

HO-CHUNK NATION COURT BULLETIN

January 2012 Issue



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CHIEF JUDGE JO DEEN B. LOWE SWEARING-IN CEREMONY



Photo courtesy of the Hocak Worak

On January 9, 2012, Jo Deen B. Lowe was sworn in as the Ho-Chunk Nation Trial Court's fourth Chief Judge and first female Chief Judge. A graduate of the University of Wisconsin Law School, Judge Lowe formerly served the Nation as a tribal attorney, Associate Justice of the Supreme Court and the first Attorney General. Judge Lowe has also served as a tribal prosecutor for the Menominee Nation, an attorney in the Indian Law Unit of Wisconsin Judicare, a tribal attorney for the Oneida Nation, the former District Attorney for Jackson County, and most recently, the Deputy Attorney General for the Forest County Potawatomi Community. The Court welcomes Chief Judge Jo Deen B. Lowe as she looks forward to "working with old friends, working with new people and being close to family."



**THE TRIAL COURT THANKS
LAW CLERK/STAFF ATTORNEY
ZACHARY ATHERTON-ELY**

On January 31, 2012, the Trial Court said farewell to Law Clerk/Staff Attorney Zachary Atherton-Ely. Attorney Atherton-Ely diligently served in this position since August 2010, assisting the Court, litigants and the general public with a positive attitude and remarkable knowledge of the law. The Trial Court would like to thank Attorney Atherton-Ely for his service and wish him the best in his new position as the Deputy Solicitor General for the Mille Lacs Band of Ojibwe



**RECOGNITION OF FOREIGN CHILD SUPPORT ORDERS
IN THE HO-CHUNK NATION TRIAL COURT**

On August 20, 1996, the Ho-Chunk Nation Legislature adopted the RECOGNITION OF FOREIGN CHILD SUPPORT ORDERS ORDINANCE (hereinafter RFCSO), 4 HCC § 2. Consequently, the Ho-Chunk Nation Trial Court may enforce child support orders issued by state or tribal courts against Ho-Chunk Nation employees' wages and members' per capita distributions. RFCSO, § 2.8a-b; CLAIMS AGAINST PER CAPITA ORDINANCE, 2 HCC § 8.5a(2). Due to an influx of questions regarding child support withholdings, the Court has produced this summary to provide clarity to the enforcement process.

To initiate an action, the party entitled to receive child support, the party required to pay child support or a state or tribal child support agency must file a *Petition to Register and Enforce a Foreign Judgment or Order for Child Support*. RFCSO, § 2.4a. A certified copy of the state or tribal child support order and a \$20.00 filing fee must accompany the *Petition*. *Id.* Additionally, either party may seek enforcement of outstanding arrears by filing a certified account statement indicating the amount owed. The Court will not proceed until it has received all documentation and filing fees.

Upon receipt of the proper documentation and filing fees, the Court will issue a *Summons* to inform the respondent of the action, the ability to file a response within twenty (20) days and that a default judgment may be ordered if an *Answer* is not filed within the prescribed time frame. *HCN R. Civ. P. 5(A)(2)*; RFCSO, § 2.6c. If the respondent chooses to file a response, the Court may schedule a hearing to determine whether to enforce the standing child support order. *See* RFCSO, § 2.5. The hearing provides an opportunity for the respondent to argue the following list of issues:

- (A) Whether the foreign court or administrative agency had jurisdiction to enter the child support order;
- (B) Whether the [respondent] had due process including proper notice and a fair hearing;
- (C) Whether collusion, fraud, or clear mistakes of law or fact are present;
- (D) Whether there is conflict with any state or federal law; or
- (E) Whether there is a conflict with the Nation's law or public policy.

Id. § 2.5a-e.

Often respondents utilize the *Answer* or hearing to challenge the amount of the child support obligation or dispute paternity of the minor child. Since the Court enforces foreign orders through full faith and credit and/or comity, the Court lacks the authority to make such modifications. *See* RFCSO, § 2.6b. As a result, the respondent maintains the responsibility of directing such arguments to the state or tribal court which issued the judgment.

Following either the twenty-day response period or a hearing, the Court will issue an order either granting or denying the *Petition*. RFCSO, § 2.6a. If the *Petition* is granted, the Court will order the Ho-Chunk Nation Department of Treasury to withhold amounts for current child support and outstanding arrears against either the respondent's wages or per capita distribution. *Id.* §§ 2.8a-b. Withholdings against per capita must not exceed sixty percent (60%) of the respondent's quarterly per capita payment. *Id.* § 2.8b(3). Additionally, administrative costs or accumulated interest on arrears may only be enforced against wages. Once withheld, the Department of Treasury will issue checks to the disbursement center designated within the foreign court order. *Id.* § 2.8b(2).

The entire process may take up to several months from the filing of the initial petition until withholdings are processed. Though wage withholdings may be enforced at any time, orders received by the Ho-Chunk Nation Department of Treasury less than fifteen (15) days prior to per capita payment distribution shall not be effective for that payment. *Id.* § 2.8b. Therefore, to allow adequate time for the issuance of the *Summons* and response period, the possibility of a scheduled hearing and the time required by the Court to issue an order, parties requesting enforcement should file as early as possible.

Once the Court recognizes and enforces the foreign order, either party may file a motion to modify by submitting a certified copy of an amended state or tribal court order. *HCN R. Civ. P.* 58(A). The Court does not require an additional fee to file a motion. However, prior to processing the motion, the Court must receive a certificate of service indicating that all other parties were provided a copy of the motion and accompanying documentation. *HCN R. Civ. P.* 19(A). Upon receipt of the proper documentation, the non-filing party may file a response within ten (10) days. *HCN R. Civ. P.* 19(B). If the Court does not receive a response within the prescribed time frame it may issue a default judgment granting the motion to modify. *HCN R. Civ. P.* 54(A).



UPDATES FROM OUTSIDE JURISDICTIONS

EIGHTH CIRCUIT

United States v. Mees, No. 10-3381, 38 Indian L. Rep. 2241 (8th Cir., May 31, 2011). The U.S. Court of Appeals for the Eighth Circuit affirmed the appellant’s sentencing for theft of federal program funds from the Standing Rock Sioux Tribal Housing Authority.

NINTH CIRCUIT

Blue Lake Rancheria, et al. v. United States, No. 10-15519, 38 Indian L. Rep. 2244 (9th Cir., Aug. 11, 2011). The U.S. Court of Appeals for the Ninth Circuit held that the exception to § 3306(c)(7) of Title 26 of the U.S. Code, the Federal Unemployment Tax Act (FUTA), applies only where a tribal government is a common-law employer and does not apply where a tribal government is a “statutory employer,” but that the taxes paid by a tribal business established by the appellant was not required to pay FUTA taxes with respect to its employees.

Miranda v. Anchando, et al., Nos. 10-15167 and 10-15308, 38 Indian L. Rep. 2256 (9th Cir., Aug. 17, 2011). The U.S. Court of Appeals for the Ninth Circuit held that § 1302(7) of the Indian Civil Rights Act unambiguously authorizes tribal courts to impose up to a one-year term of imprisonment for each discrete criminal violation.

K2 America Corporation v. Roland Oil & Gas, LLC, No. 10-35455, 38 Indian L. Rep. 2253 (9th Cir., Aug 5, 2011). The U.S. Court of Appeals for the Ninth Circuit held that there is no federal subject matter jurisdiction over a lawsuit between two Montana corporations alleging state law claims arising from a dispute over lands held by the United States in trust for Indian allottees.

TENTH CIRCUIT

Dine Citizens Against Ruining Our Environment, et al. v. Klein, et al., No. 11-1004, unpublished, 38 Indian L. Rep. 2259 (10th Cir., Aug. 26, 2011). The United States Court of Appeals for the Tenth Circuit dismissed an appeal from the district court’s remand order as premature in an action in which the district court concluded that the Office of Surface Mining Reclamation and Enforcement had violated the National Environmental Policy Act in approving the application of BHP Navajo Coal Company to revise the mining plan at its Navajo Mine.

Larry Snyder & Company v. Miller, No. 10-5045, 38 Indian L. Rep. 2261 (10th Cir., Aug. 15, 2011). The United States Court of Appeals for the Tenth Circuit affirms the district court’s grant of summary judgment in favor of the appellee based on its finding that no genuine issue of material fact exists concerning the appellee’s liability for repair work that exceeded the requirements of the subcontract of an agreement with the Housing Authority of the Osage Tribe.

United States v. Lente, No. 10-2194, 38 Indian L. Rep. 2263 (10th Cir., July 29, 2011). The United States Court of Appeals for the Tenth Circuit concludes that the district court’s failure to address the appellant’s argument about the need to avoid unwarranted sentencing disparities constitutes reversible procedural error, and reverses and remands.



RECENT TRIAL COURT DECISIONS

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

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

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



CHILD SUPPORT CASES

JANUARY 3, 2012

Debra Crowe v. Foster D. Cloud, CS 96-84 Order (Mot. Denied) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The petitioner filed a motion requesting that interest on child support arrearages be deducted from the

respondent's per capita distribution. Since the Court is only permitted to withhold actual child support arrears and not interest, the motion was denied.

State of Wisconsin v. Rachel Mendoza, CS 11-59 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

State of Wisconsin & Eau Claire Co. Child Support Agency v. Adam N. Greendeer, CS 11-61 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

Dane County Child Support Agency ex rel. Susana Valdez Hernandez v. Lucio Perez Valero, CS 11-73 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's wages. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

Heather Hartwig v. Steven Lincoln, CS 09-66 Order (Ceasing Current Child Support) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court previously ordered the parties to file proof of high school enrollment, or its equivalent, on behalf of the child. The child reached the age of eighteen on November 10, 2011, and neither party filed proof of high school enrollment. Accordingly, the Court ordered the HCN Dept. of Treasury to cease withholding from the respondent's per capita for current support.

Evelyn Burrell v. Ronell K. Brooks, CS 08-68 Order (Modifying Child Support Against Wages) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify the current child support withholding amount. The respondent was afforded

proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's motion.

Evangeline Two Crow v. Gregory Harrison, CV 97-153, *Nela F. Stacy v. Gregory Harrison*, CS 05-66 Order (Reinstating Arrears) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to reinstate withholding for outstanding arrears in Case No. CV 97-153. The respondent was afforded proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's motion.

Crystal Lonetree v. Vincent R. Palasz, CS 99-74, *State of Wisconsin ex rel. v. Vincent Palasz*, CS 04-41 Order (Conditionally Ceasing Child Support in CS 99-74 & Removing Equitable Adjustment) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to cease withholding for child support and arrears in Case No. 99-74. The Dane County Child Support Agency and respondent were afforded proper service of the motion, but failed to respond. The Court accordingly granted the petitioner's uncontested motion and removed the previously established equitable adjustment as the respondent is no longer a serial payor.

Mackenzie K. Alexander v. Johnathon K. Neumann, CS 11-68 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

La Crosse County Child Support Agency v. Shelby L. Wesho, CS 11-62 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

State of Wisconsin v. Joseph Grover, CS 07-89 Order (Ceasing Child Support) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to cease child support withholding from the respondent's per capita. The Court granted the petitioner's motion.

State of Wisconsin ex rel. v. Erin E. Pettibone, CS 10-01 Order (Updating Information) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A.)

On November 15, 2011, the Court received notice that the foreign jurisdiction's case had changed venue to Jackson County, which the Court recognizes as a motion to amend order. Both parties were afforded proper notice of the motion, but failed to respond. The Court accordingly directed the HCN Dept. of Treasury to reflect the new foreign court case number on withholding checks.

JANUARY 4, 2012

State of Wisconsin ex rel. v. Sabrina M. Eimer, CS 10-60 and *State of Wisconsin ex rel. Michelle A. Samphere v. Sabrina M. Eimer*, CS 11-38 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin/Jackson County v. Charles D. Hindsley, CS 03-66 Order (Updating Arrears) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to update arrears. The respondent was afforded proper notice of the motion, but failed to respond. The Court accordingly granted the uncontested motion.

State of Wisconsin and Cici BigJohn v. Corey Hindsley, CS 06-01 Order (Modifying Child Support) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support viewed as a motion to modify per capita withholdings. The respondent was afforded proper notice of the motion, but failed to respond. The Court accordingly granted the motion to modify.

JANUARY 5, 2012

Angela Decorah v. Christopher C. Decorah, Sr., CS 99-31 and *State of Wisconsin ex rel. v. Christopher C. Decorah, Sr.*, CS 11-38 Order (Enforcing Arrears in CS 99-31) (HCN Tr. Ct., Jan. 19, 2012) (Rockman, A.)

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

received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

Joanne Ulseth v. Patrick A. Edwards, CS 05-74 Order (Ceasing Current Child Support) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A.)

The Court previously ordered the parties to file proof of high school enrollment, or its equivalent, on behalf of the child. The child reached the age of eighteen on November 12, 2011, and neither party filed proof of high school enrollment. Accordingly, the Court ordered the HCN Dept. of Treasury to cease withholding from the respondent's per capita for current support in Case No. 05-74.

State of Wisconsin & Crystelann M. Morton v. Patrick W. Sturdevant, CS 07-27 Order (Modifying Child Support & Enforcing Arrears) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify the current child support withholding amount. The respondent was afforded proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's motion.

State of Wisconsin ex rel. v. Collin J. Cloud, CS 05-42, *In re the Paternity of A.J.C. by Susanna Littlewolf v. Collin Cloud*, CS 05-52, *State of Wisconsin ex rel. v. Collin J. Cloud*, CS 09-45 Order (Ceasing Withholding in Case No. CS 05-52 & Modifying Equitable Adjustment) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to cease withholding in Case No. 05-52. The Court granted the petitioner's motion and modified the equitable adjustment due to the respondent's serial payor status and termination of one child support withholding.

JANUARY 10, 2012

Angela Marie (Hoffman) Parker v. Clinton Coy Sitze, CS 07-79 Order (Ceasing Withholding) (HCN Tr. Ct., Jan. 10, 2012) (Rockman, A.)

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

Pamela Berefsky v. Darryl Berefsky, CS 09-69 Order (Updating Arrears) (HCN Tr. Ct., Jan. 10, 2012) (Rockman, A.)

The Milwaukee County Child Support Agency submitted an account statement indicating the respondent's remaining arrearage amount. The Court ordered the

HCN Dept. of Treasury to withhold this amount from the February 2012 per capita distribution and cease all future withholding thereafter.

JANUARY 11, 2012

Anna Webb v. Nathaniel H. Long, Jr., CS 98-49, *Misty Marie Long v. Nathaniel H. Long, Jr.*, CS 02-03, *Teresa A. Lightfeather v. Nathaniel H. Long, Jr.*, CS 05-83, and *Kristina Defoe v. Nathaniel H. Long, Jr.*, CS 08-79 *Order (Ceasing Withholding in CS 02-03 & Modifying Equitable Adjustment)* (HCN Tr. Ct., Jan. 11, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to cease withholding in CS 02-03. The Court granted the motion and performed an equitable adjustment due to the respondent's serial payor status and termination of one child support withholding.

State of Wisconsin ex rel. Christy L. Mallory v. Benjamin B. Conway, CS 11-71 *Order (Enforcing Child Support Against Per Capita)* (HCN Tr. Ct., Jan. 11, 2012) (Lowe, J.)

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

JANUARY 12, 2012

Regina K. Baldwin v. Hunter D. Littlejohn, CS 99-46, *Virginia C. Murphy v. Hunter D. Littlejohn, Sr.*, CS 03-72, *Bethany Littlejohn v. Hunter D. Littlejohn*, CS 10-55 *Order (Regarding Motions)* (HCN Tr. Ct., Jan. 19, 2012) (Rockman, A.)

On December 6, 2011, the La Crosse County Child Support Agency filed a correspondence requesting that the Court update the foreign court case number in Case No. CS 10-55. The Court accordingly directed the HCN Dept. of Treasury to reflect the new foreign court case number on withholding checks. The Agency also filed a motion to modify current support in the same case but failed to provide proof of service. The Court accordingly withheld judgment to provide the Agency an opportunity to remedy the issue.

Samantha Miller v. Keegan A. Huling, CS 09-27 *Order (Enforcing Arrears)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to enforce outstanding arrears against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted the petitioner's motion.

Columbia Co. Child Support Agency ex rel. v. Lesley A. Decorah, CS 09-12, *State of Wisconsin ex rel. v. Lesley A. Decorah*, CS 09-44 *Order (Enforcing Arrears & Equitable Adjustment)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court had to determine whether to grant two outstanding motions to withhold outstanding arrears against the respondent's per capita. The respondent received proper notice of both motions, but failed to respond. The Court accordingly granted both motions and performed an equitable adjustment due to the respondent's serial payor status.

Destinee Link v. Jerry D. Jones, CS 11-45, *Carey A. Link v. Jerry D. Jones*, CS 11-46 *Order (Enforcing Arrears & Equitable Adjustment)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to withhold outstanding arrears against the respondent's per capita in Case No. CS 11-45. The respondent received proper notice of the motion, but failed to respond. The Court accordingly granted the motion and performed an equitable adjustment due to the respondent's serial payor status.

Menominee Tribe of Wisconsin v. Andrew F. Lopez, CS 11-63, *Order (Enforcing Child Support Against Wages)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's wages. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

Menominee Tribe of Wisconsin v. Andrew F. Lopez, CS 11-63, *Order (Suspending Child Support & Preserving Arrears)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to suspend child support and preserve arrears due to the respondent and custodial parent residing together. Neither party opposed the motion at the scheduled *Status Hearing*. The Court accordingly granted the petitioner's motion and defined the proper procedures to reinstate withholdings if either party so requests.

State of Wisconsin ex rel. v. Carey A. Link, CS 10-24, *State of Wisconsin ex rel. v. Carey A. Link*, CS 11-66 *Order (Enforcing Child Support & Equitable Adjustment)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court

accordingly granted recognition and enforcement of the foreign judgment and performed an equitable adjustment due to the respondent's serial payor status.

JANUARY 13, 2012

State of Wisconsin/Jackson County v. Joseph I. Antone, CS 05-64, *Order (Modifying Child Support)* (HCN Tr. Ct., Jan. 13, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify current child support withholding. The respondent received proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's uncontested motion.

State of Wisconsin v. Warrington G. Greengrass, CS 11-75, *Order (Enforcing Child Support)* (HCN Tr. Ct., Jan. 13, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

JANUARY 16, 2012

State of Wisconsin ex rel. v. Jason H. Rave, CS 04-03, *State of Wisconsin ex rel. v. Jason H. Rave*, CS 07-44 *Order (Modifying Child Support & Equitable Adjustment)* (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify current support and reinstate arrears withholding against the respondent's per capita in Case No. CS 04-03. The respondent received proper notice of the motion, but failed to respond. The Court accordingly granted the motion and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin ex rel. Bethel St. Cyr v. Geoffrey Lonetree, CS 03-55 *Order (Modifying Child Support)* (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify current support and reinstate arrears withholding against the respondent's per capita. The respondent received proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's motion.

Melissa Rogers v. Darrell L. Sena, Jr., CS 02-21 *Order (Impounding Per Capita)* (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A.)

The Court currently enforces a foreign court's child support order against the respondent's per capita. On

October 31, 2011, the Court requested proof of the child's enrollment in high school, or its equivalent, as she would turn eighteen on January 29, 2012. Since the child will turn eighteen prior to the February per capita distribution but after the deadline to issue orders affecting per capita withholdings, the Court ordered the amount of \$318.00 be impounded but released if neither party submits proof of high school enrollment prior to the February per capita distribution.

Jillian Ennis v. Geoffrey Lonetree, CS 09-68 *Order (Ceasing Child Support)* (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to cease withholding against the respondent's per capita. The petitioner indicated that the respondent was no longer required to pay child support in the instant case. The Court accordingly granted the petitioner's motion.

Tammy M. Cook v. Richard A. Cloud, CS 98-67 *Order (Ceasing Child Support)* (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify withholdings amounts against the respondent's per capita. The respondent received proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's motion.

State of Wisconsin v. Allison M. Lowe, CS 11-34 *Order (Enforcing Arrears)* (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to enforce outstanding arrears against the respondent's per capita. The respondent received proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's motion.

State of Wisconsin/Shawano County and Tracy Cobb v. Daniel Bird, CS 03-51, *Kelly J. Funmaker v. Daniel E. Bird*, CS 06-49 *Order (Ceasing Current Child Support & Updating Arrears CS 03-51, Modifying CS 06-49)* (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to modify child support in Case No. CS 06-49. The respondent was afforded proper notice of the motion, but failed to respond. The Court accordingly granted the petitioner's uncontested motion. The Court also noted that current support in Case No. CS 03-51 should have ceased and arrears withhold should have increased.

JANUARY 17, 2012

State of Wisconsin v. Crystal Zeimet, CS 11-60 Default J. (Enforcing Child Support) (HCN Tr. Ct., Jan. 17, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for outstanding arrears against the respondent's per capita payments. The respondent received proper notice, but failed to respond. The Court accordingly granted recognition and enforcement of the foreign judgment.

JANUARY 19, 2012

Rickey D. Wilson v. Deanna L. Hopinka, CS 10-61 Order (Ceasing Child Support) (HCN Tr. Ct., Jan. 19, 2012) (Rockman, A.)

On January 19, 2012, the Court became aware that the respondent passed away on December 24, 2011. Accordingly, the Court ordered the HCN Dept. of Treasury to cease withholding from the respondent's per capita payments for child support.

JANUARY 23, 2012

Angela F. Long v. Truman H. Williams, CS 08-53 Order (Child Turning 18 – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 23, 2012) (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.

Anna Webb v. Nathaniel H. Long, Jr., CS 98-49 Order (Child Turning 18 – Requiring Proof of Enrollment) (HCN Tr. Ct., Jan. 23, 2012) (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.

JANUARY 27, 2012

Kimberly Eades v. Desirae Adams, CS 08-77 Order (Modifying Child Support) (HCN Tr. Ct., Jan. 19, 2012) (Rockman, A.)

The Court had to determine whether to grant the respondent's motion increase withholdings against her per capita. The motion complied with the underlying foreign court order and directly benefitted the petitioner. Accordingly, the Court granted the respondent's motion.

JANUARY 30, 2012

Nela F. Stacy v. Alfreda O. Sky, CS 05-07 Order (Ceasing Child Support) (HCN Tr. Ct., Jan. 30, 2012) (Rockman, A.)

The Court had to determine whether to grant the petitioner's motion to cease withholding against the respondent's per capita. The petitioner indicated that the respondent was no longer had child support or arrears obligations. The Court accordingly granted the petitioner's motion.

Melissa Rogers v. Darrell L. Sena, Jr., CS 02-21 Order (Releasing Impound & Ceasing Current Child Support) (HCN Tr. Ct., Jan. 30, 2012) (Rockman, A.)

The Court previously impounded \$318.00 from the respondent's February 2012 per capita distribution. Since no proof of high school enrollment was filed, the Court ordered the impounded amount to be released and current support withholding to be ceased.

JANUARY 31, 2012

State of Wisconsin ex rel. v. Wilfrid Cleveland, CS 03-19 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

Rachel Wallace v. Lewis A. Frogg, CS 02-40 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

State of Wisconsin v. Sammy Lee Griner, Jr., CS 10-38 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

State of Wisconsin, Eau Claire County Child Support Agency v. Cecil E. Head, CS 03-08 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

 **CIVIL GARNISHMENT CASES****JANUARY 3, 2012**

Value Finance, Inc. v. Lavina M. Pammaskah, CG 11-162 Order (Default J.) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A).

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

Gundersen Clinic v. Neil Whitegull, CG 11-132 Order (Erratum) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A).

In its prior decision, the Court errantly directed the HCN Dept. of Treasury, Payroll Division, to satisfy the respondent's outstanding debt against his wages. The Court issued an erratum order to designate the HCN Housing and Community Development Agency as the proper entity to garnish the respondent's wages.

JANUARY 6, 2012

Affiliated Dentists, S.C. v. Mollie Pauliot, CG 11-165 Order (Default J.) (HCN Tr. Ct., Jan. 6, 2012) (Rockman, A).

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

Midland Funding LLC by its servicing agent, Midland Credit Management, Inc. v. Dawn Getzloff, CG 11-168 Order (Default J.) (HCN Tr. Ct., Jan. 6, 2012) (Rockman, A).

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

JANUARY 16, 2012

Midland Credit Management, Inc. v. Lani Blackdeer, CG 11-24 Order (Granting Mot. to Modify) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Terry Lafler v. Sherry Kirkland, CS 00-34 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

State of Wisconsin/Juneau County v. Andrew S. Rave, CS 05-19 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

State of Wisconsin/Tammie J. Lamb v. Bryan J. Ringer, CS 07-80 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

Michelle Stacy v. Zachary Thundercloud, CS 01-24 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

Vonetta F. Merritt v. George I. Merritt, CS 08-04 Order (Enforcing Receipt & Disbursement Fees) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A.)

Upon review of the case file, the Court recognized that it had not ordered annual receipt and disbursement fees to be withheld from the respondent's wages. Accordingly, the Court ordered the HCN Dept. of Treasury to withhold the annual amount. Withholding for child support remained as previously ordered.

JANUARY 17, 2012

Alliance Collection Agencies, Inc. v. Dawn A. Getzloff, CG 11-88 Order (Granting Mot. to Modify) (HCN Tr. Ct., Jan. 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

JANUARY 23, 2012

Black River Memorial v. Jamie R. Wallace, CG 11-146 Order (Default J.) (HCN Tr. Ct., Jan. 23, 2012) (Rockman, A).

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

Kristin Chambers & Capitol Travel Service, Inc. v. Judith A. Whitehorse, CG 11-79 Order (Pet. Granted) (HCN Tr. Ct., Jan. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court convened a *Fact-Finding Hearing* following the respondent's written request to establish a payment plan. Due to the petitioner's opposition to the proposed payment plan and the respondent's failure to provide evidence of a recognized exemption, the Court granted the petitioner's request.

JANUARY 27, 2012

Sauk County Clerk of Courts v. Vincent G. Decorah, CG 11-153 Order (Default J.) (HCN Tr. Ct., Jan. 27, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a series of foreign judgments. The respondent failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.



CIVIL CASES



ADMINISTRATIVE APPEALS

NO DECISIONS AT THIS TIME.



CHILDREN'S TRUST FUND (CTF)

JANUARY 3, 2012

In the Interest of Adult CTF Beneficiary: Athena Smekofske, DOB 04/04/1989 v. HCN Office of Tribal Enrollment, CV 11-

71 Order (Conditional Dismissal) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A).

The Court conditionally dismissed the case without prejudice due to the petitioner's failure to appear at the *Fact-Finding Hearing*.

JANUARY 4, 2012

In the Interest of Minor Children: M.C.C., DOB 07/07/1994 and L.J.C., DOB 06/01/1998, by Vanessa Carriaga v. HCN Office of Tribal Enrollment, CV 11-40 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A).

The Court previously released money from the Children's Trust Fund for the minor children for costs associated with orthodontic procedures. On December 8, 2011, the petitioner filed a *Ledger Copy*. The Court accepted the accounting.

In the Interest of Minor Child: D.R.W., DOB 08/12/2004, by Mary Funmaker v. HCN Office of Tribal Enrollment, CV 11-74 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with dental procedures. On December 14, 2011, the petitioner filed a *Statement of Account*. The Court accepted the accounting.

In the Interest of Minor Child: D.R.W., DOB 08/12/2004, by Mary Funmaker v. HCN Office of Tribal Enrollment, CV 11-74 Order (Motion Granted) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with dental procedures. On December 14, 2011, the petitioner submitted a request for further release of CTF monies to cover additional unmet patient obligation. The Court granted the release of funds to satisfy the request.

In the Interest of Minor Child: N.M.M., DOB 12/06/1997, by Deanna Greendeer v. HCN Office of Tribal Enrollment, CV 11-41 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A).

The Court previously released money from the Children's Trust Fund for the minor children for costs associated with orthodontic procedures. On December 12, 2011, the petitioner filed an *Appointment History*. The Court accepted the accounting.

In the Interest of Minor Child: S.M., DOB 12/13/1995, by Lisa Lockemy, CFS Social Worker v. HCN Office of Tribal Enrollment, CV 10-88 Order (Requesting Update) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with

orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by February 6, 2012.

In the Interest of Minor Child: R.P., DOB 03/06/2006, by Tracy Pecore v. HCN Office of Tribal Enrollment, CV 10-106 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 4, 2012) (Rockman, A).

The Court previously released money from the Children's Trust Fund for the minor children for costs associated with orthodontic procedures. On November 29, 2011, the petitioner filed a *Patient Transactions List*. The Court accepted the accounting.

JANUARY 5, 2012

In the Interest of Minor Child: S.A., DOB 03/12/1996, by Jamie Funmaker v. HCN Office of Tribal Enrollment, CV 11-92 Order (Petition Granted) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access monies from the minor child's Children's Trust Fund to pay for costs associated with dental procedures. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

In the Interest of Minor Child: B.R., DOB 03/17/1997, by Candace Ringham v. HCN Office of Tribal Enrollment, CV 10-108 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On December 14, 2011, the petitioner filed an *Account Transaction*. The Court accepted the accounting.

In the Interest of Minor Child: A.V.F., DOB 03/26/1998, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-45 Order (Motion Granted) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On December 13, 2011, the petitioner submitted a request for further release of CTF monies to cover additional unmet patient obligation. The Court granted the release of funds to satisfy the request.

In the Interest of Minor Child: S.L., DOB 06/08/1995, by Earl Lemieux II v. HCN Office of Tribal Enrollment, CV 11-91

Order (Petition Granted) (HCN Tr. Ct., Jan. 5, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access monies from the minor child's Children's Trust Fund to pay for costs associated with dental procedures. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

JANUARY 6, 2012

In the Interest of Minor Child: M.N.C., DOB 01/23/1999, by Sherie L. Crowley v. HCN Office of Tribal Enrollment, CV 11-57 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 6, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On December 14, 2011, the petitioner filed a *Patient Ledger Print*. The Court accepted the accounting.

In the Interest of Minor Child: R.P., DOB 07/13/1997, by Audrey Goodbear, and In the Interest of Adult CTF Beneficiary: Joshua P. Funmaker, DOB 11/17/1993 v. HCN Office of Tribal Enrollment, CV 11-80 Order (Addressing the Remainder of the Petition) (HCN Tr. Ct., Jan. 6, 2012) (Rockman, A).

In the immediate order, the Court needed to determine whether the adult CTF beneficiary could access monies on his behalf from the Children's Trust Fund to pay for costs associated with orthodontic procedures. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

JANUARY 9, 2012

In the Interest of Decedent Member: J.C.T., by Katie Heffner v. HCN Office of Tribal Enrollment, CV 11-93 Order (Releasing Children's Trust Fund to Estate) (HCN Tr. Ct., Jan. 9, 2012) (Rockman, A).

The Court had to determine whether to release the monies from a decedent tribal member's CTF to the estate. The Ho-Chunk Nation had deposited a substantial sum of money in the CTF account prior to the unfortunate passing of the tribal member. These monies remain in an irrevocable trust held by the Ho-Chunk Nation and administered by Fifth Third Bank in Grand Rapids, MI. The Court directed the release of the CTF to the court-appointed representative of the estate.

JANUARY 13, 2012

In the Interest of Adult CTF Beneficiary: Tashella S. King, DOB 10/21/87 v. HCN Office of Tribal Enrollment, CV 11-38 Order (Suspending Release) (HCN Tr. Ct., Jan. 13, 2012) (Rockman, A).

Based on the petitioner's failure to attend subsequent status hearings, the Court directed Fifth Third Bank to suspend all future releases of the Children's Trust Fund until further notice.

JANUARY 16, 2012

In the Interest of Minor Child: M.A.E., DOB 06/07/2001, by Andrea Estebo v. HCN Office of Tribal Enrollment, CV 11-75 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On November 30, 2011, the petitioner filed a *Single Family Ledger*. The Court accepted the accounting.

In the Interest of Minor Child: S.J.R., DOB 03/31/1999, by Steven J. Eades v. HCN Office of Tribal Enrollment, CV 11-59 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On January 5, 2012, the petitioner filed a *Client Account Charges Receipt*. The Court accepted the accounting.

In the Interest of Minor Child: O.A., DOB 04/26/2001, by Rhonda Anderson v. HCN Office of Tribal Enrollment, CV 10-69 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by February 16, 2012.

In the Interest of Minor Children: C.C., DOB 11/22/1997 and K.C., DOB 01/04/1999, by Lisa Lockemy & CFS v. HCN Office of Tribal Enrollment, CV 11-78 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by February 16, 2012.

In the Interest of Adult CTF Beneficiary Joanna Roybal, DOB 12/15/1992 v. HCN Office of Tribal Enrollment, CV 11-01 Order (Show Cause) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult CTF beneficiary for costs associated with continuing high school education and receiving a copy of her birth certificate. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. The Court sent two (2) reminders to the petitioner requesting the necessary accounting. The petitioner still has not submitted accounting. Therefore, the Court shall hold a *Show Cause Hearing* to allow the petitioner an opportunity to explain why the Court should not hold her in contempt of court.

In the Interest of Minor Child: S.W. DOB 05/25/2000, by Glen White v. HCN Office of Tribal Enrollment, CV 12-01 Order (Pet. Granted) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access monies from the minor child's Children's Trust Fund to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

JANUARY 17, 2012

In the Interest of Minor Child: J.B.K., DOB 02/17/2004, by Danielle Knak v. HCN Office of Tribal Enrollment, CV 08-42 Order (Maintaining Quarterly Disbursement) (HCN Tr. Ct., Jan. 17, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could continue to access monies from the Children's Trust Fund on behalf of her minor child to provide for ongoing needs due to the minor child's autism. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

In the Interest of Decedent Member: D.K.B., DOB 01/01/1995, by Bruce R. Blackdeer v. HCN Office of Tribal Enrollment, CV 11-89 Order (Requesting Documentation) (HCN Tr. Ct., Jan. 17, 2012) (Rockman, A).

The Court had to determine whether to release the monies from a decedent tribal member's CTF to the estate. The Ho-Chunk Nation had deposited a substantial sum of money in the CTF account prior to the unfortunate passing of the tribal member. These monies remain in an irrevocable trust held by the Ho-Chunk

Nation and administered by Fifth Third Bank in Grand Rapids, MI. The Court requested a county court order declaring the petitioner to be the personal representative of the decedent's estate prior to releasing the CTF to the estate.

JANUARY 18, 2012

In the Interest of Adult CTF Beneficiary: Sandra L. Ortiz, DOB 02/15/1992 v. HCN Office of Tribal Enrollment, CV 11-45 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 18, 2012) (Rockman, A).

The Court previously released money from the adult CTF beneficiary's Children's Trust Fund for costs associated with a professional tutoring program. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by February 20, 2012.

In the Interest of Minor Child: D.E.R., DOB 12/28/1997, by Kimberly Ramirez v. HCN Office of Tribal Enrollment, CV 11-53 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 18, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On January 17, 2012, the petitioner filed a *Ledger Copy*. The Court accepted the accounting.

In the Interest of Minor Child: C.J.K., DOB 08/17/1994, by Angela Kelly v. HCN Office of Tribal Enrollment, CV 11-77 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 18, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by February 20, 2012.

In the Interest of Adult CTF Beneficiary: Geraldine Y. Rochester, DOB 08/19/1990 v. HCN Office of Tribal Enrollment, CV 11-56 Order (Partially Accepting Accounting) (HCN Tr. Ct., Jan. 18, 2012) (Rockman, A).

The Court previously released money from the adult CTF beneficiary's Children's Trust Fund for costs associated with high school tuition, dental care and an automobile purchase. On January 4, 2012, the petitioner filed a *Statement of Actual Services*. However, the document does not demonstrate proof of payment. Additionally, the petitioner has failed to provide accounting for payment of high school tuition or an educational update. Therefore, the Court scheduled a

Status Hearing to determine the petitioner's progress in this case.

JANUARY 20, 2012

In the Interest of Minor Child: M.J.T., DOB 03/18/2001, by Felicia Wanna v. HCN Office of Tribal Enrollment, CV 12-06 Order (Pet. Granted) (HCN Tr. Ct., Jan. 20, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access monies from the minor child's Children's Trust Fund to pay for costs associated with orthodontic procedures. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

JANUARY 25, 2012

In the Interest of Minor Child: B.M.T., DOB 08/17/1994, by Bernice Twinn v. HCN Office of Tribal Enrollment, CV 11-81 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 25, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by February 27, 2012.

In the Interest of Minor Children: D.R.C., DOB 04/26/2000 and M.S.C., DOB 04/12/2001 v. HCN Office of Tribal Enrollment, CV 12-02 Order (Pet. Granted) (HCN Tr. Ct., Jan. 25, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access monies from the minor children's Children's Trust Fund to pay for costs associated with dental care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

JANUARY 26, 2012

In the Interest of Minor Child: N.P.F., DOB 11/07/2002, by Samson Falcon v. HCN Office of Tribal Enrollment, CV 12-03 Order (Pet. Granted) (HCN Tr. Ct., Jan. 26, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access monies from the minor child's Children's Trust Fund to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request.

The Court granted the release of funds to satisfy the request.

In the Interest of Minor Child: K.A.B., DOB 06/14/2001, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-07 Order (Pet. Granted) (HCN Tr. Ct., Jan. 26, 2012) (Lowe, J.).

The Court needed to determine whether the petitioner could access monies from the minor child's Children's Trust Fund to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the request.

JANUARY 30, 2012

In the Interest of Minor Child: D.R.W., DOB 08/12/2004, by Mary Funmaker v. HCN Office of Tribal Enrollment, CV 11-74 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 30, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On January 25, 2012, the petitioner filed a *Single Patient Ledger*. The Court accepted the accounting.

JANUARY 31, 2012

In the Interest of Minor Children: C.C., DOB 08/26/1998 and E.C., DOB 08/13/2003, by Jessica Clark v. HCN Office of Tribal Enrollment, CV 11-94 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A).

The Court granted the petitioner's request to appear by telephone at the *Fact-Finding Hearing*.

In the Interest of Minor Child: S.B., DOB 12/20/1997, by Daryll Bird, Sr. v. HCN Office of Tribal Enrollment, CV 11-64 Order (Requesting Accounting) (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A).

The Court previously released money from the minor's Children's Trust Fund for costs associated with private school tuition. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by March 1, 2012.

In the Interest of Minor Child: S.M., DOB 12/13/1995, by Lisa Lockemy, CFS Social Worker v. HCN Office of Tribal Enrollment, CV 10-88 Order (Accepting Accounting) (HCN Tr. Ct., Jan. 31, 2012) (Lowe, J).

The Court previously released money from the minor's Children's Trust Fund for costs associated with orthodontic procedures. On January 25, 2012, the

respondent filed a *Financial History*. The Court accepted the accounting.

ELECTION MATTERS

JANUARY 12, 2012

Elena Terry v. Douglas Greengrass, et al., CV 11-79 Scheduling Order (HCN Tr. Ct., Jan. 12, 2012) (Rockman, A).

The Court issued a scheduling order for the instant case.

ENROLLMENT

NO DECISIONS AT THIS TIME.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

JANUARY 6, 2012

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Requesting Resubmission) (HCN Tr. Ct., Jan. 6, 2012) (Rockman, A).

The Court received a request for release of money from the Incompetent's Trust Fund to buy Christmas gifts for family members. The Court requested resubmission of the request as it was filed by the ward rather than the guardian.

JANUARY 16, 2012

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., Jan. 16, 2012) (Rockman, A).

The Court previously released money from the ward's Incompetent Trust Fund for costs associated with ongoing nursing home care and professional guardianship fees. On September 23, 2011 and December 19, 2011, the petitioner submitted a series of invoices. The Court accepted the accounting.

JANUARY 18, 2012

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Requesting Resubmission) (HCN Tr. Ct., Jan. 18, 2012) (Rockman, A).

The Court received a request for release of money from the Incompetent's Trust Fund to provide gifts of \$400.00 to each of the ward's five children. The Court requested

resubmission of the request as it was filed by the ward rather than the guardian.

