



# Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

110 E. MAIN STREET, SUITE 440

MADISON, WISCONSIN 53703

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Commissioners

Telephone (608) 266-7442

November 1, 2018

**To: Interested Persons – See Attached List**

Re: Rule Petition 18-04, In the Matter of the Petition to Amend Supreme Court Rule 10.03(4), Regarding Pro Hac Vice Admission for Nonresident Counsel Appearing in Matters Involving the Indian Child Welfare Act

Greetings:

I am assisting the Wisconsin Supreme Court with its consideration of rule petition 18-04 filed July 17, 2018, by Attorneys Starlyn R. Tourtillott and Danica J. Zawieja, counsel for the Menominee Indian Tribe of Wisconsin. The petition proposes amending Supreme Court Rule (SCR) 10.03(4) to exempt nonresident counsel who appear in matters involving the Indian Child Welfare Act, 25 U.S.C. § 1911 *et seq.* (ICWA), codified in Wisconsin as the Wisconsin Indian Child Welfare Act (WICWA), from the requirements of the pro hac vice admission rule.

You have received this letter because you or your agency or organization has been identified as potentially having an interest in this matter. A copy of the petition can be found on the court's website at <https://www.wicourts.gov/scrules/pending.htm>.

At the closed rules conference on September 6, 2018, the court conducted a preliminary discussion of this matter and voted to obtain written comments and schedule a public hearing. The public hearing will be conducted on January 17, 2019. Please note, the court may take any action on a rule petition it deems appropriate, including any of the following

- (a) Adopt the rule proposed, or a modified version, without further comment.
- (b) Reject the rule proposed without further comment.
- (d) Refer the rule petition to another entity for its review and recommendation.
- (e) Request further information or analysis from the petitioner or interested persons or entities.

Any comment to the rule petition should be filed by November 29, 2018, with the Clerk of Supreme Court, Attention: Deputy Clerk-Rules, P.O. Box 1688, Madison, WI 53701-1688. If possible, email a Microsoft Word version of your response to [clerk@wicourts.gov](mailto:clerk@wicourts.gov). See comment guidelines at the court's website at <https://www.wicourts.gov/scrules/petitioncomment.htm>. The petitioners may file any response to the comments by December 13, 2018.

You might wish to consult the court's website at <https://www.wicourts.gov/scrules/supreme.htm> to follow this rule petition. Court communications on the petition and any written comments filed with the clerk's office will be posted on the website.

If you have specific questions or other comments regarding this matter, please contact me by mail at P.O. Box 1688, Madison, WI 53701-1688, by telephone at 608-261-6642, or by email at [julie.rich@wicourts.gov](mailto:julie.rich@wicourts.gov).

Very truly yours,

/s/

Julie Anne Rich  
Supreme Court Commissioner

cc: Chief Justice Patience Drake Roggensack  
Justice Shirley S. Abrahamson  
Justice Ann Walsh Bradley  
Justice Annette Kingsland Ziegler  
Justice Rebecca Grassl Bradley  
Justice Daniel Kelly  
Justice Rebecca Dallet  
Attorney Starlyn R. Tourtillott  
Attorney Danica J. Zawieja

**List of Interested Persons for Supreme Court Rules Matters**

Badger State Sheriffs Association, Attention: Executive Director  
Board of Bar Examiners  
Chief Circuit Court Judges  
Christian Gossett, Winnebago County District Attorney  
Circuit Court Judges  
Court of Appeals, Attention: Chief Staff Attorney  
Court of Appeals Judges  
Deputy Director for Court Operations, Diane M. Fremgen  
Court Operations, Kat Carpenter  
Court Operations, Peggy Hurley  
Court Operations, Ann Olson  
Dean Dietrich, Attorney  
Clerk of Supreme Court and Court of Appeals, Sheila T. Reiff  
Director of State Courts, Honorable Randy K. Koschnick  
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director  
Hamilton Consulting Group, Attention: Andrew C. Cook  
Legal Action of Wisconsin, Attention: David Pifer, Executive Director  
Legal Aid Society of Milwaukee, Attention: Mike Gonring, Executive Director  
Marquette University Law School, Attention: Joseph D. Kearney  
Office of Lawyer Regulation, Attention: Keith Sellen, Director  
Office of State Public Defender, Attention: Kelli S. Thompson  
Office of State Public Defender, Attention: Jeremy C. Perri  
Office of the Attorney General, Attention: Brad D. Schimel  
State Bar of Wisconsin, Attention: Larry Martin, Executive Director  
State Bar of Wisconsin, Attention: Lisa Roys, Public Affairs Director  
State Bar of Wisconsin, Attention: Christopher E. Rogers, President  
Steven Levine, Attorney  
University of Wisconsin Law School, Attention: Margaret Raymond  
Western District Bar Association of Wisconsin, Attention: Ann Peacock  
Wisconsin Asian Bar Association, Attention: Robin Dalton  
Wisconsin Association for Justice, Attention: Bryan Roessler, Executive Director  
Wisconsin Association of African American Lawyers, Attn: Jessica Butler  
Wisconsin Association of Criminal Defense Lawyers, Attention: Peter McKeever  
Wisconsin Association of Judicial Court Commissioners, Attention: Susan Schaubel  
Wisconsin Bankers Association, Attention: Attorney John Knight  
Wisconsin Bankers Association, Attention: Rose Oswalk Poels, CEO  
Wisconsin Clerks of Circuit Court Association, Attention: Theresa Russell  
Wisconsin Counties Association, Attention: Marcie Rainbolt  
Wisconsin Defense Counsel, Attention: Jane Svinicki, Executive Director  
Wisconsin District Attorneys Association, Attention: Greta Mattison, Executive Director  
Wisconsin Family Court Commissioners Association, Attention: David Pruhs, Exec. Secretary  
Wisconsin Hispanic Lawyers Association, Attention: Cynthia Herber  
Wisconsin Judicare, Inc., Attention: Kimberly Haas, Executive Director  
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke  
Wisconsin Judicial Council, Attention: Thomas W. Bertz  
Wisconsin Juvenile Court Clerks Association, Attention: Jody J. Bartels  
Wisconsin Municipal Judges Association, Attention: Honorable Robert Kupfer  
Wisconsin Newspaper Association, Attention: Beth Bennett, Executive Director  
Wisconsin Registers in Probate Association  
Wisconsin Sheriffs & Deputy Sheriffs Association, Attention: David Graves, Exec. Director  
Wisconsin State Attorneys Association, Attention: John Gelhard

Wisconsin Trial Judges Association, Attention: Honorable Gregory Gill, Jr.  
Wisconsin Tribal Judges Association, Attention: Honorable Eugene White-Fish, President

**Additional Interested Persons:**

Amanda L. WhiteEagle, Ho-Chunk Nation Department of Justice  
Nicole M. Homer, Ho-Chunk Nation Department of Justice  
W. Noah Lentz, Ho-Chunk Nation Department of Justice  
Sarah Stahelin, Leech Lake Band of Ojibwe  
Kathryn E. Fort, Indian Law Clinic, Michigan State University  
Angelica Ramirez, St. Croix Chippewa Indians of Wisconsin  
Shannon Holsey, Tribal President, Stockbridge-Munsee Community  
Georgette Hogan Boggio, Ft. Peck Tribes  
Brandelle Whitworth, Shoshone-Bannock Tribes