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**IN THE
HO-CHUNK NATION TRIAL COURT**

_____,
Petitioner,

v.

_____,
Respondent
(Board/Commission/Committee).

**PETITION FOR ADMINISTRATIVE
REVIEW**

Case No.: CV 0____ - _____
[assigned by the Court]

I. BASIS FOR REVIEW

The petitioner in the above-captioned case files this action requesting a judicial review of the administrative decision, which the petitioner regards as defective for the following specific reasons: _____

The following information relates to the **PETITIONER**:

PETITIONER'S INFORMATION

1. Name: _____
2. Maiden name (if applicable): _____
3. Address: _____
(state physical address also if P.O. Box is listed)

City State Zip Code
4. Phone: (_____) _____ (_____) _____
Home Work
5. Facsimile Number (if available): (_____) _____
6. E-mail address: _____
7. Occupation: _____
Place of employment: _____
or Petitioner is not presently employed.

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The following information relates to the **RESPONDENT**

RESPONDENT'S INFORMATION

- 1. Name (Board/Commission/Committee): _____

- 2. Maiden name (if applicable): _____
- 3. Address (last known): _____
(state physical address also if P.O. Box is listed)

City State Zip Code
- 4. Phone: (_____) _____ (_____) _____
Home Work
- 5. Facsimile Number (if available): _____
- 6. E-mail address: _____

Summary of the incident and circumstances: _____

II. JURISDICTION

This Court has original jurisdiction over this case pursuant to the “cases and controversy” clause of the CONSTITUTION OF THE HO-CHUNK NATION, Art. VII, Sec. 5(a), providing that the Trial Court “shall have original jurisdiction over all cases and controversies,” in law and equity “arising under the Constitution, laws [or] customs and traditions of the Ho-Chunk Nation.” Specifically, the petitioner alleges that the cause of action arises under the:

- Law, particularly the: _____
(for example a Code, Statute, or HCN Legislative Resolution)
- Employee Relations Act of 2004
- Ho-Chunk Nation Insurance Review Commission Ordinance
- Ho-Chunk Nation Tribal Employment Rights Ordinance
- Gaming Ordinance
- Tribal Enrollment and Membership Act

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Employee Relations Act

Under the *Ho-Chunk Nation Rules of Civil Procedure*, Rule 63¹, the petitioner may request an opportunity to supplement the evidentiary record within an Employee Grievance Review Board appeal, provided that the petitioner demonstrates that the Board either excluded relevant evidence as defined by the Federal Rules of Evidence, Rule 401 or failed to consider evidence that could not reasonably have been discovered prior to the Employee Grievance Review Board hearing.

The petitioner requests to supplement the evidentiary record pursuant to *HCN R. Civ. P. 63(D)(1)(a)-(b)*.

The petitioner does not request to supplement the evidentiary record pursuant to *HCN R. Civ. P. 63(D)(1)(a)-(b)*.

III. PROCEDURAL HISTORY

Summary of the procedural history: _____

IV. REQUEST FOR RELIEF

¹ Parties can obtain a copy of the *Ho-Chunk Nation Rules of Civil Procedure* by contacting the Ho-Chunk Nation Judiciary at (715) 284-2722 or (800) 434-4070 or visiting the judicial website at [http://www.ho-chunknation.com/UserFiles/Civ%20Pro%20\(08-17-06%20version\).pdf](http://www.ho-chunknation.com/UserFiles/Civ%20Pro%20(08-17-06%20version).pdf).

1 **PRAYER FOR RELIEF:**

2 For the reasons stated above and according to the attached documentation, the petitioner
3 requests that the Court enter a Judgment against the respondent and grant the relief sought by the
4 petitioner.

5 NUMBER OF ADDITIONAL PAGES USED: _____

6 By affixing my signature below, I swear that I have provided the above information in
7 good faith and with the belief that each statement represents a true and accurate account of the
8 facts based upon adequate research and investigation. I recognize that the Ho-Chunk Nation
9 Judiciary may impose sanctions if it determines that I have made statements in bad faith,
10 including intentional misstatements or statements made upon inadequate research or
11 investigation. I also recognize that the foregoing admonition extends to include the omission of
12 material facts or law, which I knew, or should have reasonably known, would impact or prove
13 relevant to the action.

14 I file this petition of my own free will and absent threats, intimidation or coercion of any
15 kind. I understand that any decision reached by the Ho-Chunk Nation Trial Court is binding and
16 that if I disagree with the findings or conclusions or remedies of the Trial Court, I may file an
17 appeal with the Ho-Chunk Nation Supreme Court. I further acknowledge that since I am
18 submitting myself to the jurisdiction of the Ho-Chunk Nation Judiciary, I am subject to its
19 determinations, including those relating to contempt of court.
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1 **RESPECTFULLY SUBMITTED BY PETITIONER,**

2 Signature: _____

3 Date: _____, 20 _____

4

5

6 **Attach.:** *Certificate of Service*²
 Final Administrative Decision

7

8

9 Signature of counsel (if any): _____

10 Mailing address of counsel: _____

11 _____

12 E-mail address of counsel: _____

13 Telephone number of counsel: _____

14 Facsimile number of counsel: _____

15 Ho-Chunk Bar number of counsel: _____

16

17 If not a member of the Ho-Chunk bar, a *Motion to Appear Pro Hac Vice* has been
18 attached in accordance with *Ho-Chunk Nation Rules of Civil Procedure*, Rule 16(B),³ and/or

19 I have applied for membership in the Ho-Chunk Nation bar in accordance with the *Ho-Chunk*
20 *Nation Rules for Admission to Practice*.

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28 ²Parties can obtain a copy of the *Certificate of Service* by contacting the Ho-Chunk Nation Judiciary at (715) 284-2722 or (800) 434-4070 or visiting the judicial website at <http://www.ho-chunknation.com/UserFiles/Certificate%20of%20Service%2005.pdf>.

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³ See first footnote.