

**NON-REMOVABLE MILLE LACS BAND OF CHIPPEWA INDIANS**

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**IN THE COURT OF CENTRAL JURISDICTION**

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**Filing a Foreign Judgment**

A foreign judgment is a judgment issued by a court other than the Mille Lacs Band Tribal Court. The creditor is the person to whom the judgment was awarded. The debtor is the person who owes the judgment.

**STEP 1**

You must complete the Registration of Foreign Judgment form and include a **certified copy** of the foreign judgment with all supporting documents to seek an order for enforcement.

**It is the creditor's responsibility to provide the debtor's current address. The Court cannot serve the debtor if a current address is not provided. You should list any earnings and assets subject to garnishment in accordance with Ordinance 38-12 which amends Subchapter IV-a (Withholding from Earning and Per Capita Payments) of Chapter 3 in Title 24 of the Mille Lacs Band Statutes Annotated. If earnings are listed, the place of employment must be provided.**

You must sign the Registration of Foreign Judgment form in front of a notary public or clerk of court.

**Filing Fees**

The Court filing fee of \$25.00 is required.

Band Members age 55 and older are exempt from these filing fees.

If you are facing financial hardship and cannot pay the filing fees, you may complete and file an In Forma Pauperis application to request waiver of the fees. The presiding Judge will review the application and issue an order granting or denying the request.

**STEP 2**

Upon filing of the proper documents and Court costs, the Clerk of Court will mail notice of the registration of the foreign judgment to the judgment debtor. The debtor is given 10 days to respond or request a hearing on the matter to dispute the financial obligation in question. An additional 3 days will be added to the time period for postal service.

If the debtor does not respond or request a hearing, an Order of Withholding or Garnishment Order will be issued.

If the respondent requests a hearing, the Clerk of Court will set a hearing date and provide notice to the parties.

*Requesting a hearing does not, by itself, stop the garnishment. A separate written request for a stay of garnishment must be filed with the Court stating the legal reasons why no garnishment should occur prior to the hearing on the garnishment.*

**NOTE:**

- **Court staff cannot give legal advice.**
- **The Court cannot process an incomplete registration of foreign judgment. A certified copy of the foreign judgment must be filed with the registration of foreign judgment.**
- **Foreign orders for the enforcement of child support and/or child custody for the collection of U.S. Department of Education student loan debts, and orders for the enforcement of IRS liens and judgments are enforced by the Court upon receipt with no further action required by the agency or person filing the order.**
- **If you have questions, you may contact the Mille Lacs Band Court Administration, 320-532-7400.**