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DEC 10 2007

CLERK OF SUPREME COURT
OF WISCONSIN

December 7, 2007

Clerk of the Supreme Court
ATTN: Carrie Janto
PO Box 1688
Madison, WI 53701-1688
VIA U.S. MAIL AND E-MAIL

RE: Rule Petition 07-11 – Discretionary transfer of jurisdiction to tribal court

Dear Clerk of Supreme Court:

I am writing in support of the adoption of Rule Petition 07-11. I currently work as an attorney in Wisconsin and have worked with Indian tribes for over 12 years both as in-house counsel and in the private sector. I have appeared in tribal and state courts on a variety of issues. One area of particular interest for me is tribal court development and tribal-state judicial relations. I also served as a facilitator at the 2005 Walking on Common Ground Conference in Green Bay, Wisconsin.

My experience tells me the proposed rule is needed. I have seen cases first hand where a state judge was unsure of his or her authority to transfer a case in the manner envisioned under the proposed rule. The proposed rule will give state judges a welcome tool and a measure of certainty for dealing with these types of cases in the future.

State judges are realizing that in certain cases tribal court is the more suitable forum. This has occurred for several reasons.

- Tribal and state judges are communicating and forming relationships. The comfort of familiarity fosters trust and understanding.
- Tribal courts are well developed in Wisconsin. Wisconsin tribal courts continue to enjoy growth. They are handling different types of cases in a variety of methods and new attorneys and advocates are being admitted to practice before tribal courts all the time.
- In Bad River Band v. Teague, 2003 WI 118, the Wisconsin Supreme Court mandated state judges to confer with their tribal counterparts when competing jurisdictional claims arise. When the highest state court issues this type of ruling, it gets the attention of lower state court judges.

- State court judges are realizing they can lighten their dockets by transferring cases that really belong in the tribal system.

The proposed rule will aid the effort which all state and tribal judges share: meaningful justice for those who appear before them.

I support adoption of the proposed rule by the Wisconsin Supreme Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Stenzel". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul Stenzel
WI State Bar No. 1022432
Stenzel Law Office LLC

Cc: Susan Gray (via email)