

**WIND RIVER TRIBAL COURT
SHOSHONE AND ARAPHOE TRIBES
WIND RIVER INDIAN RESERVATION
P.O. BOX 608
FT. WASHAKIE, WY 82514
PHONE: (307) 332 6702 FAX: (307) 332-7587**

INFORMATION FOR FILING PETITION FOR FOREIGN JUDGMENT

1. The purpose of filing a Petition for Recognition of a Foreign Judgment is to enable the Wind River Tribal Court to assist you in enforcing a Judgment/Order that has been legally issued by another court.
2. The filing fee is \$100. If you cannot afford the fee you must fill out a request for waiver of the fee. The judge will review your request and you will be notified if your request is denied.
3. You must attach a certified copy of the original order.
4. Fill out the contact information sheet completely
5. Fill out the Petition completely giving the court as much information as you can. You need to be specific as to why you are asking this court to recognize the judgment of another court.
6. The court must have a physical address and mailing address for the respondent so that they can be served notice of the petition and any hearings. If the court is unable to serve the respondent personally then they will attempt to serve the person by certified mail.
7. All documents will be served on the respondent and they will be given ten (10) days to request a hearing on the matter. The ten (10) days will start once the court has received verification that the petition has been served/received by the respondent.
8. If the Court receives a request from the respondent, a copy of that response will be mailed to you along with a notice of when the hearing will be set at the court's earliest convenience. You must appear at this hearing or your petition will be dismissed. If you cannot appear in person you must request a continuance from the court at least five (5) days prior to your court date. If there is an emergency and you cannot make your court date you must notify the court and plan to call the court at that time or provide the court with a **VALID** phone number so that the court can call you during the hearing. The court prefers that you be there in person but realized that events happen that are not planned.

9. If the court determines that the original order was entered legally by the original court then the order becomes an order of this court as well and the Wind River Tribal Court will make every effort to enforce that order.

If you have questions pertaining to filling please call: (307) 332-6702

Civil Clerk of the Court
Wind River Tribal Court
Ft. Washakie, WY 82514

**WIND RIVER TRIBAL COURT
SHOSHONE & ARAPAHO TRIBES
WIND RIVER INDIAN RESERVATION
FORT WASHAKIE, WYOMING**

IN THE MATTER OF: _____)

_____)
PETITIONER)

vs.)

_____)
RESPONDENT)

**PETITION FOR
RECOGNITION OF A
FOREIGN JUDGMENT**

Civil Case No.: _____

COMES NOW, Petitioner _____,

Hereby petitions this Court as follows:

1) **Petitioner**, _____, and

Respondent, _____, were parties to a

_____ case in the **state**

of _____ /or on the _____

_____ **Indian Reservation**. _____, Pursuant to

the action a _____ order was entered which provided:

2) Pursuant to the _____ **Order** _____, the Respondent owes:

\$ _____

3) Respondent has failed to abide by the Order as follows:

- _____
- _____
- _____

• _____

4) Attached hereof and made a part hereof is the Affidavit of

_____, **Petition** and a certified copy of the
Order, in Case No: _____

From the _____ **Court** in the city of
_____, in the state of _____

_____.

WHEREFORE Petitioner prays for the Judgment against

Respondent _____

And for the Court to Order:

Dated this _____ day of _____, 20_____.

PETITIONER

Address

CLERK OF THE COURT / NOTARY

My Commission expires:

CONTACT INFORMATION SHEET

CASE NO. _____

I AM THE (CHECK ONE) Plaintiff/Petitioner Defendant/Respondent

Name: _____ Date of Birth: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Home Telephone: _____ Work Phone: _____

Email Address: _____ Cell Phone: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

Alternate telephone number were a message can be left: _____

Place of employment: _____

Other Parties Involved (CHECK ONE) Plaintiff/Petitioner Defendant/Respondent

Name: _____ Date of Birth: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Home Telephone: _____ Work Phone: _____

Email Address: _____ Cell Phone: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

Alternate telephone number were a message can be left: _____

Place of employment: _____

CHAPTER 9 RECOGNITION OF FOREIGN JUDGMENTS

Section 1-9-1 Definition

Foreign judgment means any judgment, decree or order issued by a court in a jurisdiction other than the jurisdiction of the Shoshone and Arapaho Tribes.

Section 1-9-2 Applicability

This foreign judgments chapter is applicable to judgments which are final, conclusive and enforceable where issued. It is applicable to default judgments.

Section 1-9-3 Petition for Recognition

(1) A petitioner seeking recognition of a foreign judgment in the Shoshone and Arapaho Tribal Court must file a "Petition for Recognition of a Foreign Judgment" setting out the following:

- a) The name of the court which issued the judgment;
- b) The cause number and the date of the judgment;
- c) The name and last known address of the judgment debtor; and
- d) The name and address of the petitioner or his advocate or lawyer.

(2) The judgment creditor must attach:

- a) An affidavit setting out the following:
 - i) that the subject matter jurisdiction over the respondent was proper in the foreign court;
 - ii) that personal jurisdiction was proper in the foreign court; and
 - iii) that the judgment has not been fully satisfied.

Section 1-9-4 Notice of Filing

Promptly upon the filing of the petition and the affidavit, the clerk of court shall authorize service of notice of the filing of the petition to the respondent according to the requirements of service of process in this jurisdiction.

Section 1-9-5 Request for a Hearing: Recognition: Enforcement

The respondent shall have ten (10) days after the receipt of process to request a hearing in the Shoshone and Arapaho Tribal Court. The respondent may raise the defenses of:

- a) Lack of proper jurisdiction in the original action; or
- b) Lack of due process in the original action.

If, upon conclusion of the hearing, the judgment is recognized, it shall issue as a judgment of the Tribal Court.

If the respondent does not request a hearing, the Tribal Court, after fourteen (14) days have passed and after being satisfied that the requirements of Section 1-9-3 are met, may recognize the foreign judgment as a judgment of the Tribal Court.

Section 1-9-6 Stay

If the respondent shows the Tribal Court that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution had been granted, the court shall stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated.

Section 1-9-7 Fees

Any person filing a petition for Recognition of a Foreign Judgment shall pay to the clerk of court \$100.00.