7, 2010**

*In the Interest of Minor Child: S.L.D., DOB 06/06/1994, JV 09-32 Order (Paternal Reimbursement Obligation)* (HCN Tr. Ct., July 7, 2010) (Rockman, A).

The Court had to determine an appropriate reimbursement scheme for the father of the minor child.

*In the Interest of Minor Child: S.L.D., DOB 06/06/1994, JV 09-32 Order (Maternal Reimbursement Obligation)* (HCN Tr. Ct., July 7, 2010) (Rockman, A).

The Court had to determine an appropriate reimbursement scheme for the mother of the minor child.

#### **JULY 14, 2010**

*In the Interest of Minor Children: D.S., DOB 06/16/2006; V.S., DOB 07/30/2007; J.S., DOB 04/16/2009; J.S., DOB 05/04/2010; and J.S., DOB 05/04/2010, JV 10-12-16 Order (Entrance of Plea)* (HCN Tr. Ct., July 14, 2010) (Matha, T).

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the mother and father of the minor children wished to contest the allegations. Accordingly, a *Trial* was scheduled for the parents.

*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 14, 2010) (Matha, T).*

The Court conducted a *Child Protection Review Hearing*. At the *Hearing*, the Court had to assess the extent of compliance with the dispositional requirements previously entered. The Court determined to maintain the status quo.

*In the Interest of Minor Child: C.J.D., DOB 05/19/1993, JV 09-21 Order (Notice of Termination) (HCN Tr. Ct., July 14, 2010) (Rockman, A).*

The Court issued notice to parties of its intent to terminate jurisdiction of the instant case.

#### **JULY 15, 2010**

*In the Interest of Minor Child: J.D.W., DOB 01/16/2009, JV 09-31 Order (Appointment of Permanent Guardians) (HCN Tr. Ct., July 15, 2010) (Matha, T).*

The Court had to determine whether to appoint permanent guardians of the person of the minor child. After 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: T.M., DOB 07/04/2007, JV 10-17 Order (Granting Telephonic Appearance) (HCN Tr. Ct., July 15, 2010) (Matha, T).*

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

*In the Interest of Minor Children: E.M.F., DOB 03/27/1993, and M.R.F., DOB 01/25/1999, JV 08-03-04 Order (Modification of Maternal Reimbursement Obligation) (HCN Tr. Ct., July 15, 2010) (Matha, T).*

The Court had to determine whether to grant the CFS request to reduce the maternal reimbursement obligation previously entered by the Court. The Court granted the request.

*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; L.A.M., DOB 12/16/2000; and D.B.M., DOB 10/06/2006, JV 03-07-10, 07-45 Order (Impounding of Per Capita) (HCN Tr. Ct., July 15, 2010) (Rockman, A).*

The Court ordered a portion of the party's per capita impounded until the party could confer with his counsel.

*In the Interest of Minor Child: L.A.M., DOB 12/16/2000, JV 03-10 Order (Motion Granted) (HCN Tr. Ct., July 15, 2010) (Rockman, A).*

The Court had to determine whether to convert a temporary guardianship of the person of the minor child to

a permanent guardianship. After 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: A.M., DOB 01/26/2010, JV 10-09 Order (Default Intervention Plan) (HCN Tr. Ct., July 15, 2010) (Rockman, A).*

The Court had to assess the extent and scope of the default intervention plan proposed by CFS. The Court accepted the proposed plan in the hopes that the requirements will lead to a return of legal custody to the parents.

#### **JULY 16, 2010**

*In the Interest of Minor Child: D.B.M., DOB 10/06/2006, JV 07-45 Order (Appointment of Temporary Guardian) (HCN Tr. Ct., July 16, 2010) (Rockman).*

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

#### **JULY 19, 2010**

*In the Interest of Minor Child: A.M., DOB 01/26/2010, JV 10-09 Order (Erratum) (HCN Tr. Ct., July 19, 2010) (Rockman, A).*

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

#### **JULY 21, 2010**

*In the Interest of Minor Child: T.M., DOB 07/04/07, JV 10-17 Order (Entrance of Plea) (HCN Tr. Ct., July 21, 2010) (Matha, T).*

The Court convened a *Plea Hearing* in compliance with the CHILDREN'S ACT. At the hearing, the parents wished to contest the allegations of the *Petition*. Accordingly, a *Trial* was scheduled for the parents.

