Federal Law and Indian Tribes

Fall 2017
Professor Matthew L.M. Fletcher
MW 8:30-9:45 AM
Room 344
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Office Hours: By Appointment

Required Texts
Getches et al., Cases and Materials on Federal Indian Law, 7th ed. 2017 (Getches)
2017-2018 Teacher’s Memorandum (TM), available on the Turtle Talk Blog

Recommended Texts
Fletcher, Federal Indian Law (West 2016) or Fletcher, Principles of Federal Indian Law (West 2017)

Turtle Talk Materials
Other materials listed in the syllabus, including the Teacher’s Memorandum, are available on the Turtle Talk blog (http://turtletalk.wordpress.com/)

Assignments
Class #1 (8/28) – Introduction – Indian Law Origins and Johnson v. M’Intosh
    Getches Chapter 1
    Getches Chapter 2

    Getches Chapter 3A-3D

Class #3 (9/6) – Allotment and Plenary Power
    Getches Chapter 3E; 4A

Class #4 (9/11) – Reorganization, Termination, and Self-Determination
    Getches Chapter 4B-4D
Class #5 (9/13) – **Negotiation Exercise**

Class #6 (9/18) – **Tribal Property**
Getches Chapter 5A

Class #7 (9/20) – **The Federal-Tribal Relationship**
Getches Chapter 5B-5C

Class #8 (9/25) – **Carcieri Exercise**
TM 2-5 + Cert stage briefs in case TBA

**No class 9/27/17**

Class #9 (10/2) – **Tribal Sovereignty and Martinez**
Getches Chapter 6A-6C

Class #10 (10/4) – **Sovereign Immunity and Tribal Justice Systems**
Getches Chapter 6D-6E + TM 16-18

Class #11 (10/9) – **Labor Relations Exercise**
TM 6-12 + Fletcher/Fort/Singel Article

Class #12 (10/11) – “**Indian Country**” and Federal Criminal Jurisdiction
Getches Chapter 7A-7B

Class #13 (10/16) – **State and Tribal Criminal Jurisdiction**
Getches Chapter 7C-7D

Class #14 (10/18) – **Civil Regulatory Jurisdiction**
Getches Chapter 8A

Class #15 (10/23) – **Civil Adjudicatory Jurisdiction**
Getches Chapter 8B

Class #16 (10/25) – **DAPL Exercise**
TM 12-15 + materials TBA

**Tribal In-House Counsel Association Conference 10/26-27/17**

**Attendance at Two Panels Mandatory**

Class #17 (10/30) – **Preemption**
Getches Chapter 8C

Class #18 (11/1) – **Indian Child Welfare Act**
Getches Chapter 8D

Class #19 (11/6) – Indian Gaming
  Getches Chapter 9

Class #20 (11/8) – Indian Religion and Culture
  Getches Chapter 10

No class 11/13/17

Class #21 (11/15) – Bears Ears Exercise
  TM 19-21 + materials TBA

Fall break

Class #22 (11/27) – Water Rights
  Getches Chapter 11 + Agua Caliente Materials

Class #23 (11/29) – Hunting and Fishing Rights
  Getches Chapter 12

Class #24 (12/4) – Alaska
  Getches Chapter 13A

Class #25 (12/6) – Hawai‘i
  Getches Chapter 13B

Class #26 (12/7) – International and Comparative Perspectives
  Getches Chapter 14

Review Session TBD