

## **TRIBAL JUDICIARY**

Robert Kittecon, Chief Justice

We are pleased to present this fiscal year 2008 annual report of the Menominee Tribal Judiciary to the tribal membership. We are truly proud of the judiciary system and thank you for the opportunity to share this past year's successes. The report describes the organizational structure and provides noteworthy accomplishments of the judiciary during fiscal year 2008.

The Menominee Tribal Judiciary is a court of general jurisdiction with appellate review operating under authority of the Menominee Tribal Constitution as a separate and equal branch of the Tribal Government. The primary goal of the Court is to provide judicial services on the Menominee Indian Reservation through the adjudication of criminal, civil, juvenile, family, probate and all other matters within the jurisdiction of the Court.

The Court staff include: Chief Justice, (2) Trial Court Judges, (1) Associate Justices for the Supreme Court, (1) Clerk of Court, (3) Deputy Clerks, (1) Bailiffs (1 FT and 1 On Call), and (1) Office Manager.

In November 2007, Chief Justice Rita Keshena was appointed. Upon appointment, Chief Justice Keshena made every effort to observe and assess the present Tribal Judiciary system and identify areas that needed improvement. This resulted in the creation of a Court Improvement Plan. The Court Improvement Plan was developed as a result of the Tribal Justice Assistance Grant obtained by the Bureau of Justice Assistance in June 2006. The grant was written to obtain the Justware software, codification and to assist with the revision of the courts rules of procedures. The grant has allowed the Court to utilize modern technology, security, practices as well as procedures. The Justware software was procured to coordinate case management from prosecution to probation and parole. Current historic case and financial files are currently being entered.

During this time, Judge Keshena hired and implemented a JustWare Project Team to assist with the implementation of the JustWare software. The JustWare software was purchased to coordinate case flow between Law Enforcement, Prosecutor, Tribal Judiciary, Probation and Parole. Three temporary staff were hired consisting of (1) JustWare Coordinator (2) PT Data Entry Technicians.

In June 2008, Judge Keshena hosted the Wisconsin Tribal Judges Association and the Clerks completed certification classes, which will enhance services.

In August 2008, Judge Keshena passed to the spirit world. Chief Justice Keshena was only the Fourth Chief Justice to be appointed since the formation of the Tribal Judiciary in 1978. She is sadly missed by all tribal staff.

In late September 2008, Wisconsin Chief Justice Abrahamson visited Menominee County and requested a visit of the Tribal Court. Chief Justice Abrahamson's visit was to enhance cooperation between the State Courts and Tribal Court.

In September 2008, Judge Robert Kittecon was appointed as an Associate Justice for the Supreme Court. Judge Kittecon is the Acting Chief Justice until an appointment for the Chief Justice in December 2008.

The Tribal Judiciary has seen many changes this past year.

- Began automating active case files/fines
- Worked with Dennis Sheldon, Applications Development Manager, IT to design and implement automated juror database and timecard system.

- Worked with Andy Allord, Web Architect on a shared Court Docket. Andy is also in the process of further developing the Tribal Judiciary's web page. This is projected to be complete by September 2009.
- Worked with IT to get a Closed Circuit Television (Polycom) System in working order. This system allows the Tribal Judiciary to hold hearings via web cams from the tribal jail. IT is diligently working on obtaining the ability to hold hearings with outside jurisdictions within state as well as has the potential for other state correctional facilities.
- Began review for possible update of the Court Civil, Criminal and Appellate Rules of Procedure.
- The Tribal Judiciary has moved the payment of court fines and fees to the central cashier located in the lower level of the Tribal Office Building. Visitors currently are requested to pick up a payment form and make payment directly to the central cashier. This will eventually be upgraded to going directly to the central cashier as the Tribal Judiciary becomes automated.
- Associate Justice for the Supreme Court hired September, 2008.
- Requested technical assistance from the Bureau of Justice Assistance for a Records Assessment.

The Tribal Judiciary continues to hold Night Court every Tuesday night for truancy and underage drinking citations. The Youth Development and Outreach Program has coordinated for the past years in offering alternative programming for first time juvenile offenders.

Case Types	Filed	Actions
Motor Vehicle	1361	1361
Curfew and Underage Drinking	314	314
Conservation/Adult Ordinances	92	92
Truancy	66	66
Restraining Orders	39	37
Adult Criminal	414	2265
Civil**	367	353
Juvenile/JIPS	42	197
Custody	8	46
Adoptions/TPR's	1	6
Child Support/Paternity	116	1028
Wellness	10	171
Extraditions	92	54
<b>TOTALS</b>	<b>2922</b>	<b>5990</b>

## FINANCIAL

The Tribal Judiciary receives federal funding from the Bureau of Indian Affairs through an established Public Law 93-638 contract. The FY08 allocation was \$377,182. The Tribal Judiciary also received a FY08 tribal supplement of \$305,451. The Tribal Judiciary revenue for FY08 was \$

	2007	2008
Revenue		
BIA Allocation		\$377,182
Tribal Allocation		\$305,451

Communication continues with local, state and federal agencies through open discussions, meetings, seminars, and conferences. Menominee Tribal Judiciary has initiated contact with the State of Wisconsin – Department of Juvenile Corrections to communicate in the development of support services to Menominee youth upon their return to the community from state institutions.

#### GENERAL STATEMENT

The Tribal Judiciary has fulfilled requirements within the Indian Civil Rights Act and Menominee Tribal Constitution & By-laws.