Editor's Note

This year’s newsletter is relatively thin and, accordingly, I am including some contributions and items, noted with an *, that I gathered. I apologize in advance for the many things – conferences, articles, books, etc – that I missed. The hope is that the annual newsletter will help us know what others have been doing and allow for connections that might not otherwise occur. – E.R.

Upcoming Conferences (I missed most of them but these might also be of interest – to keep up with this the best source is clearly the Turtle Talk Blog)


Feb. 8-9, 2013: Critical Race Theory Conference, Yale Law School, New Haven, CT.

Mar. 1, 2013: 17th Annual Tribal Law and Government Conference, Kansas School of Law, Lawrence, KS.

May 30-June 2, 2013: Law and Society Annual Conference, Boston, MA.

Books and Book Updates

Kristen Carpenter (Colorado), Matthew L.M. Fletcher (Michigan State) & Angela Riley (UCLA): INDIAN CIVIL RIGHTS ACT AT FORTY (Kristen Carpenter, Matthew L.M. Fletcher & Angela Riley eds. 2012)


Sarah Deer (William Mitchell), Mary Guss (Univ. of Arizona), Miriam Jorgensen (Native Nations Institute) & Melissa Tatum (Univ. of Arizona): have turned in the manuscript for their book Native Nations Constitutions which will be published as part of the UCLA American Indian Studies Publication Series.


Kevin Noble Maillard (Syracuse) & Rose Cuisen Villazor (U.C. Davis): LOVING V. VIRGINIA IN A POST-RACIAL WORLD: RETHINKING RACE, SEX AND MARRIAGE (Kevin Noble Maillard & Rose Cuisen Villazor eds. 2012).
Robert J. Miller (Lewis & Clark)*: RESERVATION “CAPITALISM”: ECONOMIC DEVELOPMENT IN INDIAN COUNTRY (2012).


Melissa Tatum (Univ. of Arizona) & Jill Kappus: LAW, CULTURE & ENVIRONMENT (forthcoming 2013); Prof. Tatum also served as general editor for the recently published second edition of volumes 1 and 2 of the Navajo Reporter and is hard at work editing volume 9.


Articles and Other Publications


Allison M. Dussias (New England)*: Protecting Pocahontas’s World: The Mattaponi Tribe’s Struggles Against Virginia’s King William Reservoir Project, 26 AM. INDIAN L. REV. 1 (2011/2012); At the Margins: Border Tribes’ Struggles to Protect Reservation Lands, Waters, and Communities, in TRIBES, LAND, AND THE ENVIRONMENT (Sarah Krakoff & Ezra Rosser eds. 2012).


Kathryn E. Fort (Michigan State): The Vanishing Indian Returns: The Supreme Court’s Use of Narrative and Historical Fictions in Federal Indian Law, forthcoming, ST. LOUIS U. L.J.; Waves of Education: Tribal-State Court Cooperation and the Indian Child Welfare Act, 47 TULSA L.REV. 529 (2012); Brief:

Carole Goldberg (UCLA) & Duane Champagne (UCLA)*: Searching for an Exit: The Indian Civil Rights Act and Public Law 280, in INDIAN CIVIL RIGHTS ACT AT FORTY (Kristen Carpenter, Matthew L.M. Fletcher & Angela Riley eds. 2012)


Jacqueline Phelan Hand (Detroit Mercy)*: Co-operating to Protect the Shining Big Sea Water and its Siblings: Consultation with Native Peoples in Protecting the Great Lakes, in TRIBES, LAND, AND THE ENVIRONMENT (Sarah Krakoff & Ezra Rosser eds. 2012).


Carla Pratt (Penn State)*: Loving in Indian Territory: Tribal Miscegenation Law in Historical Perspective, in LOVING V. VIRGINIA IN A POST-RACIAL WORLD: RETHINKING RACE, SEX AND MARRIAGE (Kevin Noble Maillard & Rose Cuisin Villazor eds. 2012).

