NOTICE OF

PUBLIC MEETING

TO BE HELD

July 23, 2019 at 9:00 a.m.

IN

Courtroom B of the Oneida Judiciary

LOCATED AT

2630 W. Mason Street, Green Bay, WI 54303

In accordance with the Judiciary Law and Administrative Rulemaking law, the Trial Court is hosting this Public Meeting to gather feedback from the community regarding the following rule:

TOPIC: Trial Court Rules

This is a proposal to adopt rules that supplement the Oneida Judiciary Rules of Civil Procedure and other laws governing the Trial Court.

To obtain copies of the Public Meeting documents for this proposal, please visit **https://oneida-nsn.gov/government/register/public-meetings/**.

PUBLIC COMMENT PERIOD OPEN UNTIL July 30, 2019.

During the Public Comment Period, all interested persons may submit written comments. These may be submitted to the Trial Court by U.S. mail, interoffice mail, e-mail or fax.

Oneida Judiciary - Trial Court
PO Box 19
Oneida, WI 54155
Email: kdanfor3@oneidanation.org
Telephone: (920) 496-7200
Fax: (920) 496-7229

Title 8. Judicial System – Chapter 801
Judiciary
Rule #1 – ONEIDA TRIAL COURT RULES

1.1 Purpose
1.2 Adoption, Amendment Repeal
1.3 Appearances
1.4 Rules of Decorum
1.5 Default Judgment
1.6 Continuance
1.7 Participation Accommodations
1.8 Scheduling a Hearing
1.9 Ex Parte Communication
1.10 Peacemaking and Mediation
1.11 Contempt
1.12 Cases with no action for 60 days
1.13 Witnesses
1.14 Garnishments
1.15 Closed Hearings/Records
1.16 Temporary Restraining Order
1.17 Citation Hearings
1.18 Probate Hearings
1.19 Judge's Signature Defined
1.20 Notice of Appearance

1.1 Purpose
1.1-1. *Purpose.* The purpose of these rules is to supplement the Oneida Judiciary Rules of Civil Procedure and other laws governing the Trial Court.

1.2 Adoption, Amendment Repeal
1.2-1. These rules were created by the Trial Court and approved by the Oneida Business Committee in accordance with 8 O.C. 801.10-1 and 1 O.C. Chapter 106.
1.2-2. These rules may be amended or repealed pursuant to the procedures set out in the Judiciary and Administrative Rulemaking laws.
1.2-3. Should a provision of these rules or the application thereof to any person or circumstance be held as invalid, such invalidity shall not affect other provisions of these rules which are considered to have legal force without the invalid portions.
1.2-4. In the event of a conflict between a provision of these rules and a provision of another rule, the provisions of these rules shall control.

1.3 Appearances
1.3-1. When at all possible, the parties should appear in person.
1.3-2. In circumstances where it is difficult or impossible for a party to appear in person, the party may contact the Court Clerk to request an appearance by telephone or videoconference.
(a) It is the responsibility of the party to provide the Trial Court with a contact number where the party may be reached for the telephone or videoconference appearance.
(b) It is the responsibility of the party appearing by telephone or videoconference to be available at the scheduled time of the hearing.

1.4 Rules of Decorum

1.4-1. This section shall apply to all persons entering the courtroom.

(a) All electronic devices shall be turned off or silenced as to not disrupt court proceedings.
    (1) If any electronic devices are heard or seen, that person will be identified and may be removed from the courtroom by the Security Officer or Oneida Police Officer.
    (2) Removal may be for the remainder of the hearing.

(b) All persons are prohibited from using an electronic device to take pictures, take videos, text, or make sound recordings without permission from the Judge.

(c) Unless otherwise approved by the Judge, all persons shall remove their sunglasses, hats or headwear, except those worn for religious or medical purposes.

(d) No food or drink shall be permitted in the courtroom without permission from the Judge.

(e) All persons shall identify themselves when asked by court security officers, law enforcement officers, and Oneida Judiciary staff.

(f) Except for on-duty law enforcement officers and court security officers, no weapon of any type shall be taken, carried, or introduced into the Judiciary. All persons entering the Judiciary may be searched and examined by electronic detection equipment.

(g) Court security officers, law enforcement officers, and Oneida Judiciary staff are authorized to open and inspect any item carried into the Judiciary.

(h) Courtroom Capacity is limited to seating availability; standing during hearings is not allowed.

(i) Disruptive children shall remain in the lobby and shall be accompanied by an adult.
    (1) Court staff, including security, will not provide care for children during court proceedings.

(j) No contact or communication is allowed between those in the gallery and the parties.

(k) Those in the gallery shall not talk or whisper while court is in session. Absolute silence is required; any noise violation will result in removal from the courtroom.

(l) Case related photos or expressions on clothing or any other items the Trial Court deems as a distraction to court proceedings will not be allowed.

(m) No signs or banners are allowed in the courtroom. There shall be no demonstrations of any kind in the courtroom while court is in session.

(n) Any other distracting or disorderly conduct not specifically addressed herein, may result in removal from the courtroom by security officers or law enforcement officers.
    (1) Individuals may also be removed from the courthouse for attempting to listen in or eavesdrop on a closed Court proceeding.

(o) All persons shall rise when the judge enters and leaves the courtroom.

1.4-2. This section shall apply to all parties, counsel and witnesses.

(a) Parties, counsel and witnesses shall refer to the judge as “Your Honor.”

(b) All parties, counsel, and witnesses shall refrain from interrupting or talking over one another.

(c) Parties and/or counsel shall direct all concerns and remarks to the Court, not to the opposing party.

1.5 Default Judgment
1.5-1. If a party fails to appear at any Trial Court matter, the Court shall confirm and be satisfied that proper notice was provided.
1.5-2. If the Trial Court finds that proper notice was not provided, the matter shall be rescheduled. The Trial Court may make orders or give instructions on further service or notice efforts to occur before the rescheduled hearing.
1.5-3. If the Trial Court finds that proper notice was provided, the Trial Court may enter judgment against the party that failed to appear. The Trial Court, in its discretion, may require a party to produce sufficient evidence to support a judgment against the other party.