JANUARY 25, 2012

In the Interest of Adult Incompetent: C.M.R., DOB 11/23/1988, by Mignon Harris v. HCN Office of Tribal Enrollment, CV 11-70 Order (Partially Granting Pet.) (HCN Tr. Ct., Jan. 25, 2012) (Rockman, A).

The Court needed to determine whether the petitioner guardian could access monies from the ward's Incompetent's Trust Fund to pay for costs associated with housing, utility bills, clothing and a personal allowance. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted a partial release of funds to satisfy the requests for which the petitioner provided adequate supporting documentation.

JANUARY 27, 2012

In the Interest of Adult Incompetent: D.H., DOB 07/10/1964, by Jamie Pastika, Pastika Guardianship v. HCN Office of Tribal Enrollment, CV 09-32 Order (Closing Case) (HCN Tr. Ct., Jan. 27, 2012) (Rockman, A).

On January 19, 2012, the Court became aware that the ward passed away on December 24, 2011. The Court closed the case and extended its condolences to the ward's family and friends.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. THREE (3) ORDERS WERE ISSUED FROM JANUARY 1, 2012 THROUGH JANUARY 31, 2012.

FAMILY

DIVORCE

JANUARY 3, 2012

In re the Marriage of: Celeste L. Goff and Winfield L. Eagleman, FM 11-04 Order (Conditional Dismissal) (HCN Tr. Ct., Jan. 3, 2012) (Rockman, A).

Both parties failed to appear at the *Initial Hearing* and failed to notify the Court of an inability to attend the proceeding. The Court informed the parties of its intent to dismiss the case unless either party submits a written request to reschedule prior to February 3, 2012.

JANUARY 16, 2012

In re the Marriage of: Jacinda Parker and Daniel Parker, FM 11-10 Order (Dismissal) (HCN Tr. Ct., Jan. 16, 2012) (Rockman, A).

Both parties failed to appear at the *Initial Hearing* and failed to notify the Court of an inability to attend the proceeding. The Court accordingly dismissed the case without prejudice.

JANUARY 31, 2012

In re the Marriage of: Lori J. Osowski and Philip J. Osowski, FM 11-11 Final Judgment for Divorce (HCN Tr. Ct., Jan. 31, 2012) (Rockman, A).

The Court granted the uncontested divorce filed by the joint-petitioners.

JUVENILE CASES

ALL JUVENILE CASE DECISIONS SHALL REMAIN CONFIDENTIAL. SEVENTEEN (17) ORDERS WERE ISSUED FROM JANUARY 1, 2012 THROUGH JANUARY 31, 2012.



RECENT SUPREME COURT DECISIONS

NO DECISIONS AT THIS TIME.



RECENT TRIAL COURT FILINGS

CHILD SUPPORT CASES

JANUARY 4, 2012

Sara Eull v. Christopher Eull, CS 12-01 (Lowe, J).

Matthew Koresh v. Jackie Kletzke, CS 12-02 (Lowe, J).

JANUARY 18, 2012

State of Wisconsin & Tony Redbird v. Marcella K. Redbird, CS 12-03 (Lowe, J).

JANUARY 20, 2012

Amanda J. Kuettel v. Bryan Sykora, CS 12-04 (Lowe, J).

State of Wisconsin & Rachael Davis v. Conrad Roberts, CS 12-04 (Lowe, J).

Crystal Dawn Norcross v. Mark Lonetree, CS 12-05 (Lowe, J).



CIVIL CASES

JANUARY 5, 2012

In the Interest of Minor Child: S.W., DOB 05/25/2000, by Glen White v. HCN Office of Tribal Enrollment, CV 12-01 (Lowe, J).

JANUARY 11, 2012

In the Interest of Minor Children: D.R.C., DOB 04/26/2000 and M.S.C., DOB 04/12/2001, by Rodney Cloud v. HCN Office of Tribal Enrollment, CV 12-02 (Rockman, A).

JANUARY 12, 2012

In the Interest of Minor Child: N.P.F., DOB 11/07/2002, by Samson Falcon v. HCN Office of Tribal Enrollment, CV 12-03 (Rockman, A).

Ho-Chunk Nation, Ho-Chunk Nation Dept. of Labor v. Jennifer Kearnes, CV 12-04 (Rockman, A).

JANUARY 13, 2012

Lance Vaughn v. Grievance Review Board, Ho-Chunk Gaming Madison, CV 12-05 (Rockman, A).

JANUARY 17, 2012

In the Interest of Minor Child: M.J.T., DOB 03/18/2001, by Felicia Wanna v. HCN Office of Tribal Enrollment, CV 12-06 (Lowe, J).

JANUARY 19, 2012

In the Interest of Minor Child: K.A.B., DOB 06/14/2001, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-07 (Lowe, J).

JANUARY 31, 2012

In the Interest of Minor Children: T.M.G., DOB 05/14/1998 and S.G., DOB 02/05/1994, by Sherry Lonetree Gray v. HCN Office of Tribal Enrollment, CV 12-08 (Lowe, J).



CIVIL GARNISHMENT CASES

JANUARY 5, 2012

Alliance Collection Agencies, Inc. v. Pierre J. Decorah, Jr., CG 12-01 (Rockman, A).

Alliance Collection Agencies, Inc. v. Phylliss J. Arndt, CG 12-02 (Rockman, A).

JANUARY 18, 2012

Chesapeake Operating, Inc. v. Annette Knapton, CG 12-03 (Rockman, A).

Dane County Clerk of Courts v. Lance B. Vaughn, CG 12-04 (Rockman, A).

Krekeler Strother, S.C. v. Donald Tesch, CG 12-05 (Rockman, A).

JANUARY 30, 2012

Alliance Collection Agency v. Mark L. Pflager, CG 12-06 (Rockman, A).

Capital One Bank USA NA v. Mason A. Gunderson, CG 12-07 (Rockman, A).

Capital One Bank USA NA v. Marjorie C. Whitman, CG 12-08 (Rockman, A).

Midland Credit Management, Inc. v. Jennifer La Chapelle, CG 12-09 (Rockman, A).

Capital One Bank USA NA v. Troy Swallow, CG 12-10 (Rockman, A).

Capital One Bank USA NA v. Kathy H. Frogg, CG 12-11 (Rockman, A).

Capital One Bank USA NA v. Roger R. Youngthunder, CG 12-12 (Rockman, A).



JUVENILE CASES

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. FOUR (4) CASES WERE FILED FROM JANUARY 1, 2012 THROUGH JANUARY 31, 2012.



FAMILY CASES

NO CASES FILED AT THIS TIME.



DOMESTIC VIOLENCE

NO CASES FILED AT THIS TIME.



RECENT SUPREME COURT FILINGS

NO CASES FILED AT THIS TIME.



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

Supreme Court – Mary Jo B. Hunter, Chief Justice
Dennis Funmaker, Associate Justice
Todd R. Matha, Associate Justice
Clerk of Court, Supreme Court– Mary Thunder

Traditional Court – Earl Blackdeer
Wayne Falcon
Dennis Funmaker
Cecil Garvin
Conroy Greendeer
Roy Greengrass
Thomas Hopinkah
Richard Mann
Desmond Mike
Preston Thompson, Jr.
Andrew Thundercloud
Morgan Whiteeagle
Clayton Winneshiek

Trial Court – Jo Deen B. Lowe, Chief Judge
Amanda L. Rockman, Associate Judge
Clerk of Court, Trial Court – Martina M. Gauthier
Assistant Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Bailiff/Process Server – William Collins
Administrative Assistant – Rosalie Kakkak
Law Clerk/Staff Attorney – John Kellis

* 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)

HO-CHUNK NATION COURT BULLETIN

February 2012 Issue



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THIRD PARTY GUARDIANSHIPS IN THE HO-CHUNK NATION TRIBAL COURT

On May 5, 2009, the Ho-Chunk Nation Legislature enacted the HOCOK NATION THIRD PARTY GUARDIANSHIP ACT (hereinafter GUARDIANSHIP ACT), authorizing the Ho-Chunk Nation Trial Court to appoint a guardian for minor children who either have no guardian or where such instability in the home exists that the appointment of a guardian would be in the child's best interests. 4 HCC § 11.2. Due to the immense importance of protecting the Nation's youth, the Court has created this summary to provide insight into the applicable law and procedures in hopes to aid future litigants during the guardianship process.

The guardianship action begins when either the proposed guardian or a minor child who has reached the age of sixteen (16) files a *Petition for Temporary or Permanent Guardianship* (hereinafter *Petition*) with the Ho-Chunk Nation Trial Court. *Id.* §§ 11.2, 11.10a(1). Additionally, all members of the petitioner's household who have attained the age of sixteen (16) must submit to a criminal background check. *See Id.* § 11.10a(3). While the Court does not require a filing fee in guardianship actions, those subject to the aforementioned background check requirement must pay the amount of \$33.00 per person.

The petitioner may also attach a notarized statement by the minor child's parents consenting to the proposed guardianship. *Id.* § 11.12f. At any time prior to the

Guardianship Hearing, the parent may withdraw his or her consent by submitting a notarized statement attesting to such, though the parent need not articulate a reason. *Id.* § 11.12g(1). The parent may also choose to withdraw his or her consent following the *Guardianship Hearing* or the appointment of a temporary or permanent guardian. *Id.* § 11.12g(2). Under such circumstances, the Court shall order the appointed guardian ad litem (hereinafter GAL) to conduct a Best Interests Study to aid in determining the best interests of the child. *Id.*

Once the petitioner files the required documentation, the Court shall issue and serve summonses on the child's parents, proposed guardian(s) and any other interested party. GUARDIANSHIP ACT. § 11.11a(1). The summonses shall inform the parties of their required appearance at the scheduled *Guardianship Hearing* to be held within forty-five days of the *Petition* filing date. *Id.* §§ 11.11b(2), 11.13a. The Court may find in contempt of court those properly served with the summons who fail to attend the *Guardianship Hearing* without an acceptable explanation. *Id.* §§ 11.11b(2), 11.11d.

The Court also shall immediately appoint a GAL to protect the best interests of the minor child. *Id.* § 11.12b. In fulfilling his or her duties, the GAL shall interview the proposed guardian(s), conduct a home assessment with the minor child and submit a written guardianship report to the Court at least ten (10) days prior to the scheduled *Guardianship Hearing*. *Id.* § 11.12c(3). The GAL shall also appear at the *Guardianship Hearing* to represent the best interests of the child. *Id.* § 11.12d(4).

Finally, the petitioner must submit a completed sworn and notarized *Statement of Acts* form at least ten days prior to the scheduled *Guardianship Hearing*. *Id.* § 11.12e(1). The purpose of this form is to afford the petitioner an opportunity to answer several questions which the Court will utilize to determine the suitability of the proposed guardianship. *Id.* § 11.12e(2). Failure to complete or provide truthful answers within the *Statement of Acts* form shall subject the party to contempt of court and will delay the adjudication of the guardianship action. *Id.* § 11.12e(3).

Once the Court has effectively served the parties and received the above-referenced guardianship report and *Statement of Acts* form, the Court shall convene a *Guardianship Hearing* to determine whether if it is in the best interests of the child to be placed with the proposed guardian(s) and to determine the suitability of the proposed guardian(s). *Id.* § 11.13b. During the *Hearing*, the Court shall inform the parties of their basic rights and shall examine the several factors including, but not limited to the validity of the parental consent, the submitted guardianship report(s), the *Statement of Acts* form and any special conditions of the child. *Id.* § 11.13c-e. Additionally, the Court is required to file a mandatory report with Ho-Chunk Nation Children and Family Services if the Court becomes aware or has reasonable suspicion to believe the child has been abused, neglected or abandoned. HOCAK NATION CHILDREN AND FAMILY ACT, 4 HCC §§ 3.11a, 3.11b(10).

Following the *Guardianship Hearing*, the Court shall issue an order either granting or denying the proposed guardianship, thoroughly describing the basis for the Court's decision. *Id.* §§ 11.14a(1), 11.14b, 11.15a. Alternatively, if the Court finds the proposed guardian unsuitable, the Court may schedule another *Guardianship Hearing* following a GAL investigation into the suitability of additional guardians. *Id.* § 11.14a(2). If the Court appoints either a temporary or permanent guardian of the child, the Court shall list the powers, duties and limitations of authority imposed upon the appointed guardian. *Id.* § 11.15b-d. Among these recognized duties is the requirement to file an annual report updating the Court on the status of the guardianship and the well-being of the child. *Id.* § 11.17.



UPDATES FROM OUTSIDE JURISDICTIONS

SECOND CIRCUIT

Oneida Indian Nation of New York v. Madison County, et al., Nos. 05-6408-cv (L), 06-5168-cv (CON) and 06-5515-cv (CON), 38 Indian L. Rep. 2327 (2d Cir., Oct. 20, 2011). The U.S. Court of Appeals for the Second Circuit concluded that the Oneida Indian Nation had abandoned its claims premised on tribal sovereign immunity and the Nonintercourse Act, that the district court erred in ruling that the Counties' redemption-notice procedures failed to comport with due process, and that the district court should not exercise supplemental jurisdiction over the Nation's state-law claims.

EIGHTH CIRCUIT

Amerind Risk Management Corporation v. Malaterre, et al., Sr., No. 08-3949, 38 Indian L. Rep. 2341 (8th Cir., Feb. 15, 2011). The U.S. Court of Appeals for the Eighth Circuit reversed the district court's grant of summary judgment in favor of plaintiffs and remands to the district court with directions to enjoin the plaintiffs from proceeding against the defendant Amerind Risk Management Corporation (Amerind) in tribal court, holding that the tribal court does not have jurisdiction because Amerind is entitled to tribal sovereign immunity and the plaintiffs have failed to meet their burden of showing that Amerind waived such immunity.



RECENT TRIAL COURT DECISIONS

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

Within the Trial Court, cases are categorized and docketed as one of the following: Child Support (CS or if filed prior to 1998, CV), Civil Garnishment (CG), Civil (CV), Criminal (CR), Custody (CU), Domestic Violence (DV), Family (FM), or Juvenile (JV). Within this index, case citations will appear in one of these categories and, in the event it may be helpful to the reader as a research tool,

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

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



CHILD SUPPORT CASES

FEBRUARY 6, 2012

Matthew Korseh [sic] v. Jackie Kietzke, CS 12-02 Order (Conditional Dismissal) (HCN Tr. Ct., Feb. 6, 2012) (Rockman, A.)

The Court informed the parties of its intent to dismiss the instant case due to both parties' failure to attend the scheduled *Fact-Finding Hearing*.

FEBRUARY 23, 2012

Carmen Waldschmidt v. Craig Waldschmidt, CS 08-70 Order (Modifying Child Support) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A.)

The Court had to determine whether to enforce a standing foreign order for child support recognized as a motion to modify per capita withholdings. The respondent was afforded proper notice of the motion, but failed to respond. The Court accordingly granted the motion to modify.

FEBRUARY 24, 2012

Taryn Power Greendeer v. William J. Greendeer, CS 03-70 and *State of Wisconsin v. William J. Greendeer*, CS 11-42 Order (Erratum) (HCN Tr. Ct., Feb. 24, 2012) (Rockman, A.)

In its prior decision, the Court errantly directed the HCN Dept. of Treasury to indicate the same case number on withholding checks arising from two separate cases. The Court issued an erratum order to designate the correct case numbers for each withholding check.

FEBRUARY 28, 2012

Amanda J. Kuettel v. Bryan J. Sykora, CS 12-04 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A.)

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

grant recognition and enforcement of the foreign judgment.



CIVIL GARNISHMENT CASES

FEBRUARY 1, 2012

Capitol One Bank v. Ronald J. Hamilton, Jr., CG 11-51 Order (Satisfaction of Judgment) (HCN Tr. Ct., Feb. 1, 2012) (Rockman, A).

The Court closed the file as the petitioner submitted a filing indicating that the underlying judgment was paid in full.

Alliance Collection Agencies, Inc. v. Phyllis J. Arndt, CG 12-02 Order (Default J.) (HCN Tr. Ct., Feb. 1, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

FEBRUARY 7, 2012

Alliance Collection Agencies, Inc. v. Kenneth J. Jardin, CG 11-163 Order (Default J.) (HCN Tr. Ct., Feb. 7, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Gleiss, Locante & Associates, LTD v. Alison Redeagle, CG 11-145 Order (Suspension of Activity) (HCN Tr. Ct., Feb. 7, 2012) (Rockman, A).

The Court issued an order informing the parties of the Court's standard practice and procedures involving civil garnishment actions against former Ho-Chunk Nation employees.

Black River Memorial Hospital v. Tammy Elliot, CG 10-106 Order (Granting Mot. to Modify) (HCN Tr. Ct., Feb. 7, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

FEBRUARY 15, 2012

Dane County Clerk of Courts v. Lance B. Vaughn, CG 12-04 Order (Default J.) (HCN Tr. Ct., Feb. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

In the Matter of the Outstanding Obligations of John L. Whitewater, CG 12-22 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Feb. 15, 2012) (Rockman, A).

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

Chesapeake Operating, Inc. v. Annette Knapton, CG 12-03 Order (Default J.) (HCN Tr. Ct., Feb. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Capital One Bank v. Elizabeth Saylor, CG 09-88 Order (Satisfaction of Judgment) (HCN Tr. Ct., Feb. 15, 2012) (Rockman, A).

The Court closed the file as the debtor submitted a filing indicating that the underlying judgment was paid in full.

Capital One Bank v. Chalsee M. Hockenberry, CG 11-25 Order (Granting Mot. to Modify) (HCN Tr. Ct., Feb. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

In the Matter of the Outstanding Obligations of Samuel S. White, CG 11-137 Order (Satisfaction of Judgment) (HCN Tr. Ct., Feb. 15, 2012) (Rockman, A).

The Court closed the file as the debtor submitted a filing indicating that the underlying judgment was paid in full.

FEBRUARY 17, 2012

Capital One Bank v. Richard J. Caparelli, CG 11-93 Order (Granting Mot. to Modify) (HCN Tr. Ct., Feb. 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Black River Memorial v. Terry Morgan, CG 11-93 Order (Granting Mot. to Modify) (HCN Tr. Ct., Feb. 17, 2012) (Rockman, A).

The Court closed the case due to the respondent's previous employment termination.

FEBRUARY 21, 2012

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Roger R. Youngthunder CG 12-12 Order (Default J.) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Cottonwood Financial Wisconsin LLC, DBA The Cash Store, a Foreign Limited Liability Company v. Joseph D. Gist, Jr., CG 11-166 Order (Default J.) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Kathy H. Frogg, CG 12-11 Order (Default J.) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Kari M. Schroeder, CG 11-167 Order (Default J.) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed

to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Curtis Pidgeon v. Jon D. Warner, Jr., CG 11-169 Order (Default J.) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Adrienne L. Gurney, CG 12-16 Order (Default J.) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

FEBRUARY 23, 2012

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Roger R. Youngthunder, CG 12-12 Order (Satisfaction of Judgment) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court closed the file as the debtor submitted a filing indicating that the underlying judgment was paid in full.

Alliance Collection Agencies, Inc. v. Mark Pflager, CG 12-06 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Mason A. Gunderson, CG 12-07 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Marjorie C. Whitman, CG 12-08 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed

to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Degen Berglund v. Jeremy Anderson, CG 12-15 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Gundersen Clinic, LTD v. Jeremy Anderson, CG 12-14 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Gundersen Lutheran Medical Center v. Jeremy Anderson, CG 12-13 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Midland Funding LLC, by its servicing agent, Midland Credit Management, Inc. v. Bryan La Chapelle and Jennifer La Chapelle (Non-Judgment Spouse), CG 12-09 Order (Default J.) (HCN Tr. Ct., Feb. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondents received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

FEBRUARY 28, 2012

Midland Funding LLC by its Servicing Agent Midland Credit Management, Inc. v. Jennifer Werner, CG 12-21 Order (Default J.) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

In the Matter of the Outstanding Obligations of Lyra Marie Thorpe, CG 12-33 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A).

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

Co. Cir. Ct. filed a certified copy of its money judgment against the debtor. The Court recognized and enforced the foreign judgment out of due respect to its state counterpart.

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Virginia G. Deford, CG 12-20 Order (Default J.) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Tomah Memorial Hospital v. Malachi Z. Emery, CG 12-18 Order (Default J.) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Black River Memorial v. Robin A. Krause, CG 12-19 Order (Default J.) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Gundersen Clinic v. James Greendeer, CG 10-110 Order (Granting Mot. to Modify) (HCN Tr. Ct., Feb. 28, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.



CIVIL CASES



ADMINISTRATIVE APPEALS

FEBRUARY 2, 2012

Lisa Nichols v. Ho-Chunk Casino, Hotel & Convention Center, Jones Funmaker and Grievance Review Board, CV 10-76 Order (Conditional Dismissal) (HCN Tr. Ct., Feb. 2, 2012) (Lowe, J).

The Court informed the parties of its intent to dismiss the case due to case inactivity in excess of six (6) months

unless a party demonstrates good cause to the contrary on or before March 3, 2012.

FEBRUARY 15, 2012

Clariss Funmaker v. Jim Phillips, Compliance Dept., and Ho-Chunk Nation, CV 11-95 Order (Mot. Hearing) (HCN Tr. Ct., Feb. 20, 2012) (Rockman, A).

The Court, in its discretion, determined to convene a hearing so as to grant the respondent the ability to argue the February 15, 2012 *Motion to Dismiss*, and to provide the petitioner the opportunity to offer a response.

CHILDREN'S TRUST FUND (CTF)

FEBRUARY 1, 2012

In the Interest of Minor Children: C.C., DOB 11/22/1997 and K.C., DOB 01/04/1999, by Lisa Lockemy & CFS v. HCN Office of Tribal Enrollment, CV 11-78 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 1, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor children for costs associated with orthodontic procedures. The petitioner submitted a *Ledger Copy* for the minor children. Therefore, the Court accepted this accounting.

In the Interest of Adult CTF Beneficiary: Joanna Roybal, DOB 12/15/1992 v. HCN Office of Tribal Enrollment, CV 11-01 Order (Contempt) (HCN Tr. Ct., Feb. 1, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

FEBRUARY 7, 2012

In the Interest of Minor Child: C.J.K., DOB 08/17/1994, by Angela Kelly v. HCN Office of Tribal Enrollment, CV 11-77 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 7, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Statement* for the minor child. Therefore, the Court accepted this accounting.

FEBRUARY 8, 2012

In the Interest of Minor Children: T.M.G., DOB 05/14/1998 and S.G., DOB 02/05/1994, by Sherry Lonetree-Gray v. HCN Office of Tribal Enrollment, CV 12-08 Order (Requiring

Submission of Documents) (HCN Tr. Ct., Feb. 8, 2012) (Lowe, J).

To determine the appropriateness of the proposed release of CTF funds, the Court issued an order requiring both the petitioner and respondent submit additional documentation demonstrating satisfaction of the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C.

FEBRUARY 15, 2012

In the Interest of Minor Child: N.P.F., DOB 11/07/2002, by Samson V. Falcon v. HCN Office of Tribal Enrollment, CV 12-03 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 16, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Single Family Ledger* for the minor child. Therefore, the Court accepted this accounting.

FEBRUARY 16, 2012

In the Interest of Minor Children: C.Y., DOB 10/13/2006, D.Y., DOB 05/10/2008, and A.Y., DOB 12/02/1998, by Jamie Youngthunder-Smith v. HCN Office of Tribal Enrollment, CV 11-65 Order (Mot. Granted) (HCN Tr. Ct., Feb. 16, 2012) (Rockman, A).

The Court previously released money from the minors' Children's Trust Funds for costs associated with dental procedures. On February 9, 2012, the petitioner submitted a request for further release of CTF monies to cover additional unmet patient obligations. The Court granted the release of funds to satisfy the request.

FEBRUARY 21, 2012

In the Interest of Minor Child: O.A., DOB 04/26/2001, by Rhonda Anderson v. HCN Office of Tribal Enrollment, CV 10-69 Order (Accepting Accounting) (HCN Tr. Ct., Feb. 21, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Gundersen Lutheran correspondence* for the minor child. Therefore, the Court accepted this accounting.

FEBRUARY 24, 2012

In the Interest of Minor Child: C.J.J.B., DOB 04/30/2008, by Yvette L. Brown v. HCN Office of Tribal Enrollment, CV 11-69 Order (Pet. Granted) (HCN Tr. Ct., Feb. 24, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access monies on behalf of minor child from the Children's Trust Fund to pay for costs associated with dental care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE,

2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted a release of funds to satisfy the request.

CONTRACTS

NO DECISIONS AT THIS TIME.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

ENROLLMENT

FEBRUARY 7, 2012

Sandra L. Sliwicki v. HCN Enrollment Committee, CV 11-63 Order (Motion for Summary Remand Denied & Motion to Intervene Granted) (HCN Tr. Ct., February 7, 2012) (Rockman, A).

The Court needed to determine whether to grant the outstanding *Motion to Intervene* and *Motion for Summary Remand*. Following brief submission and oral argument, the Court granted the *Motion to Intervene* and denied the petitioner's *Motion for Summary Remand*.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

FEBRUARY 2, 2012

In the Interest of T.M.A., DOB 05/13/1986, by Pamela Anderson v. HCN Office of Tribal Enrollment, CV 09-36 Order (Accepting Accounting) (HCN Tr. Ct., February 2, 2012) (Rockman, A).

The Court previously released funds from the ITF account of K.K.R. for costs associated with living and dental expenses. On January 25, 2012, the petitioner submitted a series of receipts and invoices. Therefore, the Court accepted this accounting.

FEBRUARY 14, 2012

In the Interest of J.C., DOB 09/06/1962 by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Mot. Partially Granted) (HCN Tr. Ct., February 14, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies on behalf of an adult incompetent member from the Incompetent's Trust Fund to pay for the ward's belated holiday gifts, clothing and tires for the ward's mother's vehicle. The Court employed the standard enunciated in the PER CAPITA

DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted a partial release of funds to satisfy the request.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. ONE (1) ORDER WAS ISSUED FROM FEBRUARY 1, 2012 THROUGH FEBRUARY 29, 2012.

FAMILY

DIVORCE

FEBRUARY 23, 2012

In re the Marriage of: Paul Youngthunder Judith M. Youngthunder, FM 12-02 Final Judgment for Divorce (HCN Tr. Ct. Feb. 23, 2012) (Rockman, A).

The Court granted the uncontested divorce filed by the joint-petitioners.

FEBRUARY 29, 2012

In re the Marriage of: Cari Ann Spera and Jules Joseph Spera, FM 12-03 Final Judgment for Divorce (HCN Tr. Ct. Feb. 29, 2012) (Rockman, A).

The Court granted the uncontested divorce filed by the joint-petitioners.

JUVENILE CASES

ALL JUVENILE CASE DECISIONS SHALL REMAIN CONFIDENTIAL. EIGHTEEN (18) ORDERS WERE ISSUED FROM FEBRUARY 1, 2012 THROUGH FEBRUARY 29, 2012.



RECENT SUPREME COURT DECISIONS

FEBRUARY 8, 2012

Ho-Chunk Nation v. Money Centers of America, Inc. and MCA of Wisconsin, Inc., SU 12-01 (HCN S. Ct., Feb. 8, 2012).

The Supreme Court denied the appellant's interlocutory appeal due to an untimely filing without adequate justification.

FEBRUARY 20, 2012

Daniel Topping v. Georgette Martin and Ho-Chunk Nation Food & Beverage and Ho-Chunk Nation Grievance Review Board, SU 11-05 (HCN S. Ct., Feb. 20, 2012).

The Supreme Court needed to determine whether the appellant failed to timely file an administrative appeal with the Trial Court. The Court ultimately found the appellant's administrative appeal did not fall victim to a statute of limitations defense due to the agency's failure to convene an inclusive hearing.

**RECENT TRIAL COURT FILINGS****CHILD SUPPORT CASES****FEBRUARY 1, 2012**

Karen Whiteeagle v. Cameron Whiteeagle, CS 12-07 (Rockman, A).

FEBRUARY 2, 2012

Robert Voss v. Elizabeth Eades, CS 12-08 (Lowe, J).

FEBRUARY 7, 2012

State of Wisconsin v. Av A. Wolters Beaudin, CS 12-09 (Rockman, A).

State of Wisconsin v. Av A. Wolters Beaudin, CS 12-10 (Rockman, A).

St. Lous County v. Ben Conway, CS 12-11 (Rockman, A).

Larissa O'Neal v. Graymond Young, CS 12-12 (Rockman, A).

FEBRUARY 21, 2012

Laurie Ruesch v. Keith Ruesch, CS 12-13 (Lowe, J).

State of Wisconsin v. Kevin B. Funmaker, CS 12-14 (Lowe, J).

State of Wisconsin v. Mari L. Hence, CS 12-15 (Rockman, A).

Ember Blackdeer v. Nolan Whitegull, CS 12-16 (Rockman, A).

**CIVIL CASES****FEBRUARY 6, 2012**

In the Interest of: D.C., DOB 04/26/00, M.S.C., DOB 04/12/01, and M.L.C., DOB 10/05/04, by Holly Wycoff v. HCN Office of Tribal Enrollment, CV 12-09 (Rockman, A).

FEBRUARY 9, 2012

In the Interest of: R.B., DOB 09/26/00 and C.B., DOB 02/06/02, by Cheri Byhre v. HCN Office of Tribal Enrollment, CV 12-10 (Rockman, A).

FEBRUARY 20, 2012

In the Interest of: M.K., DOB 06/10/00, K.K., DOB 08/17/01, and K.K., DOB 02/20/12, by Mack Kingbird v. HCN Office of Tribal Enrollment, CV 12-11 (Rockman, A).

FEBRUARY 28, 2012

In the Interest of: L.C., DOB 06/14/96, by Michelle Blackdeer v. HCN Office of Tribal Enrollment, CV 12-12 (Lowe, J).

FEBRUARY 29, 2012

In the Interest of: T.R.C., DOB 11/19/98 and S.J.C., DOB 11/15/99, by April Clairmont-Russell v. HCN Office of Tribal Enrollment, CV 12-13 (Lowe, J).

**CIVIL GARNISHMENT CASES****FEBRUARY 1, 2012**

Gundersen Lutheran Medical Center v. Jeremy Anderson, CG 12-13 (Rockman, A).

Gundersen Clinic, LTD v. Jeremy Anderson, CG 12-14 (Rockman, A).

Degen Berglund v. Jeremy Anderson, CG 12-15 (Rockman, A).

Alliance Collection Agency, Inc. v. Adrienne L. Gurney, CG 12-16 (Rockman, A).

Stark Agency v. Elaine A. Anderson, CG 12-17 (Rockman, A).

FEBRUARY 6, 2012

Tomah Memorial Hospital v. Malachi Z. Emery, CG 12-18 (Rockman, A).

Black River Memorial Hospital v. Robin A. Krause, CG 12-19 (Rockman, A).

Capital One Bank v. Virginia G. DeFord, CG 12-20 (Rockman, A).

Midland Credit Management, Inc. v. Jennifer Werner, CG 12-21 (Rockman, A).

FEBRUARY 14, 2012

Sauk County Clerk of Court v. John L. Whitewater, CG 12-22 (Rockman, A).

Midwest Dental DBA Downtown Dental v. Tracy Littlejohn, CG 12-23 (Rockman, A).

Gunderson Lutheran Medical Center v. Tracy Littlejohn, CG 12-24 (Rockman, A).

FEBRUARY 15, 2012

Gunderson Lutheran Medical Center v. Elizabeth Haller, CG 12-25 (Rockman, A).

Krohn Clinic v. Freddie Bearfield, CG 12-26 (Rockman, A).

FEBRUARY 22, 2012

Creative Finance, Inc. v. Jeremy Peterson, CG 12-27 (Rockman, A).

State of Wisconsin/Jackson County v. Leon Blackcoon, CG 12-28 (Rockman, A).

The Cash Store v. Gerri E. Thundercloud, CG 12-29 (Rockman, A).

Midland Credit Management v. Racheal Cloud, CG 12-30 (Rockman, A).

Alliance Collection Agency v. Yona Mongelongo, CG 12-31 (Rockman, A).

Members Advantage Credit Union v. Benjamin Rucinski, CG 12-32 (Rockman, A).

FEBRUARY 28, 2012

State of Wisconsin/Jackson County v. Lyra Marie Thorpe, CG 12-33 (Rockman, A).

 **JUVENILE CASES**

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. NO CASES WERE FILED FROM FEBRUARY 1, 2012 THROUGH FEBRUARY 29, 2012.

 **FAMILY CASES**

FEBRUARY 2, 2012

Shelby Ackerman v. Paul Ackerman, FM 12-01 (Lowe, J).

FEBRUARY 13, 2012

Paul Youngthunder v. Judith Youngthunder, FM 12-02 (Lowe, J).

FEBRUARY 15, 2012

Cari Ann Spera v. Jules Joseph Spera, FM 12-03 (Lowe, J).

 **DOMESTIC VIOLENCE**

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. NO CASES WERE FILED FROM FEBRUARY 1, 2012 THROUGH FEBRUARY 29, 2012.



RECENT SUPREME COURT FILINGS

NO CASES FILED AT THIS TIME.



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

Supreme Court – Mary Jo B. Hunter, Chief Justice
Dennis Funmaker, Associate Justice
Todd R. Matha, Associate Justice
Clerk of Court, Supreme Court– Mary Thunder

Traditional Court – Earl Blackdeer
Wayne Falcon
Dennis Funmaker
Cecil Garvin
Conroy Greendeer
Roy Greengrass
Thomas Hopinkah
Richard Mann
Desmond Mike
Preston Thompson, Jr.
Andrew Thundercloud
Morgan Whiteeagle
Clayton Winneshiek

Trial Court – Jo Deen B. Lowe, Chief Judge
Amanda L. Rockman, Associate Judge
Clerk of Court, Trial Court – Martina M. Gauthier
Assistant Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Bailiff/Process Server – William Collins
Administrative Assistant – Rosalie Kakkak
Law Clerk/Staff Attorney – John Kellis

* 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	\$.10/page
Faxing	\$.25/page (sending & receiving)
CD of Hearings	\$12.50/CD
Deposition Videotape	\$10.00/tape
Certified Copies.....	\$.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 2012 Issue



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Ho-Chunk Nation Annual Guardian Ad Litem Training

Pursuant to the HOCĄK NATION CHILDREN AND FAMILY ACT (hereinafter CHILDREN'S ACT), 4 HCC § 3, and HOCĄK NATION THIRD PARTY GUARDIANSHIP ACT (hereinafter GUARDIANSHIP ACT), 4 HCC § 11, the Ho-Chunk Nation Trial Court must appoint a *Guardian ad litem* in juvenile protection and guardianship proceedings. CHILDREN'S ACT, § 3.25a; GUARDIANSHIP ACT, § 11.12b. The *Guardian ad litem* (hereinafter GAL) position provides a very unique and gratifying opportunity to those with an interest in children's rights and needs who wish to protect the Nation's youth, aid the tribal judicial system and serve the Ho-Chunk Nation. Additionally, GAL appointments are not limited to licensed attorneys or those with legal training, and the Court encourages those of all educational backgrounds to submit an application today and attend the upcoming annual GAL training session.

Responsibilities of an appointed GAL include meeting and interviewing minor children as well as their parents, family members, social workers, and teachers, examining the interests of the child(ren) based on age, maturity, and culture, and seeking a cooperative resolution which serves the child(ren)'s welfare and best interests. CHILDREN'S ACT, § 3.25b(1-2), (4). During guardianship proceedings, the GAL also interviews the proposed guardian, meets with and observes the minor child(ren) to conduct a proposed home setting assessment, and makes findings concerning the suitability of the proposed guardianship. GUARDIANSHIP ACT, § 11.12d(1-2).

Thereafter, the GAL serves as an independent advocate for the best interests of the child(ren) during the pendency of juvenile protection and/or guardianship proceedings. The GAL prepares written reports summarizing his or her findings and conclusions pertaining to the minor child(ren)'s best interests. CHILDREN'S ACT, § 3.25c; GUARDIANSHIP ACT, § 11.12d(3). The GAL is also required to appear at all hearings to represent the minor child(ren)'s best interests. CHILDREN'S ACT, § 3.25b(5); GUARDIANSHIP ACT, § 11.12d(4).

The above-referenced responsibilities provide a gratifying reward to those willing to offer this valuable contribution to the lives of Ho-Chunk youth, the judicial system, and the entire Nation. Additionally, the Court also compensates the appointed GAL for time spent related to a case. Currently, attorneys earn \$40.00 per hour and non-attorneys \$20.00 per hour for time dedicated to performing his or her required duties. The Court also reimburses travel expenses for those driving considerable distance to conduct home studies, interviews or appear at court proceedings.

If you or someone you know may be interested, the application process is simple, free and open to the general public. First, read the *Ho-Chunk Nation Guardian Ad Litem Rules* adopted by the Ho-Chunk Nation Supreme Court. If you meet the listed minimum requirements, complete and submit a timely *Guardian ad Litem Application*. Copies of the rules and application materials are available upon request at *Wa Ehi Hoci* and electronically on the Ho-Chunk Nation Judiciary website at <http://ho-chunknation.com/?PageId=481>. After submitting your application materials, please contact the Court to receive any updates and confirm your application has been processed. Finally, attend the annual three-day training sessions from July 31, 2012 through August 2, 2012.

While the opportunity to serve as a GAL provides a great benefit to the Nation and its youth, a current shortage of active GALs currently exists. Consequently, the Ho-Chunk Nation Tribal Courts encourage every person interested in improving the lives of the Nation's youth to immediately submit an application and attend the annual training session. As a reminder, those previously certified to serve as a GAL are required to attend the final day of the training event. If you have any additional questions regarding the application, appointment process, applicable laws, or training sessions, please contact the Trial Court Staff Attorney, John W. Kellis, at (715) 284-2722, or email at john.kellis@ho-chunk.com.



UPDATES FROM OUTSIDE JURISDICTIONS

FIFTH CIRCUIT

United States, ex rel. Wright, et al. v. Comstock Resources, Inc., et al., No. 10-40785, unpublished, 38 Indian L. Rep. 2349 (5th Cir., Dec. 15, 2011). The U.S. Court of Appeals for the Fifth Circuit affirms the district court's grant of the appellees' motion for summary judgment in a qui tam action challenging state and federal mineral leases covering 11 tracts of tribal lands of the Alabama and Coushatta Indian Tribes of Texas.

SEVENTH CIRCUIT

United States v. Pecore, et al., Nos. 10-2676 and 10-3599, 39 Indian L. Rep. 2005 (7th Cir., Dec. 30, 2011). The U.S. Court of Appeals for the Seventh Circuit affirms the district court's decision denying defendants' motions for attorneys fees.

EIGHTH CIRCUIT

United States v. Cavanaugh, Jr., No. 10-1154, 38 Indian L. Rep. 2159 (8th Cir., July 6, 2011). The U.S. Court of Appeals for the Eighth Circuit concludes that the Sixth Amendment to the U.S. Constitution does not preclude a federal court from using an uncontested tribal court misdemeanor conviction to prove the elements of a subsequent federal offense.

United States v. Maxwell, et al., Nos. 11-1073 and 11-1074, 39 Indian L. Rep. 2009 (8th Cir., Dec. 22, 2011). The U.S. Court of Appeals for the Eighth Circuit affirms appellants' sentences for second degree murder committed on the Red Lake Indian Reservation.

South Dakota, et al. v. U.S. Dept. of Interior, et al., No. 11-1745, 39 Indian L. Rep. 2013 (8th Cir., Jan. 11, 2012). The U.S. Court of Appeals for the Eighth Circuit dismisses an appeal challenging the taking of land into trust by the United States, holding that the due process clause of the Fifth Amendment cannot be expanded to encompass

states, and thus the State of South Dakota lacks standing to bring its constitutional due process claim.

