

MENOMINEE SUPREME COURT  
MENOMINEE TRIBAL COURTS  
MENOMINEE INDIAN RESERVATION

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**ETHIC VIOLATIONS AND ATTORNEY/LAY ADVOCATE**

**DISCIPLINE IN TRIBAL COURT**

**SUPREME COURT ORDER**

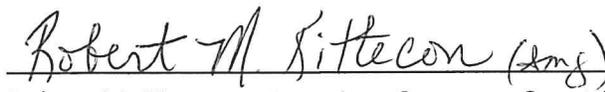
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Pursuant to the rulemaking authority as contained in Article V, section 6 of the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin, the Menominee Supreme Court hereby formally adopts the attached policy on Attorney/Lay Advocate Complaint and Discipline. This policy, although now placed in writing, has been followed by the Court in years past.

This ORDER shall remain in force until further amended or order of the Court.

Dated this 5<sup>th</sup> day of April 2017.

  
Stephan M. Grochowski, Chief Justice

  
Robert M. Kittecon, Associate Supreme Court Justice

  
Wendell J. Kenote, Associate Supreme Court Justice



## ATTORNEY/LAY ADVOCATE COMPLAINT AND DISCIPLINE POLICY

Pursuant to Article IV, Chapter 120, Part 1 of the Code of the Menominee Indian Tribe of Wisconsin, all attorneys and lay advocates appearing before a Menominee Tribal Court are subject to the requirements of the Code of Professional Responsibility as adopted by the American Bar Association. This means that the attorneys and/or lay advocates must conform their conduct in every respect to the requirements and suggested behavior as set forth in the Code of Professional Responsibility. See §120-26 A. Lay advocates are subject to the same ethical obligations of honesty and confidentiality toward their clients as a professional attorney would be. See §120-24 B. Further pursuant to §120-24 C., lay advocates are subject to the disciplinary authority of the Court in all matters related to their representation.

If there is an allegation that an attorney or lay advocate has committed an ethics violation, the person alleging the complaint, the complainant, shall file a written petition with the Menominee Supreme Court setting forth the nature of the alleged violation and the grounds with specificity. If there is a violation of a specific rule, the rule shall be cited.

Once the petition is filed, the Supreme Court will convene to discuss the matter and decide if further investigation is warranted. If the Supreme Court decides that a hearing is necessary, the parties will be summoned into court and the alleged violator will be notified of the allegations either by mail or personal service. Witnesses may be subpoenaed into court. Possible sanctions include: fines and costs associated with hearing, restitution, suspension of practice in the Menominee Tribal Courts for a limited period of time, disbarring of ability to practice in the Menominee Tribal Courts, notification to other Courts and bar associations regarding the imposed sanctions, and private or public sanctions and warnings. This list of sanctions is not exhaustive and may include other sanctions appropriate to the infraction.



\*Although this policy has not been previously placed in writing, this is how the Menominee Supreme Court dealt with ethical violations by attorneys and/or lay advocates in the past.