*In the Interest of Minor Child: T.M., DOB 07/04/07, JV 10-17 Order (Appointment of Guardian ad litem) (HCN Tr. Ct., July 21, 2010) (Matha, T).*

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

#### **JULY 23, 2010**

*In the Interest of Minor Child: A.H., DOB 10/16/1992, JV 10-22 Order (Granting Emergency Temporary Legal/Physical Custody) (HCN Tr. Ct., July 23, 2010) (Matha, T).*

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

## RECENT SUPREME COURT DECISIONS

### APRIL 17, 2010

*Wayne Falcon v. Liz Haller ex rel.*, SU 09-05, 09-07, *Notice of Extension* (HCN S. Ct., Apr. 11, 2010) (Greendeer-Lee, J).

The Court issued an additional 30-day extension due to Supreme Court clerk staff turnover.

*Darren Brinegar v. HCN Grievance Review Board*, SU 10-01 *Scheduling Order* (HCN S. Ct., Apr. 17, 2010) (Greendeer-Lee, J.).

The Court accepted the matter for appeal and issued a *Scheduling Order*.

### APRIL 29, 2010

*Daniel Topping v. HCN GRB*, SU 09-08, *Notice of Extension* (HCN S. Ct., Apr. 29, 2010) (Funmaker, D).

The Court issued an additional twenty (20) day extension due to an unexpected delay by the author of the decision.

### MAY 14, 2010

*Darren Brinegar v. HCN GRB*, SU 10-01, CV 08-50 *Order (Granting Extension of Time)* (HCN S. Ct., May 14, 2010) (Greendeer-Lee, J).

The Court granted appellant's motion, for good cause; thereby extending the briefing deadline.

### MAY 20, 2010

*Wayne Falcon v. Liz Haller ex rel.*, SU 09-05, 09-07, *Decision* (HCN S. Ct., May 20, 2010) (Greendeer-Lee, J).

The Court reversed the Trial Court's decision. The Court found: (1) the Trial Court failed to comply with the Supreme Court's directive on remand; (2) the Trial Court did not properly apply the arbitrary and capricious standard of review; (3) the Trial Court's analysis of due process was incorrect; and (4) since appellee's termination was within the legal bounds of the ERA, he will not receive any monetary remedy.

### JUNE 11, 2010

*Darren Brinegar v. HCN GRB*, SU 10-01, CV 08-50 *Order (Oral Arguments)* (HCN S. Ct., June 11, 2010) (Greendeer-Lee, J).

The Court scheduled oral arguments for the instant case.

### JULY 1, 2010

*Darren Brinegar v. HCN GRB*, SU 10-01, CV 08-50 *Order (Motion Denied)* (HCN S. Ct., July 1, 2010) (Greendeer-Lee, J).

The Court denied the appellee's motion for an extension of time and found the matter ripe for oral argument.

*In the Interest of Minor Children: D.G.W., DOB 11/09/1995, and D.S.W., DOB 02/19/1998*, JV 01-19-20 *Order (Regarding Motion)* (HCN Tr. Ct., July 23, 2010) (Matha, T).

The Court scheduled a *Status Hearing* to address the mother's motion and issues regarding the placement of the minor children.

### JULY 26, 2010

*In the Interest of Minor Child: A.B., DOB 07/29/2010*, JV 10-05 *Order (Granting Dismissal)* (HCN Tr. Ct., July 26, 2010) (Rockman, A).

CFS filed a motion to dismiss the current action against the father. The Court granted the uncontested motion.

*In the Interest of Minor Child: D.W., DOB 07/06/1992*, JV 96-03 *Order (Termination of Jurisdiction)* (HCN Tr. Ct., July 26, 2010) (Matha, T).

The Court terminated jurisdiction over this case due to the child's emancipation.

### JULY 27, 2010

*In the Interest of Minor Children: R.C., DOB 10/17/2001, and A.C., DOB 11/10/2002*, JV 09-27-28 *Order (Continued Guardianship Hearing)* (HCN Tr. Ct., July 27, 2010) (Rockman, A).

