



# MENOMINEE INDIAN TRIBE OF WISCONSIN

## MENOMINEE TRIBAL COURTS

P.O. Box 429

Keshena, WI 54135-0429

November 16, 2018

Clerk of the Supreme Court  
Attention: Deputy Clerk-Rules  
P.O. Box 1688  
Madison, WI 53701-1688

**RE: Rule Petition 18-04; Tribal Pro Hac Vice Admission**

Dear Justices of the Wisconsin Supreme Court:

I write to you today as the representative of Menominee Indian Tribe's Supreme Court requesting that you grant Petition 18-04. I have read all of the comments submitted to date. I cannot add any other reason for changing the rule other than what has already been submitted. The supporting memo and comments speak for themselves. It is extremely important for the future of Indian Tribes that you grant the petition and eliminate the required application, fee, and the association with local counsel requirements.

While it may be daunting to allow unverified attorney appearances in Wisconsin courts, please remember that the persons who will appear in the WICWA/ICWA matters will be attorneys well versed in the law. As non-resident attorneys, they too are subject to their own professional codes of conduct and/or responsibility. In removing the pro hac vice requirements, you are granting these attorneys immediate access to appear in Wisconsin courts without the fear of violating rules of professional responsibility, i.e. practicing without a Wisconsin license.

As set forth in the supporting memo, these requirements have been eliminated for nonresident military attorneys who represent members of the military in Wisconsin courts. If the reason for eliminating the requirement of associating in with local counsel is due to the fact that the matters which brings a nonresident military attorney into court are highly specialized, then the same rationale should be accorded nonresident tribal attorneys who intervene in ICWA/WICWA cases.

I fully appreciate the balancing and weighing of differing opinions that you will need to consider in deciding whether to grant this petition. I do hope that you are persuaded by Menominee's supporting memo and all of the comments that you have received to date in support of this petition. In granting this petition, you are ensuring that the Tribes have an immediate voice unhampered by the pro hac vice requirements in protecting their children. Thank you for your consideration of this petition and the opportunity to be heard.

Sincerely,



Stephan M. Tourtillott-Grochowski

Chief Justice

Menominee Tribal Courts

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