NINTH CIRCUIT

Water Wheel Camp Recreational Area, Inc., et al. v. LaRance, et al., Nos. 09-17349 and 09-17357, 38 Indian L. Rep. 2175 (9th Cir., June 10, 2011). The U.S. Court of Appeals for the Ninth Circuit holds that where there are no sufficient competing state interests involved, the Colorado River Indian Tribes Tribal Court has regulatory jurisdiction through the Tribes' inherent authority to exclude, independent from the power recognized in *Montana v. United States*, 450 U.S. 544 (1981), and the tribal court has both adjudicative jurisdiction and personal jurisdiction over a non-Indian closely-held corporation and its non-Indian owner in an unlawful detainer action for breach of a lease of tribal lands and trespass, and affirms the district court's judgment as to the corporation but vacates the district court's order directing the tribal court to vacate its judgment against the owner and to cease any litigation concerning the owner, and remands for entry of judgment upholding the tribal court's jurisdiction.

Cole, et al. v. Oravee, No. 10-35710, *unpublished*, 39 Indian L. Rep. 2015 (9th Cir., Jan. 10, 2012). The U.S. Court of Appeals for the Ninth Circuit affirms the district court's denial with regard to the investigation into Steven Bearcrane's death and remands to allow the appellees leave to amend their complaint with regard to the investigation into Robert Springfield's death.

TENTH CIRCUIT

Crowe & Dunlevy, P.C. v. Stidham, No. 09-5071, 38 Indian L. Rep. 2182 (10th Cir., May 27, 2011). The United States Court of Appeals for the Tenth Circuit affirms the district court's grant of the plaintiff-appellee's motion for a preliminary injunction against a judge of the Muscogee (Creek) Nation District Court and the court's denial of the judge's motion to dismiss an action involving a tribal leadership dispute and the judge's order that the plaintiff-appellee return attorney's fees already paid to it pursuant to its contract with the Thlopthlocco pending determination of the merits of the underlying tribal court litigation, holding that there is not a sufficient nexus between the plaintiff-appellee's practice before the Muscogee Creek Nation court and the judge's order.

United States v. Romero, No. 10-1542, *unpublished*, 38 Indian L. Rep. 2353 (10th Cir., Nov. 29, 2011). The United States Court of Appeals for the Tenth Circuit

affirms the sentence imposed by the district court for the crime of assault on a federal officer.

United States v. Talk, et al., Nos. 10-2123 and 10-2130, *unpublished*, 38 Indian L. Rep. 2355 (10th Cir., Dec. 12, 2011). The United States Court of Appeals for the Tenth Circuit affirms the sentences of appellants for involuntary manslaughter in Indian Country.

United States v. Bryant, No. 11-7029, 39 Indian L. Rep. 2016 (10th Cir., Jan. 5, 2012). The United States Court of Appeals for the Tenth Circuit holds that the district court had jurisdiction under 18 U.S.C. § 1168 over the theft by an officer or employee of a gaming establishment on Indian lands.

Ute Indian Tribe of the Uintah and Ouray Reservation v. Ute Distribution Corporation, et al., No. 10-4213, *unpublished*, 39 Indian L. Rep. 2016 (10th Cir., Jan. 5, 2012). The United States Court of Appeals for the Tenth Circuit affirms the district court's grant of the Ute Distribution Corporation's motion for summary judgment and its denial of the Ute Indian Tribe's motion for summary judgment, holding that the amendments to the UDC Articles of Incorporation did not create a new class of shares and were reasonable as a matter of law, and further holds that the UDC board of directors did not violate the covenant of good faith and fair dealing and that the district court did not rely on any disputed material facts.

FEDERAL CIRCUIT

Shoshone Indian Tribe of The Wind River Reservation, Wyoming, et al. v. United States, No. 10-5150, 39 Indian L. Rep. 2024 (Fed. Cir., Jan. 9, 2012). The U.S. Court of Appeals for the Federal Circuit finds that the U.S. Court of Federal Claims in properly determined that Claim II is time-barred in its entirety by 28 U.S.C. § 2501 (2006), and vacates and remands for further proceedings.

DISTRICT OF COLUMBIA CIRCUIT

New Jersey, et al. v. Environmental protection Agency, et al., Nos. 05-1907, 05-1104, 05-1116, 05-1118, 05-1158, 05-1159, 05-1160, 05-1162, 05-1163, 05-1164, 05-1167, 05-1174, 05-1175, 05-1176, 05-1183, 05-1189, 05-1263, 05-1267, 05-1270, 05-1271, 05-1275, 05-1277, 06-1211, 06-1220, 06-1231, 06-06-1287, 06-1291, 06-1293, 06-1294, 39 Indian L. Rep. 2001 (D.C. Cir., Dec. 20, 2011). The United States Court of Appeals for the District of Columbia Circuit concludes that tribal intervenors merit a fee award in an action under the Clean Air Act, but

refers a determination of the amount due to the Appellate Mediation Program.

WISCONSIN

Village of Hobart v. Brown County, No. 2010AP561, 38 Indian L. Rep. 5132 (Wis. Ct. App., June 28, 2011). In an appeal of a judgment declaring that Brown County may designate the law enforcement arm of the Oneida Tribe as the primary responsive agency to 911 calls originating within a 1,700-acre are of the Village of Hobart, the Wisconsin Court of Appeals concludes that neither Wis. Stat. §§ 256.35 nor 61.65 prohibits the County from designating tribal police as the primary responsive law enforcement agency, and that by permitting county-tribal law enforcement programs, the legislature intended to encourage law enforcement coordination between counties and tribes, and the selection of a responsive law enforcement agency is an aspect of that coordination.



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.

MARCH 2, 2012

State of Wisconsin ex rel. v. Max P. Funmaker, Jr., CS 99-28 Order (Regarding Motions) (HCN Tr. Ct., Mar. 2, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify Per Capita Distribution* requesting enforcement of outstanding arrears. Prior to issuing an order, the Court received a subsequent filing by the petitioner indicating that all arrears had since been paid in full. Therefore, the Court ordered no additional funds to be withheld from the respondent's per capita distributions.

Ramsey Co. & Danielle Crowfeather v. Kent Funmaker, CS 07-29 Order (Ceasing Child Support) (HCN Tr. Ct., Mar. 2, 2012) (Rockman, A).

On February 27, 2012, the Court received notice that the respondent passed away. Consequently, the Court ordered the cessation of withholdings from the respondent's per capita distributions.

Larissa R. O'Neal v. Graymond S. Young, CS 12-12 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Mar. 2, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

MARCH 5, 2012

Eau Claire Co. & State of Wisconsin v. Jacob A. Deno, CS 11-33 Order (Ceasing Child Support) (HCN Tr. Ct., Mar. 5, 2012) (Rockman, A).

The Eau Claire County Child Support Agency filed a *Termination of Income Withholding Order* indicating that the respondent no longer had current child support or arrears obligations. Consequently, the Court ordered the cessation of withholdings from the respondent's wages.

MARCH 13, 2012

Laurie Ruesch v. Keith Ruesch, CS 12-13 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Mar. 13, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the

respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

MARCH 21, 2012

State of Wisconsin/Jackson Co. v. Faye L. Greengrass, CS 05-94 Order (Modifying Child Support & Enforcing Arrears) (HCN Tr. Ct., Mar. 21, 2012) (Rockman, A).

The Court had to determine whether to grant a recent *Motion to Amend Order*. The Jackson County Child Support Agency requested a modification in current support withholding and the enforcement of outstanding arrears. The respondent was afforded notice of the filing, but failed to file a timely response. Therefore, the Court granted the uncontested request.

Tami Bielski v. Anthony Bielski, CS 12-26 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Mar. 21, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The respondent expressed his acquiescence to the relief requested due to his initiation of the action. Therefore, the Court granted judgment in favor of the petitioner.

MARCH 22, 2012

State of Wisconsin & Crystelann M. Morton v. Patrick W. Sturdevant, CS 07-27 Order (Ceasing Child Support) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Sauk County Child Support Agency filed a *Motion to Suspend Per Capita Distribution*, indicating that the respondent's current support obligation had ceased and all arrears were paid in full. The respondent denoted his acquiescence to the motion by his failure to respond. Therefore, the Court granted the agency's request.

State of Wisconsin & Alicia J. Spillner v. Broc E. LaMere, CS 11-52 Order (Ceasing Arrears Withholding) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Sauk County Child Support Agency filed a *Motion to Modify Per Capita Distribution*, indicating that the respondent's arrearage debt has been paid in full. Consequently, the Court ordered the Ho-Chunk Nation Department of Treasury to cease arrears withholding and continue current support withholding.

Leslie Ann Rave v. Maynard A. Rave, Jr., CS 98-63 Order (Ceasing Child Support) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The respondent filed a request to cease child support withholding pursuant to an accompanying foreign court order. The respondent afforded the petitioner proper notice of the filing. The petitioner denoted her

acquiescence by her failure to respond. Therefore, the Court granted the respondent's request.

State of Wisconsin v. Mary L. Hence, CS 12-15 Order (Enforcing Arrears) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order for arrears against the respondent's per capita payments. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

MARCH 27, 2012

State of Wisconsin ex rel. v. Zachary Thundercloud, CV 97-39 Order (Ceasing Child Support) (HCN Tr. Ct., Mar. 27, 2012) (Rockman, A).

The respondent filed a request to cease child support withholding based on a Jackson County Child Support Agency correspondence indicating that all children had emancipated and all arrears were paid in full. As the petitioner prepared the correspondence, the Court granted the respondent's request.

MARCH 28, 2012

Crystal Norcross v. Mark Lonetree, CS 12-06 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Mar. 28, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Ember S. Blackdeer v. Nolan J. Whitegull, CS 12-16 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Mar. 28, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The respondent expressed his acquiescence to the relief requested due to his initiation of the action. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin & Maurine Shegonee v. Jessica L. Cloud, CS 11-78 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Mar. 28, 2012) (Rockman, A).

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

afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin v. Mariah L. Blackhawk, CS 11-77 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Mar. 28, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Valee Sanache v. Barrin Sanache, CS 10-54 Order (Ceasing Arrears Withholding) (HCN Tr. Ct., Mar. 28, 2012) (Rockman, A).

The State of Iowa Child Support Recovery Unit requested a suspension of child support arrears, indicating that the respondent's arrearage debt had been fully satisfied. Both parties denoted their acquiescence to the request by their failure to respond. Therefore, the Court granted the Recovery Unit's request.

APRIL 5, 2012

June Miller v. Larry Fanning, CS 98-71, *State of Wisconsin and Maureen Bighorn v. Larry Fanning*, CS 07-08 Order (Ceasing Child Support in CS 07-08 & Removing Equitable Adjustment) (HCN Tr. Ct., Apr. 5, 2012) (Rockman, A).

The Sauk County Child Support Agency filed a *Motion to Modify Per Capita Distribution* requesting a cessation of child support withholdings in Case No. CS 07-08. The Court granted the Agency's uncontested motion and removed the equitable adjustment as the respondent is no longer a serial payor.

APRIL 6, 2012

Regina K. Baldwin v. Hunter D. Littlejohn, CS 99-46, *Virginia C. Murphy v. Hunter D. Littlejohn*, CS 03-72, *Bethany Littlejohn v. Hunter D. Littlejohn*, CS 10-55 Order (Ceasing Withholding in Case No. CS 03-72 & Modifying Equitable Adjustment) (HCN Tr. Ct., Apr. 6, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The respondent filed a correspondence requesting a cessation of child support withholdings in Case No. CS 03-72. The petitioner was afforded proper notice of the respondent's motion, but failed to file a timely response. The Court accordingly granted the respondent's request and performed an equitable adjustment due to the respondent's serial payor status and termination of one support withholding.

Anita L. Bolander v. Darrell L. Sena, Jr., CS 01-06, *Melissa Rogers v. Darrell L. Sena, Jr.*, CS 02-21 Order (Updating Arrears) (HCN Tr. Ct., Apr. 6, 2012) (Rockman, A).

The State of Iowa Child Support Recovery Unit filed a *Motion to Modify* requesting the Court update the outstanding arrearage balance in Case No. CS 02-21. The Court granted the Unit's uncontested request.

State of Wisconsin v. David W. Liethen, CS 11-18 Order (Ceasing Child Support) (HCN Tr. Ct., Apr. 6, 2012) (Rockman, A).

The Marathon County Child Support Agency filed a *Termination of Income Withholding Order* indicating the respondent no longer owed current child support or arrears. The Court granted the Agency's uncontested request to cease all withholdings from the respondent's wages.

APRIL 10, 2012

Stacy L. Spry v. Levi A. Lincoln, CS 07-81 Order (Reinstating Child Support & Enforcing Arrears) (HCN Tr. Ct., Apr. 10, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Pine County Child Support Agency requested that the Court reinstate current support and arrears withholdings against the respondent's per capita distributions. The respondent failed to file a timely response to the Agency's properly served motion. The Court accordingly granted the Agency's request.

Katavia L. Flynn and Milwaukee County v. Michael J. Devan, CS 11-72 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 10, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Kayla Giraud v. Randall Redcloud, CS 02-50, *Regina Funmaker v. Randall Redcloud*, CS 11-70 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 10, 2012) (Lowe, J).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

APRIL 12, 2012

State of Wisconsin ex rel. v. Anthony J. Gauthier, CS 10-25 Order (Enforcing Arrears) (HCN Tr. Ct., Apr. 12, 2012) (Lowe, J).

The Court had to determine whether to grant a *Motion to Modify*. The Sauk County Child Support Agency requested that the Court enforce an outstanding arrears balance against the respondent's per capita distributions. The respondent failed to file a timely response to the Agency's properly served motion. Therefore, the Court granted the Agency's request.

Jackie Snow v. Calvin Jaramillo, CS 11-36 Order (Ceasing Arrears Withholding) (HCN Tr. Ct., Apr. 12, 2012) (Rockman, A).

The Jackson County Child Support Agency filed a correspondence requesting a suspension of child support arrears withholding as the respondent has paid all arrears in full. The Court granted the Agency's uncontested request.

State of Wisconsin & Sarah Beaudin v. Av A. Wolters Beaudin, CS 12-09, *State of Wisconsin & Constance Master v. Av A. Wolters Beaudin*, CS 12-10 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 12, 2012) (Lowe, J).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin ex rel. Christy L. Mallory v. Benjamin B. Conway, CS 11-71, *St. Louis County & Ashley Lafriniere v. Benjamin B. Conway*, CS 12-11 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 12, 2012) (Lowe, J).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

APRIL 13, 2012

Anna Webb v. Nathaniel H. Long, Jr., CS 98-49, *Teresa A. Lightfeather v. Nathaniel H. Long, Jr.*, CS 05-83, *Kristina Defoe v. Nathaniel H. Long, Jr.*, CS 08-79 Order (Ceasing

Withholdings in CS 98-49 & Modifying Equitable Adjustment) (HCN Tr. Ct., Apr. 13, 2012) (Rockman, A).

The Court had to determine whether to grant a *Motion to Modify*. The St. Louis County Child Support Agency filed an *Amended Income Withholding Order* in CS 05-83. The respondent failed to file a timely response to the properly served motion. Consequently, the Court granted the Agency's request. Additionally, the Court ordered all withholdings to cease in CS 98-49 due to the parties' failure to file proof of enrollment for the minor child.

Bridget Wieland v. Robert S. Bellow, CS 11-74 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Apr. 13, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Sauk County Child Support Agency ex rel. v. Isaiah M. Funmaker, CS 07-54, *Heather M. Eklund v. Isaiah Funmaker*, CS 08-56, *Sierra Banuelos v. Isaiah Funmaker*, CS 11-69 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 13, 2012) (Rockman, A).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

Lana Alane Lincoln v. Jon Eric Miner, CS 99-62 Order (Enforcing Arrears) (HCN Tr. Ct., Apr. 13, 2012) (Rockman, A).

The Court had to determine whether to grant a *Motion to Modify*. The Pine County Child Support Agency sought to update the respondent's outstanding arrears balance. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Linda L. Shabaiash v. Twilight M. Hindsley, CS 06-33, *State of Wisconsin v. Twilight M. Hindsley*, CS 11-76 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Apr. 13, 2012) (Rockman, A).

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

afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin ex rel. v. James V. Blackdeer, CS 05-70, *State of Wisconsin ex rel. v. James V. Blackdeer*, CS 06-05 *Order (Updating Arrearage Balance)* (HCN Tr. Ct., Apr. 13, 2012) (Rockman, A).

The Court had to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency sought to update the respondent's outstanding arrears balance in CS 06-05. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

APRIL 16, 2012

State of Wisconsin v. Kric V. Pettibone, CS 05-44, *Tasha King v. Kric V. Pettibone*, CS 11-43 *Order (Enforcing Arrears & Equitable Adjustment)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court needed to determine whether to grant a recent *Motion to Modify*. The petitioner requested that the Court enforce an outstanding arrears balance against the respondent's per capita distributions in CS 11-43. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin/Jackson County v. Lance D. Rave, CS 05-65 *Order (Modifying Child Supp.)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The respondent requested a modification in current child support withholding. The petitioner failed to file a timely response to the properly served motion. The Court accordingly granted the respondent's request.

State of Wisconsin v. Amanda M. Hendricks n/k/a Amanda M. Allen, CS 11-03 *Order (Modifying Child Supp.)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Juneau County Child Support Agency requested a modification in current child support withholding. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Sheila Doucette v. Scott Hindes, CV 97-132, *Jadie A. Whittier v. Scott Hindes*, CS 04-47, *Heather Lee Mott v. Scott Hindes*,

CS 08-16 *Order (Updating Arrearage Balance)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Dunn County Child Support Agency filed *Motion to Modify*, requesting the Court update the respondent's arrearage balance in CS 04-47. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

State of Wisconsin/Sauk County v. Kevin B. Funmaker, CS 12-14 *Order (Enforcing Child Supp. Against Per Capita and Wages)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions and wages. The Court convened a *Hearing* to address the proposed withholding scheme. Ultimately, the Court granted recognition and enforcement of the foreign judgment.

Karen A. White Eagle v. Cameron L. White Eagle, CS 12-07 *Order (Enforcing Child Supp. Against Per Capita)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Maraya Blessinghame v. Daniel E. Youngthunder, CS 11-67 *Order (Enforcing Child Supp. Against Per Capita and Wages)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions and wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin and Tony Redbird v. Marcella Redbird, CS 12-03 *Order (Enforcing Child Supp. Against Per Capita)* (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The respondent expressed her acquiescence to the request for relief to her initiation of the cause of action. Therefore, the Court granted judgment in favor of the petitioner.

Mary C. Wilson & Domestic Relations Section v. Wayne E. Wilson, CS 07-15, *Krystal M. Gilmore-Reed v. Wayne E.*

Wilson, CS 12-18 Order (*Enforcing Child Supp. & Equitable Adjustment*) (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A). The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin & Cynthia Hopinka v. David A. WhiteEagle, CS 98-27 Order (*Enforcing Arrears*) (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A). The Court had to determine whether to grant a *Motion to Modify*. The petitioner requested that the Court enforce an outstanding arrears balance against the respondent's per capita distributions. The respondent failed to respond to the properly served motion. The Court accordingly granted the petitioner's request.

Jaclyn J. Carriaga v. Jorden L. Vidana, CS 07-47, *State of Wisconsin ex rel. v. Jorden L. Vidana*, CS 09-61 Order (*Modifying Child Support Obligation Against Per Capita & Wages*) (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A). The Court needed to determine whether to grant a recent *Motion to Modify*. The petitioner requested that the Court enforce an outstanding arrears balance against the respondent's per capita distributions or wages in CS 09-61. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request and performed an equitable adjustment due to the respondent's serial payor status.

APRIL 19, 2012

Courtney Branstetter v. Larry Dent, CS 12-19 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Tamara Lipske v. Larry Dent, CS 12-20 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the

respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Candice Sandvick v. Larry Dent, CS 12-21 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Nichole Zingg v. Larry Dent, CS 12-22 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Jennifer Pease v. Larry Dent, CS 12-23 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

MAY 4, 2012

Sara Eull v. Christopher Eull, CS 12-01 Order (*Enforcing Child Supp. Against Per Capita*) (HCN Tr. Ct., May 4, 2012) (Rockman, A). The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions and wages. The Court afforded the respondent proper notice of the petitioner's filing. The respondent filed a timely response, but failed to articulate a recognized defense to the requested relief at the scheduled *Hearing*. Therefore, the Court granted judgment in favor of the petitioner.

MAY 9, 2012

Rochelle Decorah v. Vincent Cadotte, CV 97-164 Order (*Ceasing Child Support*) (HCN Tr. Ct., May 9, 2012) (Rockman, A). The Court needed to determine whether to grant a recent *Motion to Modify*. The Juneau County Child Support Agency requested that the Court cease all child

support withholdings as the respondent's current support and arrears obligations had been satisfied. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

MAY 15, 2012

Laurie Ruesch v. Keith Ruesch, CS 12-13 Order (*Updating Payment Destination*) (HCN Tr. Ct., May 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a recent *Motion to Modify*. The petitioner filed a correspondence indicating that the respective state disbursement unit had changed locations since the issuance of the underlying foreign court order. The Court ultimately ordered the withheld funds to be redirected to the current state disbursement unit.

Cassandra Benton v. William McKinnie, CS 12-31 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., May 15, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

MAY 17, 2012

Michelle S. Rave v. Jeriah J. Rave, Sr., CS 09-07 Order (*Mot. Denied*) (HCN Tr. Ct., May 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Reopen and Dismiss*. While the respondent failed to file a timely response, the Court nevertheless denied the petitioner's request due to her failure to comply with a previous order and mootness as the Court had already released the requested funds to the respondent.

MAY 18, 2012

Amanda C. Wayer v. Evan L. Lemeiux, CS 12-35 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., May 18, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

MAY 24, 2012

Tessa Smith v. Larry Dent, CS 12-24 Order (*Enforcing Child Supp. Against Wages*) (HCN Tr. Ct., May 24, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

CIVIL GARNISHMENT CASES

MARCH 7, 2012

Gundersen Lutheran Medical Center v. Tracy Littlejohn, CG 12-24 Order (*Default J.*) (HCN Tr. Ct., Mar. 7, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Midwest Dental d/b/a Downtown Dental v. Tracy Littlejohn, CG 12-23 Order (*Default J.*) (HCN Tr. Ct., Mar. 7, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

MARCH 15, 2012

Creative Finance, Inc. v. Jeremy Peterson, CG 12-27 Order (*Default J.*) (HCN Tr. Ct., Mar. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Krekeler Strother, S.C. v. Donald Tesch, CG 12-05 Order (*Default J.*) (HCN Tr. Ct., Mar. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Dustin Bahr, CG 11-115 *Reissued Order (Default J.)* (HCN Tr. Ct., Mar. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

MARCH 19, 2012

Midland Funding LLC by its servicing agent Midland Credit Management, Inc. v. Racheal Cloud, CG 12-30 Order (Default J.) (HCN Tr. Ct., Mar. 19, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

In the Matter of the Outstanding Obligations of Leon Blackcoon, CG 12-28 Order (Extension of Full Faith and Credit) (HCN Tr. Ct., Mar. 19, 2012) (Rockman, A).

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

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Troy E. Swallow, CG 12-10 Order (Default J.) (HCN Tr. Ct., Mar. 19, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Pierre J. Decorah, CG 12-01 Order (Default J.) (HCN Tr. Ct., Mar. 19, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

MARCH 20, 2012

Paramount Enterprises v. Elaine A. Anderson, CG 12-17 Order (Pet. Granted) (HCN Tr. Ct., Mar. 20, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent filed a timely response, but failed to provide a

cognizable objection to the action. Therefore, the Court granted a default judgment in favor of the petitioner.

MARCH 22, 2012

In the Matter of Outstanding Obligations of Richard Szarfinski III, CG 11-66 Order (Satisfaction of J.) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court closed the file as an agent of the county submitted a filing indicating that the underlying judgment was paid in full.

Chesapeake Operating, Inc. v. Annette Knapton, CG 12-03 Order (Suspension of J.) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court closed the file as the petitioner submitted a filing indicating that the parties had agreed to a settlement arrangement.

MARCH 29, 2012

Black River Memorial Hospital v. Angela M. Marek, CG 09-123 Order (Satisfaction of Judgment) (HCN Tr. Ct., Mar. 29, 2012) (Rockman, A).

The Court closed the file as the petitioner submitted a filing indicating that the underlying judgment was paid in full.

MARCH 30, 2012

Anesthesiology Associates of Wisconsin, S.C. v. Wayne Malone, CG 12-34 Order (Default J.) (HCN Tr. Ct., Mar. 30, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

Gundersen Lutheran Medical Center v. Elizabeth Haller, CG 12-25 Order (Default J.) (HCN Tr. Ct., Mar. 30, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

APRIL 3, 2012

Cottonwood Financial Wisconsin, LLC, DBA The Cash Store, A Foreign Limited Liability Company v. Gerri E. Thundercloud, CG 12-29 Order (Default J.) (HCN Tr. Ct., Apr. 3, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed

to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

APRIL 4, 2012

Heights Finance v. Lanette Walker, CG 12-37 Order (Default J.) (HCN Tr. Ct., Apr. 4, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

APRIL 23, 2012

Speed Cash v. Roxanne Anderson aka Roxanne Whitegull, CG 12-40 Order (Default J.) (HCN Tr. Ct., Apr. 23, 2012) (Rockman, A).

The Court needed to determine whether to grant full faith and credit and/or comity to a foreign judgment. The respondent received proper notice of the filing, but failed to file a timely response. Therefore, the Court granted a default judgment in favor of the petitioner.

MAY 8, 2012

Black River Memorial Hospital v. Henry Greengrass, CG 10-124 Order (Default J.) (HCN Tr. Ct., May 8, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Gundersen Clinic, LTD v. Alana Greengrass, CG 10-103 Order (Granting Mot. to Modify) (HCN Tr. Ct., May 8, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's motion to modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.



CIVIL CASES

MARCH 27, 2012

Rita A. Gardner v. Tracy Littlejohn et al., CV 10-47 Order (Determination on Remand) (HCN Tr. Ct., Mar. 7, 2012) (Rockman, A).

Following the Supreme Court's partial reversal of the Trial Court's order, the Court determined to return to the Traditional Court, utilizing the procedures set forth by the Supreme Court to obtain a ruling on Ho-Chunk

tradition and custom. The Court also dismissed the actions against defendants Littlegeorge, Ladd and Radke based on the parties' agreement.

MARCH 31, 2012

Marlon Whitewing v. John A. Whitewing, CV 12-18 Order (Dismissal without Prejudice) (HCN Tr. Ct., May 31, 2012) (Lowe, J).

The Court dismissed the action due to the plaintiff's failure to identify the source of the Court's subject matter jurisdiction or indicate the specific relief requested.



ADMINISTRATIVE APPEALS

MARCH 7, 2012

Janette Smoke v. GRB, Erica Cloud, and Quentin Allen, CV 12-15 Scheduling Order (HCN Tr. Ct., Mar. 7, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

MARCH 8, 2012

Jeffrey Harrison v. Brian Decorah and Ho-Chunk Gaming - Nekoosa, CV 11-35 Order (Notice of Oral Argument) (HCN Tr. Ct., Mar. 8, 2012) (Rockman, A).

The Court granted the respondent's request for oral argument and scheduled an *Oral Argument Hearing* on March 20, 2012.

MARCH 30, 2012

Clariss Funmaker v. Jim Phillips, Compliance Department, and Ho-Chunk Nation, CV 11-95 Order (Dismissal) (HCN Tr. Ct., Mar. 30, 2012) (Rockman, A).

The Court convened a *Motion Hearing* to address the respondent's *Motion to Dismiss*. The Court dismissed the instant case due to the petitioner's failure to attend the scheduled *Hearing* or notify the Court of an inability to attend the proceeding.

Ardith Snowball v. Ho-Chunk Gaming – Baraboo et al., CV 11-51 Order (Granting Extension) (HCN Tr. Ct., Mar. 30, 2012) (Rockman, A).

The Court granted the petitioner's request to extend the deadline to file an initial brief by May 31, 2012.

APRIL 3, 2012

Ho-Chunk Nation v. Masu Ska aka John Greendeer, Erica Cloud, Ralph Babcock, Amy Kirby, Lynne Trainor and John Kozlowics, all in their official capacity and Tonette Flick, CV 10-28 Order (Conditional Dismissal) (HCN Tr. Ct., Apr. 3, 2011) (Lowe, J).

The Court informed the parties of its intent to dismiss the case due to case inactivity unless a party demonstrated good cause to the contrary on or before May 4, 2012.

CHILDREN'S TRUST FUND (CTF)

MARCH 6, 2012

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 (Mot. Hearing) (HCN Tr. Ct., Mar. 6, 2012) (Rockman, A).

The Court determined to convene a hearing so as to grant the respondent the ability to argue the March 5, 2012 *Motion to Dismiss*, and to provide the petitioner the opportunity to offer a response.

MARCH 14, 2012

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 (Mot. Hearing) (HCN Tr. Ct., Mar. 14, 2012) (Rockman, A).

The Court convened a hearing to address the parties' motions, including the respondent's *Motion to Dismiss*. Due to the petitioner's failure to attend the scheduled hearing, the Court dismissed the instant case without prejudice.

MARCH 19, 2012

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., Mar. 19, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by April 19, 2012.

In the Interest of Adult Beneficiary: Sandra L. Ortiz, DOB 02/15/1992 v. HCN Office of Tribal Enrollment, CV 11-45 Order (Demanding Accounting) (HCN Tr. Ct., Mar. 19, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with orthodontic procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: A.M.H., DOB 12/25/1995, by Cynthia Smith v. HCN Office of Tribal Enrollment, CV 12-14 Order (Pet. Granted) (HCN Tr. Ct., Mar. 19, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

MARCH 21, 2012

In the Interest of Minor Children: C.C., DOB 08/26/1998 and E.C., DOB 08/13/2003, by Jessica Clark v. HCN Office of Tribal Enrollment, CV 11-94 Order (Pet. Denied) (HCN Tr. Ct., Mar. 21, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with private schooling. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court ultimately denied the petitioner's request.

MARCH 22, 2012

In the Interest of Adult Beneficiary: Cici BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 11-61 Order (Mot. Granted) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Adult Beneficiary: Cici BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 11-61 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court previously released funds from the adult beneficiary's CTF account for costs associated with orthodontic procedures. The petitioner submitted a *Ledger Copy by Responsible Party*. Therefore, the Court accepted this accounting.

In the Interest of Adult Beneficiary: Christopher Montanez, DOB 05/12/1988 v. HCN Office of Tribal Enrollment, CV 11-72 Order (Requesting Accounting) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court previously released money from the adult beneficiary's CTF account for costs associated with health care. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by April 23, 2012.

In the Interest of Minor Child: C.R.J., DOB 12/31/1998, by Susan Webber v. HCN Office of Tribal Enrollment, CV 11-86

Order (Requesting Accounting) (HCN Tr. Ct., Mar. 22, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by April 22, 2012.

In the Interest of Minor Child: R.W., DOB 10/14/1998, by Trinity Kail v. HCN Office of Tribal Enrollment, CV 12-16 Order (Pet. Granted) (HCN Tr. Ct., Mar. 22, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: L.C., DOB 06/14/1996, by Michelle Blackdeer v. HCN Office of Tribal Enrollment, CV 12-12 Order (Pet. Granted) (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: K.A.B., DOB 03/03/1999, by Keith Blackdeer v. HCN Office of Tribal Enrollment, CV 12-17 Order (Pet. Granted) (HCN Tr. Ct., Mar. 22, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with dental procedures. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

MARCH 26, 2012

In the Interest of Minor Child: B.M.T., DOB 08/17/1994, by Bernice Twinn v. HCN Office of Tribal Enrollment, CV 11-81 Order (Demanding Accounting) (HCN Tr. Ct., Mar. 26, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit

accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

MARCH 27, 2012

In the Interest of Minor Children: D.R.C., DOB 04/26/2000, M.S.C., DOB 04/12/2001, and M.L.C., DOB 10/05/2004, by Holly Wyckoff v. HCN Office of Tribal Enrollment, CV 12-09 Order (Addressing Additional Filing) (HCN Tr. Ct., Mar. 26, 2012) (Rockman, A).

The petitioner filed two correspondences immediately prior to the scheduled *Fact-Finding Hearing*. Due to the petitioner's failure to serve copies of the filings on the respondent, the Court afforded the respondent an opportunity to file a response by Thursday, April 5, 2012.

APRIL 20, 2012

In the Interest of Adult CTF Beneficiary: Sandra L. Ortiz, DOB 02/15/1992 v. HCN Office of Tribal Enrollment, CV 11-45 Order (Show Cause) (HCN Tr. Ct., Apr. 20, 2012) (Rockman, A).

The Court had previously released funds from the adult beneficiary'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.

CONTRACTS

MARCH 22, 2012

Ho-Chunk Nation v. Money Centers of America, Inc. and MCA of Wisconsin, Inc., CV 10-54 Amended Scheduling Order (HCN Tr. Ct., Mar. 22, 2012) (Rockman, A).

The Court issued an *Amended Scheduling Order* setting all relevant deadlines in the case.

ELECTION MATTERS

MAY 31, 2012

Elena Terry v. Douglas Greengrass et al., CV 11-79 Minute Order (Rescheduling Pre-Trial Conference and Related Calendar Matters) (HCN Tr. Ct., May 31, 2012) (Rockman, A).

The Court granted the parties' stipulated motion to reschedule the June 14, 2012 Pre-Trial Conference.

ENROLLMENT

MARCH 6, 2012

Jenna Callista Littlegeorge v. Adam J. Hall, Enrollment Officer et al., CV 11-82 Minute Order (Regarding Motion Hearings) (HCN Tr. Ct., Mar. 6, 2012) (Rockman, A).

The Court informed the parties of its intent to issue a timely order addressing the issues present at the two previous *Motion Hearings*.

MARCH 14, 2012

Sandra L. Sliwicki v. HCN Enrollment Committee, CV 11-63 Order (Erratum) (HCN Tr. Ct., Mar. 14, 2012) (Rockman, A).

The Court issued an order to correct a clerical mistake regarding the previously imposed briefing schedule.

MARCH 27, 2012

Jenna Callista Littlegeorge v. Adam J. Hall, Enrollment Officer et al., CV 11-82 Order (Granting Mot. to Dismiss) (HCN Tr. Ct., Mar. 27, 2012) (Rockman, A).

Following two scheduled *Motion Hearings*, the Court granted the respondent's *Motion to Dismiss* due to the petitioner's untimely filing of an administrative appeal.

MAY 11, 2012

Henry Greencrow Jr. v. Ho-Chunk Nation, Ho-Chunk Nation Legislature, Ho-Chunk Nation Office of Tribal Enrollment, and Rita Gardner, Enrollment Officer, CV 11-33 Order (Granting Mot. to Dismiss) (HCN Tr. Ct., May 11, 2012) (Rockman, A).

The Court granted the respondents' *Motion to Dismiss* for the petitioner's failure to state a claim upon which relief may be granted.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

MARCH 22, 2012

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. 22, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted a series of invoices, confirming the proper use of funds. Therefore, the Court accepted this accounting.

MARCH 30, 2012

In the Interest of Adult Incompetent: C.M.R., DOB 11/23/1988, by Holly Wyckoff v. HCN Office of Tribal Enrollment, CV 11-70 Order (Accepting Accounting) (HCN Tr. Ct., Mar. 30, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with an outstanding cellular phone bill. The petitioner submitted an *Account Summary*, confirming the proper use of funds. Therefore, the Court accepted this accounting.

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Mot. Granted) (HCN Tr. Ct., Mar. 30, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with securing legal counsel. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the guardian's request.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. NO ORDERS WERE ISSUED FROM MARCH 1, 2012 THROUGH MAY 31, 2012.

FAMILY

DIVORCE

APRIL 26, 2012

In re the Marriage of Joy A. Buck and Joseph R. Buck, FM 11-07 Final Judgment for Divorce (HCN Tr. Ct., Apr. 26, 2012) (Lowe, J).

The Court granted the uncontested divorce.

JUVENILE CASES

ALL JUVENILE CASE DECISIONS SHALL REMAIN CONFIDENTIAL. THIRTY-FOUR (34) ORDERS WERE ISSUED FROM MARCH 1, 2012 THROUGH MAY 31, 2012. OF THESE THIRTY-FOUR ORDERS, TWENTY-SEVEN (27) ORDERS WERE ISSUED BY HON. JO DEEN B. LOWE, AND SEVEN (7) ORDERS WERE ISSUED BY HON. AMANDA L. ROCKMAN.



RECENT SUPREME COURT DECISIONS

APRIL 16, 2012

Rita A. Gardner v. Tracy Littlejohn et al., SU 12-02 (Hunter, M).

The Supreme Court held the appellant failed to provide a satisfactory basis accept an interlocutory appeal. Consequently, the Supreme Court denied the appellant's *Petition for Permission to Appeal*.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

MARCH 1, 2012

Charlene Spangler v. Phillip Youngthunder, CS 12-17 (Lowe, J).

MARCH 6, 2012

Krystal M. Gilmore-Reed v. Wayne E. Wilson, CS 12-18 (Rockman, A).

MARCH 9, 2012

Courtney Blanstetter v. Larry Dent, CS 12-19 (Rockman, A).

Tamara Lipske v. Larry Dent, CS 12-20 (Rockman, A).

Candice Sandvick v. Larry Dent, CS 12-21 (Rockman, A).

Nichole Zingg v. Larry Dent, CS 12-22 (Rockman, A).

Jennifer Pease v. Larry Dent, CS 12-23 (Rockman, A).

MARCH 20, 2012

Tessa Smith v. Larry Dent, CS 12-24 (Rockman, A).

State of Wisconsin & Shaila Henneha v. Adrian J. Foote, CS 12-25 (Rockman, A).

Tami Bielski v. Anthony Bielski, CS 12-26 (Rockman, A).

MARCH 22, 2012

Corey M. Kingsley v. Dannell A. Kingsley, CS 12-27 (Rockman, A).

APRIL 3, 2012

Leona L. Keene v. Roger M. Thundercloud, CS 12-28 (Rockman, A).

Lauren Cissna v. Michael Melendes, Jr., CS 12-29 (Rockman, A).

Jalesa Stampley v. Zachary C. Bryant, CS 12-30 (Rockman, A).

APRIL 10, 2012

Cassandra Benton v. William McKinnie, CS 12-31 (Lowe, J).

APRIL 11, 2012

Louise E. Morris v. Edward Greengrass, CS 12-32 (Lowe, J).

Eliza Green v. Cleland Goodbear, CS 12-33 (Lowe, J).

Marathon County Child Support Agency v. Janis Long, CS 12-34 (Lowe, J).

APRIL 14, 2012

Sara Cronick v. Cody A. Grey Owl, CS 12-36 (Rockman, A).

APRIL 23, 2012

Amanda Wayer v. Evan L. Lemieux, CS 12-35 (Lowe, J).

MAY 8, 2012

Jennifer Burton v. Lashore Bass, CS 12-37 (Lowe, J).

MAY 15, 2012

Amber L. Niemi v. Tad I. Butcher, CS 12-38 (Rockman, A).

State of Wisconsin v. Fredricka A. Miner, CS 12-39 (Rockman, A).

MAY 17, 2012

State of Wisconsin & Nadeen A. Lloyd v. Maynard B. Funmaker, CS 12-40 (Rockman, A).



CIVIL CASES

MARCH 7, 2012

Janette Smoke v. HCN GRB et al., CV 12-15 (Rockman, A).

MARCH 8, 2012

In the Interest of: A.M.H., DOB 12/25/95, by Cynthia Smith v. HCN Office of Tribal Enrollment, CV 12-14 (Rockman, A).

MARCH 12, 2012

In the Interest of: R.W., DOB 04/14/98, by Trinity Kail v. HCN Office of Tribal Enrollment, CV 12-16 (Lowe, J).

MARCH 19, 2012

In the Interest of: K.A.B., DOB 03/03/99, by Keith Blackdeer v. HCN Office of Tribal Enrollment, CV 12-17 (Lowe, J).

Marlon Whitewing v. John Whitewing, CV 12-18 (Lowe, J).

APRIL 5, 2012

General Council Agency v. Sandra Gleason et al., CV 12-19 (Rockman, A).

APRIL 11, 2012

In the Interest of: C.R.C., DOB 06/14/2000, by Erica Cloud v. HCN Office of Tribal Enrollment, CV 12-20 (Lowe, J).