1.6 Continuance
1.6-1. A continuance means a hearing or other scheduled event is postponed to a later date.
1.6-2. Continuances shall only be granted by the Trial Court based on a written request of a party, a stipulation of the parties, or on the Trial Court's own motion.
1.6-3. A request for a continuance shall be decided on a case-by-case basis considering the circumstances present at the time of the request. Examples of acceptable reasons for a continuance may include, but are not limited to, the following:

(a) Failure of a party to receive proper or sufficient notice;
(b) Emergency involving the Judge, Court staff, and/or parties;
(c) Unavailability of the courtroom;
(d) A one-time request to obtain counsel;
(e) To allow more time for settlement negotiations or peacemaking; and
(f) Absence or unavailability of a material witness.

1.6-4. The Trial Court may impose conditions upon the granting of a continuance, such as requiring a party to provide documentation regarding an illness.

1.7 Participation Accommodations
1.7-1. In circumstances where a party would be restricted from participating in the court procedures, the person may request reasonable accommodations.

(a) Requests for equipment shall be submitted at least two (2) weeks before a hearing.
(b) All other reasonable accommodation requests shall be submitted at least one week before a hearing.

1.8 Scheduling a Hearing
1.8-1. The Court Clerk may contact the parties by any of the following communication methods:

(a) Phone
(b) Electronic mail
    (1) If one party does not have a valid email address, the Court Clerk will look to other communication options.

1.8-2. The hearing may be done telephonically with the parties.

1.9 Ex Parte Communication
1.9-1. Ex parte communication is communication, either verbally or in writing, between a judge and a party about a pending case, without the other party present. Communication includes, but

is not limited to, the following: pleadings, letters, email, phone calls, or in-person conversations whether in or out of court.

1.9-2. Ex parte communication is forbidden, subject to the following exceptions:

(a) When a party fails to appear at a court hearing where both parties have been properly noticed, the Trial Court may speak on the record with the party who appears.

(b) When a party believes that sharing the communication with the other party would place the party or children in danger of physical harm.

1.10 Peacemaking and Mediation

1.10-1. This section governs the application process for prospective peacemakers/mediators from outside of the Oneida Judiciary.

(a) Applicants shall submit a completed application to serve as Peacemaker/Mediator to the Court Administrator.

(b) A background check will be initiated through the Backgrounds Department at the Oneida Human Resources Department.

(1) Applicants that pass the background check may be scheduled an interview.

(2) Should a completed background check for an applicant fail to meet the minimum qualifications, a notice of denial of application is sent certified mail to the applicant.

(c) The Judges involved with the interview will confer to discuss whether the applicant will be approved.

(1) If approved, the Court Administrator will process the applicant in the Purchasing Management system as an active vendor.

(2) If not approved, then Chief Trial Judge will send a letter stating the reasons for the denial.

(d) Records.

(1) A complete record of all applications will be maintained by the Court Administrator.

1.10-2. This section governs the appointment of peacemakers/mediators.

(a) Before being utilized by the Trial Court, a peacemaker/mediator must demonstrate an understanding of the role of the peacemaker/mediator.

(1) Such understanding may be demonstrated by completing peacemaking/mediation training, performing prior peacemaking/mediation work for the Trial Court, being recognized as a certified peacemaker/mediator by the Cultural Heritage Department and/or another jurisdiction, or such other means determined to be appropriate by the Trial Court.

(b) The Trial Court may refer the parties to peacemaking or mediation in accordance with 8 O.C. chapter 801.6-2.

(c) No person who is an interested party in a proceeding, appears as counsel in a proceeding on behalf of any party, or is an immediate relative or representative of an interested party may be appointed peacemaker/mediator in that proceeding without the consent of the parties.

(d) The Trial Court shall have the duty of administering the peacemaker/mediator list for Trial Court cases. The Trial Court shall select a peacemaker/mediator from the list.

1.10-3. This section governs the conduct and duties of peacemakers/mediators.

(a) A peacemaker/mediator shall maintain independence, objectivity, and the appearance of fairness in dealings with parties.
(b) A peacemaker/mediator shall avoid any actual or apparent conflict of interest or impropriety in the performance of peacemaking/mediating responsibilities.
(c) A peacemaker/mediator shall avoid self-dealing or association from which a peacemaker/mediator might directly or indirectly benefit in cases they are appointed, other than for compensation as peacemaker/mediator.
(d) A peacemaker/mediator shall act immediately to resolve any potential conflict or impropriety. A peacemaker/mediator shall advise the Trial Court and the parties of the action taken, resign from the case, or seek Trial Court direction as may be necessary to resolve the conflict or impropriety.
(e) A peacemaker/mediator shall not accept or maintain appointment if the performance of the duties of peacemaker/mediator may be materially limited by the peacemaker's/mediator's responsibilities to another client or a third person, or by the peacemaker's/mediator's own interests.
(f) A peacemaker/mediator shall make no disclosures about the case except in documents to the Trial Court or as necessary to perform the duties of a peacemaker/mediator. A peacemaker/mediator shall keep confidential the contact information of the parties where there are allegations of domestic violence or a safety risk to a party or child.
(g) A peacemaker/mediator may be provided copies of relevant pleadings, documents, and reports from the Trial Court file.
(h) Unless otherwise approved by the Trial Court, a peacemaker/mediator shall provide the Trial Court with a written update within three (3) business days of the peacemaking session.

1.10-4. A peacemaker/mediator shall maintain the ethical principles of the rules of conduct set forth in these rules and is subject to discipline by the Trial Court.

(a) If the Trial Court receives a complaint regarding the conduct of a peacemaker/mediator, the Trial Court shall do one of the following:
    (1) The Trial Court may hold a hearing and issue a decision regarding the complaint against the peacemaker/mediator after all parties have been given an opportunity to be heard; or
    (2) The Trial Court may, in its discretion or at the request of the parties, resolve the complaint against the peacemaker/mediator through receipt of briefs and issuance of a written decision rather than holding a hearing; or
    (3) The Trial Court may screen out and take no action on complaints that are frivolous or repetitive. The Trial Court shall communicate in writing any such decision with the parties.
    (4) Any other action that the Trial Court deems appropriate.
    (5) The Trial Court may issue an order for discipline which may include, but is not limited to: additional training requirements, removal from a case, or removal from the peacemaker/mediator list.

1.10-5. A peacemaker/mediator shall be compensated at a rate that the Trial Court determines is reasonable.

(a) A peacemaker/mediator shall keep accurate records of the time spent (to the tenth of an hour) and file an itemized statement and accounting with the Court Administrator.

(b) There shall be no compensation paid for peacemaking/mediation done by a full-time Judge.
(c) Private mediators may be used in accordance with 8 O.C. chapter 801.6-4(a).

