

PROCEDURE FOR FILING FOREIGN JUDGMENTS FOR PURPOSES OF RECOGNITION
AND ENFORCEMENT

1. The Menominee Tribal Court shall not recognize and enforce any foreign judgment unless the proponent of the foreign judgment complies with the following:
 - A. Files a certified copy of the foreign judgment with the Court, the date of its entry, the record of any subsequent entries affecting the judgment, such as levies of execution and/or payments in partial satisfaction and a motion requesting that this Court recognize and enforce the foreign judgment.
 - B. Submits a file-stamped copy of the original Summons and Complaint with the Court along with a copy of the proof of service and proof of notice to the defendant/respondent that a foreign judgment was granted against them and will be pursued in the Menominee Tribal Court.
 - C. Submits proof that the foreign judgment is final and that no appeal therefrom is pending; and
 - D. Submits proof that the government from which the foreign judgment is issued provides reciprocal full faith and credit to the orders, decrees and judgments of the Menominee Indian Tribe of Wisconsin.

This notice of procedure will become effective thirty (30) days after posting
BY ORDER OF THE MENOMINEE SUPREME COURT.

*Menominee Indian Tribe of WI
Wednesday, January 29, 2014*

Chapter 120. JUDICIARY

Part 2. Court Procedures

Article XII. Wisconsin Documents

[Adopted 3-17-1983 by Ord. No. 83-2]

§ 120-51. Valid judgments to have full faith and credit.

Valid judgments of the State of Wisconsin rendered under acts of the Wisconsin Legislature shall have the same full faith and credit in the Courts of this Tribe as do these acts, records, judicial proceedings and judgments in any other state.

§ 120-52. Qualifications for admission as evidence.

To qualify for admission as evidence in the Courts of this Tribe:

- A. Copies of acts of the Wisconsin Legislature shall be authenticated by the certificate of the Governor and Secretary of State.
- B. Copies of records, judicial proceedings and judgments of a state court of record shall be authenticated by the attestation of the clerk of the court. The seal, if any, of the court shall be affixed to the attestation, together with a certification by a judge of the court that the clerk's attestation is in proper form.

§ 120-53. Determination of court of record.

In determining whether a state court is a court of record, the Tribal Court shall consider the following factors:

- A. Whether the court keeps a permanent record of its proceedings.
- B. Whether a transcript of the proceedings is available.
- C. Whether final judgments of the court are reviewable by a superior court.
- D. Whether the court has the authority to enforce its own orders through contempt proceedings.

§ 120-54. Determination of valid judgment.

In determining whether a state court judgment is a valid judgment, the Tribal Court shall examine the state court record to assure that:

- A. The state court had jurisdiction of the subject matter and over the person named in the judgment.
- B. The judgment is final under the laws of the rendering court.
- C. The judgment is on the merits.
- D. The judgment was procured without fraud, duress or coercion.
- E. The judgment was procured in compliance with procedures required by the rendering court.

§ 120-55. Lien or attachment against real or personal property.

No lien or attachment based on a state court judgment may be filed, docketed or recorded in this Tribe against the real or personal property of any person unless the judgment has been given full faith and credit by a Tribal Court under this article.

§ 120-56. Effect on prior judgments.

The Menominee Tribe shall not extend full faith and credit to any state court judgments which bear a date prior to the effective date of this article.