APRIL 13, 2012

In the Interest of: G.D.L., DOB 11/10/2001, by Mindy Elaine Gilbertson v. HCN Office of Tribal Enrollment, CV 12-21 (Lowe, J).

**CIVIL GARNISHMENT CASES****MARCH 5, 2012**

Anesthesiology Associates of Wisconsin v. Wayne Malone, CG 12-34 (Lowe, J).

Midland Credit Management, Inc. v. Jaroslav Kancovsky, CG 12-35 (Lowe, J).

Alliance Collection Agencies, Inc. v. David M. Rice, CG 12-36 (Rockman, A).

MARCH 14, 2012

Heights Finance v. Lanette Walker, CG 12-37 (Rockman, A).

MARCH 19, 2012

Alliance Collection Agencies, Inc. v. Jason W. Frost, CG 12-38 (Rockman, A).

MARCH 23, 2012

Speed Cash v. Roxanne Anderson aka Roxanne Whitegull, CG 12-40 (Rockman, A).

Speed Cash v. Doreen Winson, CG 12-41 (Rockman, A).

MARCH 27, 2012

Heights Finance v. Karen Roy, CG 12-42 (Rockman, A).

APRIL 12, 2012

Credit Acceptance Corp. v. Drew Parchem, CG 12-43 (Rockman, A).

Midland Funding LLC v. Mason Gundersen, CG 12-44 (Rockman, A).

Midland Funding LLC v. Richard J. Caparelli, CG 12-45 (Rockman, A).

Heights Finance v. Lanette Walker, CG 12-46 (Rockman, A).

WP&L Company v. Georgette Jackson, CG 12-47 (Rockman, A).

Dane County Dept. of Human Services v. Brenda Dahl, CG 12-48 (Rockman, A).

UW Med Foundation v. Sara Hanson, CG 12-49 (Rockman, A).

APRIL 18, 2012

Gundersen Lutheran Vision Center v. James & Melissa Rochester, CG 12-50 (Rockman, A).

APRIL 19, 2012

Alliance Collection Agencies, Inc. v. Lois A. McKeel, CG 12-39 (Rockman, A).

APRIL 25, 2012

Alliance Collection Agencies, Inc. v. Evelyn Mary Arendt, CG 12-51 (Rockman, A).

Affiliated Dentists, SC v. Megan L. Zacharias, CG 12-52 (Rockman, A).

Maple Lawn Apartments v. Megan L. Zacharias, CG 12-53 (Rockman, A).

MAY 11, 2012

Creative Finance, Inc. v. Peter Jalensky, CG 12-54 (Rockman, A).

Midland Credit Management, Inc. v. Ruth Puent, CG 12-55 (Rockman, A).

MAY 16, 2012

Gundersen Clinic, LTD v. Dennis Funmaker, CG 12-56 (Rockman, A).

MAY 23, 2012

Gundersen Clinic, LTD v. Sharon Thompson, CG 12-58 (Rockman, A).

Black River Memorial Hospital v. Francisco Rivas, CG 12-59 (Rockman, A).

Alliance Collection Agencies, Inc. v. Myrna Littlegeorge, CG 12-60 (Rockman, A).

MAY 30, 2012

Midland Credit Management, Inc. v. Valley Allen, CG 12-61 (Rockman, A).

Midland Credit Management, Inc. v. Jalley Allen, CG 12-62 (Rockman, A).

Curt Robert Crosby v. Amber C. Malone, CG 12-63 (Rockman, A).



RECENT SUPREME COURT FILINGS

APRIL 10, 2012

Jenna Callista Littlegeorge v. Adam Hall, Enrollment Officer, et al., SU 12-03 (Funmaker, D).

MAY 29, 2012

Rita A. Gardner v. Tracy Littlejohn, et al., SU 12-02 (Hunter, M).



JUVENILE CASES

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. TWELVE (12) CASE WAS FILED FROM MARCH 1, 2012 THROUGH MAY 31, 2012.



FAMILY CASES

MARCH 6, 2012

Wallace Greendeer v. Joedeen Greendeer, FM 12-04 (Rockman, A).

APRIL 16, 2012

Amanda Fanning v. Derek Fanning, FM 12-05 (Rockman, A).

APRIL 26, 2012

Andrea Storm-Pence v. Joseph C. Pence, FM 12-06 (Lowe, J).

MAY 7, 2012

Roxanne Whitegull v. Neil Whitegull, FM 12-07 (Lowe, J).

MAY 18, 2012

Natalie J. Bird v. Myron Cloud, Sr., FM 12-08 (Rockman, A).



DOMESTIC VIOLENCE

ALL DOMESTIC VIOLENCE CASES SHALL REMAIN CONFIDENTIAL. ONE (1) CASE WAS FILED FROM MARCH 1, 2012 THROUGH MAY 31, 2012.



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

Supreme Court – Mary Jo B. Hunter, Chief Justice
Dennis Funmaker, Associate Justice
Todd R. Matha, Associate Justice
Clerk of Court, Supreme Court– Mary Thunder

Traditional Court – Earl Blackdeer
Wayne Falcon
Dennis Funmaker
Cecil Garvin
Conroy Greendeer
Roy Greengrass
Thomas Hopinkah
Richard Mann
Desmond Mike
Preston Thompson, Jr.
Andrew Thundercloud
Morgan Whiteeagle
Clayton Winneshiek

Trial Court – Jo Deen B. Lowe, Chief Judge
Amanda L. Rockman, Associate Judge
Interim Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Bailiff/Process Server – William Collins
Administrative Assistant – Rosalie Kakkak
Law Clerk/Staff Attorney – John Kellis

* 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/ August 2012 Issue



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HCN Legislature Reappoints Associate Trial Court Judge Amanda L. Rockman



On Friday, August 31, 2012, the Honorable Amanda L. Rockman began her third term as Associate Judge of the Ho-Chunk Nation Trial Court. A 2005 graduate of the University of Wisconsin Law School, Judge Rockman has diligently served the Nation her entire legal career, first as the Trial Court's staff attorney and law clerk (2005-2006), as a tribal attorney for the Ho-Chunk Nation Department of Justice (2006), and ultimately as the Nation's Associate Judge (2006) where she has served ever since. Judge Rockman also presides over the Ho-Chunk Nation Healing to Wellness Court.

Judge Rockman currently serves as the President of the Wisconsin Tribal Judges Association (WTJA) and Secretary of the Native American Indian Court Judges Association (NAICJA), and formerly served as the Vice-Chair of the State Bar of Wisconsin Indian Law Section from 2006-2007. Judge Rockman has also received the Wisconsin Alumni Association's Forward under Forty Award and was a Featured Attorney for the State Bar of Wisconsin Young Lawyer Division.



The HCN Trial Court Welcomes Staff Attorney Samuel Crowfoot



On August 20, 2012, Attorney Samuel Crowfoot joined the Ho-Chunk Nation Trial Court as its newest Staff Attorney and Law Clerk. An enrolled member of the Siksika Nation (Northern Blackfoot), Sam received his J.D. from the University of Wisconsin Law School in 2012 and a B.A. in Political Science at Brigham Young University in 2007. As a law student, Sam interned with the Oneida Nation, the Wisconsin State Public Defender, and completed a judicial internship with the Dane County Circuit Courts. He also served on the executive board of the Indigenous Law Students Association all three years of law school.



UPDATES FROM OUTSIDE JURISDICTIONS

SIXTH CIRCUIT

United States v. Rantanen, No. 10-1695 (*unpublished*), 39 Indian L. Rep. 2096 (6th Cir., Mar. 7, 2012). Finding no errors, the U.S. Court of Appeals for the Sixth Circuit affirms the appellant's conviction and sentence for violations of 18 U.S.C. § 2243(a) and 1153.

Save the Date! Annual Ethics CLE Event December 14, 2012

It's that time of year again where attorneys struggle to fulfill those last few Continuing Legal Education credits by the end of their reporting periods. Never fear, the Ho-Chunk Nation Trial Court will be hosting its annual Ethics CLE event on December 14, 2012. This year, the Court will host several panels concerning ethical implications in the Information Age, including the pitfalls of social media and metadata awareness.

Interested individuals are invited to contact the HCN Trial Court staff attorneys at (715) 284-2722 for more information or visit the web-site at the following address: <http://www.ho-chunknation.com/?PageId=352>.



EIGHTH CIRCUIT

Alltel Communications, LLC v. Dejordy, et al., No. 11-1520, 39 Indian L. Rep. 2055 (8th Cir., Apr. 4, 2012). The U.S. Court of Appeals for the Eighth Circuit reverses that portion of the district court's February 17, 2011 order denying the Oglala Sioux Tribe's motion to quash a third-party subpoena in private civil litigation in a suit that is subject to the Tribe's sovereign immunity.

Bernard, et al. v. U.S. Department of Interior, et al., No. 11-2502, 39 Indian L. Rep. 2055 (8th Cir., Apr. 6, 2012). The U.S. Court of Appeals for Eighth Circuit affirms the district court's denial of the appellants' petition to alter the judgment and transfer their damage claim to the U.S.

Court of Federal Claims in an action involving trust land, on the grounds that the appellants had withdrawn their claim several years before final judgment was entered.

County of Charles Mix v. U.S. Department of Interior, et al., No. 11-2217, 39 Indian L. Rep. 2057 (8th Cir., Apr. 6, 2012). The U.S. Court of Appeals for Eighth Circuit affirms the district court's grant of summary judgment in favor of the Secretary of Interior in an action challenging the taking of land into trust for the Yankton Sioux Tribe pursuant to section 5 of the Indian Reorganization Act.

NINTH CIRCUIT

Miranda V. Anchondo, et al., No. 10-15167, 10-15308, 39 Indian L. Rep. 2033 (9th Cir., Feb. 6, 2012). The U.S. Court of Appeals for the Ninth Circuit reverses the district court and holds that § 1302(7) of the Indian Civil Rights Act unambiguously permits tribal courts to impose up to a one-year term of imprisonment for each discrete criminal violation, and denies the petition for a panel rehearing and a petition for rehearing en banc in an action in which the Pasqua Yaqui Tribe Court of Appeals affirmed the petitioner's conviction on all counts.

Coalition to Defend Affirmative Action, et al. v. Brown, Jr., et al., No. 11-15100, 11-15241, 39 Indian L. Rep. 2059 (9th Cir., Apr. 2, 2012). In an action by California high school and college students alleging that section 31 of article I of the California Constitution violates the Equal Protection Clause of the Fourteenth Amendment and causes unfair exclusions of African American, Latino, and Native American students from higher education, the U.S. Court of Appeals for the Ninth Circuit holds that the plaintiffs' suit against the President of the University of California is not barred by Eleventh Amendment immunity but that the plaintiffs' equal protection challenge to section 31 is precluded by the Ninth Circuit's holding in *Coalition for Economic Equality v. Wilson*, 122 F.3d 692 (1997), upholding the constitutionality of section 31, and affirms the district court's order dismissing the complaint against the Governor of California and the University President for failure to state a claim.

Oklevueha Native American Church of Hawaii, Inc., et al. v. Holder, Jr., et al., No. 10-17687, 39 Indian L. Rep. 2063 (9th Cir., Apr. 9, 2012). In an action seeking declaratory and injunctive relief barring the federal government from enforcing the Controlled Substances Act against the members of the Oklevueha Native American Church of Hawaii and for the return or compensation for marijuana taken by the government, the U.S. Court of Appeals for the Ninth Circuit affirms the district court's dismissal of claims for the return of, or compensation for, seized

marijuana on the grounds that the marijuana was destroyed and can't be returned, and the Religious Freedom Restoration Act does not authorize a suit for money damages, but concludes that plaintiffs' claims are fit for review and should not be dismissed on prudential ripeness grounds, and thus remands for further proceedings.

United States v. Goodbear, No. 10-30381, 39 Indian L. Rep. 2067 (9th Cir., Apr. 13, 2012). The U.S. Court of Appeals for the Ninth Circuit vacates the appellant's sentence on the grounds that the district court was required to set the sentence for the misprision of felony offense at no more than three years and remands for resentencing.

United States v. Wilbur, et al., No. 10-30185, 10-30186, 10-30187, 10-30188, 39 Indian L. Rep. 2070 (9th Cir., Apr. 6, 2012). In consolidated actions in which the defendants were indicted for conspiracy to violate the Contraband Cigarette Trafficking Act, the U.S. Court of Appeals for the Ninth Circuit holds that for the period that Washington State retroceded all of its cigarette taxes for all transactions covered by an effective cigarette tax contract, there were no applicable state or local cigarette taxes and thus no violation of the Act, and that there was no violation of the Act by the defendants for as long as they had a tribal tobacco license and thus their convictions for illegal activity between 1999 and 2003 must be set aside as barred by the statute of limitations, but affirms the defendant's convictions for conspiracy to violate the Act between 2005 and 2007, and remands for resentencing based solely on defendants' convictions for actions after the expiration of their tribal tobacco license.

United States v. Harris, No. 11-10053, 39 Indian L. Rep. 2098 (9th Cir., May 25, 2012). The U.S. Court of Appeals for the Ninth Circuit concludes that because the absence of the original trial judge was not in accordance with Federal Rule of Criminal Procedure 25(b), and the visiting judge was not sufficiently familiar with the record, the visiting judge abused her discretion by concluding the appellant's sentencing, and thus vacates the sentence and remands for sentencing by the trial judge.

TENTH CIRCUIT

Muscogee (Creek) Nation v. Pruitt, et al., No. 11-7005, 39 Indian L. Rep. 2042 (10th Cir., Feb. 28, 2012). In an action for declaratory and injunctive relief challenging three Oklahoma statutes that tax and regulate the sale of cigarettes and other tobacco products, the U.S. Court of Appeals for the Tenth Circuit concludes that the Eleventh Amendment does not preclude the suit, but affirms the

district court's dismissal of the action for failure to state a claim.

United States v. Diaz, No. 10-2252, 39 Indian L. Rep. 2100 (10th Cir., May 8, 2012). Concluding that the government met its burden of proof on the grounds that the victim's father provided sufficient evidence for a jury to conclude that the victim was not an Indian for purposes of 18 U.S.C. § 1152, the U.S. Court of Appeals for the Tenth Circuit affirms the appellant's conviction for knowingly leaving the scene of a car accident where she hit and killed a pedestrian.

ELEVENTH CIRCUIT

Hollywood Mobile Estates Limited v. Cypress, et al., No. 11-13482 (unpublished), 39 Indian L. Rep. 2105 (11th Cir., Mar. 22, 2012). Having earlier reversed the district court on grounds of tribal sovereign immunity on its order that the Seminole Tribe pay restitution to the plaintiff, the U.S. Court of Appeals for the Eleventh Circuit affirms the district court's issuance of an injunction restoring the plaintiff-appellee to the property it leases from the Seminole Tribe.

Friends of the Everglades, et al. v. South Florida Water Management District, et al., No. 11-15053, 39 Indian L. Rep. 2103 (11th Cir., Apr. 30 2012). Finding that the Miccosukee Tribe of Indians of Florida did not prevail or substantially prevail in its lawsuit, the U.S. Court of Appeals for the Eleventh Circuit affirms the district court's denial of the Tribe's motion for attorney's fees.

FEDERAL CIRCUIT

Richard, Sr., et al. v. United States, No. 11-5083, 39 Indian L. Rep. 2081 (Fed. Cir., Apr. 13, 2012). The U.S. Court of Appeals for the Federal Circuit finds that the U.S. Court of Federal Claims improperly dismissed appellants' complaint for lack of jurisdiction and remands for further proceedings, concluding that the text of the Fort Laramie Treaty of 1868, the object and the policy behind the Treaty, and the Federal Circuit's precedent dictate that the "bad men" provisions found in Article I of the Treaty are not limited to an agent, employee, representative, or otherwise acting in any other capacity for or on behalf of the United States.

DISTRICT OF COLUMBIA CIRCUIT

Craven v. Salazar, et al., No. 11-5205, 39 Indian L. Rep. 2091 (D.C. Cir., May 22, 2012). The U.S. Court of Appeals for the District of Columbia Circuit holds that in approving the class settlement agreement pursuant to the

Federal Rules of Civil Procedure Rule 23(e), the district court did not abuse its discretion in focusing on the benefits for each class member, and affirms the judgment certifying the two classes, approving the terms of the settlement and encompassing the provisions of the July 27, 2011 order.

WISCONSIN

Koscilak, et al. v. Stockbridge-Munsee Community, et al., No. 2011AP364, 39 Indian L. Rep. 5112 (Wis. Ct. App., Feb. 14, 2012). The Wisconsin Court of appeals holds that the plaintiffs'-appellants' personal injury action is barred by tribal sovereign immunity and that the plaintiffs'-appellants cannot bring a direct action against the Stockbridge-Munsee Community's insurer.



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

APRIL 13, 2012

State of Wisconsin & Rachael Davis v. Conrad Roberts, CS 12-05 Order (Enforcing Child Supp. Against Per Capita) (HCN Tr. Ct., Apr. 13, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

JUNE 6, 2012

Waukesha County Child Support Division v. Timothy M. Kistner, CS 08-01 Order (Ceasing Child Supp. Withholding) (HCN Tr. Ct., June 6 2012) (Lowe, J).

The Court had to determine whether to grant the recent *Motion to Modify*. The Sauk County Child Support Agency requested that the Court terminate all withholdings from the respondent's per capita distributions until further notice. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

JUNE 11, 2012

Anna Kingswan v. Anthony Kingswan, CS 05-78 Order (Modifying Child Supp.) (HCN Tr. Ct., June 11, 2012) (Lowe, J).

The Court had to determine whether to grant a recent *Motion to Modify*. The Iowa Department of Human Services Child Support Recovery Unit requested a modification to the respondent's current child support obligation. The respondent failed to file a timely response to the properly served motion. Therefore, the Court granted the Agency's request.

JUNE 14, 2012

Charlene Spangler v. Phillip Youngthunder, CS 12-17 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., June 14, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. The respondent filed a timely response, but failed to attend the scheduled *Fact-Finding Hearing*. Therefore, the Court granted judgment in favor of the petitioner.

Olivia M. Fox v. Charles V. Fox, CS 04-02 Order (Ceasing Child Supp.) (HCN Tr. Ct., June 14, 2012) (Rockman, A).

The Court previously informed the parties of its intent to cease current child support withholdings absent proof of the emancipating child's high school enrollment. The Court received a correspondence indicating that the minor child was set to graduate on June 9, 2012. The Court, therefore, ceased all current child support withholdings from the respondent's future per capita distributions.

Mary J. Sams v. Daniel L. Sams, CS 09-65 Order (Suspending Current Child Supp. Withholding) (HCN Tr. Ct., June 14, 2012) (Rockman, A).

The Court needed to determine whether to grant a recent *Motion to Modify*. The Beltrami County Child Support Unit requested the indefinite suspension of current child support withholdings due to a change of minor placement and an update of outstanding arrears. The Court granted the Agency's request.

JUNE 22, 2012

Tracy Shuffield v. Rene D. Peterson, CS 10-04 Order (Requiring Update) (HCN Tr. Ct., June 22, 2012) (Rockman, A).

The Court ordered the parties to file an update providing the ages of those children for which the respondent is required to pay support so as to avoid over-withholding in violation of Louisiana law.

JULY 3, 2012

Roberta R. Sanapaw v. Rodney E. Twinn, Jr., CS 12-41 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 3, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Marathon County Dept. of Social Services v. Janis A. Long, CS 12-34 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 3, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Jennifer Burton v. Lashone Bass, CS 12-37 Order (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., July 3, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Eliza M. Green v. Cleland Goodbear, CS 12-33 Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., July 3, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin v. Fredricka A. Miner, CS 12-39 Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin & Nadeen A. Lloyd v. Maynard B. Funmaker, CS 12-40 Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin & Shaila Henneha v. Adrian J. Foote, CS 12-25 Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Vanessa M. Garcia v. Andrew P. Blackhawk, CS 11-64 Order (*Modifying Child Supp.*) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court had to determine whether to grant a recent *Motion to Modify*. The Milwaukee County Child Support Agency requested a modification to the respondent's current child support and arrears obligations. The respondent failed to file a timely response to the properly served motion. Therefore, the Court granted the Agency's request.

State of Wisconsin v. Cynthia R. Hopinka, CS 10-49 Order (*Ceasing Child Supp.*) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court had to determine whether to grant the recent *Motion to Modify*. The Jackson County Child Support Agency requested that the Court terminate all withholdings from the respondent's per capita distributions until further notice. Both parties failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

State of Wisconsin ex rel. v. Erin E. Pettibone, CS 10-01 Order (*Ceasing Child Supp.*) (HCN Tr. Ct., July 3, 2012) (Lowe, J).

The Court had to determine whether to grant the recent *Motion to Modify*. The Jackson County Child Support Agency requested that the Court terminate all withholdings from the respondent's per capita distributions until further notice. Both parties failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

JULY 5, 2012

Lauren Cissna v. Michael Melendez, Jr., CS 12-29 Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., July 5, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin v. Nathan L. Miller, CS 11-05, *State of Wisconsin & Hunter B. Isham v. Nathan L. Miller*, CS 11-12 Order (*Enforcing Arrears & Equitable Adjustment*) (HCN Tr. Ct., July 5, 2012) (Lowe, J).

The Court had to determine whether to grant a recent *Motion to Modify*. The Sawyer County Child Support Agency filed a correspondence requesting the enforcement of outstanding arrears against the

respondent's per capita distributions. The respondent failed to file a timely response to the properly served motion. Therefore, the Court granted judgment in favor of the petitioner and modified the established equitable adjustment due to the respondent's serial payor status and enforcement of outstanding arrears.

Stacy L. Spry v. Levi L. Lincoln, CS 07-81 Order (Modifying Child Supp.) (HCN Tr. Ct., July 5, 2012) (Rockman, A).

The Court had to determine whether to grant a recent *Motion to Modify*. The Pine County Child Support Agency requested a modification to the respondent's current child support and arrears obligations. The respondent failed to file a timely response to the properly served motion. Therefore, the Court granted the Agency's request.

JULY 6, 2012

Jalesa Stampley v. Zachary C. Bryant, CS 12-30 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 6, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Amber Leigh Niemi v. Tad Isaac Butcher, CS 12-38 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 6, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

JULY 9, 2012

Corey M. Kingsley v. Dannell A. Kingsley, CS 12-27 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., July 9, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Monroe County Child Support Agency v. Cody Grey Owl, CS 10-56, *Sarah Cronick v. Cody Grey Owl*, CS 12-36 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., July 9, 2012) (Rockman, A).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

JULY 10, 2012

Katrina D. Pintor v. Patrick A. Edwards, CS 02-44, *Joanne Ulseth v. Patrick A. Edwards*, CS 05-74 Order (Ceasing Child Supp. & Removing Equitable Adjustment) (HCN Tr. Ct., July 10, 2012) (Lowe, J).

The Court had to determine whether to grant a recent *Motion to Modify*. The Clark County Child Support Agency requested the suspension of withholdings in Case No. CS 02-44, indicating that the respondent's child support obligation had been paid to the extent allowable under HCN laws. The parties denoted their acquiescence to the request by their failure to respond. The Court accordingly granted the Agency's request and removed the equitable adjustment as the respondent is no longer a serial payor.

Regina K. Baldwin v. Hunter D. Littlejohn, CS 99-46, *Bethany Littlejohn v. Hunter D. Littlejohn*, CS 10-55 Order (Modifying Child Supp. & Equitable Adjustment) (HCN Tr. Ct., July 10, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The La Crosse County Child Support Agency filed a correspondence requesting a modification of child support withholdings in Case No. CS 10-55. The parties denoted their acquiescence to the request by their failure to respond to the properly served motion. The Court accordingly granted the Agency's request and modified the established equitable adjustment due to the respondent's serial payor status and modification of one support withholding.

JULY 13, 2012

Leona L. Keene v. Roger M. Thundercloud, CS 12-28 Order (Enforcing Arrears) (HCN Tr. Ct., July 13, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order for arrears against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely

response. Therefore, the Court granted judgment in favor of the petitioner.

Pine County Child Support Agency of Minnesota ex rel. v. Terry L. Gourd, CS 03-26 Order (Modifying Child Supp.) (HCN Tr. Ct., July 13, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Pine County Child Support Agency requested a modification of the respondent's current child support obligation. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

State of Wisconsin ex rel. v. Eileen R. Meers, CS 09-01 Order (Modifying Child Supp.) (HCN Tr. Ct., July 13, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency requested a modification in current child support withholdings. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

June Miller v. Larry Fanning, CS 98-71 Order (Ceasing Child Supp.) (HCN Tr. Ct., July 13, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Juneau County Child Support Agency requested the discontinuation of child support withholdings from the respondent's per capita distributions. Both parties denoted their acquiescence to the request by their failure to respond. The Court therefore ordered the cessation of all future child support withholdings.

Karen A. White Eagle v. Cameron L. White Eagle, CS 12-07 Order (Enforcing Child Supp. Against Per Capita & Wages) (HCN Tr. Ct., July 13, 2012) (Lowe, J).

Subsequent review of the case file revealed that the previously recognized foreign order required garnishment contingent upon the respondent's total gross income. The Court accordingly enforced the express conditions of the foreign order against the respondent's wage and per capita distributions.

JULY 16, 2012

Erica Cloud v. Fletcher Collins, CS 02-59 Order (Enforcing Child Supp. Against Per Capita) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court had to determine whether to grant the respondent's *Motion to Modify*. The respondent requested a modification in withholdings from his wages and per capita distributions. The petitioner was afforded proper service of the motion but failed to file a timely

response. The Court, therefore, granted the uncontested motion.

State of Wisconsin & Cynthia R. Hopinka v. Dennis Hopinka, Sr., CS 10-59 Order (Modifying Child Supp.) (HCN Tr. Ct., July 16, 2012) (Lowe, J).

The Court had to determine whether to grant the respondent's *Motion to Modify*. The petitioner requested a modification in current child support withholdings. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request.

Nicole Kornuth v. Harry Heisel, CS 09-73, *State of Wisconsin ex rel. v. Harry Heisel*, CS 09-74, *Shannon Brannan v. Harry Heisel*, CS 09-75 Order (Modifying Child Supp.) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court previously informed the parties of its intent to cease current support in Case No. CS 09-73 absent proof of the emancipating child's high school enrollment. Consequently, the Court ceased current support withholdings from the respondent's per capita due to the parties' failure to file the requested proof of enrollment.

Louise E. Morris v. Edward Greengrass, CS 12-32 Order (Enforcing Arrears) (HCN Tr. Ct., July 16, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order for arrears against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent filed a timely response, but failed to attend to the scheduled *Fact-Finding Hearing*. Therefore, the Court granted judgment in favor of the petitioner.

Joseph Holmes v. Elizabeth Eades, CS 10-26, *Robert Voss v. Elizabeth Eades*, CS 12-08 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., July 16, 2012) (Lowe, J).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

Erica Rave v. Elan White Eagle, CS 11-54 Order (Enforcing Arrears) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The petitioner requested that the Court recognize and enforce a foreign child support

order for arrears against the respondent's per capita distributions. The respondent, however, failed to file a timely response. Therefore, the Court accordingly granted the petitioner's uncontested motion.

State of Wisconsin/Jackson County v. Lance D. Rave, CS 05-65 Order (*Ceasing Arrears Withholding*) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The respondent requested a cessation of withholding for outstanding arrears, providing a certified arrears statement indicating overpayment. The petitioner failed to file a timely response to the properly served motion. Therefore, the Court granted the respondent's request.

State of Wisconsin ex rel. v. Jones R. Funmaker, CS 06-14, *State of Wisconsin ex rel. v. Jones Funmaker*, CS 06-24 Order (*Modifying Child Supp. & Equitable Adjustment*) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court had to determine whether to grant a recent *Motion to Modify*. The Juneau County Child Support Agency requested a modification of the respondent's support withholdings in Case No. CS 06-24. Neither party filed a response to the properly served motion. Therefore, the Court granted the Agency's request and modified the established equitable adjustment due to the respondent's serial payor status and support modification.

State of Wisconsin/Sawyer County and Alicia A. Debrot v. Joseph S. Grover, CS 01-41, *State of Wisconsin/Sawyer County and Elaine M. Dennis v. Joseph S. Grover*, CS 06-06, *State of Wisconsin v. Joseph S. Grover*, CS 07-89 Order (*Reinstating Child Supp. & Equitable Adjustment*) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court had to determine whether to grant a recent *Motion to Modify*. The Sawyer County Child Support Agency requested a reinstatement of child support and arrears withholding in Case No. CS 07-89. The respondent failed to file a timely response to the properly served motion. Therefore, the Court granted the Agency's request and modified the established equitable adjustment due to the respondent's serial payor status and reinstatement of support withholdings.

State of Wisconsin/Sauk County and Patricia A. Houghton v. Gabriel D. Funmaker, CS 98-06 Order (*Ceasing Current Child Supp.*) (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court previously informed the parties of its intent to cease current support absent proof of high school enrollment. Consequently, the Court ceased current support withholdings from the respondent's per capita

due to the parties' failure to file the requested proof of enrollment.

CIVIL GARNISHMENT CASES

APRIL 12, 2012

Black River Memorial Hospital v. Melissa Kingswan, CG 11-131 Order (*Pet. Granted*) (HCN Tr. Ct., Apr. 12, 2012) (Rockman, A).

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 response, seeking a stay of proceedings. The Court ultimately granted judgment in favor of the petitioner due to the respondent's failure to provide evidence of a recognized exemption from garnishment.

APRIL 16, 2012

Midland Credit Management, Inc. v. Donna Littlegeorge, CG 10-04 Order (*Granting Mot. to Modify*) (HCN Tr. Ct., Apr. 16, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

APRIL 17, 2012

Heights Finance Corporation v. Karen Roy, CG 12-42 Order (*Default J.*) (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Speed Cash v. Doreen Winson, CG 12-41 Order (*Default J.*) (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Lois A. McKeel, CG 12-39 Order (*Default J.*) (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Jason W. Frost, CG 12-38 Order (Default J.) (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Rachel Montana, CG 11-139 Order (Granting Mot. to Modify) (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Alliance Collection Agencies, Inc. v. Donna R. Pabst, CG 11-96 Order (Granting Mot. to Modify) (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

APRIL 27, 2012

Midland Credit Management, Inc. v. Donna Littlegeorge, CG 10-04 Order (Ceasing Wage Withholding) (HCN Tr. Ct., Apr. 27, 2012) (Rockman, A).

The respondent filed a correspondence indicating that the parties had agreed upon a payment arrangement which would eliminate the need for future wage withholdings. As the petitioner prepared the aforementioned correspondence, the Court presumed both parties acquiesced in the relief sought. Therefore, the Court ceased all withholdings from the respondent's wages.

MAY 15, 2012

Capital One Bank v. Steve A. Herman, CG 11-149 Order (Granting Mot. to Modify) (HCN Tr. Ct., May 15, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

MAY 16, 2012

Gundersen Lutheran Medical Center v. Elizabeth Haller, CG 12-25 Order (Suspension of Judgment) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

The Court previously issued a default judgment against the respondent. Thereafter, the petitioner submitted a filing seeking the voluntary termination of the ordered wage assignment. The Court accordingly ordered the cessation of all withholdings from the respondent's wages.

MAY 23, 2012

Alliance Collection Agencies, Inc. v. David M. Rice, CG 12-36 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Funding LLC, by its Servicing Agent, Midland Credit Management, Inc. v. Mason Gunderson, CG 12-44 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Credit Acceptance Corporation v. Drew Parchem, CG 12-43 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Marie A. Wolf, CG 11-89 Order (Granting Mot. to Modify) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Midland Funding LLC, by its Servicing Agent, Midland Credit Management, Inc. v. Richard J. Caparelli, CG 12-45 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Heights Finance v. Lanette Walker, CG 12-46 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

WP&L Company v. Georgette Jackson, CG 12-47 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Dane County Dept. of Human Services v. Brenda Dahl, CG 12-48 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

UW Medical Foundation v. Sara Hanson, CG 12-49 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Evelyn Mary Arendt, CG 12-51 Order (Default J.) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Credit Management, Inc. v. Glen N. Kasper, CG 09-19 Order (Granting Mot. to Modify) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

JUNE 8, 2012

Capital One Bank USA NA FKA Capital One Bank, A Foreign Corporation v. Karen M. Baker, CG 12-55 Order (Default J.) (HCN Tr. Ct., June 8, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Funding LLC, by its Servicing Agent, Midland Credit Management, Inc. v. Ruth Puent, CG 12-56 Order (Default J.) (HCN Tr. Ct., June 8, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

JUNE 11, 2012

Gundersen Lutheran Vision Center v. James & Melissa Rochester, CG 12-50 Order (Default J.) (HCN Tr. Ct., June 11, 2012) (Rockman, A).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court afforded the respondents the opportunity to object to the recognition and enforcement of the foreign judgment. The respondents failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Credit Management, Inc. v. Duane Georgeson, CG 11-23 Order (Granting Mot. to Modify) (HCN Tr. Ct., June 11, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

JUNE 12, 2012

Maple Lawn Apartments LLC v. Megan L. Zacharias, CG 12-53 Order (Default J.) (HCN Tr. Ct., June 12, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

JUNE 13, 2012

Gundersen Clinic LTD v. Dennis Funmaker, CG 12-57 Order (Default J.) (HCN Tr. Ct., June 13, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Creative Finance, Inc. v. Peter Jalensky, CG 12-54 Order (Default J.) (HCN Tr. Ct., June 13, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Affiliated Dentists SC v. Megan L. Zacharias, CG 12-52 Order (Default J.) (HCN Tr. Ct., June 13, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Pierre J. Decorah, CG 12-01 Order (Granting Mot. to Modify) (HCN Tr. Ct., June 13, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

JUNE 14, 2012

Gundersen Clinic LTD v. Sharon Thompson, CG 12-58 Order (Default J.) (HCN Tr. Ct., June 14, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Myrna L. Littlewolf, CG 12-60 Order (Default J.) (HCN Tr. Ct., June 14, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

JUNE 21, 2012

Curt Robert Crosby v. Amber Camacho Malone, CG 12-63 Order (Default J.) (HCN Tr. Ct., June 21, 2012) (Rockman, A).

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 failed to timely respond,

leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic LTD v. Darcy Spangler aka/a Darcy Johnson, CG 11-129 Order (Reinstating Withholding) (HCN Tr. Ct., June 21, 2012) (Rockman, A).

The petitioner filed a *Motion to Modify*, indicating that the previously ordered wage withholding had ceased without order by this Court, and requesting that withholding resume. The respondent failed to respond to the properly served motion. Therefore, the Court granted the petitioner's uncontested request.

JULY 11, 2012

Alliance Collection Agencies, Inc. v. Juanita Thompson, CG 12-64 Order (Default J.) (HCN Tr. Ct., July 11, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Lisa K. Lockemy, CG 12-67 Order (Default J.) (HCN Tr. Ct., July 11, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Funding LLC, by its Servicing Agent, Midland Credit Management, Inc. v. Thomas Clark, CG 12-66 Order (Default J.) (HCN Tr. Ct., July 11, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

JULY 17, 2012

Unifund Corporation, Assignee of Elan Financial Services v. Linda L. Lorenz aka Linda Hamilton and Vincent G. Lorenz aka Vincent G. Hamilton, CG 12-65 Order (Default J.) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The Court afforded the respondents the opportunity to object to the recognition and enforcement of the foreign judgment. The respondents failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Maple Lawn Apartments, LLC v. Megan L. Zacharias, CG 12-53 Order (Granting Mot. to Modify) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the parties stipulated to a weekly wage withholding amount. The Court accordingly granted the uncontested motion, directing the Dept. of Treasury to modify the weekly amount deducted from the respondent's wages.

Affiliated Dentists SC v. Megan L. Zacharias, CG 12-52 Order (Granting Mot. to Modify) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the parties stipulated to a weekly wage withholding amount. The Court accordingly granted the uncontested motion, directing the Dept. of Treasury to modify the weekly amount deducted from the respondent's wages.

Progressive Insurance Company v. Becky Shaw, CG 11-13 Order (Granting Mot. to Modify) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

JULY 18, 2012

Alliance Collection Agencies, Inc. v. Stuart Beverly, CG 12-68 Order (Default J.) (HCN Tr. Ct., July 18, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Funding LLC, by its Servicing Agent, Midland Credit Management, Inc. v. Lani Blackdeer, CG 11-113 Order (Granting Mot. to Modify) (HCN Tr. Ct., July 18, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

JULY 31, 2012

Alliance Collection Agencies, Inc. v. Marie A. Wolf, CG 08-66 Order (Granting Mot. to Modify) (HCN Tr. Ct., July 31, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

AUGUST 6, 2012

Alliance Collection Agencies, Inc. v. Heather A. Green, CG 09-70 Order (Granting Mot. to Modify) (HCN Tr. Ct., Aug. 6, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

AUGUST 7, 2012

Midland Credit Management, Inc. v. Donna Littlegeorge, CG 10-04 Order (Granting Mot. to Modify) (HCN Tr. Ct., Aug. 7, 2012) (Rockman, A).

The Court previously entered an order ceasing wage withholdings due to the parties' alternative payment agreement. Thereafter, the petitioner requested the reinstatement of withholdings due to the respondent's failure to comply with the establishment payment agreement. The petitioner afforded the respondent proper notice of the motion. The Court granted the motion following the respondent's failure to file a timely response.

AUGUST 9, 2012

Gundersen Clinic, LTD v. Rose A. Smith aka Rose A. Lemke, CG 12-74 Order (Default J.) (HCN Tr. Ct., Aug. 9, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Angie Jacobs, CG 12-73 Order (Default J.) (HCN Tr. Ct., Aug. 9, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Elizabeth A. Walker, CG 12-70 Order (Default J.) (HCN Tr. Ct., Aug. 9, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Robin L. Hozhaeuser, CG 12-72 Order (Default J.) (HCN Tr. Ct., Aug. 9, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

AUGUST 30, 2012

Degem Berglund v. Willa RedCloud, CG 12-76 Order (Default J.) (HCN Tr. Ct., Aug. 30, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Family Denistry v. Toni Blackdeer, CG 12-79 Order (Default J.) (HCN Tr. Ct., Aug. 30, 2012) (Rockman, A).

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 failed to timely respond,

leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Darcy Spangler aka Johnson, CG 12-80 Order (Default J.) (HCN Tr. Ct., Aug. 30, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Dustin Arendt, CG 12-71 Order (Default J.) (HCN Tr. Ct., Aug. 30, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

AUGUST 31, 2012

Gundersen Clinic LTD v. Marlene Cloud, CG 12-83 Order (Default J.) (HCN Tr. Ct., Aug. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Toni Blackdeer, CG 12-78 Order (Default J.) (HCN Tr. Ct., Aug. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Warren Loveland, Black River Self Storage v. Luann Littlegeorge, CG 12-69 Order (Default J.) (HCN Tr. Ct., Aug. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Dane County Clerk of Courts v. Elan Whiteeagle, CG 12-81 Order (Default J.) (HCN Tr. Ct., Aug. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Francisco Rivas, CG 12-59 Order (Pet. Granted) (HCN Tr. Ct., Aug. 31, 2012) (Rockman, A).

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 response, but failed to articulate a recognized exemption from garnishment. Therefore, the Court ultimately granted judgment in favor of the petitioner.

CIVIL CASES

MAY 11, 2012

Kristin Hernandez v. Vincent Hernandez, CV 11-16 Order (Final J.) (HCN Tr. Ct., May 11, 2012) (Rockman, A).

The Court afforded the defendant a period of sixty days to retrieve evidence demonstrating that funds provided by the plaintiff were utilized for financial investments or repaid to the parties' joint bank account. The defendant failed to provide such documentation or attend the subsequent proceeding. The Court, therefore, rendered a judgment in favor of the plaintiff for a portion of the relief sought within the *Complaint*.

JUNE 6, 2012

Ho-Chunk Nation, et al. v. Jennifer Kearnes, CV 12-04 Order (Default J.) (HCN Tr. Ct., June 6, 2012) (Rockman, A).

The Court needed to determine whether to grant the relief requested by the plaintiffs. The defendant failed to respond to the filed *Complaint*, *Amended Complaint*, or *Motion for Default Judgment*. Consequently, the Court rendered a default judgment in the plaintiffs' favor, awarding permissible relief sought in the *Amended Complaint*.

