

INSTRUCTIONS TO REGISTER AND ENFORCE A FOREIGN JUDGMENT

These instructions are only intended to provide information on how to fill out this form. It is not intended to substitute legal advice. There may be additional documents and procedures for your particular type of civil action. If you have any legal questions regarding the specific facts of your case, please consult with an attorney.

For other questions, you may contact the Trial Court at (715) 284-2722. In addition, copies of the applicable law can be found on the Nation's website located at www.ho-chunknation.com/HCNLaws.aspx or by contacting the Ho-Chunk Nation Legislature at (715) 284-9343 or (800) 294-9343.

Do not include these instruction sheets when you file the completed form.

Petition:

A petition is an initial pleading that starts an action and states the basis for the court's jurisdiction, the basis for the petitioner's claim, and the demand for relief.

The petitioner is the party who brings the action to court - the person who fills out the petition.

The respondent is the party being sued in the action - the person who the petition is brought against.

Instructions:

- **Page 1, Lines 1-8:** Enter your full, legal name on the petitioner line. There can be more than one petitioner. Enter in the respondent's full, legal name on the respondent line. There can be more than one respondent. You do not need to write a case number. A case number will be assigned by the Court.
- **Page 1, Lines 10-16:** A cause of action is a factual situation that entitles one person to obtain a remedy in court from another person. Write the State, County, and Case Number, or the Tribal Court, and Case Number of the order you are filing to have enforced.
- **Page 1, Lines 18-28:** Enter the applicable information as it relates to the petitioner.
- **Page 2, Lines 1-12:** Enter the applicable information as it relates to the respondent.
- **Page 2, Lines 22-28:** Jurisdiction is the court's power to exercise authority over all persons and things within its territory and to hear and decide a case or issue in dispute. The petitioner must show that the Ho-Chunk Nation Trial Court has jurisdiction over the action and the parties in the action.
- **Page 3, Line 11:** Enter the total amount of the judgment that is within the certified copy of the foreign judgment.

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- **Page 3, Line 12:** Enter the total cost of the garnishment related activities (ex: filing fees).
- **Page 3, Line 13:** Enter the total amount of post-judgment interest that is being sought pursuant to Wis. Stat. § 807.01(4), 814.04(5), and 815.05(8).
- **Page 3, Line 14:** Note the total amount of payments that the respondent made on the debt.
- **Page 3, Line 15:** Add up the total amount of the judgment, the garnishment-related costs, and the post judgment interest, subtracting the total amount of the payments made.
- **Page 3, Lines 16-20:** Supply the name and address where the wage garnishment checks should be sent.
- **Page 3, Lines 21-24:** The prayer for relief is a request addressed to the court and appearing at the end of a pleading; it is a request for specific relief or damages.
- **Page 3, Lines 25-27:** A certified copy of the foreign judgment must be attached to the petition. Check the first box reflecting that the certified copy of the foreign judgment is included. Check the second box if a certified record of payments made is being filed with the petition.
- **Page 4, Line 2:** Enter the number of additional pages that are being included with the petition, including the number of pages of the foreign judgment.
- **Page 4, Lines 2-21:** Be sure to read the statement that avows you are filing the petition in good faith and without fraud. Note that you may be held in contempt of court for any fraudulent entries.
- **Page 5, Lines 2-4:** Do not sign the document with your signature until you sign it before a notary. The court employs notarizes for the convenience of the public. Sign this page in the presence of a notary and note the date of the signature.
- **Page 5, Lines 6-12:** Your attorney should fill out this section if you have secured an attorney.
- **Page 5, Lines 16-22:** The notary fills out this section after you sign the document in front of him/her.