



POTAWATOMI
(Keeper of the Fire)

FOREST COUNTY POTAWATOMI COMMUNITY

P.O. Box 340
Crandon, Wisconsin 54520

Tribal Court
EUGENE L. WHITE-FISH - Chief Judge
JERYL PERENICH - Associate Judge

December 10, 2007

RECEIVED

DEC 17 2007

CLERK OF SUPREME COURT
OF WISCONSIN

Clerk of the Supreme Court
ATTN: Carrie Janto
PO Box 1688
Madison, WI 53701-1688

RE: Rule Petition 07-11 – Discretionary transfer of jurisdiction to tribal court

Dear Clerk of Supreme Court:

I am writing in support of the adoption of Rule Petition 07-11. The proposed rule is needed and will further the state and tribal court goal of providing meaningful justice for their respective communities.

I currently serve as the Chief Judge of the Forest County Potawatomi Tribal Court and have held that position since 1994. I am also currently serving my fourth term as the President of the National American Indian Court Judges Association. I am an active member of the Wisconsin Tribal Judges Association.

The proposed rule is a natural result of the improving relationship between the state and tribal courts. Over the years I have had many opportunities to collaborate and communicate with state court judges on various issues. Now that tribal courts are more developed than they've ever been, most state court judges have learned that it makes sense to transfer certain cases to a more appropriate forum.

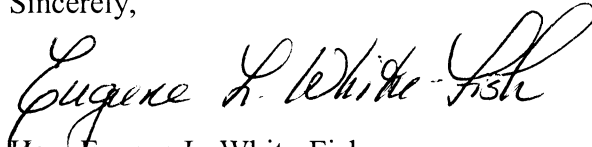
Several factors weigh in favor of transferring certain cases to tribal court: 1) When a case has arisen on the Reservation, the tribal court judge is likely to have a better knowledge of local circumstances; 2) Tribal issues are decided in a tribal forum; and 3) State court dockets are eased.

While the Teague protocol assists state and tribal courts in cases of concurrent and competing jurisdiction, parties do not always file a case in both court systems. The proposed rule provides state court judges the discretion to transfer cases even if a parallel case has not been started in tribal court.

As the tribal courts continue to grow, it is very helpful and beneficial that such growth occurs in a respectful and cooperative relationship to the state court system. As I discuss tribal-state judicial relationships with my colleagues in tribal courts around the country, I am proud of the unique leading role of Wisconsin and Wisconsin tribes in these matters. The proposed rule is one more example of that leadership.

I support passage of the proposed rule.

Sincerely,

A handwritten signature in cursive script that reads "Eugene L. White-Fish". The signature is written in black ink and is positioned above the typed name.

Hon. Eugene L. White-Fish
Chief Judge
Forest County Potawatomi Tribal Court
NAICJA President

Cc: Susan Gray (via email)