Ho-Chunk Nation v. Shelley E. Thundercloud, CV 11-76 Order (Granting Summ. J.) (HCN Tr. Ct., June 12, 2012) (Rockman, A).

The Court needed to determine whether to grant the plaintiff's *Motion for Summary Judgment*. The Court found no genuine issue of material fact and held the plaintiffs are entitled to judgment as a matter of law.

JUNE 11, 2012

Ho-Chunk Nation Property Management v. Kenneth Wilson, CV 09-53 Order (Satisfaction of J.) (HCN Tr. Ct., June 11, 2012) (Rockman, A).

The plaintiff filed a *Satisfaction of Judgment*, indicating that the defendant had completely satisfied the previously ordered debt obligation. The Court ordered the Dept. of Treasury to cease further withholdings from the defendant's per capita distributions and informed the parties of its intent to close the case.

JUNE 26, 2012

Ho-Chunk Nation v. Masu Ska alk/a John Greendeer, et al. CV 10-28 Order (Voluntary Dismissal) (HCN Tr. Ct., June 26, 2012) (Lowe, J).

The Court previously informed the parties of its intent to close the case due to case inactivity in excess of six months unless the parties demonstrated good cause to the contrary. Ultimately, the Court granted the parties' joint motion requesting the voluntary dismissal of the case.

JULY 18, 2012

Kristin Hernandez v. Vincent Hernandez. CV 11-16 Order (Granting Writ of Execution) (HCN Tr. Ct., July 18, 2012) (Rockman, A).

The Court needed to determine whether to grant the plaintiff's *Motion for Writ of Execution*. The Court convened a *Motion Hearing* to provide the defendant an opportunity to testify to his property and income. However, the defendant failed to either file a response to the properly served motion or attend the scheduled hearing. Therefore, the Court granted the plaintiff's motion to satisfy the previously ordered judgment against the defendant's wages.

ADMINISTRATIVE APPEALS

MAY 16, 2012

Horst Josellis v. Jennifer Field & Ho-Chunk Nation Grievance Review Board, CV 11-83, -87 Order (Addressing Pending Motions) (HCN Tr. Ct., May 16, 2012) (Rockman, A).

The Court denied the petitioner's motion to prevent legal representation of tribal entities and granted the GRB's request to intervene and consolidate cases CV 11-83 and 11-87. The Court then scheduled a *Motion Hearing* to afford the parties an opportunity to provide oral argument on the remaining pending motions.

MAY 22, 2012

Lance B. Vaughn v. Ho-Chunk Nation Grievance Review Board, Ho-Chunk Nation Gaming - Madison, CV 12-05 Order (Granting Mot. for Expedited Consideration to Reschedule Hearing) (HCN Tr. Ct., May 22, 2012) (Rockman, A).

The Court granted the respondents' *Motion to Reschedule Hearing*. The Court further informed the parties of its intent to deliver updated *Notices of Hearing* indicating the rescheduled hearing date and time.

JUNE 19, 2012

Jeffrey Harrison v. Brian Decorah and Ho-Chunk Gaming - Nekoosa, CV 11-35 Order (Remanding) (HCN Tr. Ct., June 19, 2012) (Rockman, A).

The Court needed to determine whether to uphold the decision of the Grievance Review Board. The Court found the agency's decision arbitrary and capricious for failing to adequately articulate the basis for its conclusion. The Court ultimately remanded the case to the GRB for reconsideration consistent with the Court's decision.

JUNE 26, 2012

Cheryl Brinegar v. Ho-Chunk Nation Department of Personnel, CV 10-81 Order (Closing Case) (HCN Tr. Ct., July 2, 2012) (Rockman, A).

The Court informed the parties of its intent to close the case following receipt of a *Settlement Agreement* between the parties.

JUNE 28, 2012

Collin Cloud v. Johanna Bruns, CV 12-34 Scheduling Order (HCN Tr. Ct., June 28, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

JULY 2, 2012

Ardith Snowball v. Ho-Chunk Gaming- Baraboo, et al., CV 11-51 Order (Granting Mot. for Expedited Consideration and Mot. for Extension) (HCN Tr. Ct., July 2, 2012) (Rockman, A).

The Court granted the parties' joint request to extend filing deadlines.

JULY 6, 2012

Janette Smoke v. Ho-Chunk Nation Grievance Review Board, et al., CV 12-15 Order (Granting Telephonic Appearance) (HCN Tr. Ct., July 6, 2012) (Rockman, A).

The Court granted the respondents' counsel's request to appear telephonically at the July 13, 2012 *Status Hearing*.

JULY 31, 2012

Amanda Beder v. Kori Mann, Amy Kirby and Grievance Review Board, CV 12-43 Scheduling Order (HCN Tr. Ct., July 31, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

AUGUST 7, 2012

Greg Garvin, Executive Manager; Ho-Chunk Gaming Black River Falls v. Nicole Christopherson, CV 12-46 Scheduling Order (HCN Tr. Ct., Aug. 7, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

AUGUST 15, 2012

Daniel Topping v. Georgette Martin, Food and Beverage Division, Ho-Chunk Gaming and Grievance Review Board, CV 12-47 Scheduling Order (HCN Tr. Ct., Aug. 15, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

AUGUST 24, 2012

Theresa Day v. Amy Kirby, et al., CV 12-39 Order (Granting Mot. for Extension of Time to File Brief) (HCN Tr. Ct., Aug. 24, 2012) (Rockman, A).

The Court granted the petitioner's request for an extended briefing deadline based on the untimely filing of the administrative record and the parties' mutual agreement.

CHILDREN'S TRUST FUND (CTF)

APRIL 10, 2012

In the Interest of Minor Children: T.R.C., DOB 11/19/1998 and S.J.C., DOB 11/15/1999, by April Clairmont-Russell v. HCN Office of Tribal Enrollment, CV 12-13 Order (Pet. Granted) (HCN Tr. Ct., Apr. 10, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Children: M.K., DOB 06/10/2000, K.K., DOB 08/17/2001, and K.K., DOB 09/22/2005, by Mack Kingbird v. HCN Office of Tribal Enrollment, CV 12-11 Order

(Granting Mot. to Dismiss) (HCN Tr. Ct., Apr. 10, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with overdue mortgage payments. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court denied the release of funds due to petitioner's failure to satisfy the first and second prong of the test to release CTF funds.

APRIL 11, 2012

In the Interest of Minor Child: S.L., DOB 06/08/1995, by Earl Lemieux II v. HCN Office of Tribal Enrollment, CV 11-91 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with dental care. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting.

In the Interest of Minor Child: A.M.D., DOB 04/21/2008, by Mary Ann White v. HCN Office of Tribal Enrollment, CV 11-88 Order (Conditional Dismissal) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The petitioner, however, failed to indicate whether she was the minor child's parent or legal guardian. Thus, the Court provided the petitioner an opportunity to submit a correspondence either establishing the existence of a guardianship appointment or the mother's consent to the proposed CTF release.

In the Interest of Minor Child: C.L.S., DOB 12/17/2000, by Bethyl J. St. Cyr v. HCN Office of Tribal Enrollment, CV 11-62 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: D.S.T.W., DOB 09/14/2000, by Algje Wolters v. HCN Office of Tribal Enrollment, CV 11-50 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit

accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: T.B.T., DOB 11/04/1999, by Joseph Brown Thunder v. HCN Office of Tribal Enrollment, CV 11-49 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: R.D.A., DOB 05/26/1998, by Sheri R. DeCora v. HCN Office of Tribal Enrollment, CV 11-46 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

APRIL 19, 2012

In the Interest of Minor Child: S.B., DOB 12/20/1997, by Daryll Bird, Sr. v. HCN Office of Tribal Enrollment, CV 11-64 Order (Demanding Accounting) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with private school tuition. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Adult CTF Beneficiary: Jordan Funmaker, DOB 03/06/1992 v. HCN Office of Tribal Enrollment, CV 11-67 Order (Requesting Accounting & Suspending Release) (HCN Tr. Ct., Apr. 19, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with high school tuition, living expenses, home furnishing and personal allowance items. The petitioner failed to submit an educational update or accounting to demonstrate that the funds were expended as a required. Consequently, the Court ordered the suspension of monthly living stipends until the petitioner complies with the ordered accounting requirements.

APRIL 24, 2012

In the Interest of Minor Child: C.L.S., DOB 12/17/2000, by Bethel J. St. Cyr v. HCN Office of Tribal Enrollment, CV 11-62 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 24, 2012) (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 *Patient Account Statement* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: K.B., DOB 10/13/1998, by Clarissa Pettibone v. HCN Office of Tribal Enrollment, CV 08-10 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 24, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Single Patient Ledger* confirming the proper use of the funds. The Court accepted this accounting.

MAY 9, 2012

In the Interest of Adult CTF Beneficiary: Sandra L. Ortiz, DOB 02/15/1992 v. HCN Office of Tribal Enrollment, CV 11-45 Order (Contempt) (HCN Tr. Ct., May 9, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

MAY 11, 2012

In the Interest of Minor Child: S.B., DOB 10/21/1996, by Richie Brown v. HCN Office of Tribal Enrollment, CV 12-25 Order (Pet. Granted) (HCN Tr. Ct., May 11, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

MAY 14, 2012

In the Interest of Minor Child: W.S., DOB 09/09/1996, by Maria Blackdeer-McCabe v. HCN Office of Tribal Enrollment, CV 12-24 Order (Pet. Granted) (HCN Tr. Ct., May 14, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the

request. The Court granted the release of funds to the petitioner.

MAY 15, 2012

In the Interest of Minor Children: D.R.C., DOB 04/26/2000 and M.S.C., DOB 04/12/2001, by Rodney Cloud v. HCN Office of Tribal Enrollment, CV 12-02 Order (Requesting Accounting) (HCN Tr. Ct., May 15, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with dental procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting.

In the Interest of Minor Child: R.P., DOB 07/13/1997, by Audrey Goodbear and In the Interest of Adult CTF Beneficiary: Joshua P. Funmaker, DOB 11/17/1993 v. HCN Office of Tribal Enrollment, CV 11-80 Order (Mot. Granted) (HCN Tr. Ct., May 15, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Children: C.Y., DOB 10/13/2006, D.Y., DOB 05/10/2008, and A.Y., DOB 12/02/1998, by Jamie Youngthunder-Smith v. HCN Office of Tribal Enrollment, CV 11-65 Order (Mot. Granted) (HCN Tr. Ct., May 15, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Child: T.B.T., DOB 11/04/1999, by Joseph Brown Thunder v. HCN Office of Tribal Enrollment, CV 11-49 Order (Accepting Accounting) (HCN Tr. Ct., May 15, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted an *Invoice* and *Receipt* confirming the proper use of the funds. The Court accepted this accounting.

MAY 17, 2012

In the Interest of Adult CTF Beneficiary: Geraldine Y. Rochester, DOB 08/19/1990 v. HCN Office of Tribal Enrollment, CV 11-56 Order (Requesting Accounting) (HCN Tr. Ct., May 17, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with high school tuition, dentistry procedures, and the purchase of an automobile. The petitioner failed to submit the required

accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

MAY 23, 2012

In the Interest of Minor Child: R.M., DOB 06/07/1997, by Alicia Miner v. HCN Office of Tribal Enrollment, CV 12-26 Order (Mot. Hearing) (HCN Tr. Ct., May 23, 2012) (Rockman, A).

The Court, in its discretion, determined to convene a hearing so as to allow the respondent the ability to argue its *Motion to Dismiss* and to provide the petitioner an opportunity to offer a response.

JUNE 4, 2012

In the Interest of Minor Child: S.L., DOB 06/08/1995, by Earl Lemieux II v. HCN Office of Tribal Enrollment, CV 11-91 Order (Accepting Accounting) (HCN Tr. Ct., June 4, 2012) (Lowe, J).

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

JUNE 8, 2012

In the Interest of Minor Children: D.R.C., DOB 04/26/2000, M.S.C., DOB 04/12/2001, and M.L.C., DOB 10/05/2004, by Holly Wyckoff v. HCN Office of Tribal Enrollment, CV 12-09 Order (Pet. Denied) (HCN Tr. Ct., June 8, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with a family vacation. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court denied the release of funds to the petitioner for failure to establish a special financial need or demonstrate that the request fulfills the children's needs rather than desires.

In the Interest of Minor Children: R.B., DOB 09/29/2000 and C.B., DOB 02/06/2002, by Holly Cheri Byhre v. HCN Office of Tribal Enrollment, CV 12-10 Order (Partially Granting Pet.) (HCN Tr. Ct., June 8, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with the purchase of musical instruments. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted a partial release of funds to the petitioner to be accompanied by a parental contribution.

JUNE 11, 2012

In the Interest of Minor Children: D.R.C., DOB 04/26/2000 and M.S.C., DOB 04/12/2001, by Earl Lemieux II v. HCN Office of Tribal Enrollment, CV 12-02 Order (Accepting Accounting) (HCN Tr. Ct., June 4, 2012) (Rockman, A).

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

JUNE 12, 2012

In the Interest of Minor Child: R.M., DOB 06/07/1997, by Alicia Miner v. HCN Office of Tribal Enrollment, CV 12-26 Order (Conditional Dismissal) (HCN Tr. Ct., June 12, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF account. The Court convened a *Fact-Finding Hearing* to consider the petitioner's request. However, the petitioner failed to appear and did not notify the Court of an inability to attend the proceeding. Thus, the Court informed the parties of its intent to dismiss the action if the petitioner failed to submit a written request to reschedule the hearing prior to June 25, 2012.

In the Interest of Minor Child: S.B.G., DOB 04/21/1996, by Taryn Power Greendeer v. HCN Office of Tribal Enrollment, CV 12-30 Order (Pet. Granted) (HCN Tr. Ct., June 12, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

JUNE 13, 2012

In the Interest of Minor Child: G.D.L., DOB 1/1/2001, by Mindy Gilbertson v. HCN Office of Tribal Enrollment, CV 12-21 Order (Pet. Granted) (HCN Tr. Ct., June 13, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

JUNE 15, 2012

In the Interest of Minor Child: C.R.C., DOB 06/14/2000, by Ericka Cloud v. HCN Office of Tribal Enrollment, CV 12-20 Order (Pet. Granted) (HCN Tr. Ct., June 15, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

JUNE 19, 2012

In the Interest of Minor Child: S.W., DOB 05/25/2000, by Glen White v. HCN Office of Tribal Enrollment, CV 12-01 Order (Requesting Accounting) (HCN Tr. Ct., June 19, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting.

In the Interest of Minor Child: D.S.T.W., DOB 09/14/2000, by Algje Wolters v. HCN Office of Tribal Enrollment, CV 11-50 Order (Accepting Accounting) (HCN Tr. Ct., June 19, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Appointment History/Financial History* confirming the proper use of the funds. The Court accepted this accounting.

JUNE 25, 2012

In the Interest of Minor Children: T.M.G., DOB 05/14/1998 and S.G., DOB 02/05/1994, by Sherry Lonetree-Gray v. HCN Office of Tribal Enrollment, CV 12-08 Order (Pet. Granted in Part) (HCN Tr. Ct., June 25, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court ultimately ordered the petitioner to submit additional documentation supporting satisfaction of the four-prong test for release of CTF funds.

In the Interest of Minor Child: M.J.T., DOB 03/18/2001, by Felicia Wanna v. HCN Office of Tribal Enrollment, CV 12-06 Order (Requesting Accounting) (HCN Tr. Ct., June 25, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting.

In the Interest of Minor Child: R.W., DOB 04/14/1998, by Trinity Kail v. HCN Office of Tribal Enrollment, CV 12-16 Order (Requesting Accounting) (HCN Tr. Ct., June 25, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting.

JUNE 26, 2012

In the Interest of Adult CTF Beneficiary: Geraldine Y. Rochester, DOB 08/19/1990 v. HCN Office of Tribal Enrollment, CV 11-56 Order (Demanding Accounting) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with high school tuition, dentistry procedures, and the purchase of an automobile. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Adult CTF Beneficiary: Christopher Montanez, DOB 05/12/1988 v. HCN Office of Tribal Enrollment, CV 11-72 Order (Demanding Accounting) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with outstanding health care expenses. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

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 (Demanding Accounting) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor children for costs associated with orthodontic procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: L.C., DOB 06/14/1996, by Michelle Blackdeer v. HCN Office of Tribal Enrollment, CV

12-12 Order (Requesting Accounting) (HCN Tr. Ct., June 26, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

In the Interest of Minor Child: D.F., DOB 09/26/1996, by Tara Blackcoon v. HCN Office of Tribal Enrollment, CV 10-91 Order (Show Cause) (HCN Tr. Ct., June 26, 2012) (Lowe, J).

The Court had previously released funds from the CTF account of the minor child for costs associated with orthodontic care. 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: K.A.B., DOB 06/14/2001, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-07 Order (Requesting Accounting) (HCN Tr. Ct., June 26, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

In the Interest of Minor Child: K.A.B., DOB 03/03/1999, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-17 Order (Requesting Accounting) (HCN Tr. Ct., June 26, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with dental procedures. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

In the Interest of Minor Child: C.J.J.B., DOB 04/30/2008, by Yvette L. Brown v. HCN Office of Tribal Enrollment, CV 11-69 Order (Requesting Accounting) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with dental care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

In the Interest of Minor Child: B.M.F., DOB 12/15/1996, by Jill Pettibone v. HCN Office of Tribal Enrollment, CV 10-77

Order (Requesting Accounting) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

In the Interest of Minor Children: D.W., DOB 11/09/1995 and D.W., DOB 02/19/1998, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-92 Order (Mot. Granted) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Adult CTF Beneficiary: Cici BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 11-61 Order (Requesting Accounting) (HCN Tr. Ct., June 26, 2012) (Rockman, A).

The Court previously released money from the adult beneficiary's CTF account for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

JULY 3, 2012

In the Interest of Minor Child: S.W., DOB 05/25/2000, by Glen White v. HCN Office of Tribal Enrollment, CV 12-01 Order (Accepting Accounting) (HCN Tr. Ct., July 3, 2012) (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 of Payment*, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: A.V.F., DOB 03/26/1998, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-45 Order (Mot. Conditionally Granted) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The Court conditionally granted the petitioner's motion contingent on the respondent filing a reply approving the proposed request.

In the Interest of Minor Children: J.E.C., DOB 05/21/2007, C.J.C., DOB 10/28/2008, and E.E.C., DOB 03/27/1997, by John E. Climer v. HCN Office of Tribal Enrollment, CV 12-31 Order (Mot. Hearing) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court, in its discretion, determined to convene a hearing so as to allow the respondent the ability to argue its *Motion to Dismiss* and to provide the petitioner an opportunity to offer a response.

JULY 5, 2012

In the Interest of Minor Child: D.J.W., DOB 03/28/2002, by Lena Walker v. HCN Office of Tribal Enrollment, CV 12-27 Order (Pet. Granted) (HCN Tr. Ct., July 5, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: A.M.H., DOB 12/25/1995, by Cynthia Smith v. HCN Office of Tribal Enrollment, CV 12-14 Order (Requesting Accounting) (HCN Tr. Ct., July 5, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

JULY 10, 2012

In the Interest of Minor Children: T.R.C., DOB 11/19/1998, and S.J.C., DOB 11/15/1999, by April Clairmont-Russell v. HCN Office of Tribal Enrollment, CV 12-13 Order (Requesting Accounting) (HCN Tr. Ct., July 10, 2012) (Lowe, J).

The Court previously released money from the minor children's CTF accounts for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

JULY 11, 2012

In the Interest of Minor Child: E.R., DOB 05/08/2001, by Cynthia Meyer v. HCN Office of Tribal Enrollment, CV 12-29 Order (Pet. Granted) (HCN Tr. Ct., July 11, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

JULY 12, 2012

In the Interest of Minor Child: S.A.G., DOB 05/02/2004, by Alvin Greengrass v. HCN Office of Tribal Enrollment, CV 12-35 Order (Pet. Granted) (HCN Tr. Ct., July 12, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with dental care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

JULY 17, 2012

In the Interest of Minor Child: W.S., DOB 09/09/1996, by Maria Blackdeer-McCabe v. HCN Office of Tribal Enrollment, CV 12-24 Order (Accepting Accounting) (HCN Tr. Ct., July 17, 2012) (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 *Financial History*, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: J.B.K., DOB 02/17/2004, by Danielle Knak v. HCN Office of Tribal Enrollment, CV 08-42 Order (Suspending Release) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The petitioner failed to attend the scheduled Fact-Finding Hearing to assist the Court in assessing the minor child's developmental disability and the mother's financial need. Therefore, the Court suspended all future releases of the minor child's CTF until further notice.

In the Interest of Minor Child: B.M.D., DOB 11/22/1989, by Cornelius B. DeCora v. HCN Office of Tribal Enrollment, CV 10-74 Order (Accepting Accounting) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with rent, automobile tires and repairs, utilities, educational supplies, and a living stipend. The petitioner submitted a series of receipts, confirming the proper use of the funds. The Court accepted this accounting.

JULY 24, 2012

In the Interest of Minor Children: T.J.H., DOB 09/05/2002, T.J.H., DOB 05/02/2004, and T.J.H., DOB 11/20/2007, by Nicole Houghton v. HCN Office of Tribal Enrollment, CV 12-33 Order (Conditional Dismissal) (HCN Tr. Ct., July 24, 2012) (Lowe, J).

The Court conditionally dismissed the case due to the petitioner's failure to appear at the scheduled *Fact-Finding Hearing*.

JULY 26, 2012

In the Interest of Minor Child: A.M.H., DOB 12/25/1995, by Cynthia Smith v. HCN Office of Tribal Enrollment, CV 12-14 Order (Accepting Accounting) (HCN Tr. Ct., July 26, 2012) (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 *Ledger Activity*, confirming the proper use of the funds. The Court accepted this accounting.

JULY 27, 2012

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 (Show Cause) (HCN Tr. Ct., July 27, 2012) (Rockman, A).

The Court had previously released funds from the CTF accounts of the minor children 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: O.M.A., DOB 04/26/2001, by Rhonda Anderson v. HCN Office of Tribal Enrollment, CV 10-69 Order (Mot. Granted) (HCN Tr. Ct., July 27, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

JULY 31, 2012

In the Interest of Minor Child: B.M.F., DOB 12/15/1996, by Jill Pettibone v. HCN Office of Tribal Enrollment, CV 10-77 Order (Accepting Accounting) (HCN Tr. Ct., July 31, 2012) (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 *Single Patient Ledger*, confirming the proper use of the funds. The Court accepted this accounting.

AUGUST 2, 2012

In the Interest of Minor Child: D.F., DOB 09/26/1996, by Tara Blackcoon v. HCN Office of Tribal Enrollment, CV 10-91 Order (Contempt) (HCN Tr. Ct., Aug. 2, 2012) (Lowe, J).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

AUGUST 6, 2012

In the Interest of Adult CTF Beneficiary: CiCi BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 11-61 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 6, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with orthodontic care. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: C.J.J.B., DOB 04/30/2008, by Yvette L. Brown v. HCN Office of Tribal Enrollment, CV 11-69 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 6, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with dental care. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Adult CTF Beneficiary: Christopher Montanez, DOB 05/12/1988 v. HCN Office of Tribal Enrollment, CV 11-72 Order (Show Cause) (HCN Tr. Ct., Aug. 6, 2012) (Rockman, A).

The Court had previously released funds from the Adult Beneficiary's CTF account for costs associated with outstanding health care expenses. 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 he should not be held in contempt.

AUGUST 8, 2012

In the Interest of Minor Child: L.C., DOB 06/14/1996, by Michelle Blackdeer v. HCN Office of Tribal Enrollment, CV 12-12 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 8, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic care. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: K.A.B., DOB 03/03/1999, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-17 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 8, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child for costs associated with dental procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: K.A.B., DOB 06/14/2001, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-07 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 8, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic care. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

AUGUST 9, 2012

In the Interest of Minor Child: A.R.M., DOB 08/25/1994, by Eric Machuca v. HCN Office of Tribal Enrollment, CV 12-42 Order (Pet. Granted) (HCN Tr. Ct., Aug. 9, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: M.G., DOB 04/21/1998, by Elizabeth Rodriguez v. HCN Office of Tribal Enrollment, CV 12-41 Order (Pet. Granted) (HCN Tr. Ct., Aug. 9, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs associated with dental care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

AUGUST 13, 2012

In the Interest of Minor Child: W.R.H., DOB 02/23/2006, by Kelly Autumn Funmaker v. HCN Office of Tribal Enrollment, CV 12-38 Order (Pet. Granted) (HCN Tr. Ct., Aug. 13, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor's CTF account to pay for costs

associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Children: T.R.C., DOB 11/19/1998 and S.J.C., DOB 11/15/1999, by April Clairmont-Russell v. HCN Office of Tribal Enrollment, CV 12-13 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 13, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic care. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: R.W., DOB 04/14/, by Trinity Kail v. HCN Office of Tribal Enrollment, CV 12-16 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 13, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: M.J.T., DOB 03/18/2001, by Felicia Wanna v. HCN Office of Tribal Enrollment, CV 12-06 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 13, 2012) (Lowe, J).

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

In the Interest of Minor Child: S.A.G., DOB 05/02/2004, by Alvin E. Greengrass v. HCN Office of Tribal Enrollment, CV 12-35 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 13, 2012) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with dental procedures. The petitioner submitted an *Account History Report*, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: K.M.R., DOB 07/24/1998, by Michelle S. Rave v. HCN Office of Tribal Enrollment, CV 10-22 Order (Mot. Granted) (HCN Tr. Ct., Aug. 13, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient

obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Children: B.Y., DOB 06/30/1992, and D.Y., DOB 09/02/1993, by Judith Youngthunder v. HCN Office of Tribal Enrollment, CV 09-43 Order (Mot. Granted) (HCN Tr. Ct., Aug. 13, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

AUGUST 14, 2012

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 (Contempt) (HCN Tr. Ct., Aug. 14, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

AUGUST 16, 2012

In the Interest of Minor Child: G.D.L., DOB 11/10/2001, by Mindy Gilbertson v. HCN Office of Tribal Enrollment, CV 12-21 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 16, 2012) (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 *Payment Receipt*, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: C.R.J., DOB 12/31/1998, by Susan Weber v. HCN Office of Tribal Enrollment, CV 11-86 Order (Show Cause) (HCN Tr. Ct., Aug. 16, 2012) (Lowe, J).

The Court had previously released funds from the CTF account of the minor child for costs associated with orthodontic care. 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.

AUGUST 22, 2012

In the Interest of Minor Child: L.C., DOB 06/14/1996, by Michelle Blackdeer v. HCN Office of Tribal Enrollment, CV

12-12 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 22, 2012) (Lowe, J).

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

AUGUST 24, 2012

In the Interest of Minor Child: C.T., DOB 09/13/1994, by Gerri Thundercloud v. HCN Office of Tribal Enrollment, CV 12-37 Order (Dismissal without Prejudice) (HCN Tr. Ct., Aug. 24, 2012) (Lowe, J).

The Court convened a *Motion Hearing* to entertain the respondent's request to dismiss the petitioner's request. Nevertheless, the petitioner failed to appear at the hearing and did not notify the Court of her inability to attend the proceeding. Therefore, the Court dismissed the case without prejudice to reflect the status of the non-adversarial case.

AUGUST 27, 2012

In the Interest of Adult CTF Beneficiary: Sandra L. Ortiz, DOB 02/15/1992 v. HCN Office of Tribal Enrollment, CV 11-45 Order (Partially Accepting Accounting) (HCN Tr. Ct., Aug. 27, 2012) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor child for costs associated with professional tutoring, transportation, a computer, and internet service. The petitioner submitted receipts confirming the proper use of the funds for all purchases except those by AT&T. The Court partially accepted this accounting, directing the petitioner to submit the remaining documentation.

AUGUST 28, 2012

In the Interest of Minor Child: K.A.B., DOB 03/03/1999, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-17 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 28, 2012) (Lowe, J).

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

In the Interest of Minor Child: K.A.B., DOB 06/14/2001, by Keith E. Blackdeer v. HCN Office of Tribal Enrollment, CV 12-07 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 28, 2012) (Lowe, J).

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

Financial History, confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: C.J.R., DOB 12/31/1998, by Susan Weber v. HCN Office of Tribal Enrollment, CV 11-86 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 28, 2012) (Lowe, J).

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

In the Interest of Minor Child: C.J.R., DOB 12/31/1998, by Susan Weber v. HCN Office of Tribal Enrollment, CV 11-86 Erratum Order (Accepting Accounting) (HCN Tr. Ct., Aug. 28, 2012) (Lowe, J).

The Court previously issued an order accepting the petitioner's filed accounting. The Court issued an erratum order to correct a clerical error involving the date of receipt of the *Ledger Copy* and accompanying *Correspondence*.

AUGUST 29, 2012

In the Interest of Minor Child: R.W., DOB 04/14/1998, by Trinity Kail v. HCN Office of Tribal Enrollment, CV 12-16 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 29, 2012) (Lowe, J).

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

AUGUST 30, 2012

In the Interest of Minor Children: C.Y., DOB 10/13/2006, D.Y., DOB 05/10/2008, and A.Y., DOB 12/02/1998, by Jamie Youngthunder-Smith v. HCN Office of Tribal Enrollment, CV 11-65 Order (Requesting Accounting) (HCN Tr. Ct., August 30, 2012) (Rockman, A).

The Court previously released money from the minor children's CTF accounts for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

In the Interest of Adult CTF Beneficiary: Jordan Funmaker, DOB 03/06/1992 v. HCN Office of Tribal Enrollment, CV 11-67 Order (Demanding Accounting) (HCN Tr. Ct., Aug. 30, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with high school tuition, living expenses, home furnishing and a

personal allowance. The petitioner failed to submit accounting to demonstrate that the funds were expended as required. Therefore, the Court demanded accounting.

In the Interest of Minor Child: S.A., DOB 03/12/1996, by Jamie Funmaker v. HCN Office of Tribal Enrollment, CV 11-92 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 30, 2012) (Lowe, J).

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

In the Interest of Minor Child: B.M.T., DOB 08/17/1994, by Bernice Twinn v. HCN Office of Tribal Enrollment, CV 11-81 Order (Partially Accepting Accounting) (HCN Tr. Ct., Aug. 30, 2012) (Lowe, J).

The Court previously released funds from the CTF accounts of the minor child for costs associated with orthodontic care. The petitioner submitted a billing statement, confirming the proper use of the funds. However, as the amount released has not presently been fully expended, the Court ordered the petitioner to submit additional accounting approximately six months from the date of the order.

CONTRACTS

NO DECISIONS AT THIS TIME.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

ENROLLMENT

APRIL 17, 2012

Andrea Rave v. Committee on Tribal Enrollment, Enrollment Department, CV 12-22 Scheduling Order (HCN Tr. Ct., Apr. 17, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

JULY 10, 2012

Sandra L. Sliwicki v. HCN Enrollment Committee, CV 11-63 Order (Remanding) (HCN Tr. Ct., July 10, 2012) (Rockman, A).

The Court needed to determine whether to affirm the Committee on Tribal Enrollment's recommendation requiring the petitioner to submit to DNA analysis. The Court remanded the case back to the Enrollment Committee as the agency's decision constituted an abuse of discretion.

INCOMPETENT'S TRUST FUND (ITF)

MAY 15, 2012

In the Interest of Adult Incompetent: M.B.J., DOB 12/01/1965, by Miriam Johnson v. Ho-Chunk Nation Office of Tribal Enrollment, CV 00-83 Order (Granting Withdrawal of Request) (HCN Tr. Ct., May 15, 2012) (Lowe, J).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with a "Repair Build Ticket." The Court convened a hearing to allow the petitioner an opportunity to clarify her request. At the hearing, the petitioner withdrew her request.. Consequently, the Court dismissed the case.

APRIL 11, 2012

In the Interest of Adult Incompetent: G.O.L.F., DOB 03/01/1993, by Mary Fletcher v. Ho-Chunk Nation Office of Tribal Enrollment, CV 05-102 Order (Requesting Accounting) (HCN Tr. Ct., Apr. 11, 2012) (Rockman, A).

The Court previously released money from the ward's ITF account for costs associated with guardianship fees, prescription medications and a personal allowance. The petitioner failed to submit the required accounting. Therefore, the Court ordered that the petitioner submit the requested accounting.

APRIL 24, 2012

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960, by Jon B. Bahr v. Ho-Chunk Nation Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., Apr. 24, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward to pay costs associated with ongoing guardian services and living expenses. The petitioner submitted a payment history statement, confirming the proper use of the funds. The Court accepted this accounting.

APRIL 25, 2012

In the Interest of Adult Incompetent: O.S.R., DOB 05/14/1968, by Roxanne Whitegull v. Ho-Chunk Nation Office of Tribal Enrollment, CV 97-117 Order (Granting Partial Release) (HCN Tr. Ct., Apr. 25, 2012) (Lowe, J).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with family Christmas gifts. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted a partial release of funds to the legal guardian.

MAY 14, 2012

In the Interest of Adult Incompetent: T.M.A., DOB 05/13/1986, by Pamela Anderson v. Ho-Chunk Nation Office of Tribal Enrollment, CV 09-36 Order (Accepting Accounting) (HCN Tr. Ct., May 14, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward to pay costs associated with dental care and living expenses. The petitioner submitted a series of receipts and invoices, confirming the proper use of the funds. The Court accepted this accounting.

MAY 15, 2012

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960, by Jon B. Bahr v. Ho-Chunk Nation Office of Tribal Enrollment, CV 05-110 Order (Mot. Granted) (HCN Tr. Ct., May 15, 2012) (Lowe, J).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with furniture purchases. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the legal guardian.

MAY 17, 2012

In the Interest of Decedent Member: E.K.B., DOB 12/31/1949, DOD 03/03/2011, by Sidney Lewis v. HCN Office of Tribal Enrollment, CV 12-23 Order (Releasing Incompetent's Trust Fund to Estate) (HCN Tr. Ct., May 17, 2012) (Rockman, A).

The Court needed to determine whether to release the monies contained from a decedent tribal member's ITF to the estate. The Court ultimately directed the release of funds to the foreign court-appointed representative of the state.

JUNE 1, 2012

In the Interest of Decedent Member: E.K.B., DOB 12/31/1949, DOD 03/03/2011, by Sidney Lewis v. HCN Office of Tribal Enrollment, CV 12-23 Order (Mot. Denied) (HCN Tr. Ct., June 1, 2012) (Rockman, A).

The Court previously directed Fifth Third Bank to disburse to the petitioner the balance of the decedent member's ITF account. Thereafter, the petitioner requested that the Court reconsider granting his own prior request. The Court ultimately denied the *Motion for Reconsideration* based on the petitioner's failure to allege a basis for reconsideration or provide the Court with information concerning the Traditional Court's proceedings.

In the Interest of Adult Incompetent: K.K.R., DOB 10/09/1968, by Stone Winter Guardians, Inc. v. HCN Office

of Tribal Enrollment, CV 09-10 Order (Mot. Granted) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with annual review by the appointed *guardian ad litem*. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the legal guardian.

JUNE 15, 2012

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 (Mot. Granted) (HCN Tr. Ct., June 15, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with ongoing nursing home care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the legal guardian.

JUNE 25, 2012

In the Interest of Adult Incompetent: B.G.S., DOB 02/07/1980, by Teresa Iverson v. HCN Office of Tribal Enrollment, CV 06-34 Order (Mot. Granted) (HCN Tr. Ct., June 25, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with assisted vacation expenses. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the legal guardian.

JULY 3, 2012

In the Interest of Adult Incompetent: K.K.R., DOB 10/09/1968, by Stone Winter Guardians, Inc. v. HCN Office of Tribal Enrollment, CV 09-10 Order (Mot. Granted) (HCN Tr. Ct., July 3, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for costs associated with additional unmet patient obligation incurred prior to obtaining Medicaid services. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the legal guardian.

JULY 6, 2012

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., July 6, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted a series of invoices, confirming the proper use of the funds. The Court accepted this accounting.

JULY 9, 2012

In the Interest of Adult Incompetent: L.R., DOB 03/04/1956, by Maynard Rave, Sr. v. HCN Office of Tribal Enrollment, CV 08-24 Order (Mot. Granted) (HCN Tr. Ct., July 9, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access the ward's ITF account to pay for a living stipend. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the legal guardian.

JULY 17, 2012

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., July 17, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with ongoing guardian services and living expenses. The petitioner submitted payment history statements, confirming the proper use of the funds. The Court accepted this accounting.

AUGUST 7, 2012

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. Ho-Chunk Nation Office of Tribal Enrollment, CV 11-58 Order (Requiring Additional Information) (HCN Tr. Ct., Aug. 7, 2012) (Rockman, A).

Following the prior Status Hearing, the Court required that the guardian submit a copy of a proposed cellular phone contract prior to the release of ITF funds. The Court accordingly entered an order to remind the guardian of the outstanding obligation.

AUGUST 8, 2012

In the Interest of Adult Incompetent: O.S.R., DOB 05/14/1968, by Roxanne Whitegull v. Ho-Chunk Nation Office of Tribal Enrollment, CV 97-117 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 8, 2012) (Lowe, J).

The Court previously released funds from the ITF account of the adult incompetent to pay costs associated with family Christmas presents. The petitioner submitted

a series of Wal-Mart receipts, confirming the proper use of the funds. The Court accepted this accounting.

AUGUST 13, 2012

In the Interest of Adult Incompetent: T.M.A., DOB 05/13/1986, by Pamela Anderson v. HCN Office of Tribal Enrollment, CV 09-36 Order (Accepting Accounting) (HCN Tr. Ct., Aug. 13, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with living expenses and dental care. The petitioner submitted a series of receipts and invoices, confirming the proper use of the funds. The Court accepted this accounting.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

NO DECISIONS AT THIS TIME.

FAMILY

DIVORCE

JUNE 8, 2012

In re the Marriage of Celeste L. Goff and Winfield L. Eagleman, FM 11-04 Order (Conditional Dismissal) (HCN Tr. Ct., June 8, 2012) (Rockman, A).

The Court informed the parties of its intent to dismiss the case due to inactivity in excess of six months unless the previously requested documentation is provided or a party demonstrates good cause to the contrary.

JUNE 8, 2012

In re the Marriage of Roxanne P. Whitegull and Neil A. Whitegull, FM 12-07 Order (Granting Request for Continuance) (HCN Tr. Ct., June 8, 2012) (Lowe, J).

The Court granted the parties' mutual request for a continuance so as to seek marital counseling.

JUNE 15, 2012

In re the Marriage of Wallace P. Greendeer and Joedeon Greendeer, FM 12-04 Final Judgment for Divorce (HCN Tr. Ct., June 15, 2012) (Lowe, J).

The Court granted the uncontested divorce.

JUNE 25, 2012

In re the Marriage of Natalie Jean Bird and Myron Cloud, Sr., FM 12-08 Final Judgment for Divorce (HCN Tr. Ct., June 25, 2012) (Rockman, A).

The Court granted the uncontested divorce.

JULY 16, 2012

In re the Marriage of Amanda Fanning and Derek Fanning, FM 12-05 Final Judgment for Divorce (HCN Tr. Ct., July 16, 2012) (Rockman, A).

The Court granted the uncontested divorce.

AUGUST 2, 2012

In re the Marriage of Roxanne P. Whitegull and Neil A. Whitegull, FM 12-07 Final Judgment for Divorce (HCN Tr. Ct., Aug. 2, 2012) (Lowe, J).

The Court granted the uncontested divorce.

AUGUST 7, 2012

In re the Marriage of Andrea Storm-Pence and Joseph C. Pence, FM 12-06 Order (Dismissal with Prejudice) (HCN Tr. Ct., Aug. 7, 2012) (Rockman, A).

The Court dismissed the case with prejudice due to the petitioner's failure to attend the scheduled *Initial Hearing* and upon notice that the respondent, Joseph Pence, had passed away over two years prior.



