



LEECH LAKE BAND OF OJIBWE

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January 11, 2018

Clerk of the Wisconsin Supreme Court
110 East Main Street, Suite 215
P.O. Box 1688
Madison, WI 53701-1688
Sent via U.S. mail and email clerk@wicourts.gov

Re: Petition 17-09—in the matter of the petition for amendment to SCR 10.03(4)(b)(2) relating to Pro Hac Vice Applications

Dear Honorable Justices of the Wisconsin Supreme Court,

We recognize the importance of the work Wisconsin Access to Justice Commission (WATJC) is doing to serve our low-income communities in the pursuit of justice for all. We write in support of the requested rule change by Petitioner 17-09 to increase the fee admission for pro hac vice under SCR 10.03 (4)(b)2 from \$250.00 to \$300.00, and to allocate the \$50.00 increase to WATJC.

However, we also recognize the validity of the comments submitted by Menominee Tribal Attorneys Tourtillott & Zawieja. (See attached comments dated January 8, 2018). To that end, we further write to express our support and request that the rule change also include an exemption for nonresident ICWA counsel from having to pay pro hac vice fees and associate with local counsel. We note that there is already an exemption for nonresident military counsel and request that the exemption be expanded to include nonresident counsel in WICWA cases. To do otherwise would result in an undue burden on Tribes and their already limited resources. Leech Lake regularly has cases involving our members in Wisconsin. To be assessed costs and fees associated with pro hac vice rules limits Leech Lake's ability to fully participate in these ICWA cases, as the Tribe does not have these kinds of financial resources. Such limitation through the imposition of financial burdens on Tribes would defeat the spirit and the purpose of ICWA, which is to maximize tribal participation in cases involving the welfare of their member children.

We request the Court act favorably on both the petition and the requested changes as put forth by Attorneys Tourtillott and Zawieja.

Thank you for your time and consideration of this rule change. We are happy to answer any questions.

Sincerely,

Dated: January 11, 2018


Sarah Stahelin, Tribal Attorney (MN # 0316118)