Federal Law and Indian Tribes

Winter 2011
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Required Texts
Getches et al., Cases and Materials on Federal Indian Law, 5th ed. 2005 (Getches)
2010-2011 Teacher’s Memorandum (TM), available on the Turtle Talk Blog
(http://turtletalk.wordpress.com/matthew-lm-fletcher/)

Recommended Texts
Canby, American Indian Law in a Nutshell, 5th ed. 2009 (West)
Pevar, Rights of Indians and Tribes, 3rd ed. 2004 (NYU Press)

Turtle Talk Materials
Other materials listed in the syllabus, including the 2010-2011 Teacher’s Memorandum, are available on the Turtle Talk blog

Assignments
Class #1 (1/12) – Introduction – Indian Law Origins and Johnson v. M’Intosh
    Skim Chapter 1 + TM pp. 3-4
    Getches Chapter 2
Class #2 (1/18) – The Cherokee Cases and the Treaty Period
    Getches Chapter 3A-3D
Class #3 (1/19) – Allotment and Reorganization
    Getches Chapter 3E; 4A-B + TM p. 5
Class #4 (1/25) – Termination and Self-Determination
    Getches Chapter 4C-4D + TM p. 5-7
Class #5 (1/26) – Tribal Property
Getches Chapter 5A

Class #6 (2/1) – Sherrill and the Federal-Tribal Relationship
TM pp. 7-17
Getches Chapter 5B-5C
TM pp. 17-29

Class #7 (2/2) – Tribal Sovereignty and Martinez
Getches Chapter 6A-6B
TM p. 29

Class #8 (2/8) – Sovereign Immunity
Getches Chapter 6C
TM pp. 29-35
Colorado v. Cash Advance Materials (see Turtle Talk)

Class #9 (2/9) – Tribal Justice Systems Part 1
Getches Chapter 6D
TM pp. 35-39

Class #10 (2/15) – Tribal Justice Systems Part 2
Supplemental Tribal Law Materials (see Turtle Talk)

Class #11 (2/16) – “Indian Country”
Getches Chapter 7A-7B
TM pp. 39-55

Class #12 (2/22) – Divestiture
Getches Chapter 7C-7D
TM pp. 56-57

Class #13 (2/23) – Indian Taxation
Getches Chapter 8A
TM pp. 58-68

Class #14 (3/8) – Civil Jurisdiction in Indian Country
Getches Chapter 8B & 8D
Class # 15 (3/9) – Civil Adjudicatory Jurisdiction Part 1
Getches Chapter 8C

Class #16 (3/15) – Civil Adjudicatory Jurisdiction Part 2
TM 71-85
API v. Sac and Fox Materials (see Turtle Talk)

Class #17 (3/16) – Tribal Economic Development
Getches (2011 edition) Chapter 5A (see Turtle Talk)

Class #18 (3/22) – Indian Gaming Part 1
Getches (2011 edition) Chapter 5B (see Turtle Talk)

Class # 19 (3/29) – Indian Gaming Part 2
Indian Gaming Supplemental Materials (see Turtle Talk)

Class #20 (3/30) – Indian Religion and Culture
Getches Chapter 10
TM pp. 92-102

Class #21 (4/5) – Water Rights
Getches Chapter 11

Class #22 (4/6) – Hunting and Fishing Rights Part 1
Getches Chapter 12

Class #23 (4/12) – Hunting and Fishing Rights Part 2
Michigan Treaty Rights Supplemental Materials (see Turtle Talk)

Class #24 (4/13) – Alaskan Natives
Getches Chapter 13A

Class #25 (4/19) – Hawaiian Natives
Getches Chapter 13B
TM pp. 103-106

Class #26 (4/20) – Comparative and International Perspectives
Getches Chapter 14
TM pp. 107-118