

Order

Michigan Supreme Court
Lansing, Michigan

June 25, 2014

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2014-33

Michael F. Cavanagh
Stephen J. Markman

Administrative Order No. 2014-12

Mary Beth Kelly
Brian K. Zahra

Order Creating the Michigan
Tribal State Federal Judicial Forum

Bridget M. McCormack
David F. Viviano,
Justices

Michigan is privileged to be the home of 12 federally recognized Indian tribes and tribal court systems. Michigan has also enjoyed a long history of collaboration between state and tribal courts. The first Tribal State Court Forum, which was created in 1992, resulted in the creation of the “Enforcement of Tribal Judgments” court rule, MCR 2.615, and, most recently, the passage of the Michigan Indian Family Preservation Act of 2012 (MIFPA). Fostering continuing good relations between our state and tribal courts is of great interest to this Court.

For purposes of building on the past spirit of cooperation and of creating a dialogue among the state, tribal, and federal judiciaries, the Court recognizes the importance of establishing an ongoing forum that will address working relationships among the court systems and the interaction of state, tribal, and federal court jurisdiction in Michigan.

The Michigan Tribal State Federal Judicial Forum is established. The membership of the forum shall consist of: the chief tribal judge of each of Michigan’s 12 federally recognized tribes, or their designated alternate judges, with membership to be expanded to accommodate any new federally recognized tribes; and 12 state court judges (or the same number as there are tribal judges), who will be appointed by the Michigan Supreme Court from among a pool of currently serving or retired Michigan judges or justices. In making appointments, the Court will consider geographic proximity to the tribes, Indian Child Welfare Act and MIFPA case load dockets, and current involvement with tribal court relations. The forum shall then pursue participation from federal judges and officials.

The specific charge of the forum is contained in its [Naakonigewin \(or Charter\)](#), but by majority vote, the members of the forum may designate any other duties that are in the best interests of state, tribal, and federal courts and the citizens who are served by these three systems.

Forum members will serve three-year terms, and memberships are renewable at the discretion of the Chief Tribal Judges or Tribal Liaison Justice. To facilitate the staggering of terms, some initial appointments will be for abbreviated terms. The forum shall be led by co-chairs, who will be one tribal court judge and one state court judge and who shall be selected by the entire body of members for a three-year term. Work committees may be formed as needed, and decisions shall be made by consensus – defined as a majority of members present at each meeting. Meetings shall be held three times per year, including at least two in-person meetings.

Effective July 1, 2014, the following state court judges or justices are appointed to the new Michigan Tribal State Federal Judicial Forum:

For terms ending July 1, 2016:

- 1) Susan L. Dobrich, Chief Judge, Cass County Courts, 43rd Circuit Court Family Division
- 2) William A. Hupy, Chief Judge, Menominee County Probate Court, 41st Circuit Court Family Division
- 3) Jeffrey C. Nellis, Judge, Mason County Probate Court, 51st Circuit Court Family Division
- 4) Larry J. Nelson, Chief Judge, Leelanau County Probate Court, 13th Circuit Court Family Division
- 5) George J. Quist, Judge, Kent County Probate Court, 17th Circuit Court Family Division
- 6) Frank S. Szymanski, Judge, Wayne County Probate Court, 3rd Circuit Court Family Division

For terms ending July 1, 2017:

- 1) Robert J. Butts, Judge, Cheboygan County Probate Court, 53rd Circuit Court Family Division
- 2) William T. Ervin, Judge, Isabella County Probate Court, 21st Circuit Court Family Division
- 3) Cheryl L. Hill, Judge, Marquette County Probate Court, 25th Circuit Court Family Division
- 4) James P. Lambros, Chief Judge, Chippewa County Courts, 50th Circuit Court Family Division
- 5) Timothy P. Connors, Judge, 22nd Circuit Court Family Division
- 6) Michael F. Cavanagh, Justice, Michigan Supreme Court

Effective July 1, 2014, tribal judges will be appointed by their respective Chief Tribal Court Judges to represent the following federally recognized Indian tribes:

- 1) Bay Mills Indian Community
- 2) The Grand Traverse Band of Ottawa and Chippewa Indians
- 3) Hannahville Indian Community
- 4) Nottawaseppi Huron Band of Potawatomi
- 5) Keweenaw Bay Indian Community
- 6) Lac Vieux Desert Band of Lake Superior Chippewa Indians
- 7) Little River Band of Ottawa Indians
- 8) Little Traverse Bay Bands of Odawa Indians
- 9) Pokagon Band of Potawatomi Indians
- 10) Saginaw Chippewa Indian Tribe
- 11) Sault Ste. Marie Tribe of Chippewa Indians
- 12) Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake Tribe)

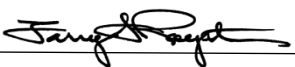
Court staff shall serve as reporter of the forum.

Justice Bridget M. McCormack shall serve as the Supreme Court Tribal Liaison Justice to the forum.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 25, 2014


Clerk