15th ANNUAL
INDIGENOUS LAW
CONFERENCE

November 14-16, 2018
East Lansing, Michigan

PRESENTED BY:
Michigan State University
Indigenous Law & Policy Center
Tribal In-House Counsel Association

KEYNOTE:
Matthew L.M. Fletcher
We collectively acknowledge that Michigan State University occupies the ancestral, traditional, and contemporary Lands of the Anishinaabeg – Three Fires Confederacy of Ojibwe, Odawa, and Potawatomi peoples. In particular, the University resides on Land ceded in the 1819 Treaty of Saginaw.

We recognize, support, and advocate for the sovereignty of Michigan’s twelve federally-recognized Indian nations, for historic Indigenous communities in Michigan, for Indigenous individuals and communities who live here now, and for those who were forcibly removed from their Homelands.

By offering this Land Acknowledgement, we affirm Indigenous sovereignty and will work to hold Michigan State University more accountable to the needs of American Indian and Indigenous peoples.

For more an extended Land Acknowledgement please visit aisp.msu.edu
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Boozhoo! Yá’át’ééh! Posoh! Hello!

On behalf of ILPC and TICA, we are so happy to have you here at the annual Indigenous Law Conference. You are on the lands of the Anishinaabeg, or the Confederacy of the Ojibwe, Odawa, and Bodewademi.

Over the next few days, we hope to foster excellent discussion and provide you with useful, unique information tailored to those who practice directly for tribes. Each February we put out a call for panels, and those submissions create an interesting conference with a lot of CLEs and a lot of laughter.

The support of our sponsors is key to the functions of this conference, including travel for presenters, the delicious food, the materials, and the excellent TICA swag. We also want to thank MSU Technology, Events, and Communications for all of their work and support.

During your stay please feel free to ask us for anything you might need, from a ride to the wifi password. Our goal is to help you feel welcome while you learn. This pamphlet includes helpful information, so please peruse it at your leisure. We encourage you to engage with other conference participants, including law school students who are eager to meet you, and enjoy yourself while here on this beautiful campus.

Miigwetch! Ahéhee’! Waewaenan! Thank you!
ILPC  The Indigenous Law and Policy Center (ILPC) at MSU Law is one of a handful of Indigenous law certificate programs in the United States. Our dual mission is to increase the number of Native lawyers and train lawyers in Indigenous law. ILPC alumni work across Turtle Island in practice settings that range from small and large tribes, major law firms, non-profits, and the federal government.

The ILPC faculty is at the forefront of Indian law issues, and is also a proud partner of the Tribal In-House Counsel Association.

TICA  Geared toward providing service and resources to attorneys who provide legal services directly to Tribes and Tribal Governments, the Tribal In-house Counsel Association (TICA) connects members and provides both a forum and community for Tribal Government legal issues.

TICA was formed in 2012 out of the growing Tribal in-house type of practice structure. More and more Tribes find either through governmental need or for cost-effective solutions that they need an internal legal structure in addition to any law firm issue-specific representation. While there are several legal associations geared for Tribal practitioners in general, TICA focuses on issues and practices specific and unique to lawyers employed directly by a Tribal Government, Tribal Enterprise, or other similar entity.
ABOUT

THE INDIGENOUS LAW CONFERENCE  An Indigenous Law Conference was an obvious priority when the ILPC was established in 2003. These annual conferences have been hosted at Michigan State University. A collaborative partnership with TICA in 2015 allows the Indigenous Law Conference to be a cutting edge event led by those in the field- In-House Counsel, some of the most important people working for tribal self-governance.

Today, the conference’s main goal is to provide useful information for Tribal In-House Counsel. In the past, conferences have centered on a variety of themes.

Our conference is diverse in topics, gender, race, and art. Keynote speakers have included assistant secretaries, former chairman of the National Indian Gaming Commission, federal judges, tribal judges, and former Interior Solicitor. Three of our proceedings have been published as books (Indian Child Welfare Act Conference, collected at MSU Press; Indian Civil Rights Act Conference, collected at UCLA, American Indian Studies Press; and American Indian Law and Literature, collected by American Indian Law Review).