JUVENILE CASES

ALL JUVENILE CASE DECISIONS SHALL REMAIN CONFIDENTIAL. FIFTY-SEVEN (57) ORDERS WERE ISSUED FROM JUNE 1, 2012 THROUGH AUGUST 31, 2012. OF THESE FIFTY-SEVEN ORDERS, TWENTY-SEVEN (27) ORDERS WERE ISSUED BY HON. JO DEEN B. LOWE, TWENTY-SEVEN (27) ORDERS WERE ISSUED BY HON. AMANDA L. ROCKMAN, AND THREE (3) ORDERS WERE ISSUED BY HON. KIMBERLY VELE, TRIAL COURT JUDGE PRO TEMPORE.



RECENT SUPREME COURT DECISIONS

JULY 9, 2012

Jenna Callista Littlegeorge v. Adam J. Hall, et al., SU 12-03 Order (Oral Argument) (HCN S. Ct., July 9, 2012) (Funmaker, D).

The Court determined to afford the parties an opportunity for oral argument.

JULY 10, 2012

Kenneth Twin v. Ho-Chunk Nation Grievance Review Board, et al., SU 10-04 Decision (HCN S. Ct., July 10, 2012) (Hunter, M).

The Court remanded the case to the Trial Court to conduct a thorough analysis to determine whether the GRB decision is arbitrary and capricious and to allow the appellants an opportunity to submit a brief.

AUGUST 3, 2012

Henry Greencrow, Jr. v. Ho-Chunk Nation, et al., SU 12-04 Order (Accepting Appeal) (HCN S. Ct., Aug. 3, 2012) (Matha, T).

The Court accepted the matter for appeal and directed the parties to adhere to the standard briefing timeframes.

AUGUST 8, 2012

In the Interest of Decedent Member: E.K.B., DOB 12/31/1949, DOD 03/03/2011, by Sidney Lewis v. Ho-Chunk Nation Office of Tribal Enrollment, SU 12-05 Scheduling Order (HCN S. Ct., Aug. 8, 2012) (Hunter, M).

The Court accepted the matter for appeal, waiving the appellant fee and setting the applicable briefing deadlines.

AUGUST 9, 2012

Jenna Callista Littlegeorge v. Adam J. Hall, et al., SU 12-03 Order (Denying Request for Continuance) (HCN S. Ct., Aug. 9, 2012) (Funmaker, D).

The Court denied the appellee's *Motion for Continuance* for failure to include supporting affidavits or exhibits to satisfy the Court's queries.

Kyle Funmaker v. Dept. of Treasury, et al., SU 11-04 Decision (HCN S. Ct., Aug. 9, 2012) (Hunter, M).

The Court concluded that the Trial Court properly upheld the GRB's decision and that the appellant's suspension was appropriate.

AUGUST 20, 2012

Jenna Callista Littlegeorge v. Adam J. Hall, et al., SU 12-03 Order (Granting Request for Continuance) (HCN S. Ct., Aug. 20, 2012) (Funmaker, D).

The Court granted the appellee's *Motion for Continuance* and rescheduled the matter for *Oral Argument*.



RECENT TRIAL COURT FILINGS



CHILD SUPPORT CASES

JUNE 5, 2012

Roberta R. Sanapaw v. Rodney W. Twinn, Jr., CS 12-41 (Lowe, J).

JUNE 11, 2012

Stephanie Youngthunder v. Derek Youngthunder, CS 12-43 (Rockman, A).

JULY 3, 2012

Marriah Notafraid v. Lukas A. Lonetree, CS 12-42 (Lowe, J).

Rebecca Walter v. Conrad Rockman, CS 12-44 (Lowe, J).

Floyd Silas, Jr. v. Carlos D. Smith, CS 12-45 (Lowe, J).

Diana L. Wilber v. Brian J. Doxtator, CS 12-46 (Lowe, J).

May Lee v. Kevin X. Lee, CS 12-47 (Lowe, J).

JULY 5, 2012

Eryn E. Coyne v. Collin C. Price, CS 12-48 (Lowe, J).

Ebony N. Armon v. Dorian G. Hudson, CS 12-49 (Lowe, J).

JULY 19, 2012

Juana M. Williams & Milwaukee County Child Support Agency v. Blaine R. Twinn, CS 12-50 (Lowe, J).

Jessica L. Jackson v. Curtis D. Mallory III, CS 12-51 (Lowe, J).

JULY 20, 2012

Oswaldo Medina v. Kelly J. Medina (Greengrass), CS 12-52 (Lowe, J).

JULY 27, 2012

Rena Jean Mason v. Barrin Lance Sanache, CS 12-53 (Rockman, A).

AUGUST 20, 2012

Orlena Wikoff v. Leonard Tebeau, CS 12-54 (Rockman, A).

AUGUST 24, 2012

State of Wisconsin v. Edward Nicholas, CS 12-55 (Rockman, A).

Robin Ort v. Lashone Bass, CS 12-56 (Lowe, J).

Amber Maier v. Lashone Bass, CS 12-57 (Lowe, J).

Angie Higdon v. Marcus Chapman, CS 12-58 (Rockman, A).

AUGUST 29, 2012

Nona Danforth v. Vicente Vega, CS 12-59 (Lowe, J).

AUGUST 30, 2012

La Crosse County Child Support Agency v. Curtis Johnson, CS 12-60 (Lowe, J).

AUGUST 31, 2012

Michelle Winneshiek v. Vern Jefferson, CS 12-61 (Lowe, J).



CIVIL CASES

JUNE 14, 2012

In the Interest of Minor Child: E.R., DOB 05/08/2001, by *Cynthia Meyer v. HCN Office of Tribal Enrollment*, CV 12-29 (Rockman, A).

In the Interest of Minor Child: S.B.G., DOB 04/21/1996, by *Taryn Power Greendeer v. HCN Office of Tribal Enrollment*, CV 12-30 (Rockman, A).

In the Interest of Minor Children: J.E.C., DOB 05/21/2007, C.J.C., DOB 10/28/2008, and E.E.C., DOB 03/21/1997, by *John Climer v. HCN Office of Tribal Enrollment*, CV 12-31 (Rockman, A).

JUNE 20, 2012

Cynthia De Faninan v. Mark Thundercloud, CV 12-32 (Lowe, J).

JUNE 26, 2012

In the Interest of Minor Children: T.H., DOB 09/05/2002, T.H., DOB 05/01/2004, and T.H., DOB 11/20/2007, by *Nicole Houghton v. HCN Office of Tribal Enrollment*, CV 12-33 (Lowe, J).

JUNE 28, 2012

Collin Cloud v. Johanna Bruns, CV 12-34 (Rockman, A).

JULY 9, 2012

In the Interest of Minor Child: S.A.G., DOB 05/02/2004, by *Alvin Greengrass v. HCN Office of Tribal Enrollment*, CV 12-35 (Rockman, A).

JULY 10, 2012

Marlon Whitewing v. John Whitewing, CV 12-28 (Rockman, A).

JULY 12, 2012

Dorin Brown Eagle v. Justice Green Sr., et al., CV 12-36 (Lowe, J).

JULY 23, 2012

In the Interest of Minor Child: C.T., DOB 09/13/1994, by Gerri Thundercloud v. HCN Office of Tribal Enrollment, CV 12-37 (Lowe, J).

JULY 25, 2012

In the Interest of Minor Child: W.H., DOB 02/23/2006, by Kelly Funmaker v. HCN Office of Tribal Enrollment, CV 12-38 (Rockman, A).

JULY 26, 2012

Theresa Day v. Amy Kirby, CV 12-39 (Rockman, A).

In the Interest of Adult CTF Beneficiary: Megan Luke, DOB 03/03/1994 v. HCN Office of Tribal Enrollment, CV 12-40 (Rockman, A).

JULY 30, 2012

In the Interest of Minor Child: M.G., DOB 04/21/1998, by Elizabeth Rodriguez v. HCN Office of Tribal Enrollment, CV 12-41 (Rockman, A).

In the Interest of Minor Child: A.R.M., DOB 08/25/1994, by Eric Machuca v. HCN Office of Tribal Enrollment, CV 12-42 (Rockman, A).

JULY 31, 2012

Amanda Beder v. Kori Mann, et al., CV 12-43 (Rockman, A).

AUGUST 3, 2012

Lynette Pettibone v. Ericka Cloud, et al., CV 12-44 (Lowe, J).

AUGUST 6, 2012

Ho-Chunk Gaming – Black River Falls, et al. v. Ericka Cloud, et al., CV 12-45 (Rockman, A).

Greg Garvin v. Nicole Christopherson, CV 12-46 (Rockman, A).

AUGUST 15, 2012

Daniel Topping v. Georgette Martin, et al., CV 12-47 (Rockman, A).

AUGUST 17, 2012

In the Interest of Minor Children: H.C.B., DOB 08/24/1994, S.N.B., DOB 12/22/1995, and L.I.B., DOB 05/21/2001, by

Darren Lee Brinegar v. HCN Office of Tribal Enrollment, CV 12-48 (Lowe, J).

AUGUST 21, 2012

In the Interest of Minor Children: K.E.S., DOB 12/09/2002, and I.W.S., DOB 11/05/2009, by Thalia Falcon v. HCN Office of Tribal Enrollment, CV 12-49 (Rockman, A).

AUGUST 30, 2012

In the Interest of Adult CTF Beneficiary: Brad Tower, DOB 08/10/1991 v. HCN Office of Tribal Enrollment, CV 12-51 (Lowe, J).


CIVIL GARNISHMENT CASES
JUNE 13, 2012

Alliance Collection Agencies, Inc. v. Juanita Thompson, CG 12-64 (Rockman, A).

Unifund Corporation, Assignee of Elan Financial Services v. Linda L. Lorenz aka Hamilton and Vincent G. Lorenz aka Hamilton, CG 12-65 (Rockman, A).

JUNE 19, 2012

Midland Funding LLC, by its Servicing Agent, Midland Credit Management, Inc. v. Thomas Clark, CG 12-66 (Rockman, A).

Black River Memorial Hospital v. Lisa Lockemy, CG 12-67 (Rockman, A).

JUNE 20, 2012

Alliance Collection Agencies, Inc. v. Stuart Beverly, CG 12-68 (Rockman, A).

JULY 9, 2012

Warren Loveland v. LuAnn Littlegeorge, CG 12-69 (Rockman, A).

Alliance Collection Agencies, Inc. v. Elizabeth Haller, CG 12-70 (Rockman, A).

Alliance Collection Agencies, Inc. v. Dustin Arendt, CG 12-71 (Rockman, A).

Alliance Collection Agencies, Inc. v. Robin Holzhaeuser, CG 12-72 (Rockman, A).

JULY 13, 2012

Alliance Collection Agencies, Inc. v. Angie Jacobs, CG 12-73 (Rockman, A).

Gundersen Clinic LTD v. Rose A. Smith aka Lemke, CG 12-74 (Rockman, A).

JULY 17, 2012

Sauk County Clerk of Courts v. Joseph D. Gist, CG 12-75 (Rockman, A).

JULY 18, 2012

Degen Berglund v. Willa RedCloud, CG 12-76 (Rockman, A).

Black River Memorial Hospital v. Summer Dick, CG 12-77 (Rockman, A).

Black River Memorial Hospital v. Toni Blackdeer, CG 12-78 (Rockman, A).

Black River Family Dentistry v. Toni Blackdeer, CG 12-79 (Rockman, A).

Black River Memorial Hospital v. Darcy Spangler aka Johnson, CG 12-80 (Rockman, A).

JULY 25, 2012

Dane County Clerk of Courts v. Elan G. WhiteEagle, CG 12-81 (Rockman, A).

JULY 31, 2012

Alliance Collection Agencies, Inc. v. Brian Mijal, CG 12-82 (Rockman, A).

Gundersen Clinic LTD v. Marlene Cloud, CG 12-83 (Rockman, A).

Gundersen Clinic LTD v. Carol McGuire, CG 12-84 (Rockman, A).

Sauk County Clerk of Courts v. Tiffany King, CG 12-85 (Rockman, A).

Sauk County Clerk of Courts v. Caroline E. Blackdeer, CG 12-86 (Rockman, A).

AUGUST 9, 2012

Gundersen Clinic LTD v. Nicole Skenandore, CG 12-87 (Rockman, A).

Capital One Bank v. Myrna J. Thompson, CG 12-88 (Rockman, A).

Gundersen Clinic LTD v. Francisco Rivas, CG 12-89 (Rockman, A).

AUGUST 10, 2012

Alliance Collection Agencies, Inc. v. Dixie J. Hall, CG 12-90 (Rockman, A).

AUGUST 17, 2012

Krohn Clinic LTD v. Robin A. Krause, CG 12-91 (Rockman, A).

AUGUST 21, 2012

Alliance Collection Agencies, Inc. v. Gary Snowadzki, CG 12-92 (Rockman, A).

AUGUST 23, 2012

Alliance Collection Agencies, Inc. v. Cheryl Brinegar, CG 12-93 (Rockman, A).

AUGUST 30, 2012

Midland Credit Management, Inc. v. Lisa Warner aka Lockemy, CG 12-94 (Rockman, A).

**JUVENILE CASES**

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. EIGHT (8) CASES WAS FILED FROM JUNE 1, 2012 THROUGH AUGUST 31, 2012.

**FAMILY CASES****JULY 19, 2012**

In re the Marriage of Joy Logan and John Logan, FM 12-09 (Lowe, J).

AUGUST 20, 2012

In re the Marriage of Jacinda Parker and Daniel Parker, FM 12-10 (Rockman, A).

**DOMESTIC VIOLENCE**

ALL DOMESTIC VIOLENCE CASES SHALL REMAIN CONFIDENTIAL. ONE (1) CASE WAS FILED FROM JUNE 1, 2012 THROUGH AUGUST 31, 2012.

**RECENT SUPREME COURT FILINGS****JULY 10, 2012**

Henry Greencrow, Jr. v. Ho-Chunk Nation, et al., SU 12-04 (Matha, T).

JULY 16, 2012

In the Interest of Decedent Member: E.K.B., DOB 12/31/1949, DOD 03/03/2011, by Sidney Lewis v. Ho-Chunk Nation Office of Tribal Enrollment, SU 12-05 (Hunter, M).



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

Supreme Court – Mary Jo B. Hunter, Chief Justice
Dennis Funmaker, Associate Justice
Todd R. Matha, Associate Justice
Clerk of Court, Supreme Court– Mary Thunder

Traditional Court – Earl Blackdeer
Wayne Falcon
Dennis Funmaker
Cecil Garvin
Conroy Greendeer
Roy Greengrass
Thomas Hopinkah
Richard Mann
Desmond Mike
Preston Thompson, Jr.
Andrew Thundercloud
Morgan Whiteeagle
Clayton Winneshiek

Trial Court – Jo Deen B. Lowe, Chief Judge
Amanda L. Rockman, Associate Judge
Interim Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Bailiff/Process Server – William Collins
Administrative Assistant – Rosalie Kakkak
Law Clerk/Staff Attorney – John Kellis
Law Clerk/Staff Attorney – Samuel Crowfoot

* 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)

HO-CHUNK NATION COURT BULLETIN

September/October 2012 Issue



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Ho-Chunk Nation Judiciary Hosts 17th Annual Law Day



On Thursday, October 4, 2012, the Ho-Chunk Nation Judiciary hosted the 17th annual Law Day. For those unfamiliar with the event, Law Day is a community education effort designed to serve the Ho-Chunk Nation and general public by providing valuable insight into the legal system. It also serves the Ho-Chunk Nation Bar Association and other local attorneys by providing continuing legal education credits for the State Bar of Wisconsin.

This year, Law Day began with the presentation titled *Protecting Tribal Youth: the Wisconsin Indian Child Welfare Act*. Ho-Chunk Nation Department of Justice Attorneys Rebecca L. Maki and Patina K. Park-Zink provided those in attendance with a thorough review of state and federal laws and their effects on child protection proceedings and out-of-home placements of tribal youth. In the second presentation, *Logic and Legal Writing: Crafting Effective Brief & Opinions*, Associate Trial Court Judge Amanda L. Rockman presented essential strategies of effective legal writing. Following the lecture, attendees divided into groups to meet with Chief Trial Court Judge Jo Deen B. Lowe, Associate Trial Court Judge Amanda L. Rockman, and Staff Attorneys Samuel Crowfoot and John Kellis to review writing samples and gather constructive feedback.

Finally, Law Day would not be complete without additional cultural and enjoyable festivities. Prior to the afternoon presentations, participants were welcomed to the Skyline Golf Course for an opportunity to become better acquainted at a nine-hole, best-ball golf outing. The Honorable James Mohr of the Lac Courte Oreilles Tribal Court and the Honorable Gary Smith of the Lac du Flambeau Tribal Court displayed outstanding skill on their way to victory, earning them each apparel prizes.

In the evening, the Judiciary welcomed the general public to a potluck dinner and social dance celebrating sobriety and dedication of the Ho-Chunk Nation Healing to Wellness Court participants. With the assistance of Wilbert Cleveland, William Collins, and fellow Healing to Wellness Court participant Marcella Redbird, Moses Cleveland added extra anticipation to the dinner by preparing a pig roast as the main course. Many in attendance later gathered their tribal regalia and enjoyed the amazing social dance which followed. The Judiciary sincerely thanks those who coordinated and attended the event and encourages everyone to attend next year.



UPDATES FROM OUTSIDE JURISDICTIONS

UNITED STATES SUPREME COURT

Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians v. Patchak, et al., Nos. 11-246 and 11-247, 39 Indian L. Rep. 1011 (U.S. Sup. Ct., June 18, 2012). The U.S. Supreme Court affirmed the judgment of the D.C. Circuit, holding that the Quiet Title Act does not preclude a suit against the United States under the Administrative Procedure Act challenging the Secretary's authority to take land into trust pursuant to the Indian Reorganization Act where the plaintiff alleges economic, environmental, and aesthetic harm from the proposed uses of the land, and that the doctrine of prudential standing does not bar the plaintiff's suit to challenge the Secretary's acquisition of land into trust.

Salazar, et al. v. Ramah Navajo Chapter, et al., No. 11-551, 39 Indian L. Rep. 1019 (U.S. Sup. Ct., June 18, 2012). The U.S. Supreme Court affirmed the ruling of the U.S. Court of Appeals for the Tenth Circuit, holding that the federal government must pay each Indian tribe's contract support costs in full.

DISTRICT OF COLUMBIA CIRCUIT

New York, et al. v. Nuclear Regulatory Commission, et al., Nos. 11-1045, 11-1051, 11-1056 and 11-1057, 39 Indian L. Rep. 2107 (D.C. Cir., June 8, 2012). The U.S. Court of Appeals for the District of Columbia Circuit held that the rulemaking at issue constitutes a major federal action necessitating either an environmental impact statement or a finding of no significant impact, and further holds that the Nuclear Regulatory Commission's evaluation of the risks of spent nuclear fuel is deficient, and thus grants the petitions for review, vacates the Commission's orders, and remands for further proceedings.

NINTH CIRCUIT

Karuk Tribe of California v. U.S. Forest Service, et al., No. 05-16801, 39 Indian L. Rep. 2111 (9th Cir., June 1, 2012).

Finding that the U.S. Forest Service had a duty under section 7 of the Endangered Species Act (ESA) to consult with relevant wildlife agencies before approving Notices of Intent allowing mining activities to proceed in coho salmon critical habitat within the Klamath National Forest and did not consult with appropriate wildlife agencies, the U.S. Court of Appeals for the Ninth Circuit reverses the district court's denial of summary judgment on the Karuk Tribe's ESA claim and remands for entry of judgment in favor of the Tribe.

Marceau, et al. v. Blackfeet Housing Authority, et al., No. 11-35444, unpublished, 39 Indian L. Rep. 2125 (9th Cir., June 5, 2012). The U.S. Court of Appeals for the Ninth Circuit affirmed the district court's grant of summary judgment in favor of the U.S. Department of Housing and Urban Development, finding that the district court correctly rejected plaintiffs' Administrative Procedure Act claim that the Department violated its statutory and regulatory authority in requiring the use of wooden foundations in the construction of the plaintiffs' houses, because the plaintiffs' claims accrued in the late 1970s but were not filed within the six years after the right of action first accrued.

United States, et al. v. Sunset Ditch Company, et al., No. 10-16968, unpublished, 39 Indian L. Rep. 2126 (9th Cir., Mar. 19, 2012). The U.S. Court of Appeals for the Ninth Circuit dismisses, for lack of jurisdiction, a protective appeal by Freeport McMoran Corporation from the district court's interlocutory order in an proceeding to adjudicate Freeport's applications to sever water rights from its appurtenant lands, and transfer those rights to other lands.

FEDERAL CIRCUIT

Williams v. United States, No. 2012-5009, unpublished, 39 Indian L. Rep. 2127 (Fed. Cir., June 6, 2012). The U.S. Court of Appeals for the Federal Circuit found that the U.S. Court of Federal Claims correctly dismissed the plaintiff's claims seeking compensation under various treaties and judgments on behalf of the Choctaws East of the Mississippi River for failing to state a claim and for

requiring relief outside the court's jurisdiction, and affirms the ruling of the Claims Court.

respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.



RECENT TRIAL COURT DECISIONS

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

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

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



CHILD SUPPORT CASES

SEPTEMBER 4, 2012

State of Wisconsin & Orlena Wikoff v. Leonard I. Tebeau, CS 12-54 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Sept. 4, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

May Lee v. Kevin X. Lee, CS 12-47 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Sept. 4, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the

SEPTEMBER 18, 2012

Juanna M. Williams v. Blaine R. Twinn, CS 12-50 Order (Dismissal) (HCN Tr. Ct., Sept. 18, 2012) (Lowe, J).

The Court convened a *Fact-Finding Hearing* in response to the defendant's filed response contesting child support garnishment. Despite receiving proper notice of the scheduled hearing, the petitioner failed to appear and did not notify the Court of an inability to attend the proceeding. The Court accordingly informed the parties of its intent to dismiss the action.

OCTOBER 9, 2012

Ethel Jeanette Dakota v. Marcus Tsonne Chapman, CS 04-28, *Angie Higdon v. Marcus Chapman*, CS 10-23, 12-58 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Oct. 9, 2012) (Rockman, A).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

Ebony N. Armon v. Dorian G. Hudson, CS 12-49 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Eau Claire County, State of Wisconsin v. Hadyn W. Kingswan, CS 12-63 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Marriah Notafraid v. Lukas A. Lonetree, CS 12-42 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin/Jackson County v. Thunderhawk L. Decorah, CS 03-30, *Darlene F. Crowe v. Thunderhawk L. Decorah*, CS 03-84 Order (Updating Arrearage Amount) (HCN Tr. Ct., Oct. 9, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The petitioner in Case No. CS 03-30 filed a request to enforce an updated arrears balance against the respondent's per capita distributions. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request.

OCTOBER 10, 2012

Diana L. Wilber v. Brian J. Doxtator, CS 12-46 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 10, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Lisa Marie Stout v. Kyle Dominick Stout, CS 12-65 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 10, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Chanchristina Prak v. Joshua Lincoln, CS 12-66 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Oct. 10, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Valee Sanache v. Barrin Sanache, CS 10-54, *Rena J. Mason v. Barrin L. Sanache*, CS 12-53 Order (Enforcing Child Support & Equitable Adjustment) (HCN Tr. Ct., Oct. 10, 2012) (Lowe, J).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

OCTOBER 11, 2012

Carrie A. Kessenich v. Carlos D. Smith, Jr., CS 00-22, *State of Wisconsin/Milwaukee Co., and Maniyan Brisk v. Carlos D. Smith, Jr.*, CS 05-73, *Floyd Silas, Jr. v. Carlos D. Smith, Jr.*, CS 12-45 Order (Consolidating Cases & Updating Arrears) (HCN Tr. Ct., Oct. 11, 2012) (Lowe, J).

The Court elected to consolidate Case Nos. CS 05-73 and CS 12-45 as both cases involved the recognition and enforcement of an identical foreign court order. Additionally, the Court ordered the Ho-Chunk Nation Department of Treasury to update the respondent's outstanding arrearage balance to comport with a filed *Account History Report*.

OCTOBER 12, 2012

Joseph Holmes v. Elizabeth Eades, CS 10-26, *Robert Voss v. Elizabeth Eades*, CS 12-08 Order (Updating Foreign Case Number) (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The petitioner in Case No. CS 12-08 requested that the Court take notice of an amended circuit court case number. The Court accordingly directed the Ho-Chunk Nation Department of Treasury to recognize the requested change for purposes of future per capita withholdings.

Jessica L. Jackson v. Curtis D. Mallory III, CS 12-51 Order (Enforcing Child Supp. Against Per Capita & Wages) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages and per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Rebecca A. Walter v. Conrad Rockman, CS 12-44 Order (Enforcing Child Supp. Against Per Capita) (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Melissa Marg v. Norman Snake, Jr., CS 10-28 Order (Updating Arrears) (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J). The Court needed to determine whether to grant a *Motion to Modify*. The petitioner filed a request to enforce an updated arrears balance against the respondent's per capita distributions. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request.

State of Wisconsin v. Anthony J. Kingswan, CS 09-48 Order (Ceasing Current Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Dane County Child Support Agency filed a correspondence requesting the suspension of per capita withholdings, indicating the respondent no longer maintains a responsibility to pay current child support. The Court accordingly granted the Agency's request.

Kathryn Newsom v. Dennis G. Lewis, Sr., CS 01-03 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Columbia County Child Support Agency filed a *Termination of Income Withholding Order*, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

State of Wisconsin v. Summer R. Decorah, CS 11-56 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Sauk County Child Support Agency filed a correspondence requesting the suspension of per capita withholdings, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

Marathon Co. Dept. of Social Services v. Janis A. Long, CS 12-34 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Marathon County Child Support Agency filed a *Termination of Income Withholding Order*, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

Crystal Teller v. Roger Snake, CS 05-57 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Oneida Nation Child Support Enforcement Agency filed a *Termination of Income Withholding Order*, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

La Crosse County Child Support Agency v. Shelby L. Wesho, CS 11-62 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The La Crosse County Child Support Agency filed a *Termination of Income Withholding Order*, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

State of Wisconsin ex rel. v. Bridget A. Whipple, CS 04-55 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Juneau County Child Support Agency filed a correspondence requesting the termination of per capita withholdings, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

Loretta L. Hopinka v. Dean L. Hopinka, CS 07-58 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Menominee Tribal Child Support Agency filed a correspondence requesting the termination of per capita withholdings, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

Gladys Sitting Eagle v. Joey Whitewing, CS 07-19 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Wood County Child Support

Agency filed a *Termination of Income Withholding Order*, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

Kimberly J. Webb v. Timothy King, CS 97-135, *Wanda S. Knipp v. Timothy King*, CS 05-54 *Order (Ceasing Child Supp. & Removing Equitable Adjustment)* (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Wood County Child Support Agency requested the suspension of per capita withholdings in Case No. CS 97-135, indicating the respondent no longer maintains a responsibility to pay child support. Both parties expressed acquiescence to the request by their failure to respond to the properly served motion. The Court accordingly granted the Agency's request and removed the previously established equitable adjustment as the respondent is no longer a serial payor.

Linda L. Shabaiash v. Twilight M. Hindsley, CS 06-33, *State of Wisconsin v. Twilight M. Hindsley*, CS 11-76 *Order (Ceasing Child Supp. & Removing Equitable Adjustment)* (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency requested the suspension of per capita withholdings in Case No. CS 11-76, indicating the respondent no longer maintains a responsibility to pay child support. Both parties expressed acquiescence to the request by their failure to respond to the properly served motion. The Court accordingly granted the Agency's request and removed the previously established equitable adjustment as the respondent is no longer a serial payor.

Jackson County Child Support Agency ex rel. v. Harriet M. Hopinkah, CS 08-59 *Order (Ceasing Child Supp.)* (HCN Tr. Ct., Oct. 12, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency filed a correspondence requesting the termination of per capita withholdings, indicating the respondent no longer maintains a responsibility to pay child support. The Court accordingly granted the Agency's request.

Ryen C. Knuth v. Nellie Blackdeer, CS 09-72 *Order (Ceasing Arrears Withholding)* (HCN Tr. Ct., Oct. 12, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Clark County Child Support

Agency requested a termination of arrears withholding, indicating that the respondent's arrears balance was paid in full. Therefore, the Court granted the Agency's request.

OCTOBER 15, 2012

State of Wisconsin ex rel. v. Robert Funmaker, CS 09-26 *Order (Modifying Child Supp.)* (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court had to determine whether to grant the recent *Motion to Modify*. The Sauk County Child Support Agency requested that the Court modify the respondent's per capita distribution withholdings to correspond with an amended foreign judgment. The respondent received proper notice of the Agency's motion, but failed to file a timely response. Therefore, the Court accordingly granted the Agency's request.

Daniel Stabler v. Tricia R. Custodio, CS 08-66, *State of Wisconsin ex rel. v. Tricia R. Custodio*, CS 09-28 *Order (Ceasing Child Supp. & Removing Equitable Adjustment)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency filed a correspondence requesting the termination of per capita withholdings in Case No. CS 09-28 as the respondent's support obligation had been paid in full. Both parties expressed their acquiescence to the request by their failure to respond. The Court accordingly granted the Agency's request and removed the established equitable adjustment as the respondent is no longer a serial payor.

State of Wisconsin, Brown County and Stephanie Passon v. Rodney S. Cloud, CS 99-08, *Holly A. Wyckoff v. Rodney S. Cloud*, CS 02-31 *Order (Reinstating Child Supp. & Equitable Adjustment)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Brown County Child Support Agency filed a request seeking the reinstatement of child support withholdings from the respondent's per capita distributions in Case No. CS 02-31. The respondent was afforded proper notice of the Agency's request, but failed to file a timely response. The Court accordingly granted the Agency's request and performed an equitable adjustment due to the respondent's serial payor status.

State of Wisconsin ex rel. v. Truman H. Williams, CS 07-69, *State of Wisconsin ex rel. v. Truman H. Williams*, CS 09-04 *Order (Ceasing Arrears Withholding)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Sauk County Child Support Agency

requested a termination of arrears withholding in Case No. CS 07-69, indicating that the respondent's arrears balance was paid in full. Therefore, the Court granted the Agency's request.

State of Wisconsin v. Kric V. Pettibone, CS 05-44, *Tasha King v. Kric V. Pettibone*, CS 11-43 *Order (Updating Arrears)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency filed a request to enforce an updated arrears balance against the respondent's per capita distributions. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Karla L. Wilcox v. Daniel V. WhiteEagle, CS 99-09, *State of Wisconsin/Jackson Co. v. Daniel V. WhiteEagle*, CS 01-07 *Order (Modifying Child Supp. & Equitable Adjustment)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Monroe County Child Support Agency filed a request to modify the respondent's per capita distribution withholding in Case No. CS 99-09. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

State of Wisconsin & Rachael Davis v. Conrad Roberts, CS 12-05 *Order (Modifying Child Supp.)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Juneau County Child Support Agency filed a request to modify the respondent's per capita distribution withholding to retrieve outstanding arrearages. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Laurie Metoxen v. Glenn A. Funmaker, CS 03-79 *Order (Enforcing Arrears)* (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Oneida Nation Child Support Enforcement Agency requested that the Court recognize and enforce a foreign child support order for arrears against the respondent's per capita distributions. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Destinee Link v. Jerry D. Jones, CS 11-45, *Cary A. Link v. Jerry D. Jones*, CS 11-46 *Order (Ceasing Arrears Withholding)* (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency requested a termination of arrears withholding in Case No. CS 11-45. Both parties expressed acquiescence to the request by their failure to respond to the properly served motion. The Court accordingly granted the Agency's request.

State of Wisconsin v. Fredricka A. Miner, CS 12-39 *Order (Ceasing Child Supp.)* (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Jackson County Child Support Agency requested a termination of per capita distribution withholdings, indicating that the respondent no longer maintained a responsibility to pay support for her minor children. The Court accordingly granted the Agency's request.

Nikki Dickenson v. Manuel Ramirez, CS 09-02 *Order (Modifying Child Supp.)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Oneida Nation Child Support Enforcement Agency filed a request to modify the respondent's per capita distribution withholding to comport with an amended current support obligation. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Pine County Child Support Agency of Minnesota ex rel. v. Terry L. Gourd, CS 03-26 *Order (Modifying Child Supp.)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Pine County Child Support Agency requested that the Court recognize and enforce a foreign child support order for arrears against the respondent's per capita distributions. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the Agency's request.

Clarissa Pettibone v. Warrington G. Greengrass, CS 99-18, *State of Wisconsin v. Warrington G. Greengrass*, CS 11-75 *Order (Reinstating Child Supp. & Equitable Adjustment)* (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The petitioner in Case No. CS 99-18 requested the reinstatement of child support withholdings from the respondent's per capita

distributions. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request.

State of Wisconsin/Sauk County and Stacie Osorio v. Edward F. Topping, Jr., CS 00-30 Order (*Ceasing Arrears Withholding*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Sauk County Child Support Agency requested the suspension of arrears withholding, indicating that the respondent's unpaid balances were paid in full. The Court accordingly granted the Agency's request.

Michelle Lewis v. Dennis C. Lewis, CS 01-36, *Joy Lynn Rave v. Dennis C. Lewis*, CS 05-82 Order (*Modifying Child Supp. & Equitable Adjustment*) (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The petitioners in both cases requested the enforcement of updated arrears balances against the respondent's per capita distributions. The respondent failed to file a timely response to either properly served motion. The Court accordingly granted the petitioners' requests.

Marie C. Decora v. Francis T. Decora, CS 08-30 Order (*Enforcing Arrears*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

Upon review of the case file, the Court noted that the requested arrears enforcement was errantly omitted from the Court's prior decisions within the instant case. As the respondent previously received proper notice of the petitioner's request but failed to file a timely response, the Court entered its judgment correcting its prior clerical mistake.

State of Wisconsin & Eau Claire Co. Child Support Agency v. Adam N. Greendeer, CS 11-61 Order (*Ceasing Arrears Withholding*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The Eau Claire County Child Support Agency requested the suspension of arrears withholding, indicating that the respondent's unpaid balances were paid in full. The Court accordingly granted the Agency's request.

Monroe County Child Support Agency v. Cody Grey Owl, CS 10-56, *Sara Cronick v. Cody Grey Owl*, CS 12-36 Order (*Modifying Child Supp. & Equitable Adjustment*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant a *Motion to Modify*. The respondent requested that the

Court recognize and enforce an amended foreign judgment against his per capita distributions in Case No. CS 10-56. The petitioner received proper notice of the motion, but failed to file a timely response. Therefore, the Court granted the respondent's request and modified the established equitable adjustment accordingly.

Kris Fortney v. Clarence Pettibone, CS 12-67 Order (*Enforcing Child Supp. Against Per Capita*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

State of Wisconsin v. Derek P. Youngthunder, CS 11-53, *Stephanie Youngthunder v. Derek P. Youngthunder*, CS 12-43 Order (*Enforcing Child Support & Equitable Adjustment*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court had to determine whether to enforce another standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner and performed an equitable adjustment due to the respondent's serial payor status.

Kerry Thompson v. Paul F. Sallaway, CS 98-08, *Jennifer L. White Eagle v. Paul F. Sallaway*, CS 00-14, *Bonita L. Roy v. Paul F. Sallaway*, CS 05-76 Order (*Enforcing Arrears & Equitable Adjustment*) (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The La Crosse County Child Support Agency requested the enforcement of an updated arrears balance against the respondent's per capita distributions. The respondent failed to file a timely response to either properly served motion. Therefore, the Court granted the Agency's request and modified the established equitable adjustment accordingly.

State of Wisconsin/Juneau County v. Andrew S. Rave, CS 05-19 Order (*Ceasing Child Supp.*) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court had to determine whether to grant the recent *Motion to Modify*. The Juneau County Child Support Agency requested that the Court terminate all withholdings from the respondent's wages as the

respondent's obligations had been met. The Court granted the Agency's request.

Forest County Potawatomi Child Support Agency ex rel. v. Corena White Cloud, CS 05-09 Order (Modifying Child Supp. & Ceasing Arrears) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The Court had to determine whether to grant the recent *Motion to Modify*. The petitioner requested a modification in the withholding of the respondent's per capita distributions for current support and arrearage. The respondent failed to file a timely response to the properly served motion. The Court accordingly granted the petitioner's request.

OCTOBER 16, 2012

State of Wisconsin v. Anthony J. Kingswan, CS 09-48 Order (Erratum) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

Upon review of the case file, the Court noted its failure to specify a quarterly arrearage withholding amount within its recent decision. Consequently, the Court entered an order enforcing the withholding required by the foreign child support judgment.

State of Wisconsin/Juneau County v. Andrew S. Rave, CS 05-19 Order (Ceasing Child Supp.) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court had to determine whether to grant the recent *Motion to Modify*. The Juneau County Child Support Agency requested that the Court terminate all withholdings from the respondent's per capita distributions as the respondent's obligations had been met. The Court granted the Agency's request.

OCTOBER 31, 2012

Eryn E. Coyne v. Collin C. Price, CS 12-48 Order (Dismissal) (HCN Tr. Ct., Oct. 31, 2012) (Lowe, J).

The Court convened a *Fact-Finding Hearing* to determine whether to grant recognition and enforcement of a foreign child support order. Prior to the *Hearing*, the Milwaukee County Child Support Agency filed a correspondence recommending the dismissal of the action as the respondent is currently in compliance with his child support directives. The Court accordingly informed the parties of its intent to dismiss the case.



CIVIL GARNISHMENT CASES

SEPTEMBER 10, 2012

Capital One Bank USA NA FKA Capital One Bank, a Foreign Corporation v. Myrna J. Thompson, CG 12-88 Order (Default J.) (HCN Tr. Ct., Sept. 10, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Dixie J. Hall, CG 12-90 Order (Default J.) (HCN Tr. Ct., Sept. 10, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic LTD v. Francisco Rivas, Jr., CG 12-89 Order (Default J.) (HCN Tr. Ct., Sept. 10, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

SEPTEMBER 19, 2012

Black River Memorial Hospital v. Summer Dick, CG 12-77 Order (Dismissal) (HCN Tr. Ct., Sept. 19, 2012) (Rockman, A).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. Prior to adjudication, the petitioner filed a request to dismiss, indicating that the respondent is exempt from garnishment. The Court accordingly dismissed the case.

SEPTEMBER 25, 2012

Sauk County Clerk of Courts v. Joseph D. Gist, CG 12-75 Order (Requiring Partially Amended Petition) (HCN Tr. Ct., Sept. 25, 2012) (Rockman, A).

Following persuasive Wisconsin authority, the Court directed the petitioner to revive all but two of the filed foreign judgments prior to granting full faith and credit and/or comity.

Sauk County Clerk of Courts v. Joseph D. Gist, CG 12-75 Order (Requiring Partially Amended Petition) (HCN Tr. Ct., Sept. 25, 2012) (Rockman, A).

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

The Court afforded the respondent the opportunity to object to the recognition and enforcement of the foreign judgments. The respondent failed to timely respond. However, as all but two filed judgments required revival through applicable Wisconsin procedures, the Court granted only a partial default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Gary Snowadzki, CG 12-92 Order (Default J.) (HCN Tr. Ct., Sept. 25, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Wells Fargo Bank NA v. Kelly J. Russell, CG 11-47 Order (Granting Mot. to Modify) (HCN Tr. Ct., Sept. 25, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Capital One Bank USA NA FKA Capital One Bank, a Foreign Corporation v. Virginia G. Deford, CG 12-20 Order (Granting Mot. to Modify) (HCN Tr. Ct., Sept. 15, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

SEPTEMBER 26, 2012

Alliance Collection Agencies, Inc. v. Brian Mijal, CG 12-82 Order (Default J.) (HCN Tr. Ct., Sept. 26, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

OCTOBER 15, 2012

Midland Credit Management, Inc. v. Donna Littlegeorge, CG 10-04 Order (Satisfaction of J.) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The petitioner filed a correspondence indicating that the respondent had completely satisfied the previously ordered debt obligation. The Court accordingly informed the parties of its intent to close the instant case.

Capital One Bank USA NA FKA Capital One Bank, a Foreign Corporation v. Myrna J. Thompson, CG 12-88 Order (Satisfaction of J.) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The petitioner filed a correspondence indicating that the respondent had completely satisfied the previously ordered debt obligation. The Court accordingly informed the parties of its intent to close the instant case.