The Court scheduled a *Continued Guardianship Hearing* and ordered the current guardian to allow visitation of the minor children with a relative.

*In the Interest of Minor Child: A.H., DOB 10/16/1992*, JV 10-22 *Order (Emergency Removal Hearing)* (HCN Tr. Ct., July 27, 2010) (Matha, T).

The Court conducted an *Emergency Removal Hearing* to determine the continuing appropriateness of out-of-home placement. Due to the unique character of the case, the Court informed the parties that it would dispense with a plea hearing, and simply maintain jurisdiction over and supervision of the matter until the emancipation of the minor child.

### JULY 29, 2010

*In the Interest of Minor Children: G.M.F., DOB 11/24/1992; J.P.F., DOB 11/17/1993; R.L.P., DOB 07/13/1997; and R.S.G., DOB 01/28/2000*, JV 10-18-21 *Order (Appointment of Guardian ad litem)* (HCN Tr. Ct., July 29, 2010) (Rockman, A).

The Court appointed GAL Brenda Neff to represent the interests of the minor child.



# RECENT TRIAL COURT FILINGS



## CHILD SUPPORT CASES

**JUNE 1, 2010**

*Angie Higdon v. Marcus Chapman*, CS 10-23 (Rockman, A).

**JUNE 10, 2010**

*Charlene Spangler v. Carey Link*, CS 10-24 (Matha, T).

**JUNE 11, 2010**

*State of Wisconsin v. Anthony Gauthier*, CS 10-25 (Matha, T).

**JUNE 23, 2010**

*Joseph Holmes v. Elizabeth Eades*, CS 10-26 (Matha, T).

**JUNE 29, 2010**

*Katherine Nicolson v. Carl Steen-Wilson*, CS 10-27 (Rockman, A).

**JULY 6, 2010**

*Melissa Marg v. Norman Snake, Jr.*, CS 10-28 (Matha, T).

**JULY 26, 2010**

*State of Wisconsin v. Skyler J. Shegonee*, CS 10-29 (Rockman, A).

**JULY 27, 2010**

*Aimee Lefebvre v. Travis Oknewski*, CS 10-30 (Rockman, A).

**JULY 29, 2010**

*State of Wisconsin v. Demian T. Decorah*, CS 10-31 (Rockman, A).

*State of Wisconsin v. Demian T. Decorah*, CS 10-32 (Rockman, A).



## CIVIL CASES

**MAY 18, 2010**

*Health Care Center v. Jamie Peterson et al.*, CV 10-42 (Matha, T).

*Health Care Center v. Tammy Anderson*, CV 10-43 (Matha, T).

**MAY 28, 2010**

*In the Interest of Minor Child: T.W., DOB 04/09/1993, by Sara WhiteEagle v. HCN Office of Tribal Enrollment*, CV 10-44 (Matha, T).

*Daniel Topping v. HCN GRB*, SU 09-08 Decision (HCN S. Ct., July 1, 2010) (Hunter, M).

The Court remanded the case to the GRB with instructions. The Court found if an employee is disabled, due process requires that the supervisor consider the disability when deciding whether to terminate. *Woigixate* requires attempting to understand someone's condition to the best of one's ability so that one can avoid inaccurate biases and unnecessary labeling and stigmatization. Therefore, a supervisor should attempt to contact the disabled employee's physician for advice about how to help the employee minimize the effects of his disability on his job performance. The Court held that: (1) in order for a disabled person's discipline to be considered progressive, his disability should be taken into consideration in an informed manner every time he is disciplined for an incident; and (2) if a disabled person appeals a termination to the GRB, the GRB has a duty to summon a physician to the hearing to provide reliable information regarding the disabled person's condition.

**JULY 17, 2010**

*Diana Wolf v. HCN GRB*, SU 10-02, CV 09-48 Order Denying Appeal (HCN S. Ct., July 17, 2010) (Greendeer-Lee, J)

The Court denied the appellant's untimely *Notice of Appeal*.

**JULY 21, 2010**

*Darren Brinegar v. HCN GRB*, SU 10-01, CV 08-50 Order Granting Extension of Time (HCN S. Ct., July 21, 2010) (Greendeer-Lee, J).