The ILPC/TICA Indigenous Law Conference gives new and interesting scholars a forum, provides students an opportunity to meet professionals in the field, and promotes Indian Law within our law school, Michigan State University, the State of Michigan, and beyond.

THE ARTIST  Peter Boome, with his wife Lois, is dedicated to providing high quality, authentic Native American Art on a variety of products. Their main artistic focus is Northwest Coastal Art, particularly Coast Salish designs. They strive to offer variety and choices therefore they also offer contemporary inter-tribal art and custom designs.
WE THANK THE FOLLOWING RECEPTION SPONSORS FOR THEIR CONTRIBUTION OF $5,000

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SONOSKY, CHAMBERS, SACHSE, ENDSION & FERRY, LLP
• A NATIONAL LAW FIRM DEVOTED TO REPRESENTING NATIVE AMERICAN INTERESTS •

THE GREAT SEAL OF THE CHICKASAW NATION

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WE THANK THE FOLLOWING PANEL SPONSORS FOR THEIR CONTRIBUTION OF $1,000

Indian and Environmental Law Group, PLLC

Green Law Firm, P. C.

Attorneys at Law

Pietzsch, Bonnett & Womack

Rothstein | Donatelli

Kewenvoyouuma Law, PLLC

We thank the following break sponsors for their contribution of $500

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GENERAL INFORMATION

Emergency Contact
MSU Police can be reached at 517-355-2221. Please call Monica Williamson at 248-830-5958 for conference related emergencies or concerns.

Conference Location
MSU College of Law
648 N Shaw Lane, East Lansing, MI 48824

Parking Location
Wharton Center
750 E Shaw Lane, East Lansing, MI 48824

Lodging and Michigan Flyer Location
Marriott at University Place
300 M. A. C. Ave, East Lansing, MI 48823

Welcome Reception Location
Beggar’s Banquet
218 Abbot Rd, East Lansing, MI 48823

Thursday Reception Location
HopCat
300 Grove St, East Lansing, MI 48823
MATTHEW L.M. FLETCHER
Director, Indigenous Law and Policy Center
MSU College of Law

Matthew L.M. Fletcher is Professor of Law at Michigan State University College of Law and Director of the Indigenous Law and Policy Center. He sits as the Chief Justice of the Poarch Band of Creek Indians Supreme Court and also sits as an appellate judge for the Grand Traverse Band of Ottawa and Chippewa Indians, the Mashpee Wampanoag Tribe, the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, the Pokagon Band of Potawatomi Indians, the Hoopa Valley Tribe, the Nottawaseppi Huron Band of Potawatomi Indians, and the Santee Sioux Tribe of Nebraska. He is a member of the Grand Traverse Band, located in Peshawbestown, Michigan.

He is the Reporter for the American Law Institute’s Restatement of the Law of American Indians. He recently published a hornbook, Federal Indian Law (West Academic Publishing 2016). Professor Fletcher co-authored the sixth and seventh editions of Cases and Materials on Federal Indian Law (West Publishing 2011 and 2017). With Wenona Singel and Kathryn Fort, Professor Fletcher is under contract with the American Bar Association to write a tribal law practice guide. He also authored American Indian Tribal Law (Aspen 2011), the first casebook for law students on tribal law; The Return of the Eagle: The Legal History of the Grand Traverse Band of Ottawa and Chippewa Indians (Michigan State University Press 2012); and American Indian Education: Counternarratives in Racism, Struggle, and the Law (Routledge 2008). He co-edited The Indian Civil Rights Act at Forty with Kristen A. Carpenter and Angela R. Riley (UCLA American Indian Studies Press 2012), and Facing the Future: The Indian Child Welfare Act at 30 with Wenona T. Singel and Kathryn E. Fort (Michigan State University Press 2009). Professor Fletcher’s scholarship has been cited twice by the United States Supreme Court; in more than a dozen federal, state, and tribal courts; in dozens of federal, state, and tribal court briefs; and in hundreds of law review articles and other secondary legal authorities. Finally, Professor Fletcher is the primary editor and author of the leading law blog on American Indian law and policy, Turtle Talk.

