

FORM SUMMARY

Name of Form: Order on Motion for Discretionary Transfer of Civil Action to Tribal Court

Form Number: GF-207

Statutory Reference: §801.54, Wisconsin Statutes

Purpose of Form: Written order of the circuit court deciding whether to transfer a civil action from a circuit court to a Wisconsin tribal court.

Who Completes It: The moving party.

Who Signs It: **BY THE COURT:** Circuit Court Judge. **THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.**

Distribution of Form: Court; copy to parties and attorney, if any.

Accompanying Forms:

New Form/Modification: Modified; last update 05/16.

Modifications: Added, "if requested."

Comments: Transfer is allowable when the circuit court has made a determination that the tribal court or tribal judicial system has concurrent jurisdiction with the circuit court and other relevant factors have been considered. *Plain Commerce Bank v. Long Family Land & Cattle Co.*, 554 U.S. ___, 128 S. Ct. 2709 (2008); *Montana v. United States*, 450 U.S. 544, 564-66; *Teague v. Bad River Band*, 2003 WI 118, 265 Wis. 2d 64, 664 N. W. 2d 899; *Bryan v. Itasca County*, 426 U.S.373, 385-86 (1976); Public Law 83-280, 28 U.S.C. 1360 and 18 U.S.C. 1162.

About this Form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.