Capital One Bank USA NA FKA Capital One Bank, a Foreign Corporation v. Kathy H. Frogg, CG 12-11 Order (Satisfaction of J.) (HCN Tr. Ct., Oct. 15, 2012) (Rockman, A).

The petitioner filed a correspondence indicating that the respondent had completely satisfied the previously ordered debt obligation. The Court accordingly informed the parties of its intent to close the instant case.

OCTOBER 16, 2012

Midland Funding LLC, by its servicing agent, Midland Credit Management, Inc. v. Rick Allen, CG 12-61, *Midland Funding LLC, by its servicing agent, Midland Credit Management, Inc. v. Vallery Allen*, CG 12-62 Order (Pet. Granted) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. Following two *Fact-Finding Hearings*, the respondents failed to provide evidence satisfying a recognized exemption from wage withholding. Therefore, the Court granted the petitioner's requested relief.

Alliance Collection Agencies, Inc. v. Marie A. Wulf, CG 08-66 Order (Satisfaction of J.) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The petitioner filed a correspondence indicating that the respondent had been relieved of any further debt obligation. The Court accordingly informed the parties of its intent to close the instant case.

OCTOBER 29, 2012

Sauk County Clerk of Courts v. Caroline E. Blackdeer, CG 12-86 Order (Default J.) (HCN Tr. Ct., Oct. 29, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic, LTD v. Carol McGuire, CG 12-84 Order (Default J.) (HCN Tr. Ct., Oct. 29, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic, LTD v. Nicole Skenandore, CG 12-87 Order (Default J.) (HCN Tr. Ct., Oct. 29, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Jeffrey Dayton, CG 08-121 Order (Granting Mot. to Modify) (HCN Tr. Ct., Oct. 29, 2012) (Rockman, A). The Court needed to determine whether to grant the petitioner's Motion to Modify. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

OCTOBER 30, 2012

Tomah Memorial Hospital v. Karen Green, CG 12-97 Order (Default J.) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Cathleen Bassett, CG 12-100 Order (Default J.) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

UW Hospitals & Clinics v. Elaine Anderson, CG 12-103 Order (Default J.) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Dane County Clerk of Courts v. Channon B. Stark, CG 12-99 Order (Default J.) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Lutheran Medical Center v. Vincent Hamilton, CG 12-102 Order (Default J.) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic, LTD v. Vincent Hamilton, CG 12-101 Order (Default J.) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

In the Matter of the Outstanding Obligations of Susanna L. Littlewolf, CG 12-95 Order (Extension of Full Faith & Credit) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A). 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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Discover Financial v. Joseph M. Burkhalter, CG 10-116 Order (Granting Mot. to Modify) (HCN Tr. Ct., Oct. 30, 2012) (Rockman, A).

The Court needed to determine whether to grant the petitioner's *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

OCTOBER 31, 2012

UW Hospitals & Clinics v. Sheri Hartshorn, CG 12-110 Order (Default J.) (HCN Tr. Ct., Oct. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Marie A. Wulf, CG 12-109 Order (Default J.) (HCN Tr. Ct., Oct. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Midland Funding LLC, by its servicing agent, Midland Credit Management, Inc. v. Lisa Warner aka Lisa Lockemy, CG 12-94 Order (Default J.) (HCN Tr. Ct., Oct. 31, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

WP&L DBA Alliant Energy v. Thomas Raymond, CG 12-106 Order (Requiring Amended Pet.) (HCN Tr. Ct., Oct. 31, 2012) (Rockman, A).

Following persuasive Wisconsin authority, the Court directed the petitioner to revive the filed foreign

judgment prior to granting full faith and credit and/or comity.

Krohn Clinic, LTD v. Robin A. Krause, CG 12-91 Order (Requiring Amended Pet.) (HCN Tr. Ct., Oct. 31, 2012) (Rockman, A).

Following persuasive Wisconsin authority, the Court directed the petitioner to revive the filed foreign judgment prior to granting full faith and credit and/or comity.

CIVIL CASES

SEPTEMBER 10, 2012

Ho-Chunk Nation, et al. v. Ericka Cloud, et al., CV 12-45 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Sept. 10, 2012) (Rockman, A).

The Court granted the plaintiff's counsel's request to appear telephonically at the September 17, 2012 *Status Hearing*.

SEPTEMBER 21, 2012

Ho-Chunk Nation v. Shelley E. Thundercloud, CV 11-76 Order (Granting Mot. to Enforce Stipulation) (HCN Tr. Ct., Sept. 21, 2012) (Rockman, A).

The Court needed to determine whether to grant the plaintiff's *Motion to Enforce Stipulation*. Based upon the undisputed facts supplied within the plaintiff's filing, the Court found the defendant failed to comply with the entered stipulation and ordered the defendant's dogs be turned over to Jackson County Animal Shelter for euthanization.

OCTOBER 10, 2012

Marlon Whitewing v. John Whitewing, CV 12-18, -28 Order (Default J.) (HCN Tr. Ct., Oct. 10, 2012) (Rockman, A).

The Court needed to determine whether to award the plaintiff the relief requested within his initial pleading. The Court afforded the defendant the opportunity to respond to the complaint. The defendant, however, failed to file a timely response. The Court accordingly granted a default judgment in favor of the plaintiff.

OCTOBER 31, 2012

Dorine Browneagle v. Justice Green and James Green, CV 12-36 Order (Dismissal Without Prejudice) (HCN Tr. Ct., Oct. 31, 2012) (Lowe, J).

The Court needed to determine whether to award the plaintiff the relief requested within her initial pleading. The Court convened a *Status Hearing* to address the plaintiff's requests. Despite receiving proper notice of the proceeding, neither party appeared or provided the

Court with notice explaining their nonattendance. The Court accordingly dismissed the action without prejudice.

ADMINISTRATIVE APPEALS

SEPTEMBER 4, 2012

Greg Garvin, Executive Manager; Ho-Chunk Gaming Black River Falls v. Nicole Christopherson, CV 12-46 Order (Granting Mot. for Extension of Time to File Initial Br.) (HCN Tr. Ct., Sept. 4, 2012) (Rockman, A).

The Court granted the petitioner an additional week in which to submit an *Initial Brief* following the September 17, 2012 *Status Hearing*.

SEPTEMBER 11, 2012

Horst Josellis v. Jennifer Field & HCN Grievance Review Board, CV 11-83, -87 Order (Remanding to Grievance Review Board) (HCN Tr. Ct., Sept. 11, 2012) (Rockman, A).

The Court remanded the instant case to the Grievance Review Board as the agency's decision to afford the petitioner only a limited "dismissal hearing" constituted an arbitrary and capricious action.

SEPTEMBER 28, 2012

Lance B. Vaughn v. Ho-Chunk Gaming - Madison, CV 12-05 Order (Addressing Pending Motions) (HCN Tr. Ct., Sept. 28, 2012) (Rockman, A).

Based upon Supreme Court precedent, the Court denied the petitioner's request for default judgment. Additionally, the Court granted the uncontested *Motion to Re-Caption Case* and the parties' mutual request to entertain oral argument.

OCTOBER 10, 2012

Horst Josellis v. Jackie Foemel, CV 12-67 Scheduling Order (HCN Tr. Ct., Oct. 10, 2012) (Lowe, J).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

OCTOBER 29, 2012

Horst Josellis v. Ralph Babcock, Chairperson and Committee GAP Appreciation Program, Ho-Chunk Casino, CV 12-70 Scheduling Order (HCN Tr. Ct., Oct. 29, 2012) (Lowe, J).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

CHILDREN'S TRUST FUND (CTF)

SEPTEMBER 11, 2012

In the Interest of Minor Child: J.D.T., DOB 12/01/2001, by Samantha A. Thomas v. HCN Office of Tribal Enrollment, CV

12-54 Order (Pet. Granted) (HCN Tr. Ct., Sept. 11, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: I.G.R., DOB 10/31/1998, by Susan Espinoza v. HCN Office of Tribal Enrollment, CV 12-53 Order (Pet. Granted) (HCN Tr. Ct., Sept. 11, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Children: K.E.S., DOB 12/109/2002 and I.W.S., DOB 11/05/2009, by Thalia Falcon v. HCN Office of Tribal Enrollment, CV 12-49 Order (Pet. Granted) (HCN Tr. Ct., Sept. 11, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

SEPTEMBER 12, 2012

In the Interest of Adult CTF Beneficiary: John Garcia, DOB 12/28/1988 v. HCN Office of Tribal Enrollment, CV 12-52 Order (Pet. Granted) (HCN Tr. Ct., Sept. 12, 2012) (Lowe, J).

The Court needed to determine whether the adult beneficiary could access his CTF account to pay for costs associated with high school education and dental care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

SEPTEMBER 13, 2012

In the Interest of Minor Children: M.F.P., DOB 07/25/2003 and P.A.P., DOB 06/03/2006, by Tracy Beversdorf v. HCN Office of Tribal Enrollment, CV 10-97 Order (Mot. Granted) (HCN Tr. Ct., Sept. 13, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Children: C.Y., DOB 10/13/2006, D.Y., DOB 05/10/2008, and A.Y., DOB 12/02/1998, by Jamie Youngthunder-Smith v. HCN Office of Tribal Enrollment, CV 11-65 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 13, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor children for costs associated with orthodontic procedures. The petitioner submitted a *Single Patient Ledger* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Adult CTF Beneficiary: Tashella S. King, DOB 10/21/1987 v. HCN Office of Tribal Enrollment, CV 11-38 Order (Conditional Dismissal) (HCN Tr. Ct., Sept. 13, 2012) (Rockman, A).

The Court convened a *Status Hearing* to address the petitioner's motion. Despite receiving proper notice of the scheduled hearing, the petitioner failed to appear or provide the Court with notice of her inability to attend the proceeding. The Court accordingly informed the parties of its intent to dismiss the case.

In the Interest of Adult CTF Beneficiary: Tashella S. King, DOB 10/21/1987 v. HCN Office of Tribal Enrollment, CV 11-38 Order (Requesting Accounting) (HCN Tr. Ct., Sept. 13, 2012) (Rockman, A).

The Court previously released money from the adult beneficiary's CTF account for costs associated with outstanding and future rental payments. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by October 15, 2012.

In the Interest of Adult CTF Beneficiary: Geraldine Y. Rochester, DOB 08/19/1990 v. HCN Office of Tribal Enrollment, CV 11-56 Order (Show Cause) (HCN Tr. Ct., Sept. 13, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with high school tuition, dentistry procedures, and the purchase of an automobile. 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.T.L., DOB 02/24/2003, by Myrna Littlewolf v. HCN Office of Tribal Enrollment, CV 12-

56 Order (Pet. Granted) (HCN Tr. Ct., Sept. 13, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: S.B.G., DOB 04/21/1996, by Taryn Power Greendeer v. HCN Office of Tribal Enrollment, CV 12-30 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 13, 2012) (Rockman, A).

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

SEPTEMBER 20, 2012

In the Interest of Minor Child: E.B., DOB 07/28/2002, by Gregory Bird v. HCN Office of Tribal Enrollment, CV 12-57 Order (Pet. Granted) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF accounts to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: C.J.J.B., DOB 04/30/2008, by Yvette L. Brown v. HCN Office of Tribal Enrollment, CV 11-69 Order (Mot. Granted) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Children: H.C.B., DOB 08/24/1994, S.N.B., DOB 12/22/1995, L.I.B., DOB 05/21/2001, by Darren Brinegar v. HCN Office of Tribal Enrollment, CV 12-48 Order (Pet. Granted) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the

merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Children: K.E.S., DOB 12/09/2002 and I.W.S., DOB 11/05/2009, by Thalia Falcon v. HCN Office of Tribal Enrollment, CV 12-49 Order (Release Update) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Child: S.B., DOB 10/21/1999, by Ritchie Brown v. HCN Office of Tribal Enrollment, CV 12-25 Order (Requesting Accounting) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by October 21, 2012.

In the Interest of Minor Child: C.J.J.B., DOB 04/30/2008, by Yvette L. Brown v. HCN Office of Tribal Enrollment, CV 11-69 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with dental procedures. The petitioner submitted a *Statement* confirming the proper use of the funds. The Court accepted this accounting.

SEPTEMBER 26, 2012

In the Interest of Minor Child: K.C.B., DOB 11/24/1999, by Laurie R. Bittner v. HCN Office of Tribal Enrollment, CV 12-60 Order (Pet. Granted) (HCN Tr. Ct., Sept. 26, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: R.D.A., DOB 05/26/1998, by Sheri R. DeCora v. HCN Office of Tribal Enrollment, CV 11-46 Order (Show Cause) (HCN Tr. Ct., Sept. 26, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child 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 Adult CTF Beneficiary: Cici BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 11-61 Order (Show Cause) (HCN Tr. Ct., Sept. 26, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary 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: A.J.F., DOB 01/13/1996, by Alona Bush v. HCN Office of Tribal Enrollment, CV 10-94 Order (Show Cause) (HCN Tr. Ct., Sept. 26, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child for costs associated with purchasing a new vehicle in order to meet the medical needs of the minor child. The Court previously issued an accounting directive that was 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.

OCTOBER 1, 2012

In the Interest of Minor Children: T.M.G., DOB 05/14/1998 and S.G., DOB 02/05/1994, by Sherry Lonetree-Gray v. HCN Office of Tribal Enrollment, CV 12-08 Order (Requesting Accounting) (HCN Tr. Ct., Oct. 1, 2012) (Lowe, J).

The Court previously released money from the minor children's CTF accounts for costs associated with orthodontic care. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting by November 1, 2012.

In the Interest of Minor Child: C.R.C., DOB 06/14/2000, by Ericka Cloud v. HCN Office of Tribal Enrollment, CV 12-20 Order (Requesting Accounting) (HCN Tr. Ct., Oct. 1, 2012) (Lowe, J).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting by November 1, 2012.

In the Interest of Minor Children: D.W., DOB 11/09/1995 and D.W., DOB 02/19/1998, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-92 Order (Requesting Accounting) (HCN Tr. Ct., Oct. 1, 2012) (Lowe, J).

The Court previously released money from the minor children's CTF accounts for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit the requested accounting by November 1, 2012.

In the Interest of Adult CTF Beneficiary: Jordan Funmaker, DOB 03/06/1992 v. HCN Office of Tribal Enrollment, CV 11-67 Order (Show Cause) (HCN Tr. Ct., Oct. 1, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the adult beneficiary for costs associated with high school tuition, living expenses, home furnishing and personal allowance items. 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 he should not be held in contempt.

In the Interest of Minor Children: T.R.C., DOB 11/19/1998 and S.J.C., DOB 11/15/1999, by April Clairmont-Russell v. HCN Office of Tribal Enrollment, CV 12-13 Order (Show Cause) (HCN Tr. Ct., Oct. 1, 2012) (Lowe, J).

The Court previously released funds from the CTF account of the minor child 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.

OCTOBER 2, 2012

In the Interest of Minor Children: R.E.D., DOB 05/17/1999 and P.J.D., DOB 03/23/2002, by Veronica Rosas v. HCN Office of Tribal Enrollment, CV 12-61 Order (Pet. Granted) (HCN Tr. Ct., Oct. 2, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

OCTOBER 15, 2012

In the Interest of Minor Children: T.R.C., DOB 11/19/1998 and S.J.C., DOB 11/15/1999, by April Clairmont-Russell v.

HCN Office of Tribal Enrollment, CV 12-13 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

The Court previously released funds from the CTF accounts of the minor children for costs associated with orthodontic procedures. The petitioner submitted a *Transaction History* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: C.R.C., DOB 06/14/2000, by Ericka Cloud v. HCN Office of Tribal Enrollment, CV 12-20 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 15, 2012) (Lowe, J).

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

OCTOBER 16, 2012

In the Interest of Minor Child: R.D.A., DOB 05/26/1998, by Sheri R. DeCora v. HCN Office of Tribal Enrollment, CV 11-46 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted an *Account Summary* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Children: M.F.P., DOB 07/25/2003 and P.A.P., DOB 06/03/2006, by Tracy Beversdorf v. HCN Office of Tribal Enrollment, CV 10-97 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with dental procedures. The petitioner submitted a *Single Family Ledger* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: A.V.F., DOB 03/26/1998, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-45 Order (Mot. Granted) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Child: A.V.F., DOB 03/26/1998, by Victoria Blackcoon v. HCN Office of Tribal Enrollment, CV 10-45 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Financial History – Full Care* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: E.R., DOB 05/08/2001, by Cynthia Meyer v. HCN Office of Tribal Enrollment, CV 12-29 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the CTF account 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 Child: A.J.F., DOB 01/13/1996, by Alona Bush v. HCN Office of Tribal Enrollment, CV 10-94 Order (Dismissal Without Prejudice) (HCN Tr. Ct., Oct. 31, 2012) (Lowe, J).

The Court convened a Show Cause Hearing to determine whether the petitioner should be held in contempt for failure to comply with several accounting directives. Based on the petitioner's in-court compliance, the Court elected to dismiss the case without prejudice.

CONTRACTS

SEPTEMBER 20, 2012

Ho-Chunk Nation v. Money Centers of America, Inc. and MCA of Wisconsin, Inc., CV 10-54 Order (Granting Mot. to Compel & Amended Scheduling Order) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court granted the plaintiff's request to compel the deposition of Mr. Timothy Whiteeagle. Additionally, the Court issued an *Amended Scheduling Order* setting all relevant deadlines in the case.

ELECTION MATTERS

SEPTEMBER 14, 2012

Elena Terry v. Douglas Greengrass et al., CV 11-79 Order (Addressing Dispositive Motions) (HCN Tr. Ct., Sept. 14, 2012) (Rockman, A).

The Court granted the defendants' *Motion to Dismiss* on the basis that the action is barred by sovereign and official immunity and the plaintiff failed to state a claim upon which relief may be granted. The Court also determined not to address the plaintiff's untimely *Motion for Summary Judgment*.

ENROLLMENT

NO DECISIONS AT THIS TIME.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

SEPTEMBER 7, 2012

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Mot. Partially Granted) (HCN Tr. Ct., Sept. 7, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with cellular phone charges, a hotel bill, and tires for the ward's mother's vehicle. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted a partial release of funds to satisfy the guardian's request.

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Mot. Granted) (HCN Tr. Ct., Sept. 7, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with outstanding criminal traffic fines. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the guardian's request.

SEPTEMBER 20, 2012

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Partially Accepting Accounting) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with outstanding civil forfeitures, guardianship fees, and securing legal counsel. The petitioner submitted several receipts and a correspondence from Attorney Kenneth J. Artis confirming the proper use of the funds. The Court accepted this partial accounting. Additionally, the Court directed the petitioner to provide accounting concerning the receipt of guardianship fees by October 19, 2012.

SEPTEMBER 26, 2012

In the Interest of Adult Incompetent: K.K.R., DOB 10/09/1968, by Stone Winter Guardians, Inc. v. HCN Office of Tribal Enrollment, CV 09-10 Order (Mot. Granted) (HCN Tr. Ct., Sept. 26, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with room and board and prescription medications. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the guardian's request.

SEPTEMBER 27, 2012

In the Interest of Adult Incompetent: K.K.R., DOB 10/09/1968, by Stone Winter Guardians, Inc. v. HCN Office of Tribal Enrollment, CV 09-10 Order (Mot. Granted) (HCN Tr. Ct., Sept. 27, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with outstanding medical bills. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the guardian's request.

SEPTEMBER 28, 2012

In the Interest of Adult Incompetent: B.G.S., DOB 02/07/1980, by Teresa Iverson v. HCN Office of Tribal Enrollment, CV 06-34 Order (Accepting Accounting) (HCN Tr. Ct., Sept. 28, 2012) (Lowe, J).

The Court previously released funds from the ITF account of the ward for costs associated with an assisted vacation. The petitioner submitted a receipt confirming the proper use of the funds. The Court accepted this accounting.

OCTOBER 16, 2012

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., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with ongoing nursing home care and professional guardianship service fees. The petitioner submitted a series of invoices confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Adult Incompetent: J.C., DOB 09/06/1962, by Jackson County Guardianship Services, Inc. v. HCN Office of Tribal Enrollment, CV 11-58 Order (Partially Accepting Accounting) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with a cellular

phone bill. The petitioner submitted a *Final Bill Account Summary* confirming the proper use of the funds. The Court accepted this partial accounting.

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Accepting Accounting) (HCN Tr. Ct., Oct. 16, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the ward for costs associated with ongoing guardianship services and living expenses. The petitioner submitted payment history statements confirming the proper use of the funds. The Court accepted this accounting.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. ONE (1) ORDER WAS ISSUED FROM SEPTEMBER 1, 2012 THROUGH OCTOBER 31, 2012 BY THE HON. AMANDA L. ROCKMAN.

FAMILY

DIVORCE

SEPTEMBER 7, 2012

In re the Marriage of Shelby Ackerman and Paul Ackerman, FM 12-01 Order (Granting Telephonic Appearance) (HCN Tr. Ct., Sept. 7, 2012) (Lowe, J).

The Court granted the petitioner's request to appear by telephone at the September 14, 2012 *Continued Initial Hearing*.

SEPTEMBER 18, 2012

In re the Marriage of Shelby Ackerman and Paul Ackerman, FM 12-01 Order (Granting Request for Continuance) (HCN Tr. Ct., Sept. 18, 2012) (Lowe, J).

The Court granted the petitioner an opportunity to secure additional supporting documentation concerning the parties' assets, debts, income and expenses.

SEPTEMBER 25, 2012

In re the Marriage of Duncan Rave and Donna J. Bosswell, FM 11-03 Order (Requesting Status Update) (HCN Tr. Ct., Sept. 20, 2012) (Rockman, A).

The Court informed the parties of the date, time and location of the scheduled *Status Hearing*.

SEPTEMBER 25, 2012

In re the Marriage of Celeste L. Goff and Winfield L. Eagleman, FM 11-04 Final J. for Divorce (HCN Tr. Ct., Sept. 25, 2012) (Rockman, A).

The Court granted the uncontested divorce.

SEPTEMBER 28, 2012

In re the Marriage of Joy Gabrielle Logan and Johnny Christian Logan, FM 12-09 Final J. for Divorce (HCN Tr. Ct., Sept. 28, 2012) (Lowe, J).

The Court granted the parties' requested divorce, allowing for the resumption of the petitioner's maiden name, dividing the parties' property as expressed in the joint written stipulation, and ordering Mr. Logan to pay to Mrs. Logan the monthly amount of \$475.00 in spousal maintenance.

 **JUVENILE CASES**

ALL JUVENILE CASE DECISIONS SHALL REMAIN CONFIDENTIAL. SIXTY-FOUR (64) ORDERS WERE ISSUED FROM SEPTEMBER 1, 2012 THROUGH OCTOBER 31, 2012. OF THESE SIXTY-FOUR ORDERS, THIRTY-SEVEN (37) ORDERS WERE ISSUED BY HON. JO DEEN B. LOWE, TWENTY-SIX (26) ORDERS WERE ISSUED BY HON. AMANDA L. ROCKMAN, AND ONE (1) ORDER WAS ISSUED BY HON. KIMBERLY VELE.



RECENT SUPREME COURT DECISIONS

SEPTEMBER 6, 2012

In the Interest of Decedent Member; E.K.B., DOB 12/31/1949, DOD 03/03/2011 v. Ho-Chunk Nation Office of Tribal Enrollment, SU 12-05 Order (Notice of Oral Argument) (Hunter, M).

The Court determined to afford the parties an opportunity for oral argument.

Henry Greencrow, Jr. v. Ho-Chunk Nation; Ho-Chunk Nation Legislature; and Ho-Chunk Nation Office of Tribal Enrollment, through its officer, Rita Gardner, Ho-Chunk Nation Enrollment Officer, SU 12-04 Order (Notice of Oral Augment) (Matha, T).

The Court determined to afford the parties an opportunity for oral argument.

Jenna Callista Littlegeorge v. Adam Hall, Enrollment Officer, et al., SU 12-03 Order (Rescheduled Oral Augment) (Funmaker, D).

The Court granted a continuance following receipt of the appellees' Motion for Continuance and Exhibits of Motion for Continuance.

SEPTEMBER 6, 2012

Henry Greencrow, Jr. v. Ho-Chunk Nation; Ho-Chunk Nation Legislature; and Ho-Chunk Nation Office of Tribal Enrollment, through its officer, Rita Gardner, Ho-Chunk Nation Enrollment Officer, SU 12-04 Order (Denying Mot. to Recuse) (Matha, T).

The Court denied the appellees' Motion for Recusal as Associate Justice Todd Matha possessed no direct personal interest in the action nor possessed knowledge of disputed evidentiary facts requiring his recusal.

OCTOBER 17, 2012

Jenna Callista Littlegeorge v. Adam Hall, Enrollment Officer, et al., SU 12-03 Order (Granting Mot. to Appear Telephonically) (Hunter, M).

The Court granted the appellees' Motion to Appear Telephonically at the oral arguments scheduled on October 20, 2012.

Henry Greencrow, Jr. v. Ho-Chunk Nation; Ho-Chunk Nation Legislature; and Ho-Chunk Nation Office of Tribal Enrollment, through its officer, Rita Gardner, Ho-Chunk Nation Enrollment Officer, SU 12-04 Order (Denying Mot. to Recuse) (Hunter, M).

The Court granted the appellees' Motion to Appear Telephonically at the oral arguments scheduled on October 20, 2012.



RECENT TRIAL COURT FILINGS

 **CHILD SUPPORT CASES**

SEPTEMBER 1, 2012

State of Wisconsin & Adam Buttner v. Kaitlin Scholze, CS 12-62 (Lowe, J).

SEPTEMBER 11, 2012

State of Wisconsin & Eau Claire County Child Support Agency v. Hadyng Kingswan, CS 12-63 (Lowe, J).

SEPTEMBER 19, 2012

Jessica Hutkowski v. Curtis Johnson, CS 12-64 (Lowe, J).

Lisa Marie Stout v. Kyle Dominick Stout, CS 12-65 (Rockman, A).

Chanchristina Prak v. Joshua Lincoln, CS 12-66 (Rockman, A).

SEPTEMBER 20, 2012

Kristine Pettibone v. Clarence Pettibone, CS 12-67 (Rockman, A).

SEPTEMBER 25, 2012

Melodee Rae Smith v. Ronzell Wilson, CS 12-68 (Lowe, J).

Vernita Washington v. Ronzell Wilson, CS 12-69 (Lowe, J).

Terrese Greene v. Ronzell Wilson, CS 12-70 (Lowe, J).

State of Wisconsin v. Corey M. Smith, CS 12-71 (Lowe, J).

OCTOBER 2, 2012

Norman Snake, Sr. v. Karena Custodio, CS 12-72 (Rockman, A).

OCTOBER 3, 2012

State of Wisconsin v. William Kemp, CS 12-73 (Rockman, A).

OCTOBER 31, 2012

Starlynn Pettibone v. Victor De Luna, CS 12-78 (Rockman, A).

State of Wisconsin v. Michael A. Funmaker, CS 12-79 (Rockman, A).

State of Wisconsin v. Devon Roth, CS 12-80 (Rockman, A).

State of Wisconsin v. Duana F. Link, CS 12-81 (Rockman, A).

**CIVIL CASES****SEPTEMBER 4, 2012**

Tracy Littlejohn v. HCN Enrollment Committee, et al., CV 12-55 (Lowe, J).

SEPTEMBER 5, 2012

In the Interest of Minor Child: I.G.R., DOB 10/31/1998, by *Susan Espinoza v. HCN Office of Tribal Enrollment*, CV 12-53 (Rockman, A).

In the Interest of Minor Child: J.D.T., DOB 12/01/2012, by *Samantha Thomas v. HCN Office of Tribal Enrollment*, CV 12-54 (Rockman, A).

SEPTEMBER 6, 2012

In the Interest of Adult Incompetent M.F., DOB 06/28/1929, by *Teresa Iverson v. HCN Office of Tribal Enrollment*, CV 12-50 (Rockman, A).

SEPTEMBER 11, 2012

In the Interest of Minor Child: C.T.L., DOB 02/23/2003, by *Myrna Littlewolf v. HCN Office of Tribal Enrollment*, CV 12-56 (Lowe, J).

In the Interest of Minor Child: E.B., DOB 07/28/2002, by *Greg Bird v. HCN Office of Tribal Enrollment*, CV 12-57 (Lowe, J).

Betty White v. Dion Funmaker, CV 12-58 (Lowe, J).

SEPTEMBER 18, 2012

In the Interest of Adult CTF Beneficiary John Garcia, DOB 12/28/1988 v. *HCN Office of Tribal Enrollment*, CV 12-52 (Rockman, A).

Marlon Whitewing v. Oren Cloud, CV 12-59 (Rockman, A).

In the Interest of Minor Child: K.C.B., DOB 11/24/1999, by *Laurie R. Bittner v. HCN Office of Tribal Enrollment*, CV 12-60 (Rockman, A).

SEPTEMBER 26, 2012

In the Interest of Minor Children: R.E.D., DOB 05/17/1999 and *P.J.P.*, DOB 03/23/1999, by *Veronica Rosas v. HCN Office of Tribal Enrollment*, CV 12-61 (Lowe, J).

OCTOBER 1, 2012

In the Interest of Minor Child: C.R., DOB 08/21/1996, by *Leslie Rave v. HCN Office of Tribal Enrollment*, CV 12-62 (Rockman, A).

OCTOBER 4, 2012

Clint Breed v. Grievance Review Board, CV 12-63 (Rockman, A).

OCTOBER 8, 2012

In the Interest of Minor Children: S.B., DOB 02/02/2001 and *P.B.*, DOB 02/18/2004, by *Chad Blackdeer v. HCN Office of Tribal Enrollment*, CV 12-64 (Lowe, J).

Serena Ryckman, et al. v. Jon Greendeer, et al., CV 12-65 (Lowe, J).

OCTOBER 10, 2012

Fidel R. Delarosa v. Danielle Hamilton, CV 12-66 (Lowe, J).

Horst Josellis v. Jackie Foremel, CV 12-67 (Lowe, J).

OCTOBER 12, 2012

Michelle Rave v. HCN Dept. of Insurance, CV 12-68 (Lowe, J).

OCTOBER 17, 2012

In the Interest of Adult Incompetent: L.P., DOB 08/03/1984, by Lionell Pettibone, Sr. v. HCN Office of Tribal Enrollment, CV 12-69 (Rockman, A).

OCTOBER 26, 2012

Horst Josellis v. Ralph Babcock, et al., CV 12-70 (Lowe, J).

OCTOBER 31, 2012

In the Interest of Minor Child: A.J., DOB 04/30/1999, by Terrence Johnson v. HCN Office of Tribal Enrollment, CV 12-71 (Rockman, A).

 **CIVIL GARNISHMENT CASES**

SEPTEMBER 13, 2012

Sauk County Clerk of Court v. Susanna L. Littlewolf, CG 12-95 (Rockman, A).

Sauk County Clerk of Court v. Henry L. Whitethunder, CG 12-96 (Rockman, A).

Tomah Memorial Hospital v. Karen Green, CG 12-97 (Rockman, A).

Capital Auto Credit v. Shavonne A. Burke, CG 12-98 (Rockman, A).

Dane County Clerk of Court v. Channon B. Stark, CG 12-99 (Rockman, A).

SEPTEMBER 19, 2012

Black River Memorial Hospital v. Cathleen Bessett, CG 12-100 (Rockman, A).

Gundersen Clinic, LTD v. Vincent Hamilton, CG 12-101 (Rockman, A).

Gundersen Lutheran Medical Center v. Vincent Hamilton, CG 12-102 (Rockman, A).

UW Hospital & Clinic v. Elaine Anderson, CG 12-103 (Rockman, A).

Dane County Clerk of Court v. Natasha Taylor, CG 12-104 (Rockman, A).

The Cash Store v. Mark L. Pflaga, CG 12-105 (Rockman, A).

WP&L DBA Alliant Energy v. Thomas Raymond, CG 12-106 (Rockman, A).

OCTOBER 3, 2012

Alliance Collection Agencies, Inc. v. Judy K. Warner, CG 12-107 (Rockman, A).

UW Medical v. Jayce Hansen, CG 12-108 (Rockman, A).

Alliance Collection Agencies, Inc. v. Marie A. Wulf, CG 12-109 (Rockman, A).

UW Hospital & Clinic v. Sheri Hartsharn, CG 12-110 (Rockman, A).

OCTOBER 7, 2012

Linda's Salem Bakery v. Michelle Cloud, CG 12-111 (Rockman, A).

Degen Bergland v. Cythia Cloud Smith, CG 12-112 (Rockman, A).

Gundersen Clinic, LTD v. Cynthia Cloud Smith, CG 12-113 (Rockman, A).

Romanowski Auto Sales v. Mary E. Combs, CG 12-114 (Rockman, A).

Credigy v. Dale M. Shegonee Elwart, CG 12-115 (Rockman, A).

NASV, LLC v. Mike Larsen, CG 12-116 (Rockman, A).

Alliance Collection Agencies, Inc. v. Phyllis Arndt, CG 12-117 (Rockman, A).

 **JUVENILE CASES**

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. NINE (9) CASES WERE FILED FROM SEPTEMBER 1, 2012 THROUGH OCTOBER 31, 2012.

 **FAMILY CASES**

NO CASES WERE FILED FROM SEPTEMBER 1, 2012 THROUGH OCTOBER 31, 2012.

 **DOMESTIC VIOLENCE**

ALL DOMESTIC VIOLENCE CASES SHALL REMAIN CONFIDENTIAL. NO CASES WERE FILED FROM SEPTEMBER 1, 2012 THROUGH OCTOBER 31, 2012.



RECENT SUPREME COURT FILINGS

NO CASES WERE FILED FROM SEPTEMBER 1, 2012
THROUGH OCTOBER 31, 2012.



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

Supreme Court – Mary Jo B. Hunter, Chief Justice
Dennis Funmaker, Associate Justice
Todd R. Matha, Associate Justice

Traditional Court – Earl Blackdeer

Wayne Falcon
Dennis Funmaker
Cecil Garvin
Conroy Greendeer
Roy Greengrass
Thomas Hopinkah
Richard Mann
Desmond Mike
Preston Thompson, Jr.
Andrew Thundercloud
Morgan Whiteeagle
Clayton Winneshiek

Trial Court – Jo Deen B. Lowe, Chief Judge

Amanda L. Rockman, Associate Judge
Clerk of Court – Mary Thunder
Assistant Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Bailiff/Process Server – William Collins
Administrative Assistant – Rosalie Kakkak
Law Clerk/Staff Attorney – Samuel Crowfoot
Law Clerk/Staff Attorney – John Kellis

* 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

November/December 2012 Issue



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Ho-Chunk Nation Judiciary Hosts Annual Ethics CLE



On Friday, December 14, 2012, the Ho-Chunk Nation Judiciary was proud to welcome to *Wa Ehi Hoci* Ms. Aviva Meridian Kaiser, Assistant Clinical Professor at the University of Wisconsin Law School. Professor Kaiser graciously agreed to lead this year's annual C.L.E. event, *The Challenges of Technology, Social Media and Internet Marketing, Outsourcing, and Supervision*, providing those in attendance an insightful look at the ethical concerns attorneys face in a world increasingly dependent on technology.

During the three-hour presentation, Professor Kaiser addressed a variety of extremely valuable topics. Focusing often on client confidentiality, Professor Kaiser discussed methods to prevent the transfer of metadata, attorney obligations when confronted with inadvertently distributed information, and protecting information contained within mobile devices, computers, or "in the cloud." Attendees were also guided in ways to avoid ethical pitfalls in social media and electronic marketing. Finally, Professor Kaiser

provided a brief summary of ethical implications present in outsourcing legal work.

The Ho-Chunk Nation Judiciary wishes to extend its sincerest appreciation for the time and work Professor Kaiser devoted to this year's event. The presentation was an amazing success, garnering extremely positive reviews from those in attendance. Additionally, Wisconsin attorneys earned a welcomed 3.5 Ethics and Professional Responsibility (EPR) credits at the end of many C.L.E. reporting periods. Finally, for those unable to attend, the Ho-Chunk Nation Judiciary has posted lecture materials used during the presentation at the following location: <http://ho-chunknation.com/?PageId=406>.



UPDATES FROM OUTSIDE JURISDICTIONS

FIRST CIRCUIT

KG Urban Enterprises, LLC v. Patrick, et al., No. 12-1233, 39 Indian L. Rep. 2155 (1st Cir., Aug. 1, 2012). In a challenge to the constitutionality of the 2011 Massachusetts law which sets standards and procedures for authorizing legalized gaming in the state, the U.S. Court of Appeals for the First Circuit affirmed: (1) the denial of the plaintiff-appellant's request for injunctive and declaratory relief as to § 91 of the Act; (2) the district court's holding that the Massachusetts Gaming Act is not preempted by the federal Indian Gaming Regulatory Act; (3) the dismissal of the state-law claim without prejudice; and rejects the remainder of the appellant's claims, vacates the district court's dismissal of the complaint and remands for further proceedings.

SECOND CIRCUIT

New York, et al. v. Shinnecock Indian Nation, et al., Nos. 08-1194-cv(L) and 08-1195-cv(CON), 39 Indian L. Rep. 2166 (2d Cir., June 25, 2012). The U.S. Court of Appeals for the Second Circuit vacated the judgment of the district court and remands with the instructions to the district court to remand to New York state court an action in which the district court granted a permanent injunction prohibiting the Shinnecock Indian Nation and its tribal officials from developing a casino on a parcel of land known as Westwoods without complying with the laws of New York State and the Town of Southampton.

SIXTH CIRCUIT

Devlin v. Kalm, et al., No. 11-1261, *unpublished*, 39 Indian L. Rep. 2176 (6th Cir., Aug. 9, 2012). The U.S. Court of Appeals for the Sixth Circuit concluded that the district court erred in abstaining under the *Burford* and *Colorado River* abstention doctrines, and thus reverses and remands to the district court for further proceedings in an action challenging the plaintiff's termination from employment from the Michigan Gaming Control Board, but affirms the district court's order denying the plaintiff's motion for default judgment.

Michigan, et al. v. Bay Mills Indian Community, No. 11-1413, 39 Indian L. Rep. 2179 (6th Cir., Aug. 15, 2012). In an action by the State of Michigan and the Little Traverse Bay Band of Odawa Indians to prevent the Bay Mills

Notice: CTF/ITF Cases

Beginning January 1, 2013, all new actions filed requesting the release of monies from a minor child or adult beneficiary member's Children's Trust Fund (CTF) account shall bear a "CF" case number designation, followed by a two-digit year designation and sequential filing number, i.e. CF 13-01.

Beginning January 1, 2013, all new actions filed requesting the release of monies from a ward member's Incompetent's Trust Fund (ITF) account shall bear an "IF" case number designation, followed by a two-digit year designation and sequential filing number, i.e. IF 13-01.

The Court has also produced an updated *Petition for Release of Per Capita Distribution* to better aid litigants. You may retrieve a new form at *Wa Ehi Hoci* or download a copy the following location:

<http://ho-chunknation.com/?PageId=90>

Indian Community from operating a small casino in Vanderbilt, Michigan, the U.S. Court of Appeals for the Sixth Circuit vacates the preliminary injunction entered by the district court and remands for further proceedings and holds that: (1) the district court lacked jurisdiction over the plaintiffs' claims under § 2710(d)(7)(A)(ii) of the Indian Gaming Regulatory Act to the extent that the claims are based on an allegation that the casino is not on Indian lands; and (2) Bay Mills' sovereign immunity bars other of the plaintiffs' claims.

NINTH CIRCUIT

Becker v. Kikiktagrak Inupiat Corporation, No. 11-35137, *unpublished*, 39 Indian L. Rep. 2129 (9th Cir., July 12, 2012). The U.S. Court of Appeals for the Ninth Circuit held that there is sufficient evidence that the appellant reasonably believed that the appellee's employment practices were racially discriminatory and that he opposed the practices on that basis, and reverses the district court's grant of summary judgment on the

appellant's claims for retaliation in violation of 42 U.S.C. § 1981 and for common law wrongful termination.