1.11 Contempt

1.11-1. Procedure for direct contempt:

(a) Depending on the severity of the contemptuous action or behavior, a warning of contempt which may include a fine up to $1,000 for each individual act, may be given to a person before a finding of contempt.
(b) Unless a warning is given, immediately after a contemptuous action or behavior, the Trial Court shall find such person in contempt and state the amount of the fine.
    (1) Upon a finding of contempt, the Trial Court shall include the fine amount, up to $1,000.00 per act of contempt, in accordance with Oneida Judiciary Rules of Civil Procedure section 803.26-2.
(c) A recess may be taken after the finding of contempt.
(d) A written order for direct contempt shall be written in accordance with 803.31-1 (f).

1.11-2. Procedure for indirect contempt:

(a) The Trial Court may, in its discretion or on motion by a party, resolve issues of indirect contempt through receipt and deliberation of briefs rather than a hearing.
(b) The Trial Court may schedule a hearing within thirty (30) days of an alleged contemptuous action or behavior.
    (1) The hearing shall be called to order in accordance with 803.38-1(a)
    (2) The party alleging contempt has occurred will present its argument for contempt.
    (3) The party who allegedly committed contempt will present its argument against contempt or may admit to contempt.
    (4) Both parties shall have the opportunity for a rebuttal.
    (5) In the event the Trial Court is alleging indirect contempt against a party, the Trial Court shall schedule a hearing within thirty (30) days of the alleged contemptuous action or behavior.
        (A) The hearing shall be called to order in accordance with 803.38-1(a).
        (B) The Trial Court shall describe the alleged contemptuous action or behavior.
        (C) The party who allegedly committed the contempt will present its argument against contempt or may admit to contempt.
            i. The party may purge a contempt charge by complying with the Trial Court order in accordance with 803.26-2.
        (D) The non-contemptuous party may present its argument, if any, for or against contempt.
        (E) The party who allegedly committed the contempt may offer a rebuttal.
        (F) After the parties have been heard, the Trial Court may allow a person to comply with the Trial Court order in accordance with 803.26-3(b)(1).

1.12 Cases with no action for 60 days
1.12-1. Cases with no action for 60 days shall be scheduled for a status hearing.

1.13 Witnesses
1.13-1. Witnesses shall be examined from the counsel table. Persons examining witnesses may either stand or remain seated while examining a witness from counsel table. In no case shall a witness be crowded during examination.
1.13-2. Witnesses shall be examined with courtesy and respect, and their good faith presumed until the contrary appears.
1.13-3. Witnesses shall refrain from interrupting or talking over others.
1.13-4. Subject to the exceptions listed below, children shall not be present in the courtroom during court proceedings or participate in proceedings as a witness.
1.13-5. A child may participate in a proceeding upon a finding by the Trial Court that it will not be harmful to the child or disruptive to the Trial Court for the child to participate.
1.13-6. The Judge shall retain the discretion on determining whether testifying is in the best interest of a child. In the Rules of Evidence 804.9 states that every person is competent to be a witness. However, the following guidelines are established for child witnesses, so long as participation is in the child's best interest:

(a) Eight (8) years of age or younger = strongly discouraged.
(b) Nine (9) to twelve (12) years of age = possible but only when all other methods of obtaining evidence have failed.
(c) Thirteen (13) years of age or older = permitted but with caution after consultation with the guardian ad litem, if any.

1.14 Garnishments
1.14-1. The Trial Court shall conduct the proceeding on the record informally, allowing each party time to address the Court.
1.14-2. Garnishment hearings will be held the second and fourth Wednesday of each month at the Oneida Judiciary.
1.14-3. The procedure for the garnishment hearing shall be as follows:

(a) The Court Clerk will call the hearing to Order stating:
    (1) The full name of the Court
    (2) The name of the presiding Judge
    (3) Case number
    (4) A statement of authority and jurisdiction
    (5) Creditor and Debtor state full name/ Debtor state current address
(b) The Trial Court checks for proper notice
(c) The Trial Court reads the purpose of the hearing
(d) The Trial Court will read the following: judgment, amount, where the judgment was ordered, and case number.
(e) The Trial Court will summarize the total judgment amount, consisting of judgment, post judgment interest, and filing fee.
(f) The Trial Court will explain the garnishment rule; i.e. determination of maximum amount eligible to be garnished each week.

(1) Debtor's gross income divided by 52 weeks = Gross weekly income (GWI).
(2) Subtract 30% from GWI, taking into consideration of taxes & other mandated deductions = Disposable Wage.
(3) The maximum amount subject to garnishment is twenty percent (20%) of debtor's disposable wage per pay period.

(g) The Trial Court will hear how the creditor would like to proceed.
(h) The Trial Court will hear how the debtor would like to proceed.
(i) If the parties are unable to reach an agreed amount, the Judge will determine an amount, not exceeding the maximum amount identified by law.
(j) The Judge will summarize the order for garnishment, default judgment or dismissal.
(k) The Judiciary shall provide the Accounting Department with a copy of the garnishment order after the time frame for appeals have been exhausted.
(l) A copy of the order will be mailed to all parties.

1.15 Closed Hearings/Records

1.15-1. All hearings involving a juvenile shall be closed and the Records sealed.
1.15-2. At the request of any party or on its own motion, the Trial Court may close a hearing where the safety of a party, witness or other individual may be in jeopardy or for good cause in compelling circumstances. All Records from a closed hearing shall remain sealed.

1.16 Temporary Restraining Order

1.16-1. When a Temporary Restraining Order (TRO) is issued without notice, a hearing shall be held within three (3) business days of such issuance.

(a) The hearing shall be called to order in accordance with 803.38-1(a)
(b) The Petitioner's case presentation
(c) The Respondent's case presentation
(d) Petitioner's rebuttal
(e) Respondent's rebuttal

1.16-2. If a party has violated a TRO, the non-violating party may file a request with the Trial Court to find the other party in contempt.

1.17 Citation Hearings

1.17-1. This section shall govern the procedures for citation hearings.

(a) Citation pre-hearings will be held the third Thursday of each month at the Oneida Judiciary. The citation will include the scheduled pre-hearing date at least 30 days after the citation is issued.
(b) If a Defendant does not contest the violation and appearance is not mandatory, the Defendant may pay the fine in full before the pre-hearing day and the Court cost/fees will be waived.
(c) The procedure for the pre-hearing shall be as follows:
    (1) Security or Court staff will give a copy of the Rights to the Defendant
    (2) The Court Clerk will call the hearing to Order stating:
        (A) The full name of the Court.
        (B) The name of the presiding Judge.
        (C) The Case number.

