

SUBPOENA PROCEDURE

Per Ho-Chunk Nation Rules of Civil Procedure, Rule 44 (A) and (B).

Subpoenas may be used to cause a witness to appear and give testimony. If a party wishes to have a subpoena issued by the Court the following procedure will be as follows:

1. He/she shall furnish a properly prepared subpoena, including information necessary for service of process, at least ten (10) calendar days before trial.
2. Service will be completed at least three (3) calendar days prior to hearing or trial.
3. When service has been completed, the Court shall mail proof of service to all parties.
4. When service of the subpoena will not be through the Court, the requesting party shall present the properly prepared subpoena to the Court for signature in time to ensure proper service before the hearing or trial and shall return proof of service to the Court prior to the trial.
5. If a party does not timely request a subpoena, he/she shall not be entitled to a postponement because of the absence of the witness.
6. If the subpoena has been timely issued, the Court may, in its discretion, postpone the hearing or trial.
7. A person who fails to appear after being subpoenaed may be held in contempt of court.

(B) Notice. At all times, the parties shall use diligent efforts to notify witnesses subpoenaed to appear in sufficient time so that they might make arrangements needed to appear.

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

_____, **SUBPOENA**
Plaintiff(s)/Petitioner(s),

v.

Case No(s): _____

_____,
Defendant(s)/Respondent(s).

TO: _____ REQUESTOR: _____
Name of Person Being Subpoenaed

You are hereby commanded to appear before the Ho-Chunk Nation Trial Court in connection with the above-entitled civil lawsuit on the _____ day of _____, 20____ at _____ a.m./p.m. CDT/CST. *See Ho-Chunk Nation Rules of Civil Procedure, Rule 44(A).*¹ Your appearance as a witness is necessary for a fair and adequate hearing in this matter. ***Failure to appear at the required time and place may result in contempt of court charges being filed against you.*** *See CONTEMPT ORDINANCE, 2 HCC § 5.*²

DATE: _____ JUDGE: _____

The Trial Court is physically located at Wa Ehi Hocira, W9598 Highway 54 East, Black River Falls, (Jackson County) Wisconsin. The Trial Court's mailing address is P. O. Box 70, Black River Falls, WI 54615. The telephone number is (715) 284-2722, or toll free 800-434-4070, and the facsimile number is (715) 284-3136.

CERTIFICATE OF SERVICE

I, _____, certify that I received this subpoena on the _____ day of _____, 20____, and personally served it upon the above-named individual on the _____ day of _____, 20____, at the following location: _____.

Dated: _____ Server: _____

¹ You can obtain a copy of the applicable rules by contacting the Ho-Chunk Nation Judiciary at (715) 284-2722 or (800) 434-4070 or visiting the judicial website at www.ho-chunknation.com/?PageId=123.

² You can obtain a copy of the applicable law by contacting the Ho-Chunk Nation Legislature at (715) 284-9343 or (800) 294-9343 or visiting the legislative website at www.ho-chunknation.com/?PageId=254.