Professor Fletcher graduated from the University of Michigan Law School in 1997 and the University of Michigan in 1994. He has worked as a staff attorney for four Indian Tribes – the Pascua Yaqui Tribe, the Hoopa Valley Tribe, the Suquamish Tribe, and the Grand Traverse Band. He previously sat on the judiciaries of the Lac du Flambeau Band of Lake Superior Chippewa Indians, the Little River Band of Ottawa Indians, the Lower Elwha Klallam Tribe, and the Turtle Mountain Band of Chippewa Indians; and served as a consultant to the Seneca Nation of Indians Court of Appeals. He is married to Wenona Singel, a member of the Little Traverse Bay Bands of Odawa Indians, and they have two sons, Owen and Emmett.
11-3 pm  TICA BOARD MEETING

3-5:15 pm  ICWA TRIBAL IN-HOUSE ATTORNEY MEETING & PANEL
For call in number, contact Kate Fort
Moot Court Room

4-5:15 pm  TRIBAL LAW INTERNSHIP INFORMATIONAL SESSION

4-5:15 pm  FAMILIES FIRST AND TRIBAL TITLE IV-E
Sponsor • Casey Family Programs
Moot Court Room
Jack Trope, Casey Family Programs
Andrea Smith, Port Gamble S’klallam Tribe
Suzanne Garcia, Tribal Law and Policy Institute

6-8 pm  CONFERENCE WELCOME RECEPTION
Sponsor • Sonosky, Chambers, Sachse, Endreson & Perry LLP
Beggar’s Banquet • see page 7 for location
8:15AM  REGISTRATION AND CONTINENTAL BREAKFAST

8:45AM  WELCOME
Dean Lawrence Ponoroff, MSU College of Law
Professor Matthew L.M. Fletcher, MSU ILPC
President Doreen N. McPaul, Tribal In-House Council Association

9:00AM  KEYNOTE
Professor Matthew L.M. Fletcher, MSU College of Law

10-11:30AM  TRIBES, TREATIES AND TIME
Sponsors • Drummond Woodsum • Choctaw Nation of Oklahoma
Moderator: Malina Dumas, Drummond Woodsum
Paul Spruhan, Navajo Nation
Heather Whiteman Runs Him, Native American Rights Fund
Monte Mills, Alexander Blewett III School of Law
University of Montana

11:30-12:30PM  LUNCH
Sponsor • Chickasaw Nation
DAY 1 CONTINUED

12:30-2:00PM EFFECTIVE PARTNERING WITH YOUR FEDERAL TRUSTEE
Sponsors • Indian and Environmental Law Group, PLLC
Moderator: Maurisa Bell, MSU Law Student
Venus McGhee Prince, Kilpatrick Townsend LLP
Eric N. Shephard, U.S. DOI Solicitor’s Office
Daron Carrerio, U.S. Department of Justice
Kara Pfister, U.S. DOI Field Solicitor’s Office

2:15-3:45PM WORLD JUSTICE PROJECT RULE OF LAW
Sponsors • Kogovsek & Associates • Whitten & Burrage, LLP
Moderator: Hilary Tompkins, Hogan Lovells LLP
Paul Spruhan, Navajo Nation
Alex Ponce, World Justice Project
Juan Carols Botero, Facultad de Ciencias Jurídicas Pontificia
Universidad Javeriana

4:00-5:00PM FILLING THE PIPELINE • ELIMINATION OF BIAS
Sponsor • Hogan Adams
Moderator: Neoshia Roemer, ILPC
Jessica Intermill, Hogen Adams
Leah K. Jurss, Hogen Adams
Rachel R. Felix, Sacks Tierney PA.