(D) A statement of authority and jurisdiction.
(E) Plaintiff and Defendant state full name/ Defendant state current address.

(3) The Trial Court checks for proper notice.
(4) The Trial Court reads the purpose of the hearing.
(5) The Trial Court asks if Defendant understands the rights and if there are questions.
(6) The Trial Court will read the relevant violation and possible fines and/or penalties to the Defendant.
(7) The Trial Court explains the plea options: admit or contest
(8) The Defendant will enter a plea of admit or contest to the violation unless the Defendant requests time to hire an attorney/advocate. The Defendant will be given a reasonable amount of time, not to exceed 14 calendar days, to hire an attorney/advocate. The attorney/advocate must be admitted to practice before the Oneida Judiciary.
(9) If a contested plea is entered the Trial Court will schedule a trial 45 days out. A shorter time may be scheduled for the trial at the judge's discretion. A settlement conference may be scheduled with the Plaintiff's attorney any time before the contested hearing.
(10) If an admission is entered, the Defendant may pay the fine or meet with the Plaintiff's attorney to stipulate to a payment agreement.
(11) Citations issued to minor Defendants will be heard last. All hearings with minor Defendants shall be closed hearings.

1.18 Probate Hearings

1.18-1. If the Trial Court Rules or other Laws of the Oneida Nation regarding probate lack definition, procedure, or legal precedent in a probate matter, the Trial Court shall use Wisconsin's Probate Code and its related chapters for guidance in accordance with 8 O.C. chapter 801.2-6.

(a) This section, 1.18, will not take effect until probate administration rules are promulgated by Land Management and the Oneida Land Commission and adopted by the Oneida Business Committee in accordance with Resolution BC-05-09-18-A.

1.18-2. The Judiciary shall hear and administer disputed probate estates, probate estates requiring appointment of a guardian ad litem and probate estates in which Land Management seeks appointment as a personal representative.

1.18-3. The Trial Court shall conduct the proceeding on the record informally, allowing each person to present arguments and proofs and to examine witnesses to the extent reasonably required for full and true disclosure of the facts.

(a) The Trial Court may admit any written, oral, documentary, or demonstrative evidence that is:
    (1) Relevant, reliable, and probative;
    (2) Not privileged under the Oneida Nation's Laws; and
    (3) Not unduly repetitious or cumulative.
(b) The Trial Court may exclude evidence if it overly confuses the issues or causes burdensome delay.

(c) The Trial Court may consider the fact that evidence is hearsay when determining its probative value.
(d) The Trial Court will determine the weight given to any evidence admitted.
(e) Any party objecting to the admission or exclusion of evidence must concisely state the grounds. A ruling on every objection must appear in the record.

1.18-4. The procedure for the probate hearing shall be as follows:

(a) All persons present for the hearing shall sign in on the sheet provided inside the courtroom. All persons signed in shall have an opportunity to address the Trial Court, as described below, in the order in which they signed in.
(b) The Court Clerk will call the hearing to Order stating:
    (1) The full name of the Court
    (2) The name of the presiding Judge
    (3) The case number
    (4) A statement of authority and jurisdiction
(c) The Trial Court reads the purpose of the hearing.
(d) If a personal representative has not been appointed, the Trial Court shall appoint a personal representative.
    (1) If a personal representative has been appointed, the Trial Court shall hear objections to the appointment, if any, from any party who has an interest in the estate.
    (2) The Trial Court shall either affirm the appointment or appoint another person.
    (3) The Trial Court may require the personal representative to post a bond—a kind of insurance policy that protects the estate from losses the personal representative may cause it, up to a certain dollar amount depending on the size of the estate.
    (4) The personal representative shall identify all the assets of the person who died, manage those assets throughout the probate process, pay any outstanding debts, taxes or estate expenses, make any distributions that are required by Tribal or state law, and distribute any remaining assets to the decedent's heirs or designees.
        A. The personal representative shall provide all the above information to the Trial Court.
    (5) Funeral costs have priority in settling a probate case. Then come taxing authorities, secured creditors and unsecured creditors who have made a claim. Finally, any remaining assets are distributed to the beneficiaries.
(e) Legal Notices:
    (1) The Trial Court shall ensure that a formal legal notice was sent to beneficiaries named in the will, if any, and to heirs under state law (the people who inherit if there is no valid will).
    (2) The Trial Court shall ensure that notices were sent to known creditors, and a published legal notice in the Newspaper of the Oneida Nation as well as any other local newspaper in the area where the decedent resided or last known address or where the property is located to alert other creditors.
        A. The first publication must be published within fifteen (15) days of filing with the Trial Court. This notice shall be published at least two

(2) times within a thirty (30) day period. The notice shall include the deadline for creditors to file a claim. The deadline shall be three (3) calendar months from the date of the first publication.

B. Creditors must file any claims against the estate within three (3) months of notification. Once the three (3) month period has passed, creditors are prohibited from making claims against the estate.

(f) If there is a will, it must be proven valid. A will may be proven valid by the statement from one or more of the witnesses, in one of these forms:
  (1) a notarized statement, which witnesses signed when they witnessed the will,
  (2) a sworn statement signed by a witness now,
  (3) court testimony from a witness, or
  (4) any other method the Trial Court deems valid.

(g) The persons signed in may address the Trial Court.

(h) A copy of the order will be mailed to all parties and those with an interest in the estate.

1.19 Judge's Signature Defined

1.19-1. A Trial Court Judge's signature shall mean:

(a) The judge's name hand written by that judge,

(b) The judge's name signed by electronic means, or

(c) The judge's signature stamp if the following conditions are met:
  (1) An emergency exists, or the Trial Court Judge is unavailable to personally sign his or her name.
  (2) The use of the signature stamp has been pre-approved and authorized by the Trial Court Judge.
  (3) Authorization date and time is noted below the signature line.

1.20 Notice of Appearance

1.20-1. The attorney or advocate whose name, address, and telephone number appear on a document presented for filing is considered counsel of record, and a separate notice of appearance need not be filed.

(a) If the name of more than one attorney or advocate is shown on the cover of the document, the attorney who is counsel of record shall be clearly identified.

1.20-2. An attorney or advocate representing a party who will not be filing a document shall enter a separate notice of appearance as counsel of record indicating the name of the party represented and the case number, if known.