The Court granted the appellant's motion for extension of time to submit a response brief due to extenuating circumstances faced by the counsel for the appellant. The Court required the brief due three (3) days prior to the scheduled oral arguments.

**JULY 29, 2010**

*Darren Brinegar v. Business Dep't et al.*, SU 10-01, CV 08-50 Order Granting Notice & Motion to Re-Caption Case and Notice and Motion for Expedited Consideration (HCN S. Ct., July 29, 2010) (Greendeer-Lee, J).

The Court granted the instant motion to re-caption the case.



**JUNE 1, 2010**

*In the Interest of Minor Child: A.W., DOB 09/14/1997, by Angie Waege v. HCN Office of Tribal Enrollment, CV 10-41 (Rockman, A).*

*In the Interest of Minor Children: A.F., DOB 03/26/1998; D.W., DOB 12/16/1994; and D.W. 09/22/1992, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-45 (Rockman, A).*

*In the Interest of Minor Child: G.H., DOB 08/18/1995, by Wendi Huling v. HCN Office of Tribal Enrollment, CV 10-46 (Rockman, A).*

**JUNE 2, 2010**

*Rita Gardner v. Tracy Littlejohn et al., CV 10-47 (Rockman, A).*

**JUNE 7, 2010**

*In the Interest of Minor Child: B.R., DOB 04/08/2000, by Aaron Rodriquez v. HCN Office of Tribal Enrollment, CV 10-48 (Matha, T).*

**JUNE 11, 2010**

*In the Interest of Minor Child: S.P.S., DOB 05/05/1994, by Deb Pettibone v. HCN Office of Tribal Enrollment, CV 10-49 (Matha, T).*

*Claire Billie v. Patrick Collins, CV 10-51 (Matha, T).*

**JUNE 15, 2010**

*HCN Business Dep't v. Norval Lonetree, CV 10-52 (Rockman, A).*

*Alvane King v. GRB, CV 10-53 (Rockman, A).*

**JUNE 17, 2010**

*In the Interest of Minor Child: T.G.D., DOB 05/31/1997, by Shelby Visintin v. HCN Office of Tribal Enrollment, CV 10-50 (Rockman, A).*

*Ho-Chunk Nation v. Money Centers of America, INC and MCA of Wisconsin, Inc., CV 10-54 (Rockman, A).*

**JUNE 21, 2010**

*In the Interest of Minor Children: T.W.B., DOB 02/25/1996, and A.B.B., DOB 05/29/1998, by Kathleen K. Waukau v. HCN Office of Tribal Enrollment, CV 10-55 (Matha, T).*

**JUNE 24, 2010**

*In the Interest of Minor Child: L.W., DOB 12/07/2001, by Laura Schwalbe v. HCN Office of Tribal Enrollment, CV 10-56 (Matha, T).*

**JUNE 25, 2010**

*HCN Dep't of Business v. Janet Muir, CV 10-57 (Rockman, A).*

**JULY 15, 2010**

*HCN Dep't of Business v. Erik & Karen Dodge, CV 10-58 (Rockman, A).*

*HCN Dep't of Business v. Patricia & Donald Smithey, CV 10-59 (Rockman, A).*

*HCN Dep't of Business v. Jerold & Donna Tranberg, CV 10-60 (Rockman, A).*

*HCN Dep't of Business v. Tanya & John Tangney, CV 10-61 (Rockman, A).*

**JULY 20, 2010**

*In the Interest of Minor Child: N.S., DOB 01/20/1997, by Missy Sposito Elliot v. HCN Office of Tribal Enrollment, CV 10-62 (Matha, T).*

**JULY 21, 2010**

*In the Interest of Minor Child: S.M.S.W., DOB 05/12/1994, by Leah Winneshiek v. HCN Office of Tribal Enrollment, CV 10-63 (Matha, T).*

*HCN Dep't of Education v. Tricia Zunker, CV 10-64 (Rockman, A).*

**JULY 22, 2010**

*In the Interest of Minor Child: C.G., DOB 05/06/1996, by Joni MacIntosh v. HCN Office of Tribal Enrollment, CV 10-65 (Matha, T).*

**JULY 29, 2010**

*In the Interest of Minor Children: V.T.C., DOB 04/26/1996, and D.A.C., DOB 08/01/1997, by Erika Cloud v. HCN Office of Tribal Enrollment, CV 10-66 (Rockman, A).*