6:00PM CONFERENCE RECEPTION
Sponsor • Fredericks Peebles & Morgan LLP
HopCat • See page 7 for location

END OF DAY 1
8:15AM
CONTINENTAL BREAKFAST

8:30-10:00AM
TRIBAL SELF-REGULATION OF HEALTH CARE
Sponsor • Pietzsch, Bonnett & Womack • Rosette LLP
Moderator: Austin Moore, MSU Law Student
Geoff Strommer, Hobbs Straus
Stephen T. LeCuyer, Swinomish Indian Tribal Community
Rebecca Patterson, Sonosky Chambers

10:15-11:45AM
MURPHY V. ROYAL OVERVIEW AND IMPLICATIONS
Sponsors • Red Maple Consulting • Green Law Firm
Moderator: Clare Johnson, MSU Law Student
Stephen Greetham, Chickasaw Nation
Debra Gee, Chickasaw Nation
Sara Hill, Cherokee Nation
Philip Tinker, Kanji & Katzen

11:45-12:45PM
LUNCH
12:45-2:15PM  LITIGATING DIFFICULT ICWA CASES  
Sponsors • Dentons • Rothstein Donatelli • Cherokee Nation  
Moderator: Kathryn E. Fort, MSU ILPC  
April Olson, Rothstein Donatelli LLP  
Tom Murphy, Gila River Indian Community  
Annette Nickel, Pokagon Band of Potawatomi Indians  

2:30-4:00PM  PROFESSIONAL RESPONSIBILITY & ETHICAL OBLIGATIONS • ETHICS  
Sponsor • Kewenvoyouma Law, PLLC • Kilpatrick Townsend  
Moderator: Yasmeen Farran, MSU Law Student  
Kaighn Smith Jr., Drummond Woodsum  
TJ McReynolds, Pueblo of Nambe  
Nikki Borchart Campbell, National American Indian Court Judges Association  

END OF CONFERENCE
NIKKI BORCHART CAMPBELL. Paiute Indian Tribe of Utah/Ute Indian Tribe, Executive Director of National American Indian Court Judges Association, holds a JD degree and a Certificate in Indian Law from Arizona State University College of Law. Nikki also holds a B.A. and M.A. in Cultural and Social Anthropology from Stanford University where she graduated with honors. As an Attorney, Nikki has worked with all aspects of Indian law as well as civil litigation. Nikki’s current work entails strengthening and enhancing tribal judicial systems, including developing training and technical assistance for tribal judicial personnel, attorneys, and other organizations.

DR. JUAN BOTERO is an Associate Professor at the Pontificia Universidad Javeriana School of Law in Bogotá, Colombia. Prior to joining the University, he served for ten years as the World Justice Project’s Executive Director and Rule of Law Index Director. As Chief International Legal Counsel at the Colombian Ministry of Commerce, Professor Botero coordinated consultations and negotiations with dozens of native Colombian indigenous communities on issues pertaining to international trade. Previous experiences include service as researcher at Yale University and the World Bank; Director of the Instituto de Ciencia Politica in Colombia; and Judicial Clerk at the Colombian Constitutional Court. He has been a professor or guest lecturer in several countries. His academic publications focus on the areas of rule of law, access to justice, and labor regulation. Professor Botero has been admitted to practice law in the State of New York, USA (2000) and the Republic of Colombia (1996). He holds a Doctorate in Juridical Sciences form Georgetown University, a master of laws from Harvard Law School, and an LLB/J.D. from Universidad de Los Andes (Colombia).

DARON CARREIRO is the Senior Counsel for Native American Affairs at the U.S. Department of Justice in the Environment and Natural Resources Division (ENRD), where he provides counsel to the Assistant Attorney General and other members of ENRD’s front office on Indian country issues. He also handles an active docket of litigation matters involving water rights, tribal treaty rights, reservation boundaries, taxation, tribal jurisdiction, and agency actions affecting tribal interests.