1.20-3. A separate notice of appearance shall also be entered whenever an attorney or advocate is substituted as counsel of record in a case.

1.20-4. An attorney or advocate may not withdraw from a case where a motion is pending, or a hearing has been scheduled except upon a motion and order of the Trial Court.

Summary Report for Trial Court Rules
2019

Original effective date: N/A

Amendment effective date: N/A

Name of Rule: Trial Court Rules

Name of law being interpreted: Oneida Judiciary Rules of Civil Procedure

Rule Number: 1

Other Laws or Rules that may be affected: N/A

Summary of the proposed rule: The purpose of these rules is to supplement the Oneida Judiciary Rules of Civil Procedure and other laws governing the Trial Court.

Statement of Effect: Obtained after requesting from the Legislative Reference Office.

Financial Analysis: See Attached.

Note: *In addition- the agency must send a written request to each entity which may be affected by the rule- asking that they provide information about how the rule would financially affect them.*
The agency must include each entity's response in the financial analysis. If the agency does not receive a response within 10 business days after the request is made, the financial analysis can note which entities did not provide a response.

Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54155-0365
Oneida-nsn.gov

Statement of Effect
Judiciary Law Rule No. 1 – Oneida Trial Court Rules

Summary

The Judiciary law Rule No. 1 – Oneida Trial Court Rules supplements the Oneida Judiciary Rules of Civil Procedure and other laws governing the Trial Court.

Submitted by: Clorissa N. Santiago, Staff Attorney, Legislative Reference Office
Date: June 11, 2019

Analysis by the Legislative Reference Office

The Judiciary law delegates authority to the Judiciary to create rules of pleading, practice, and procedure to regulate all hearings conducted before it. *[8 O.C. 801.10-1].*

Judiciary law Rule No. 1 – Trial Court Rules ("the Rule") supplements the Oneida Judiciary Rules of Civil Procedure and other laws governing the Trial Court. The Rule provides provisions regarding the following:

- Appearances *[see Rule 1.3]*;
- Rules of Decorum *[see Rule 1.4]*;
- Default judgment *[see Rule 1.5]*;
- Continuances *[see Rule 1.6]*;
- Participation accommodations *[see Rule 1.7]*;
- Scheduling a hearing *[see Rule 1.8]*;
- Ex-parte communication *[see Rule 1.9]*;
- Peacemaking and mediation *[see Rule 1.10]*;
- Contempt *[see Rule 1.11]*;
- Cases with no action for sixty (60) days *[see Rule 1.12]*;
- Witnesses *[see Rule 1.13]*;
- Garnishments *[see Rule 1.14]*;
- Closed hearings/records *[see Rule 1.15]*;
- Temporary restraining orders *[see Rule 1.16]*;
- Citation hearings *[see Rule 1.17]*;
- Probate hearings *[see Rule 1.18]*;
- Judge's signature defined *[see Rule 1.19]*; and
- Notice of appearance *[see Rule 1.20]*.

Section 1.3 of the Rule provides for the appearances of parties at hearings. The Rule requires that all parties appear in person for all hearings, except in circumstances where it is difficult or impossible for a party to appear in person and the party contacts the Court Clerk to request an appearance by telephone or videoconference. *[see Rule 1.3-1, 1.3-2]*. The requirement for a party to appear before the Court at any scheduled hearing or proceeding is already provided for in the Oneida Judiciary Rules of Civil Procedure. *[8 O.C. 803.29-1]*. Additionally, the Oneida Judiciary

A good mind. A good heart. A strong fire.

Rules of Civil Procedure provides that the Court may allow a party to appear by telephone if requested in writing and submitted at least seven (7) days before a hearing or proceeding. *[8 O.C. 803.29-1(c)]*. Although the Rule does not specifically require the request to appear by telephone to be submitted in writing at least seven (7) days before a hearing, these provisions are still required by the Oneida Judiciary Rules of Civil Procedure.

Section 1.4-1(f) of the Rule provides that no person, except for on-duty law enforcement officers and court security officers, shall take, carry, or introduce into the Judiciary a weapon of any type. This provision of the Rule is consistent with Oneida Business Committee resolution BC-10-26-11-C which prohibits a person from carrying a weapon, whether in the open or concealed, on Tribal public property, including in any Tribal building, gaming or retail business, facility, construction site, vehicle or at any Tribally sponsored event, except for individuals who are actually engaged in the performance of the duties of their employment requiring them to carry a weapon, including sworn law enforcement officers or vendors who transport and/or distribute cash.

Section 1.5 of the Rule discusses default judgments. Default judgments have been addressed by the Oneida Judiciary Rules of Civil Procedure. The Oneida Judiciary Rules of Civil Procedure provides that if a party against whom a judgment for relief is sought has failed to appear, plead or otherwise defend as required in this Law or elsewhere, a default judgment may be granted by the Court upon the receipt of whatever evidence is deemed necessary to establish the claim. *[8 O.C. 803.29-2]*. Additionally, the Oneida Judiciary Rules of Civil Procedure provides that when a party who has filed a claim fails to appear, plead, or prosecute said claim as provided in this Law or elsewhere, a dismissal, which is treated as a default, may be granted by the Court, on its own or on a party's motion, dismissing the claim. *[8 O.C. 803.29-3]*. The Rule provides additional requirements for a default judgment by requiring that the Court verify that proper notice was provided prior to finding the party in default. *[see Rule 1.5-1]*. The Rule provides that if proper notice was not provided, the matter may be dismissed or rescheduled, and if the matter is rescheduled, the Court may make orders or give instructions regarding notice that shall occur prior to the rescheduled hearing. *[see Rule 1.5-2]*. The Rule also provides that if proper notice was provided, the Trial Court may enter judgment against the party that failed to appear, but may also require a party to produce sufficient evidence to support a judgment against the other party. *[see Rule 1.5-3]*.

Section 1.6 of the Rule provides information on continuances. The Oneida Judiciary Rules of Civil Procedure only discusses continuances in regard to amending pleadings based on an objection at trial and provides that the Court may grant a continuance to enable the objecting party to provide evidence to satisfy the Court that the evidence would prejudice their action or defense on the merits. *[8 O.C. 803.11-2(a)]*. Section 1.6 of the Rule provides when the Court can grant a continuance, acceptable reasons for a continuance, and enables the Court to impose conditions upon the granting of a continuance.