Angela Riley (UCLA): Indians and Guns, 100 GEO. L.J. 5 (2012); Introduction, in INDIAN CIVIL RIGHTS ACT AT FORTY (Kristen Carpenter, Matthew L.M. Fletcher & Angela Riley eds. 2012).

Mark D. Rosen (Chicago-Kent)*: Evaluating Tribal Courts’ Interpretations of the Indian Civil Rights Act, in INDIAN CIVIL RIGHTS ACT AT FORTY (Kristen Carpenter, Matthew L.M. Fletcher & Angela Riley eds. 2012).


Melissa Tatum (Univ. of Arizona): The Path of Women in the Legal Academy, 80 UMKC L. Rev. 795 (2012).


Frickey, Carol E. Goldberg & Kevin Washburn eds. 2010); *Forty Years of the Indian Civil Rights Act: Indigenous Women’s Reflections*, in *INDIAN CIVIL RIGHTS ACT AT FORTY* (Kristen Carpenter, Matthew L.M. Fletcher & Angela Riley eds. 2012) (with Rina Swentzell and Eva Petosky).

Robert A. Williams, Jr. (Univ. of Arizona): *What the Hell Happened to Mabo?: The Search for the Missing Link*, in *THE LIMITS OF CHANGE, MABO AND NATIVE TITLE 20 YEARS ON* (Australian Institute of Aboriginal and Torres Strait Islanders Studies 2012)

**Conferences, Speeches, and Presentations**


Elizabeth Kronk (Kansas): *Law and the Right of Self-Determination*, FBA Hawaii Chapter Fourth Annual Conference, Honolulu, Hawaii (December 14, 2012); *Indigenous People and Extractive Justice*, Environmental Justice and Human Rights: Investigating the Tensions, Exploring the Possibilities hosted by the University of Ottawa, Canada (November 10, 2012); *Kivalina Litigation Update*, American Indian Alaskan Native Climate Change Working Group Meeting, Anchorage, Alaska (November 5, 2012); *Native America Goes to Court to Protect Land and Resources*, Society of Environmental Journalist’s 22nd Annual Conference, Lubbock, TX (October 19, 2012); *Federal Indian Law 101*, CLE Presentation for Shook, Hardy & Bacon LLP, Kansas City, MO (October 5, 2012); United States v. Jicarilla Apache Nation: Related Past Precedent, the Decision and Potential Future Implications, 12th Annual Native Nations Law Symposium hosted by the Kickapoo Tribe of Kansas, Horton, KS (September 14, 2012); *Modern Miner’s Canary: The Effects of Climate Change on Indigenous Communities*, AALS Workshop on Torts, Environment & Disaster, Berkeley, CA (June 10, 2012); Ethical Issues Presented by the Modern Practice of Agricultural Law, 6th Annual John Huffaker Agricultural Law Course, Lubbock, TX (June 1, 2012); Emerging Issues for Energy Development in Indian Country, University of Montana School of Law Indian Law Week, Missoula, MT (April 26, 2012); Tribal Energy Resource Agreements: The Unintended “Great Mischief for Indian Energy Development” and the Resulting Need for Reform, Faculty Exchange, University of Oklahoma College of Law, Norman, OK (April 11, 2012); Co-Presenter, Competency and the Modern Practice of Law: Ethical Perspectives Based on Environmental, Tax and Health Law, Ethics CLE Presentation, Lubbock, TX (March 3, 2012); Federal Indian Law 101, Including Indian Gaming, Federal Bar Association New Orleans Chapter CLE Presentation, New Orleans, LA (February 3, 2012); Ethical Quandaries Presented by the Modern Practice of Environmental Law, Texas Bar CLE Environmental Impacts of Oil and Gas Production, Houston, TX (January 13, 2012); Conference participant, Climate Change Adaptation Planning Guidance for Tribal Leaders, sponsored by: NOAA, American Indian Alaskan Native Climate Change Working Group, National Sea Grant Office and Kiksapa Consulting, LLC; Kansas City, MO (January 12, 2012).


