



Wisconsin Tribal Judges Association

December 7, 2007

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

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CLERK OF SUPREME COURT
OF WISCONSIN

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

Dear Clerk of Supreme Court:

I am writing on behalf of the Wisconsin Tribal Judges Association to express its support for the adoption of Rule 07-11. The Wisconsin Tribal Judges Association is comprised of tribal judges from all eleven of Wisconsin's tribal court systems.

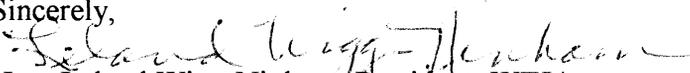
Adoption of the proposed rule will contribute to the ongoing effort of having cases heard in the most appropriate forum. This will be accomplished in two ways: 1) By giving circuit judges a needed procedural tool and 2) By further demonstrating the state and tribal courts commitment to working with each other as sovereign entities.

The proposed rule is much needed. The state member judges and those in tribal communities are aware of many instances where a case filed in state court clearly belonged in tribal court, but the state court felt current law did not permit a transfer of jurisdiction. Sometimes the case was transferred; sometimes the trial court dismissed, or sometimes the case proceeded in state court. If adopted, the proposed new rule would clarify this situation and strengthen relationships between tribal and state judiciaries.

While our respective communities are separate, tribal and state courts have a common need in providing meaningful justice for all. This need is better served when cases are heard in a forum better suited for the facts and circumstances of that particular case.

In closing, as president of the WTJA, I commend the State/Tribal Justice Forum for their commitment, dedication, and hard work in bringing this issue forward and look for its enactment and resolve in the name of equitable justice for the people which the Tribal and State Court systems serve.

Sincerely,


Hon. Leland Wigg-Ninham, President, WTJA

Cc: WTJA membership, Chief Justice Shirley S. Abrahamson