Section 1.8 of the Rule provides information on scheduling a hearing. Section 1.8-1 of the Rule provides how the Court Clerk may contact the parties to schedule a hearing. Section 1.8-2 of the Rule then provides that the hearing can then be done telephonically with the parties. The Oneida Judiciary Rules of Civil Procedure provides that the Court may allow a party to appear by telephone if requested in writing and submitted at least seven (7) days before a hearing or

proceeding. *[8 O.C. 803.29-1(c)]*. Although this portion of the Rule does not specifically require the request to appear by telephone to be submitted in writing at least seven (7) days before a hearing, these provisions are still required by the Oneida Judiciary Rules of Civil Procedure.

Section 1.9 of the Rule addresses ex-parte communication. The Oneida Tribal Judiciary Canons of Judicial Conduct provide requirements for judges to follow in regard to ex-parte communication. *[8 O.C. 802 1.12.2]*. A judge is not allowed to initiate, permit, condone, or consider ex-parte communications with parties, counsel or interested persons, or other communications made to the Judge outside the presence of the parties and their lawyers, concerning a pending or impending matter, except that the following types of ex-parte communications may be allowed, if in accordance with adopted Judiciary regulations:

- Deliberations with other Judges seated on the same panel of Judges, if applicable.
- Communication for non-substantive matters such as for scheduling, administrative, or emergency purposes.
- Consultation with court staff and court officials whose functions are to aid the Judge in carrying out the Judge's adjudicative responsibilities.
- Consultation with other Judges on pending matters, but not with any Judge that has been disqualified from hearing the matter, or that would have appellate jurisdiction over the matter.
- Communications with a party or attorney where the matter does not and would not involve adversarial proceedings (e.g. name changes).
- Written advice from a disinterested expert on law or tribal custom or tradition, or on other sources of applicable law; where the parties are given written notice and afforded a reasonable opportunity to object and/or respond to such information.
- A Judge may consult ethics advisory committees, outside counsel, or legal experts concerning compliance with these Canons, or regarding the compliance of any lawyer or advocate with applicable Rules of Conduct or Ethics.
- Other communications as allowed by specialized local rules; for example, in Peacemaking, where the Peacemaker has a more involved role. *[8 O.C. 802 1.12.2]*.

Section 1.9 of the Rule provides specialized local rules as referenced in the Oneida Tribal Judiciary Canons of Judicial Conduct. The Rule confirms that ex-parte communication, unless otherwise permitted by law, is forbidden, but then provides exceptions to the prohibition of ex-parte communication. *[see Rule 1.9-2]*. Section 1.9-2(a) of the Rule provides an exception to the prohibition of ex-parte communication when a party fails to appear at a court hearing where the parties have been properly noticed, and then allows the Court to speak on the record with the party or parties who appear. Additionally, Section 1.9-2(b) of the Rule provides an exception for when a party believes that sharing the communication with the other party or parties would place a party or a child in danger of physical harm. The Oneida Tribal Judiciary Canons of Judicial Conduct further state that a judge may disclose information where disclosure is necessary to protect the health or safety of the Judge or another person. *[8 O.C. 802 1.9.2]*.

Section 1.10 of the Rule provides for peacemaking and mediation. The Judiciary law creates a Peacemaking and Mediation Division under the jurisdiction of the Trial Court in an effort to provide a forum for the use of peacemaking and mediation to resolve disputes in a fair manner. *[8 O.C. 801.6-1]*. The Judiciary law also provides that the Trial Court shall ensure that, where

necessary, procedural rules governing the operation of peacekeeping and mediation are promulgated in accordance with laws of the Nation. *[8 O.C. 801.6-1(a)]*. Section 1.10 of the Rule provides such procedural rules governing the operation of peacekeeping and mediation by providing the following:

- The application process for prospective peacemakers and/or mediators from outside of the Oneida Nation Judiciary *[see Rule 1.10-1];*
- The process for the appointment of peacemakers and/or mediators *[see Rule 1.10-2];*
- Provisions governing the conduct and duties of peacemakers and/or mediators *[see Rule 1.10-3];*
- Requirement that a peacemaker and/or mediator maintain the ethical principles of the rules of conduct set forth in the Rule or else be subject to discipline by the Trial Court, as well as the Trial Court's process for handling complaints against a peacemaker and/or mediator *[see Rule 1.10-4];* and
- Details regarding the compensation of peacemakers and/or mediators *[see Rule 1.10-5]*.

Section 1.11 of the Rule provides for contempt. The Oneida Judiciary Rules of Civil Procedure states that direct contempt is contempt committed in the presence of the Court or so near in presence as to be disruptive of the judicial proceedings, and such may be adjudged and punished summarily. *[8 O.C. 803.26-3(a)]*. Section 1.11-1 of the Rule provides a procedure for addressing direct contempt which includes provisions on a warning given after a contemptuous action depending on the severity of the action, the ability to fine the individual for contempt in accordance with section 803.26-2 of the Oneida Judiciary Rules of Civil Procedure, the ability to take a recess after a finding of contempt, and the requirement that written orders of contempt be in accordance with section 803.31-1(f) of the Oneida Judiciary Rules of Civil Procedure.

Section 1.11-2 of the Rule provides a procedure for indirect contempt. The Oneida Judiciary Rules of Civil Procedure provide that indirect contempt may be determined after a hearing in which the person accused of contempt is given notice and an opportunity to be heard. *[8 O.C. 803.26-3(b)]*. Section 1-11-2 of the Rule provides the procedure for holding a hearing to resolve an issue of indirect contempt. Section 1.11-2(b)(5)(f) of the Rule provides that after the parties have been heard, the Trial Court may allow the person the opportunity to comply with the Trial Court order which is consistent with the provisions of section 803.26-3(b)(1) of the Oneida Judiciary Rules of Civil Procedure. Additionally, both section 803.26-3(c) of the Oneida Judiciary Rules of Civil Procedure and section 1.11-2(a) of the Rule allow the Court, in its discretion or on motion by a party, to resolve issues of indirect contempt through receipt and deliberation of briefs rather than a hearing.

