

CIRCUIT COURT FOR MENOMINEE AND SHAWANO COUNTIES
COURTHOUSE
311 NORTH MAIN STREET
SHAWANO, WISCONSIN 54166-2198

HONORABLE JAMES R. HABECK
CIRCUIT COURT JUDGE BRANCH 1

Phone: 715-526-9352
FAX: 715-526-4915
TDD: 715-526-4999

Gerald Schultz
Court Reporter
Phone: 715-526-4936

Karen Casteel-Schlise
Judicial Assistant

November 2, 2007

07-11

Clerk of Supreme Court
Attention: Carrie Janto
PO Box 1688
Madison WI 53701

RECEIVED

NOV 05 2007

CLERK OF SUPREME COURT
OF WISCONSIN

Re: Discretionary Transfer of Cases to Tribal Court

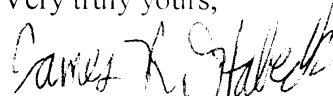
Dear Justices:

I support creation of a rule to allow discretionary transfer of civil cases from circuit court to the tribal court level within our state.

Within my jurisdictional area, the Stockbridge-Munsee Tribal Court and the Menominee Tribal Courts exist. At times, I have ruled that the tribal court does have jurisdiction over an issue. However, I believe it would be advantageous to have the rule to allow for discretion in cases where the law does not mandate jurisdiction in one court or another.

I also believe discretionary transfer would help further cooperation between circuit and tribal court cases in line with past decisions of your court.

Very truly yours,



Hon. James R. Habeck
Circuit Court Branch 1

JRH/kcs

c: Stockbridge Tribal Court
Menominee Tribal Court