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Historic agreement between state courts and tribal courts to be signed in Green Bay
Signing ceremony is part of national conference

Green Bay, Wis. (July 26, 2005) – In an historic event that underscores Wisconsin's status as a national leader in the area of state court-tribal court relations, judges from several north-central Wisconsin tribal courts will meet the judge who oversees administration of the state courts in 12 Wisconsin counties to sign and officially implement a new system for handling court cases in which the tribal and state courts share jurisdiction.

The signing ceremony will take place on Thursday, July 28, 2005, from 9:30-10:15 a.m. at the Oneida Nation Radisson Hotel and Conference Center, 2040 Airport Drive, Green Bay. The ceremony is part of *Walking on Common Ground: Pathways to Equal Justice*, a first-ever national symposium on relations between the state courts and tribal courts organized by the Office of Chief Justice Shirley S. Abrahamson, the national Conference of Chief Justices, the U.S. Department of Justice, and the Criminal Justice Center for Innovation at Fox Valley Technical College. The symposium begins Wednesday, July 27 at 8 a.m. and runs through Friday, July 29 at 2:45 p.m.

Signing the protocols will be Chief Judge Dorothy L. Bain, Ninth Judicial Administrative District, and the following tribal court judges: Chief Judge Fred A. Ackley Jr., Sokaogon Chippewa Community (Mole Lake); Chief Judge Alice K. Soulier, Lac du Flambeau Band of Lake Superior Chippewa Indians; Chief Judge Ervin Soulier, Bad River Band of the Lake Superior Chippewa Indians (Odanah); Chief Judge David Raasch, Stockbridge-Munsee Band of the Mohicans (Bowler); and Chief Judge Eugene White-Fish, Forest County Potawatomi Community (Crandon).

The new system will make it easier in cases involving shared jurisdiction to determine whether the state court or the tribal court should hear the case. Examples are lawsuits that involve a tribal member. Often in such cases, hearings are held in both the state and tribal courts on the same issues – resulting in confusion and inefficiency. Under the new system, state court and tribal court judges will temporarily stop actions that are filed in both courts and hold a joint hearing to determine which court should handle the case. If the judges cannot agree, a third judge will be summoned from a pool of state and tribal judges and the arguments will be re-heard until a decision on jurisdiction is reached.

The new system will be in effect in the state’s Ninth Judicial District, which includes the following counties: Florence, Forest, Iron, Langlade, Lincoln, Marathon, Menominee, Oneida, Price, Shawano, Taylor, and Vilas. The system is based upon a similar protocol adopted in 2001 in Wisconsin’s Tenth Judicial District, which covers the northwest part of the state. The Tenth District protocol is believed to have been the first of its kind in the nation.

“I am delighted that our region of the state is taking this important step toward improved tribal-state relations and setting an example for others to follow,” said Ninth District Chief Judge Bain. “These protocols will save time and money for litigants and for the courts – and that’s just good government.”

Chief Judge David Raasch agreed. “With many Wisconsin tribal courts expanding services to their members, litigants sometimes find themselves in a position where they would prefer the matter be heard in one court or another, yet the opposing party in the case would prefer the opposite court forum,” s/he said. “When both the state and tribal courts have jurisdiction over the matter, the question arises: Which court should hear the case? The protocols should lead all parties to a rational solution to this dilemma.”

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