*HCN Dep't of Business v. Sheba Whitegull, CV 10-67 (Rockman, A).*

**JULY 30, 2010**

*In the Interest of Decedent: Gerald Greendeer by Alma Minor, CV 10-68 (Rockman, A).*

*In the Interest of Minor Child: O.A., DOB 04/26/2001, by Rhonda Anderson v. HCN Office of Tribal Enrollment, CV 10-69 (Rockman, A).*

**CIVIL GARNISHMENT CASES****JUNE 1, 2010**

*Creditor Recovery Service v. Rita Blade f/k/a Rita Pillsbury*, CG 10-58 (Matha, T).

*Mile Bluff Clinic v. Peter M. Grossheim*, CG 10-59 (Matha, T).

**JUNE 21, 2010**

*Community Dental v. Gloria Ward*, CG 10-57 (Matha, T).

*Sauk County Circuit Court v. Jerry W. St. Cyr*, CG 10-60 (Matha, T).

**JUNE 28 2010**

*Sauk County v. Wayen D. Green*, CG 10-56 (Matha, T).

**JULY 7, 2010**

*State Collection Service v. Michael A. Koran*, CG 10-61 (Matha, T).

**JULY 8, 2010**

*Black River Memorial Hospital v. Eleanor S. Decorah*, CG 10-62 (Matha, T).

*Jenner Esselmen DDS v. Evelyn Arendt*, CG 10-63 (Matha, T).

*Aspirers Doctors Clinic v. Promise J. Bakken*, CG 10-64 (Matha, T).

**JULY 12, 2010**

*Mile Bluff Clinic v. Darlene Domgent*, CG 10-65 (Matha, T).

**JULY 19, 2010**

*Creative Finance v. Marilyn WhiteEagle*, CG 10-66 (Matha, T).

*Alliance Collection v. Pinkah L. Greengrass*, CG 10-67 (Matha, T).

*Alliance Collection v. Amber Malone*, CG 10-68 (Matha, T).

*NCO v. Mary Metoxen*, CG 10-69 (Matha, T).

*Midland Credit Management v. Tammy Schavier*, CG 10-70 (Matha, T).

*Midland Credit Management v. Stephanie R. Durante*, CG 10-71 (Matha, T).

**JULY 21, 2010**

*Aspire Doctors Clinic v. Amy J. Smedborn*, CG 10-72 (Matha, T).

**JULY 27, 2010**

*Gunderson Luthern v. Allison Redeagle*, CG 10-73 (Matha, T).



**JUVENILE CASES**

**JULY 22, 2010**

*In the Interest of Minor Child: G.M.F., DOB 11/24/1992*, JV 10-18 (Matha, T).

*In the Interest of Minor Child: J.P.F., DOB 11/17/1993*, JV 10-19 (Matha, T).

*In the Interest of Minor Child: R.L.P., 07/13/1997*, JV 10-20 (Matha, T).

*In the Interest of Minor Child: R.S.G., DOB 01/28/2000*, JV 10-21 (Matha, T).

**JULY 23, 2010**

*In the Interest of Minor Child: A.H., DOB 10/16/1992*, JV 10-22 (Matha, T).



**FAMILY CASES**

**JULY 20, 2010**

*David A. WhiteEagle v. Sheila WhiteEagle*, FM 10-02 (Matha, T).



**DOMESTIC VIOLENCE**

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

**RECENT SUPREME COURT FILINGS**

**APRIL 15, 2010**

*Darren L. Brinegar v. HCN GRB*, SU 10-01

**JULY 6, 2010**

*Diana Wolfe v. HCN GRB*, SU 10-02



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

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

**Traditional Court** – Earl Blackdeer

Wayne Falcon  
Dennis Funmaker  
Cecil Garvin  
Conroy Greendeer  
Roy Greengrass  
Thomas Hopinkah  
Richard Mann  
Desmond Mike  
Douglas Red Eagle  
Preston Thompson, Jr.  
Eugene Thundercloud  
Morgan Whiteeagle  
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 – Rebecca Maki  
Law Clerk/Staff Attorney – Zach Atherton-Ely

\* 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

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