

FORM SUMMARY

Name of Forms: Motion for Discretionary Transfer of Civil Action to Tribal Court

Form Number: GF-206

Statutory Reference: §801.54, Wisconsin Statutes

Purpose of Form: Motion transferring a matter from a circuit court to a Wisconsin tribal court.

Who Completes It: Petitioner/Plaintiff or attorney (if any).

Distribution of Form: Original to court. Copy to parties and counsel, if any.

Accompanying Forms:

New Form/Modification: Modified; last update 01/09.

Modifications: Refer to person not tribe so changed “located” to “reside”.

Comments: Transfer is allowable when the circuit court has made a determination that the tribal court or tribal judicial system has concurrent jurisdiction with the circuit court and other relevant factors have been considered. *Plain Commerce Bank v. Long Family Land & Cattle Co.*, 554 U.S. ___, 128 S. Ct. 2709 (2008); *Montana v. United States*, 450 U.S. 544, 564-66; *Teague v. Bad River Band*, 2003 WI 118, 265 Wis. 2d 64, 664 N. W. 2d 899; *Bryan v. Itasca County*, 426 U.S.373, 385-86 (1976); Public Law 83-280, 28 U.S.C. 1360 and 18 U.S.C. 1162.

About this Form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.