Section 1.13 of the Rule provides details regarding witnesses. Testimony by witnesses is briefly discussed in the Oneida Judiciary Rules of Civil Procedure which provides requirements that witness testimony be taken in open Court unless a law or rule adopted by the Nation provides otherwise*[8 O.C. 803.23-1]*, that a solemn affirmation suffices for an oath *[8 O.C. 803.23-2]*, and that the Court may appoint an interpreter *[8 O.C. 803.23-4]*. The Oneida Judiciary Rules of Evidence goes into greater detail regarding witnesses. *[8 O.C. 804.9]*. The Oneida Judiciary Rules of Evidence contains provisions regarding:

- The competency of a witness to testify in general *[8 O.C. 804.9-1]*;
- The need for personal knowledge *[8 O.C. 804.9-2]*;

- The requirement of an oath or affirmation to testify truthfully *[8 O.C. 804.9-3]*;
- The use of an interpreter *[8 O.C. 804.9-4]*;
- A judge's competency as a witness *[8 O.C. 804.9-5]*;
- The impeachment of a witness *[8 O.C. 804.9-6]*;
- A witness's character for truthfulness or untruthfulness *[8 O.C. 804.9-7]*;
- Impeachment by evidence of a criminal conviction *[8 O.C. 804.9-8]*;
- Religious beliefs or opinions *[8 O.C. 804.9-9]*;
- The mode and order of examining witnesses and presenting evidence *[8 O.C. 804.9-10]*;
- Writing used to refresh a witness's memory *[8 O.C. 804.9-11]*;
- A witness's prior statements *[8 O.C. 804.9-12]*;
- The Court's calling or examining a witness *[8 O.C. 804.9-13]*; and
- Excluding witnesses *[8 O.C. 804.9-14]*.

The Oneida Judiciary Rules of Evidence specifically provides that the Court shall exercise reasonable control over the mode and order of examining witnesses as to make those procedures effective for determining the truth, avoid wasting time, and protect witnesses from harassment or undue embarrassment. *[8 O.C. 804.9-10(a)(1)-(3)]*. Section 1.13-1 of the Rule provides that a witness shall be examined from the counsel table, except when handling exhibits, and that a witness shall not be crowded during examination. Section 1.13-2 of the Rule then provides that witnesses shall be examined with courtesy and respect, and their good faith presumed until the contrary appears. Both sections of the Rule further the Oneida Judiciary Rules of Evidence's requirement that the court protect witnesses from harassment or undue embarrassment. The Rule then goes on to discuss the prohibition of children being present in the courtroom and participating in proceedings as a witness, and exceptions to when a child may participate as a witness. *[see Rule 1.13-4, 1.13-5, 1.13-6]*.

Section 1.14 of the Rule provides additional details regarding garnishments. The Nation's Garnishment law provides an effective mechanism for creditors to access an employee's income for reduction of personal debt. *[2 O.C. 204.1-1]*. The Garnishment law includes provisions that provide for:

- garnishment action procedure *[2 O.C. 204.5]*;
- garnishment to collect debt owed to the Nation *[2 O.C. 204.6]*;
- the recognition of child support orders *[2 O.C. 204.7]*;
- discharge from employment *[2 O.C. 204.8]*; and
- appeals *[2 O.C. 204.9]*.

The Garnishment law provides that the Judiciary shall hold a garnishment hearing within sixty (60) days of receiving the completed petition. *[2 O.C. 204.5-4]*. Section 1.14-2 of the Rule clarifies that garnishment hearings will be held on the second and fourth Wednesday of each month at the Judiciary. Section 1.14-3 of the Rule then provides more specific details as to how the Trial Court will conduct garnishment hearings in accordance with the Garnishment law. Section 1.14-3(k) of the Rule also confirms the duty of the Trial Court to provide the Accounting Department a copy of the garnishment order after the time frame for appeals has been exhausted, as required by section 204.5-7 of the Garnishment law.

Section 1.15 of the Rule provides for closed hearings and/or records. The Judiciary law provides that the proceedings of the Trial Court and Court of Appeals shall be public and members of the general public may freely attend the same, except for peacemaking or mediation proceedings or if expressly prohibited by law; provided that, in any case where the presiding Judge determines that there are safety or confidentiality concerns the Judge may exclude from the proceedings all individuals not necessarily present as parties or witnesses. *[8 O.C. 801.4-4]*. Additionally, the Oneida Judiciary Rules of Civil Procedure provides that a witnesses' testimony shall be taken in open Court unless this Law or other rules adopted by the Tribe provide otherwise, as well as that the records of all hearings and matters shall be available except where they are prohibited from disclosure by law, court order, or rule. *[8 O.C. 803.23-1, 803.32-2]*.

Section 1.15-1 of the Rule provides that all hearings involving a juvenile shall be closed and the records sealed. The Oneida Judiciary Rules of Civil Procedure provides an exception to its open record policy by stating that records of cases involving juveniles shall remain confidential and shall only be viewed by the parties or the legal guardian of a party who is a minor and their attorney or advocate, Judges and staff assigned to the case, and those other persons who first obtain a written release from a party to view material contained in the record. *[8 O.C. 803.32-2(b)(1)]*.

Section 1.15-2 of the Rule provides that the Trial Court may close a hearing, at the request of any party or on its own motion, where the safety of a party, witness, or other individual may be in jeopardy or for good cause in compelling circumstances, noting that all records from a closed hearing shall remain sealed. The Oneida Judiciary Rules of Civil Procedure provides that at the request of any party or on its own motion, the Court may seal any part of a case file, preventing public disclosure. *[8 O.C. 803.32-(b)(3)]*. The Oneida Judiciary Rules of Civil Procedure then goes on to provide that a file or part of a file may only be sealed where the safety of a party, witness or other individual may be in jeopardy if the material is not placed under seal. *[8 O.C. 803.32-(b)(3)]*. Section 1.15-2 of the Rule provides more circumstances for when a file may be sealed than section 803.32-2(b)(3) by allowing for a hearing and records to be sealed "*for good cause in compelling circumstances.*" The Oneida Judiciary Rules of Civil Procedure allows a rule to prohibit further circumstances in which a record shall be sealed. *[8 O.C. 803.32-2]*.

Section 1.16 of the Rule provides for temporary restraining orders. The Oneida Judiciary Rules of Civil Procedure allows the Court to issue a temporary restraining order without written or oral notice to the adverse party or its attorney or advocate if certain circumstances are met. *[8 O.C. 803.35-2(a)]*. The Law then goes on to state that on two (2) days' notice to the party who obtained the order without notice—or on shorter notice set by the Court—the adverse party may appear and move to dissolve or modify the order, and that the Court shall then hear and decide the motion as promptly as justice requires. *[8 O.C. 803.35-2(a)]*. Section 1.16-1 of the Rule further provides that when a temporary restraining order is issued without notice, a hearing shall be held within three (3) business days of such issuance. Section 1.16-2 of the Rule also provides that if a party has violated a temporary restraining order, the non-violating party may file a request with the Trial Court to find the other party in contempt. Refusal to obey any order or judgment of the Court is listed as a basis for finding an individual in contempt in the Oneida Judiciary Rules of Civil Procedure. *[8 O.C. 803.26-1(c)]*.

