

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

**In the Matter of Timely Issuance of Decisions ADMINISTRATIVE RULE
2005-01
April 9, 2005**

The Ho-Chunk Nation Supreme Court, after due consideration and reviewing comments of the HCN Legislature, hereby adopts this internal rule governing the timeliness of issuance of Judicial decisions by the Trial Court. The *HCN Rules of Appellate Procedure* have strict guidelines for the timeliness of issuance of decisions of the HCN Supreme Court after briefing and *Oral Argument* have been completed. This order is issued in response to some criticism that the Courts decisions are unduly delayed which weakens the administration of justice.

Therefore, the HCN Supreme Court enacts the following rule for the Trial Court. From the date of enactment of this rule, the Clerk of Court shall henceforth compile a monthly list of all cases where no decision or order has been issued ninety (90) days from the hearing on the matter in question in civil cases. This includes both final orders and interim orders where a decision is needed in writing such as child support, child welfare matters, trials in civil matters and the like. This list is not inclusive but only illustrative. The Clerk of Court shall interpret this rule liberally to achieve its purpose of making sure decisions and orders are issued in a timely manner. The date of the last hearing should be listed and length of time the matter has been open without a decision or order to the date of the report.

1 The Clerk of Court shall send a copy of this list of pending cases without a written
2 decision or order each month to the Chief Justice of the Supreme Court of all cases before
3 any Trial Judge of the Ho-Chunk Nation whether Associate, Chief or *Pro Tempore*
4 including subsequent judges or masters as may come into being after the effect of this
5 *Administrative Order*. The first such report shall be compiled within thirty (30) days
6 from the issuance of this enactment. The purpose of this report is to serve as an
7 administrative reminder to the Judge needing to issue said decision or order that urgent
8 attention should be paid to the completion of the case to make sure the administration of
9 justice is completed in a prompt manner so that litigants and members of the public are
10 assured that the Ho-Chunk Nation Court System is responsive to their needs.

11 It shall be in the discretion of the Chief Justice of the HCN Supreme Court to
12 review the report and discuss any concerns with the Judges involved. If no resolution can
13 be made regarding the concerns about timely issuance of opinions by a Trial Judge after
14 informal consultation and the Chief Justice considers the matter to undermine the
15 efficient administration of Justice by the Ho-Chunk Nation Court System, the Chief
16 Justice may report the deficiency of a Judge with a large number of cases without a
17 decision or order to the HCN Legislature for possible action in conformance with HCN
18 CONSTITUTION. ART. IX § 4.

19 **IT IS SO ORDERED** this 9th day of April 2005, at the Ho-Chunk Nation Court
20 House at Black River Falls, Wisconsin.

21
22
23 _____
24 Hon. Mary Jo B. Hunter, Chief Justice
25 Ho-Chunk Nation Supreme Court

1
2
3
4
5
6
7
8
9
10
11

Hon. Jo Deen B. Lowe, Associate Justice
Ho-Chunk Nation Supreme Court

Hon. Mark Butterfield Associate Justice
Ho-Chunk Nation Supreme Court