Melissa Tatum (Univ. of Arizona) presented workshops on implementing the Tribal Law and Order Act at the 13th Annual National Indian Nations Conference in Palm Springs and at the Advocacy in Action Conference in Albuquerque; lectured about management of sacred sites on federal public lands at the University of LaVerne College of Law, at the University of Arizona, and at Arizona State; and taught a CLE entitled Collaboration v. Confrontation: The Benefits of Working Cooperatively with Tribes, for the State of Arizona’s Attorney General’s Office.
Legislative and Regulatory Activities

Stacy Leeds (Arkansas): Serving second year on the Secretarial Commission on Indian Trust Administration and Reform, Department of Interior, to conduct a comprehensive evaluation of the Department's management and administration of nearly $4 billion in American Indian trust assets. Appointed to a three-person panel to arbitrate a dispute between the Seneca Indian Nation and New York state over $460 million in gambling profits.


Gloria Valencia-Weber (New Mexico): President Barak Obama re-nominated Gloria Valencia-Weber for the Board of Directors of the Legal Services Corporation (LSC). She was confirmed in 2010 for the unfinished term of a prior Director. Valencia-Weber’s confirmation for her own three year term is pending in the U.S. Senate. Among her activities, Gloria writes: The training I developed in Indian law for the Board of Directors of the Legal Services Corporation occurred on Tulalip Tribe homelands, with Tulalip and other Washington tribal court judges participating. With Levon Henry, Director of DNA, we brought the President of LSC to Window Rock, 4 corners area, to observe the geographical, cultural, and other factors that must be dealt with in providing civil legal representation to indigent Native Americans.

Clinical, Teaching, or Service Initiative

Elizabeth Kronk (Kansas): Oversaw the KU Tribal Judicial Support Clinic (Fall 2012)

Judith Royster (Tulsa): Taught Indian Tribes as Governmental Stewards of the Environment as a visiting professor at the Vermont Law School Environmental Law Center Summer Session.

Melissa Tatum (Arizona): Taught Law, Culture & Environment in Summer 2012 as part of The University of Montana’s Indian Law Summer program. She is coordinating The University of Arizona’s Continuing Education Certificate in Indigenous Governance, a non-degree program targeted at those who work with and for Indigenous communities. The Certificate program is a joint project of the Indigenous Peoples Law & Policy Program, the Native Nations Institute, and the Native Peoples Technical Assistance Office. The program launches its second year with a three week intensive “January in Tucson.” For more information, see www.indigenousgovernance.net. Prof. Tatum currently serves as Chair of the Board of Directors for Indian Country Justice Partners (www.indiancountryjusticepartners.org), an organization she helped co-found. ICJP provides interdisciplinary training to those who work in tribal dispute resolutions systems.

Other

From Elizabeth Kronk (Kansas): In the summer of 2012, I left Texas Tech University School of Law to join the faculty at the University of Kansas School of Law as an Associate Professor.
I also serve as Director for the KU Tribal Law and Government Center. Finally, I was reappointed as an appellate judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals for a four year term.

From Stacy Leeds (Arkansas): Selected for the 2013 ABA Spirit of Excellence Award. My son, Hunter, now 4, is enrolled in Cherokee Nation's Language Immersion pre-K program - a gem of an opportunity that is possible from my being in Fayetteville, AR (hour away from Tahlequah).

From Angela Riley (UCLA): Elected Member, American Law Institute, September 2012

From Ezra Rosser (American): I would like to thank both the anonymous, and not so anonymous, reviewers of my tenure packet for being generous (yay! – good news) and my mentors—especially Rob and Jim—for being so supportive.

Melissa Tatum (Univ. of Arizona) wants to thank everyone for their patience with the migration of the ndnlawprof listserv to its new address at ndnlawprof@list.arizona.edu If anyone has any problems with their access, please let her know at mtatum@email.arizona.edu.

**New Hires and Moves**

- **Gavin Clarkson** (move to New Mexico State)*
- **Elizabeth Ann Kronk** (move to Kansas)*
- **M. Alexander Pearl** (new to Florida International University)*
- **Kevin Washburn** (move to BIA)*

**The End**