Section 1.17 of the Rule provides further details on citation hearings. The issuance of citations is referenced throughout various laws of the Nation. The following laws of the Nation require that a citation pre-hearing date with the Judiciary Trial Court be set for the next scheduled monthly prehearing date that is at least thirty (30) days after the citation was issued:

- Public Use of Tribal Land law *[6 O.C. 609.7-2]*;
- All-Terrain Vehicle law *[4 O.C. 410.7-2]*;
- Water Resources law *[4 O.C. 409.6-5]*;
- On-Site Waste Disposal law *[4 O.C. 407.7-6]*;
- Hunting, Fishing, and Trapping law *[4 O.C. 406.10-5]*;
- Well Abandonment law *[4 O.C. 404.7-4]*;
- Tribal Environmental Response law *[4 O.C. 401.10-3]*; and
- Domestic Animals law *[3 O.C. 304.13-2]*.

Additionally, the Recycling and Solid Waste Disposal law *[4 O.C. 405.12-6*], and the Non-Metallic Mine Reclamation law *[4 O.C. 402.23-3]* provide that citations may be issued, but do not specify a timeframe or process for handling citations.

Section 1.17-1 of the Rule confirms that citation pre-hearing dates shall occur at least thirty (30) days after a citation is issued, and clarifies the citation pre-hearings shall be held the third Thursday of each month at the Judiciary. Section 1.17-1(b)-(c) of the Rule then provides more specific details on the procedure the Trial Court will use when conducting citation hearings.

Section 1.18 of the Rule provides information regarding probate hearings. Section 1.18-1(a) of this Rule provides that this section, section 1.18, shall not take effect until such a time as the probate administration rules are promulgated by Land Management and the Oneida Land Commission and adopted by the Oneida Business Committee in accordance with resolution BC-05-19-18-A.

Section 1.18-1 of the Rule provides that if the Trial Court Rules or other laws of the Nation regarding probate lack definition, procedure, or legal precedent in a probate matter, the Trial Court shall use Wisconsin's Probate Code and its related chapters for guidance in accordance with section 801.2-6 of the Judiciary law which allows for the Judges to refer to established Wisconsin or federal case law precedent or laws for guidance in a situation where precedent for a particular matter has not been established. This is consistent with the Real Property law which provides that in instances where the Nation lacks definition, procedure, or legal precedent in a probate matter, the Nation shall use Wisconsin's Probate Code and its related chapters for guidance. *[6 O.C. 601.4-5]*.

Section 1.18-2 of the Rule provides that the Judiciary shall hear and administer disputed probate estates, probate estates requiring appointment of a guardian ad litem, and probate estates in which Land Management seeks appointment as a personal representative. Section 1.18-3 and 1.18-4 then provide more specific details on the procedure the Trial Court will use to hold probate hearings. Sections 1.18-2, 1.18-3, and 1.18-4 of the Rule all conflict with the currently effective portions of the Real Property law.

Amendments to the Real Property law were most recently adopted by the Oneida Business Committee through resolution BC-05-09-18-A. Although section 601.8-2 of the version of the Real Property law adopted through resolution BC-05-09-18-A does identify that the Judiciary shall

hear and administer disputed probate estates or matters requiring appointment of a guardian ad litem, as well as those cases in which Land Management seeks appointment as a personal representative, this provision of the Real Property law has never taken effect.

Resolution BC-05-09-18-A identified that the amendments shall not affect the provisions of section 601.8 that are currently in effect until probate rules are promulgated and effective, in accordance with resolution BC-06-14-17-A. Resolution BC-06-14-17-A further recognizes that the Division of Land Management and the Oneida Land Commission had not yet promulgated the rules governing probate administration as required by law, and then provides provisions to replace section 601.8 of the Real Property law until the probate rules are promulgated and effective. The provisions provided by resolution BC-06-14-17-A only allow any declaratory ruling made by the Oneida Land Commission to be appealed to the Judiciary within thirty (30) days from the date of the ruling, as well as provide a party the ability to petition the Judiciary to reopen the case within three (3) years after the declaratory ruling has been mailed out if certain circumstances can be proved.

The language provided in section 601.8 of the version of the Real Property law adopted through BC-05-09-18-A will only go into effect when the probate administration rules promulgated by Land Management and the Oneida Land Commission are adopted and take effect. At that such time, section 1.18 of this Rule shall take effect.

Section 1.19 of the Rule defines what constitutes the Judge's signature. The Rule provides that a Trial Court Judge's signature shall mean:

- The Judge's name hand written by that Judge;
- The Judge's name signed by electronic means; or
- The Judge's signature stamp if the following conditions are met:
    - An emergency exists, or the Trial Court Judge is unavailable to personally sign his or her name;
    - The use of the signature stamp has been pre-approved and authorized by the Trial Court judge; and
    - Authorization date and time is noted below the signature line. *[see Rule 1.19-1]*.

The Oneida Judiciary Rules of Civil Procedure requires that all decisions be signed by the Judge assigned to the case and filed with the Clerk. *[8 O.C. 803.31-1(a)]*.

Section 1.20 of the Rule provides for notice of appearances. Section 1.20-4 of the Rule provides that counsel may not withdraw from a case where a motion is pending, or a hearing has been scheduled except upon motion and order of the Court. The Professional Conduct for Attorneys and Advocates law provides the conditions for when counsel may withdraw from representing a client. *[8 O.C. 810.14-2]*. Additionally, the Professional Conduct for Attorneys and Advocates law provides that counsel must comply with applicable court rules requiring notice to or permission of the Judiciary when terminating a representation. *[8 O.C. 810.14-3]*.

Conclusion

Adoption of the Judiciary law Rule No. 1 – Trial Court Rules would not conflict with any of the Nation's laws.

Financial Analysis for Trial Court Rules

Type of Cost	Description/Comment	Dollar Amount
Start Up Costs		$0
Personnel		$0
Office		$0
Documentation Costs		$0
Estimate of time necessary for an individual or agency to comply with the rule after implementation		$0
Other, please explain		N/A
Total Cost (Annual)		$0

2019