TENTH CIRCUIT

Harvey v. United States, No. 11-2164, 39 Indian L. Rep. 2129 (10th Cir., July 13, 2012). The U.S. Court of Appeals for the Tenth Circuit held that the district court properly denied the appellant's motion for a default judgment under the Federal Tort Claims Act and affirms the district court's dismissal of the appellant's misdiagnosis and negligent surgery claims because expert evidence is needed for both and appellant failed to present an expert.

Jech, et al. v. Department of Interior, et al., No. 11-5064, unpublished, 39 Indian L. Rep. 2136 (10th Cir., June 9, 2012). The U.S. Court of Appeals for the Tenth Circuit affirmed the district court's order dismissing the plaintiffs' complaint for failure to exhausted administrative remedies in an action in which the plaintiffs seek injunctive and declaratory relief that would require the Department of Interior to conduct elections for the Principal Chief, the Assistant Principal Chief, and Tribal Council of the Mineral Estates of the Osage Tribe of Indians.

Prairie Band Pottawatomie Nation, et al. v. Federal Highway Administration, et al., No. 11-3000, 39 Indian L. Rep. 2138 (10th Cir., July 10, 2012). The U.S. Court of Appeals for the Tenth Circuit affirmed the district court's judgment, finding no flaws in the environmental impact statement or the prudence analysis associated with the Federal Highway Administration's selection of a route for a proposed highway project in the city of Lawrence, Kansas.

Turner v. McGee, et al., No. 10-6031, 39 Indian L. Rep. 2146 (10th Cir., June 19, 2012). The U.S. Court of Appeals for the Tenth Circuit affirmed the district court's dismissal for lack of subject matter jurisdiction on alternative grounds, concluding that the appellant lacks standing because he cannot establish that the requested injunction against the defendants would redress his injury.

Somerlott v. Cherokee Nation Distributors, Inc., et al., No. 10-6157, 39 Indian L. Rep. 2182 (10th Cir., July 27, 2012). The U.S. Court of Appeals for the Tenth Circuit affirmed the district court's dismissal of a federal employment discrimination action against the Cherokee Nation Distributors, Inc. on the grounds of tribal sovereign immunity.

United States v. Hatch, No. 11-1392, unpublished, 39 Indian L. Rep. 2189 (10th Cir., July 24, 2012). The U.S. Court of

Appeals for the Tenth Circuit affirmed the judgment and sentence of assault resulting in serious bodily injury in Indian Country of the defendant-appellant.

ELEVENTH CIRCUIT

Furry v. Miccosukee Tribe of Indians of Florida, et al., No. 11-13673, 38 Indian L. Rep. 2148 (11th Cir., June 29, 2012). On grounds of tribal sovereign immunity, the U.S. Court of Appeals for the Eleventh Circuit affirmed the district court's order granting the tribal defendants' motion to dismiss an action asserting that the Miccosukee Tribe violated 18 U.S.C. § 1161 and Florida's dram shop law by knowingly serving excessive amounts of alcohol to the appellant's daughter which resulted in a fatal collision.

FEDERAL CIRCUIT

Morrison v. Department of Interior, No. 2012-3046, 39 Indian L. Rep. 2191 (Fed. Cir., July 20, 2012). The U.S. Court of Appeals for the Federal Circuit denies the petitioner's motion to transfer her unfair labor practice action, filed with the Federal Labor Relations Authority alleging wrongful termination of employment from the Bureau of Indian Affairs based on protected union activities to either the U.S. Court of Appeals for the D.C. Circuit or the U.S. Court of Appeals for the Ninth Circuit, and dismisses the petition for review.



RECENT TRIAL COURT DECISIONS

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

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

this index, but the editor will use the indicator “other topic(s) covered,” as a research aid for the reader.

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



CHILD SUPPORT CASES

NOVEMBER 1, 2012

State of Wisconsin v. Edward J. Nicholas, CS 12-55 Order (Enforcing Child Support Against Per Capita) (HCN Tr. Ct., Nov. 1, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent’s per capita distributions. The Court afforded the respondent proper notice of the petitioner’s filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

NOVEMBER 9, 2012

Sherry L. King v. David A. King, CS 10-36 Order (Modifying Child Supp.) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court had to determine whether to grant the recent *Motion to Modify*. The Richland County Child Support Agency requested that the Court modify the respondent’s per capita distribution withholdings to correspond with an amended foreign judgment. The respondent received proper notice of the Agency’s motion, but failed to file a timely response. Therefore, the Court accordingly granted the Agency’s request.

Robin R. Ort v. Lashone A. Bass, CS 12-56 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent’s wages. The Court afforded the respondent proper notice of the petitioner’s filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Melodee Rae Smith v. Ronzell Wilson, CS 12-68 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent’s wages. The Court afforded the respondent proper notice of the petitioner’s filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Terrese Greene v. Ronzell Wilson, CS 12-70 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent’s wages. The Court afforded the respondent proper notice of the petitioner’s filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Vernita Washington v. Ronzell Wilson, CS 12-69 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court had to determine whether to enforce a standing foreign child support order against the respondent’s wages. The Court afforded the respondent proper notice of the petitioner’s filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Jessica Hutkowski v. Curtis Johnson, CS 12-64 Order (Enforcing Child Support Against Wages) (HCN Tr. Ct., Nov. 9, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent’s wages. The Court afforded the respondent proper notice of the petitioner’s filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

Cassandra Benton v. William McKinnie, CS 12-31 Order (Ceasing Child Supp.) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Dane County Child Support Agency filed a *Termination of Income Withholding Order*, indicating the respondent no longer maintains a responsibility to pay current child support or arrears. The Court accordingly granted the Agency’s request.

May Lee v. Kevin X. Lee, CS 12-47 Order (Enforcing Arrears) (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court needed to determine whether to grant a *Motion to Modify*. The Milwaukee County Child Support Agency requested the enforcement of outstanding arrears against the respondent’s wages. The respondent received proper notice of the Agency’s request, but failed to file a timely response. The Court accordingly granted the Agency’s request.

DECEMBER 5, 2012

Joey K. Whitewing v. Patricia A. Bird-Nicholas, CS 10-43 Order (*Ceasing Wage Withholding*) (HCN Tr. Ct., Dec. 5, 2012) (Rockman, A).

The Court again ordered the Ho-Chunk Nation Department of Treasury to cease withholding from the respondent's wages for child support and administrative fees.

Francesca J. Bird v. Patricia A. Nicholas, CS 07-85, *Joey Whitewing v. Patricia A. Bird-Nicholas*, CS 10-43 Order (*Modifying Child Supp. & Equitable Adjustment*) (HCN Tr. Ct., Dec. 5, 2012) (Amanda L. Rockman).

The Court needed to determine whether to grant a *Motion to Modify*. The respondent filed an *Amended Income Withholding Order* prepared by the Shawano County Child Support Agency in CS 10-43. The petitioner received proper notice of the filing but failed to file a timely response. Therefore, the Court granted the respondent's request and modified the previously established equitable adjustment accordingly.

DECEMBER 7, 2012

Oswaldo Medina v. Kelly J. Medina, CS 12-52 Order (*Enforcing Child Support Against Wages*) (HCN Tr. Ct., Dec. 7, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's wages. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely response. Therefore, the Court granted judgment in favor of the petitioner.

DECEMBER 14, 2012

Michelle S. Rave v. Jeriah J. Rave, Sr., CS 09-07 Order (*Mot. Denied*) (HCN Tr. Ct., Dec. 14, 2012) (Rockman, A).

The Court had to determine whether to grant the petitioner's *Motion for Contempt*, *Motion for Entry of Default*, and *Motion for Court Costs*. The Court ultimately denied the petitioner's requests as the respondent had demonstrated compliance with the referenced judicial directive.

DECEMBER 27, 2012

Starlynn Pettibone v. Victor De Luna, CS 12-78 Order (*Enforcing Child Support Against Per Capita*) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

The Court had to determine whether to enforce a standing foreign child support order against the respondent's per capita distributions. The Court afforded the respondent proper notice of the petitioner's filing. However, the respondent failed to file a timely

response. Therefore, the Court granted judgment in favor of the petitioner.

CIVIL GARNISHMENT CASES

NOVEMBER 14, 2012

Black River Memorial Hospital v. Terri Clemmerson, CG 12-125 Order (*Granting Mot. to Modify*) (HCN Tr. Ct., Nov. 14, 2012) (Rockman, A).

The Court had to determine whether to grant a *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

NOVEMBER 16, 2012

Members Advantage Credit Union v. Benjamin Rucinski, CG 12-32 Order (*Pet. Granted*) (HCN Tr. Ct., Nov. 16, 2012) (Rockman, A).

The Court had to determine whether to grant full faith and credit and/or comity to a foreign judgment. The petitioner requested the reinstatement of wage withholdings due to the respondent's noncompliance with the parties' alternative payment arrangement. The respondent was afforded notice of the petitioner's request, but failed to file a timely response. The Court accordingly granted the petitioner's request.

Asset Acceptance LLC v. Theresa Stenson, CG 11-08 Order (*Granting Mot. to Modify*) (HCN Tr. Ct., Nov. 16, 2012) (Rockman, A).

The Court had to determine whether to grant a *Motion to Modify*. The petitioner indicated that the respondent owed further interest on the recognized judgment. The Court granted the motion following the respondent's failure to file a timely response.

Midland Funding LLC, by its servicing agent, Midland Credit Management, Inc. v. Bryan La Chapelle and Jennifer La Chapelle, CG 12-09 Order (*Granting Mot. to Modify*) (HCN Tr. Ct., Nov. 16, 2012) (Rockman, A).

The Court had to determine whether to grant a *Motion to Modify*. The petitioner indicated that the respondents owed further interest on the recognized judgment. The Court granted the motion following the respondents' failure to file a timely response.

NOVEMBER 30, 2012

Alliance Collection Agencies, Inc. v. Judy K. Warner, CG 12-107 Order (*Granting Telephonic Appearance*) (HCN Tr. Ct., Nov. 30, 2012) (Rockman, A).

The Court granted the petitioner's request to appear by telephone at the December 18, 2012 *Hearing*.

Cottonwood Financial Wisconsin LLC, DBA The Cash Store, a Foreign Limited Liability Company v. Mark L. Pflager, CG 12-105 Order (Voluntary Dismissal) (HCN Tr. Ct., Nov. 30, 2012) (Rockman, A).

The Court granted the petitioner's request to dismiss the case as the respondent provided proof of exemption from garnishment.

DECEMBER 4, 2012

Degen Berglund v. Cynthia Cloud Smith, CG 12-112 Order (Default J.) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic, LTD v. Cynthia Cloud Smith, CG 12-113 Order (Default J.) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

CMC Inc. v. Travis A. Cloud, CG 12-118 Order (Default J.) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Linda's Salem Bakery v. Michelle Cloud, CG 12-111 Order (Default J.) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Alliance Collection Agencies, Inc. v. Cheryl Brinegar, CG 12-93 Order (Default J.) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Wells Fargo Bank NA v. Kelly J. Russel, CG 11-47 Order (Satisfaction of J.) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The petitioner filed a correspondence indicating that the respondent had completely satisfied the previously ordered debt obligation. The Court accordingly informed the parties of its intent to close the instant case.

DECEMBER 27, 2012

Midland Funding LLC, by its servicing agent, Midland Credit Management, Inc. v. Shayna Martinson and Michael Martinson, CG 12-121 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Janet Swennes, CG 12-124 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Autumn White, CG 12-125 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Yvette Smith (Brown), CG 12-126 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Black River Memorial Hospital v. Donald Ford, CG 12-127 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Main Street Acquisition Corp. v. Tia Bagnowski, CG 12-130 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.

Gundersen Clinic, LTD v. Pinkah Greengrass, CG 12-128 Order (Default J.) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

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 failed to timely respond, leading the Court to grant a default judgment in favor of the petitioner.



CIVIL CASES

NOVEMBER 5, 2012

Rita Gardner v. Tracy Littlejohn, et al., CV 10-47 Amended Scheduling Order (HCN Tr. Ct., Nov. 5, 2012) (Rockman, A).

The Court issued an Amended Scheduling Order setting all relevant deadlines in the case.

NOVEMBER 8, 2012

Marlon Whitewing v. John Whitewing, CV 12-18, -28 Order (Releasing Impounded Funds) (HCN Tr. Ct., Nov. 8, 2012) (Rockman, A).

The Court released impounded per capita funds to the plaintiff upon the filing of proof establishing his status as a tribal elder.



ADMINISTRATIVE APPEALS

NOVEMBER 7, 2012

Horst Josellis v. Ericka Cloud, CV 12-74 Scheduling Order (HCN Tr. Ct., Nov. 7, 2012) (Lowe, J).

The Court issued a Scheduling Order setting all relevant deadlines in the case.

NOVEMBER 29, 2012

Alvane King v. MPC Food & Beverage Dept., et al., CV 10-53 Order (Determination on Remand) (HCN Tr. Ct., Nov. 29, 2012) (Rockman, A).

The Court affirmed the agency's decision as supported by substantial evidence offered at the GRB hearing, thus upholding the petitioner's termination from employment.

DECEMBER 4, 2012

Collin Cloud v. Johanna Bruns, CV 12-34 Order (Conditional Dismissal) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court conditionally dismissed the action due to the petitioner's failure to attend the scheduled Status Hearing.

Clint Breed v. Grievance Review Board, CV 12-63 Order (Mot. Hearing) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court, in its discretion, determined to convene a hearing so as to grant the respondent the ability to argue the Motion to Dismiss, and to provide the petitioner the opportunity to offer a response.

DECEMBER 17, 2012

Ardith Snowball v. Ho-Chunk Gaming-Baraboo, et al., CV 11-51 Order (Dismissal with Prejudice) (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

The Court determined to dismiss the action upon the filing of a joint Settlement Agreement between the parties.

Kenneth Twinn v. Ho-Chunk Nation Grievance Review Board, et al., CV 08-79, -83 Scheduling Order (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

The Court issued a Scheduling Order setting all relevant deadlines in the case.

Ho-Chunk Nation, et al. v. Ericka Cloud, et al., CV 12-45, *Ho-Chunk Nation, et al. v. Nicole Christopherson*, CV 12-46 Order (Denying Request to Consolidate, Granting Stay, &

Scheduling Oral Argument) (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

The Court determined to maintain separate proceedings for both actions and stay the plaintiff-petitioner's civil complaint until adjudication of the filed administrative appeal. The Court also determined to schedule *Oral Arguments* to allow the parties an opportunity to address the *Motion to Supplement Evidentiary Record* and *Motion Enforcing Relief*.

DECEMBER 18, 2012

Lynette Pettibone v. Ericka Cloud, et al., CV 12-44 Order (Mot. Hearing) (HCN Tr. Ct., Dec. 18, 2012) (Rockman, A).

The Court, in its discretion, determined to convene a hearing so as to grant the respondent the ability to argue the *Motion to Dismiss*, and to provide the petitioner the opportunity to offer a response.



CHILDREN'S TRUST FUND (CTF)

NOVEMBER 2, 2012

In the Interest of Minor Child: S.B., DOB 12/20/1997, by Daryll Bird, Sr. v. HCN Office of Tribal Enrollment, CV 11-64 Order (Mot. Granted) (HCN Tr. Ct., Nov. 2, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover ongoing costs associated with private school tuition. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

NOVEMBER 5, 2012

In the Interest of Minor Child: S.B., DOB 12/20/1997, by Daryll Bird, Sr. v. HCN Office of Tribal Enrollment, CV 11-64 Order (Erratum) (HCN Tr. Ct., Nov. 2, 2012) (Rockman, A).

The Court issued an erratum order to correct a typographical error misstating the minor child's tribal identification number within a prior judgment.

NOVEMBER 8, 2012

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 (Accepting Accounting & Partial Release of Contempt Fines) (HCN Tr. Ct., Nov. 8, 2012) (Rockman, A).

The Court previously released funds from the CTF accounts of the minor children for costs associated with orthodontic procedures. The petitioner submitted two *Ledger Copies* confirming the proper use of the funds.

The Court accepted this accounting, and ordered the Department of Treasury to release previously impounded contempt fines to the petitioner less a reasonable sanction amount.

NOVEMBER 14, 2012

In the Interest of Minor Child: D.P.S., DOB 11/21/2000, by Jamie Stott v. HCN Office of Tribal Enrollment, CV 08-29 Order (Mot. Granted) (HCN Tr. Ct., Nov. 14, 2012) (Rockman, A).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

In the Interest of Minor Children: T.M.G., DOB 05/14/1998 and S.C., DOB 02/05/1994, by Sherry Lonetree-Gray v. HCN Office of Tribal Enrollment, CV 12-08 Order (Accepting Accounting) (HCN Tr. Ct., Nov. 14, 2012) (Lowe, J).

The Court previously released funds from the CTF accounts of the minor children for costs associated with dental procedures. The petitioner submitted a *Patient Receipt* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Minor Child: S.B., DOB 10/21/1999, by Richie Brown v. HCN Office of Tribal Enrollment, CV 12-25 Order (Accepting Accounting) (HCN Tr. Ct., Nov. 14, 2012) (Rockman, A).

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

In the Interest of Minor Child: A.J., DOB 04/30/1999, by Terrence Johnson v. HCN Office of Tribal Enrollment, CV 12-71 Order (Pet. Granted) (HCN Tr. Ct., Nov. 14, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

NOVEMBER 15, 2012

In the Interest of Minor Child: E.B., DOB 07/28/2002, by Gregory Bird v. HCN Office of Tribal Enrollment, CV 12-57 Order (Accepting Accounting) (HCN Tr. Ct., Nov. 15, 2012) (Lowe, J).

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

In the Interest of Minor Child: P.J.K., DOB 11/01/1999, by Jodi Marie Webster v. HCN Office of Tribal Enrollment, CV 12-75 Order (Pet. Granted) (HCN Tr. Ct., Nov. 15, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

NOVEMBER 20, 2012

In the Interest of Adult CTF Beneficiary: Christopher Montanez, DOB 05/12/1988 v. HCN Office of Tribal Enrollment, CV 11-72 Order (Contempt) (HCN Tr. Ct., Nov. 20, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

In the Interest of Adult CTF Beneficiary: Geraldine Y. Rochester, DOB 08/19/1990 v. HCN Office of Tribal Enrollment, CV 11-56 Order (Contempt) (HCN Tr. Ct., Nov. 20, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

NOVEMBER 26, 2012

In the Interest of Minor Children: T.J.H., DOB 09/05/2002, T.J.H., DOB 05/01/2004, and T.J.H., DOB 11/20/2007, by Nicole Houghton v. HCN Office of Tribal Enrollment, CV 12-33 Order (Pet. Granted in Part) (HCN Tr. Ct., Nov. 26, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with the purchase of bedroom, kitchen and living room furniture and a clothes washer

and dryer. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted a partial release of funds to the petitioner.

NOVEMBER 27, 2012

In the Interest of Minor Children: S.B., DOB 02/02/2001 and P.B., DOB 02/18/2004, by Chad Blackdeer v. HCN Office of Tribal Enrollment, CV 12-64 Order (Pet. Granted – In Part) (HCN Tr. Ct., Nov. 27, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with orthodontic care and food costs. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted a partial release of funds to the petitioner limited to orthodontic costs.

NOVEMBER 28, 2012

In the Interest of Adult CTF Beneficiary: Cici BigJohn, DOB 03/05/1988 v. HCN Office of Tribal Enrollment, CV 11-61 Order (Contempt) (HCN Tr. Ct., Nov. 28, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

In the Interest of Adult CTF Beneficiary: Jordan Funmaker, DOB 03/06/1992 v. HCN Office of Tribal Enrollment, CV 11-67 Order (Contempt) (HCN Tr. Ct., Nov. 28, 2012) (Rockman, A).

The Court needed 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. The Court, therefore, held the petitioner in contempt and imposed a reasonable remedial sanction.

NOVEMBER 30, 2012

In the Interest of Minor Child: K.M.R., DOB 07/24/1998, by Michelle Rave v. HCN Office of Tribal Enrollment, CV 10-22 Order (Requesting Accounting) (HCN Tr. Ct., Nov. 30, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required

accounting. Therefore, the Court requested that the petitioner submit accounting by January 2, 2013.

In the Interest of Adult CTF Beneficiary: Megan Luke, DOB 03/03/1994 v. HCN Office of Tribal Enrollment, CV 12-40 Order (Denying Pet.; Granting Oral Mot.) (HCN Tr. Ct., Nov. 30, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access her CTF account to pay for costs associated with the purchase of an automobile. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court denied the petitioner's initial request for a vehicle but granted an oral motion for a quarterly living stipend due to her unique circumstances.

DECEMBER 3, 2012

In the Interest of Minor Child: I.G.R., DOB 10/31/1998, by Susan Espinoza v. HCN Office of Tribal Enrollment, CV 12-53 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 3, 2012) (Rockman, A).

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

In the Interest of Minor Child: O.M.A., DOB 04/26/2001, by Rhonda Anderson v. HCN Office of Tribal Enrollment, CV 10-69 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 3, 2012) (Rockman, A)

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Ledger Copy by Patient* confirming the proper use of the funds. The Court accepted this accounting.

DECEMBER 4, 2012

In the Interest of Minor Child: S.R.W., DOB 07/11/2003, by Errol S. Whitewing v. HCN Office of Tribal Enrollment, CV 12-76 Order (Pet. Granted) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Adult CTF Beneficiary: Joan Frank, DOB 03/27/1990 v. HCN Office of Tribal Enrollment, CV 11-31

Order (Conditional Dismissal without Prejudice) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court informed the parties of its intent to dismiss the action due to case inactivity in excess of six months unless the petitioner demonstrated good cause to the contrary in writing on or before January 4, 2012.

In the Interest of Minor Child: W.R.H., DOB 02/23/2006 v. HCN Office of Tribal Enrollment, CV 12-38 Order (Requesting Accounting) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court previously released money from the minor child's CTF account for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting by January 4, 2013.

DECEMBER 7, 2012

In the Interest of Minor Child: B.M.T., DOB 08/17/1994, by Bernice Twinn v. HCN Office of Tribal Enrollment, CV 11-81 Order (Partially Accepting Accounting) (HCN Tr. Ct., Dec. 7, 2012) (Rockman, A).

The Court previously released funds from the CTF account of the minor child for costs associated with orthodontic procedures. The petitioner submitted a *Statement* confirming the proper use of the funds. The Court accepted this partial accounting and requested a subsequent accounting no later than June 12, 2013.

DECEMBER 10, 2012

In the Interest of Minor Child: T.R.F., DOB 07/13/2000, by Dyan R. Thundercloud v. HCN Office of Tribal Enrollment, CV 08-58 Order (Mot. Granted) (HCN Tr. Ct., Dec. 10, 2012) (Lowe, J).

The petitioner submitted a request for a further release of the CTF monies to cover additional unmet patient obligation. The respondent agreed to the request. Therefore, the Court granted the petitioner's motion.

DECEMBER 14, 2012

In the Interest of Minor Children: J.E.C., DOB 05/21/2007, C.J.C., DOB 10/28/2008, and E.E.C., DOB 03/21/1997, by John Climer v. HCN Office of Tribal Enrollment, CV 12-31 Order (Denying Pet.) (HCN Tr. Ct., Dec. 14, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with property tax delinquencies. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court denied the petitioner's request for failure to substantiate how the

request provided a health, education or welfare benefit to the minor children.

DECEMBER 17, 2012

In the Interest of Minor Children: M.B.C., DOB 06/04/2001 and O.T.C., DOB 12/23/2003, by Michelle Greendeer-Rave v. HCN Office of Tribal Enrollment, CV 12-81 Order (Pet. Granted) (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor children's CTF accounts to pay for costs associated with orthodontic treatment. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: W.R.H., DOB 02/23/2006, by Kelly Autumn Funmaker v. HCN Office of Tribal Enrollment, CV 12-38 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

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

In the Interest of Minor Child: C.R.L., DOB 01/22/1997, by Georgianna Lonetree v. HCN Office of Tribal Enrollment, CV 12-77 Order (Pet. Granted) (HCN Tr. Ct., Dec. 17, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with orthodontic care. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court granted the release of funds to the petitioner.

In the Interest of Minor Child: K.M.R., DOB 07/24/1998, by Michelle Rave v. HCN Office of Tribal Enrollment, CV 10-22 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

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

DECEMBER 19, 2012

In the Interest of Minor Child: E.A.B.E., DOB 04/01/2005, by Brandie Marie Madley v. HCN Office of Tribal Enrollment, CV 12-80 Order (Mot. Hearing) (HCN Tr. Ct., Dec. 19, 2012) (Rockman, A).

The Court, in its discretion, determined to convene a hearing so as to grant the respondent the ability to argue the December 18, 2012 *Motion to Dismiss*.

In the Interest of Minor Child: C.R., DOB 08/21/1996, by Leslie Rave v. HCN Office of Tribal Enrollment, CV 12-62 Order (Pet. Denied) (HCN Tr. Ct., Dec. 19, 2012) (Rockman, A).

The Court needed to determine whether the petitioner could access the minor child's CTF account to pay for costs associated with private criminal defense representation. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court denied the petitioner's request for failure to demonstrate the inadequacy of public entitlement.

DECEMBER 24, 2012

In the Interest of Brad Tower, Adult CTF Beneficiary v. HCN Office of Tribal Enrollment, CV 12-51 Order (Pet. Denied) (HCN Tr. Ct., Dec. 24, 2012) (Lowe, J).

The Court needed to determine whether the petitioner could access his CTF accounts to pay for costs associated with private criminal representation. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC §12.8c to assess the merit of the request. The Court denied the petitioner's request for failure to substantiate a special financial need.

DECEMBER 27, 2012

In the Interest of Minor Children: B.Y., DOB 06/30/1992 and D.Y., DOB 09/02/1993, by Judith Youngthunder v. HCN Office of Tribal Enrollment, CV 09-43 Order (Requesting Accounting) (HCN Tr. Ct., Dec. 27, 2012) (Rockman, A).

The Court previously released money from the minor children's CTF accounts for costs associated with orthodontic procedures. The petitioner failed to submit the required accounting. Therefore, the Court requested that the petitioner submit accounting.

CONTRACTS

DECEMBER 4, 2012

Ho-Chunk Nation v. Money Centers of America, Inc. and MCA of Wisconsin, Inc., CV 10-54 Order (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court approved and adopted the parties' amended filing deadlines.

ELECTION MATTERS

NO DECISIONS AT THIS TIME.

ENROLLMENT

NOVEMBER 8, 2012

Mary Ellen Blackdeer Anwash v. HCN Enrollment Committee, CV 12-73 Scheduling Order (HCN Tr. Ct., Nov. 8, 2012) (Rockman, A).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

NOVEMBER 9, 2012

Tracy L. Littlejohn, et al. v. HCN Enrollment Committee, et al., CV 12-72 Scheduling Order (HCN Tr. Ct., Nov. 9, 2012) (Lowe, J).

The Court issued a *Scheduling Order* setting all relevant deadlines in the case.

DECEMBER 4, 2012

Tracy L. Littlejohn v. HCN Enrollment Committee, et al., CV 12-55 Order (Conditional Dismissal) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court conditionally dismissed the action due to the petitioner's failure to attend the convened *Scheduling Conference*.

HOUSING

NO DECISIONS AT THIS TIME.

INCOMPETENT'S TRUST FUND (ITF)

DECEMBER 4, 2012

In the Interest of Adult Incompetent: T.M.A., DOB 05/13/1986, by Pamela Anderson v. HCN Office of Tribal Enrollment, CV 09-36 Order (Accepting Accounting) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court previously released funds from the ITF account of the adult incompetent for costs associated with dental and living expenses. The petitioner submitted a *Transaction Register* confirming the proper use of the funds. The Court accepted this accounting.

In the Interest of Adult Incompetent: R.L., DOB 08/04/1953, by Office of State Guardian v. HCN Office of Tribal Enrollment, CV 07-55 Order (Mot. Granted) (HCN Tr. Ct., Dec. 4, 2012) (Lowe, J).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with professional guardianship service fees. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted the release of funds to satisfy the guardian's request.

DECEMBER 10, 2012

In the Interest of Adult Incompetent: M.F., DOB 06/28/1929, by Teresa Iverson v. HCN Office of Tribal Enrollment, CV 12-50 Order (Pet. Granted) (HCN Tr. Ct., Dec. 10, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with long-term care support. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted a release of funds to satisfy the guardian's request.

DECEMBER 17, 2012

In the Interest of Adult Incompetent: K.S.B., DOB 02/19/1960, by Jon B. Bahr v. HCN Office of Tribal Enrollment, CV 05-110 Order (Requesting Resubmission) (HCN Tr. Ct., Dec. 17, 2012) (Rockman, A).

The Court instructed the guardian of the adult incompetent to review, and if appropriate, resubmit the request received directly from the ward, ensuring a copy is delivered upon the respondent.

DECEMBER 18, 2012

In the Interest of Adult Incompetent: L.P., DOB 08/03/1984, by Lionel Pettibone, Sr. v. HCN Office of Tribal Enrollment, CV 12-69 Order (Pet. Granted in Part, Reserved in Part) (HCN Tr. Ct., Dec. 18, 2012) (Rockman, A).

The Court needed to determine whether the legal guardian could access monies from the adult incompetent's ITF account to pay costs associated with a personal allowance and vehicle purchase. The Court employed the standard enunciated in the PER CAPITA DISTRIBUTION ORDINANCE, 2 HCC § 12.8C to assess the merit of the petitioner's request. The Court granted a release of funds to satisfy the personal allowance request while reserving judgment on the vehicle request until the guardian provides additional documentation.

In the Interest of Adult Incompetent: K.K.R., DOB 10/09/1968, by Stone Winter Guardians, Inc. v. HCN Office of Tribal Enrollment, CV 09-10 Order (Granting Telephonic Appearance and Rescheduling Status Hearing) (HCN Tr. Ct., Dec. 18, 2012) (Rockman, A).

The Court granted the petitioner's request to appear telephonically and to reschedule the subsequent *Status Hearing*.

RECALL/REMOVAL

NO DECISIONS AT THIS TIME.

DOMESTIC ABUSE

ALL DOMESTIC ABUSE DECISIONS SHALL REMAIN CONFIDENTIAL. NO ORDERS WERE ISSUED FROM NOVEMBER 1, 2012 THROUGH DECEMBER 31, 2012.

FAMILY

DIVORCE

NOVEMBER 6, 2012

In re the Marriage of Cynthia Thundercloud v. Mark A. Thundercloud, FM 11-08, CV 12-23 Order (Partially Granting Reimbursement) (HCN Tr. Ct., Nov. 6, 2012) (Rockman, A).

The Court determined that equity and fairness required a partial repayment of funds by the respondent for failure to comply with the parties' property division agreement.

DECEMBER 4, 2012

In re the Marriage of Duncan Rave and Donna J. Boswell, FM 11-03 Order (Conditional Dismissal) (HCN Tr. Ct., Dec. 4, 2012) (Rockman, A).

The Court afforded the parties several opportunities to provide documentation concerning the division of marital assets, to no avail. Following the parties' failure to attend the September 27, 2012 Status Hearing, the Court ultimately dismissed the action due to case inactivity.

JUVENILE CASES

ALL JUVENILE CASE DECISIONS SHALL REMAIN CONFIDENTIAL. FOURTEEN (14) ORDERS WERE ISSUED FROM NOVEMBER 1, 2012 THROUGH DECEMBER 31, 2012. OF THESE FOURTEEN ORDERS, SEVEN (7) ORDERS WERE ISSUED BY HON. JO DEEN B. LOWE AND SEVEN (7) ORDERS WERE ISSUED BY HON. AMANDA L. ROCKMAN.



RECENT SUPREME COURT DECISIONS

DECEMBER 18, 2012

Henry Greencrow, Jr. v. Ho-Chunk Nation, et al., SU 12-04 Decision (Matha, T).

The HCN Supreme Court affirmed the Trial Court's dismissal of the appellant's suit for failure to state a claim upon which relief may be granted. The Supreme Court

joined the Trial Court's assessment of the action, recognizing an inability to redress the appellant's purported harm when the relief sought is prohibited by the Constitution.

In the Interest of Decedent Member: E.K.B., DOB 12/31/1949, DOD 03/03/2011 v. Ho-Chunk Nation Office of Tribal Enrollment, SU 12-05 Decision (Hunter, M).

The HCN Supreme Court affirmed the Trial Court's judgment, recognizing the absence of a Ho-Chunk Nation probate code precludes the Trial Court from appointing a Special Administrator of the decedent's estate.

DECEMBER 19, 2012

Jenna Callista Littlegeorge v. Adam Hall, Enrollment Officer, et al., SU 12-03 Notice of Extension (Funmaker, D).

The Supreme Court determined to grant an extension of (30) days to complete a decision.



RECENT TRIAL COURT FILINGS

CHILD SUPPORT CASES

NOVEMBER 7, 2012

State of Wisconsin v. Kenneth Lewis, CS 12-74 (Lowe, J).

Sarah White Eagle v. Anson R. White Eagle, CS 12-75 (Lowe, J).

NOVEMBER 9, 2012

Christie L. Engelke v. Reginald G. Blackhawk, CS 12-76 (Lowe, J).

State of Wisconsin v. Correne Roth, CS 12-77 (Lowe, J).

NOVEMBER 15, 2012

Randeen Ann Decorah v. Kevin Smith, CS 12-82 (Rockman, A).

NOVEMBER 30, 2012

Martina J. Littlewolf-Falcon v. Leanne Rave, CS 12-83 (Rockman, A).

DECEMBER 28, 2012

Cherrel Barrow v. Aaron Wright, CS 12-84 (Rockman, A).

Bridget K. Todd v. Rueben J. Steindorf, CS 12-85 (Rockman, A).

Katlyn Pritchette v. Charles Smith, CS 12-86 (Rockman, A).

Luther L. Lester v. Brooke Metoxen-Smith, CS 12-87 (Rockman, A).

Joyce Lynn Ehlke v. Ronald J. Behrens, CS 12-88 (Rockman, A).

State of Wisconsin v. Renne Rockman, CS 12-89 (Lowe, J).

State of Wisconsin v. Sharon Rockman, CS 12-90 (Lowe, J).

State of Wisconsin v. Sharon Rockman, CS 12-91 (Lowe, J).



CIVIL CASES

NOVEMBER 5, 2012

Tracy Littlejohn, et al. v. HCN Enrollment Committee, et al., CV 12-72 (Lowe, J).

Mary Ellen Blackdeer Anwash v. HCN Enrollment Committee, CV 12-73 (Rockman, A).

NOVEMBER 7, 2012

Horst Josellis v. Ericka Cloud, CV 12-74 (Lowe, J).

In the Interest of Minor Child: P.J.K., DOB 11/09/1999, by Jodie M. Webster v. HCN Office of Tribal Enrollment, CV 12-75 (Lowe, J).

NOVEMBER 14, 2012

In the Interest of Minor Child: S.R.W., DOB 07/11/2003, by Errol S. Whitewing v. HCN Office of Tribal Enrollment, CV 12-76 (Rockman, A).

NOVEMBER 19, 2012

In the Interest of Minor Child: C.L., DOB 11/19/2012, by Georgianna Lonetree v. HCN Office of Tribal Enrollment, CV 12-77 (Lowe, J).

NOVEMBER 21, 2012

Melodie Cleveland v. Matthew Mullen, et al., CV 12-78 (Lowe, J).

NOVEMBER 27, 2012

Ho-Chunk Nation, et al. v. Melody Whiteagle-Fintak, CV 12-79 (Rockman, A).

NOVEMBER 28, 2012

In the Interest of Minor Child: E.A.B.E., DOB 04/01/2005, by Brandie Marie Madley v. HCN Office of Tribal Enrollment, CV 12-80 (Rockman, A).

In the Interest of Minor Children: M.B.C., DOB 06/04/2001 and O.T.C., DOB 12/23/2004, by Michelle Greendeer-Rave v. HCN Office of Tribal Enrollment, CV 12-81 (Rockman, A).

DECEMBER 2, 2012

In the Interest of Adult CTF Beneficiary: David Rochester v. HCN Office of Tribal Enrollment, CV 12-82 (Lowe, J).

DECEMBER 4, 2012

HCN General Council Agency, et al. v. HCN Legislature, et al., CV 12-83 (Lowe, J).

DECEMBER 26, 2012

In the Interest of Minor Child: N.V.W., DOB 10/30/2000, by Karen White Eagle v. HCN Office of Tribal Enrollment, CV 12-84 (Rockman, A).



CIVIL GARNISHMENT CASES

NOVEMBER 7, 2012

CMC, Inc. v. Travis Cloud, CG 12-118 (Rockman, A).

NOVEMBER 15, 2012

Capital Bank USA v. Jeffrey E. Hale, CG 12-119 (Rockman, A).

Midland Credit Management, Inc. v. Pamela Buckley, CG 12-120 (Rockman, A).

Capital One Bank v. Devin A. Funmaker, CG 12-122 (Rockman, A).

NOVEMBER 30, 2012

Midland Credit Management, Inc. v. Shayna & Michael Martinson, CG 12-121 (Rockman, A).

DECEMBER 3, 2012

Capital One Bank v. Marquito L. Deford, Jr., CG 12-123 (Rockman, A).

Black River Memorial Hospital v. Janet Swennes, CG 12-124 (Rockman, A).

Black River Memorial Hospital v. Autumn White, CG 12-125 (Rockman, A).

Black River Memorial Hospital v. Yvette Smith (Brown), CG 12-126 (Rockman, A).

Black River Memorial Hospital v. Donald Ford, CG 12-127 (Rockman, A).

Gundersen Clinic, LTD v. Pinkah Greengrass, CG 12-128 (Rockman, A).

Credit Acceptance Corp. v. Loretta Seipp, CG 12-129 (Rockman, A).

Main Street Acquisitions Corp. v. Tia Bagnowski, CG 12-130 (Rockman, A).

DECEMBER 31, 2012

Sauk County Clerk of Court v. Estelle A. Greendeer, CG 12-131 (Rockman, A).

Alliance Collection Agencies, Inc. v. Daniel Downing, CG 12-132 (Rockman, A).

Alliance Collection Agencies, Inc. v. Leah Rice, CG 12-133 (Rockman, A).

Tomah Memorial Hospital v. Lisa K. Lockemy, CG 12-134 (Rockman, A).

One Main Financial v. Malachi Emery, CG 12-135 (Rockman, A).

 **JUVENILE CASES**

ALL JUVENILE CASES SHALL REMAIN CONFIDENTIAL. ONE (1) CASE WAS FILED FROM NOVEMBER 1, 2012 THROUGH DECEMBER 31, 2012.

 **FAMILY CASES**

NOVEMBER 29, 2012

Sherry Kirkland v. Richard L. Kirkland, Jr., FM 12-04 (Rockman, A).

 **DOMESTIC VIOLENCE**

ALL DOMESTIC VIOLENCE CASES SHALL REMAIN CONFIDENTIAL. NO CASES WERE FILED FROM NOVEMBER 1, 2012 THROUGH DECEMBER 31, 2012.



RECENT SUPREME COURT FILINGS

NO CASES WERE FILED FROM NOVEMBER 1, 2012 THROUGH DECEMBER 31, 2012.



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

Supreme Court – Mary Jo B. Hunter, Chief Justice
Dennis Funmaker, Associate Justice
Todd R. Matha, Associate Justice

Traditional Court – Earl Blackdeer
Wayne Falcon
Dennis Funmaker
Cecil Garvin
Conroy Greendeer
Roy Greengrass
Thomas Hopinkah
Richard Mann
Desmond Mike
Preston Thompson, Jr.
Andrew Thundercloud
Morgan Whiteeagle
Clayton Winneshiek

Trial Court – Jo Deen B. Lowe, Chief Judge
Amanda L. Rockman, Associate Judge
Clerk of Court – Mary Thunder
Assistant Clerk of Court, Trial Court – Selina Joshua
Assistant Clerk of Court, Trial Court – Margaret Falcon
Bailiff/Process Server – William Collins
Administrative Assistant – Rosalie Kakkak
Law Clerk/Staff Attorney – Samuel Crowfoot
Law Clerk/Staff Attorney – John Kellis

* 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)