RACHEL FELIX is a 2016 graduate of University of New Mexico School of Law where she earned her juris doctorate and a certificate in Indian Law. She also has a master’s degree in public administration from the University of New Mexico. Felix is admitted to practice in the state of New Mexico and the Navajo Nation, as well as before the federal U.S. District Court of New Mexico and several other tribal courts. During her time in law school, she served as student editor-in-chief of the Tribal Law Journal and as student liaison with the New Mexico Tribal State Judicial Consortium. Felix currently works as an associate attorney at Sacks Tierney P.A. in Scottsdale, Arizona.
DEBRA GEE currently serves as General Counsel and Executive Officer for the Chickasaw Nation Legal Division. Prior to this appointment, Debra served as Deputy Attorney General and Director of the Chickasaw Nation Division of Justice in Ada, Oklahoma since 2004. Prior to her current employment, Debra worked at the U.S. Department of Justice in Washington, D.C. where she served as Deputy Director of the Office of Tribal Justice and Tribal Legal Counsel for the Violence Against Women Office, Office of Justice Programs (now Office on Violence Against Women). In addition, Debra previously worked at the Muscogee (Creek) Nation in Okmulgee, Oklahoma and DNA-People’s Legal Services, Inc. in Shiprock, New Mexico. Debra is an enrolled member of the Navajo Nation and is also affiliated with the Muscogee (Creek) Nation. She is a graduate of the Arizona State University College of Law where she earned her J.D. and Smith College where she earned her B.A. Debra holds bar memberships in the tribal courts of the Chickasaw Nation, Muscogee (Creek) Nation and Navajo Nation and in the states of Oklahoma and New Mexico (inactive).

STEPHEN GREETHAM serves as Senior Counsel to the Chickasaw Nation. Greetham was previously a partner in the Albuquerque office of the Nordhaus Law Firm but has worked in-house with the Chickasaw for 12 years. His practice focuses primarily on complex litigation and negotiation matters relating to water and natural resources, taxation, and intergovernmental affairs. He has taught Federal Indian law courses at the University of New Mexico School of Law and Oklahoma University College of Law and will be teaching water law in spring 2019 at the Oklahoma City University School of Law. His most recent article—“Water Planning, Tribal Voices, and Creative Approaches: Seeking New Paths Through Tribal-State Water Conflict By Collaboration On State Water Planning Efforts”—appears in the Winter 2018 issue of the Natural Resources Journal.

SARA HILL was appointed as Secretary of Natural Resources for the Cherokee Nation in 2015 after many years of service to the Nation in the Office of the Attorney General. Since 2004, Sara has represented the Nation in tribal, state and federal courts. Her legal career predominantly focuses on Environmental and Natural Resources issues for the tribe, including serving as counsel for the Nation in State of Oklahoma v. Tyson and Cherokee Nation vs. Sequoyah Fuels. Secretary Hill serves on several Working Groups advising the Department of Energy, the Environmental Protection Agency, and the Natural Resources Conservation Service.

JESSICA INTERMILL is a founding member of Hogen Adams PLLC. She specializes in complex-case and treaty-rights litigation and advises tribes and their partners on federal Indian law, treaty rights, tribal governance, and sovereign immunity. Jessica has partnered with in-house counsel to represents tribes in tribal, federal, and state courts across the country, including the U.S. Supreme Court. She also assists tribes regarding governance issues, code drafting, and the day-to-day administration of tribal constitutions and codes. Jessica has earned Super Lawyer and AV-Preeminent ratings from her peers, and she frequently publishes and presents on various Indian law and tribal sovereignty topics.
LEAH JURSS is an associate attorney at Hogen Adams, PLLC in Saint Paul, Minnesota. Before she joined Hogen Adams, Leah served as a law clerk to the Honorable Roberto A. Lange of the United States District Court for the District of South Dakota. During law school, she served as the Editor-in-Chief of the Michigan State Law Review and provided amicus curiae support to tribes engaged in Indian Child Welfare Act litigation through the Indigenous Law & Policy Center Law Clinic at Michigan State University College of Law. After receiving her J.D., she was the Academic Fellow at the Indigenous Law & Policy Center, where she developed and taught a course to help first year Native American law students succeed in law school. Leah is a descendant of the White Earth Nation of northern Minnesota.

STEPHEN LECUYER is Director of the Office of the Tribal Attorney at the Swinomish Indian Tribal Community, located on Fidalgo Island in northwestern Washington State. Prior to coming to Swinomish in 2004, Steve was in private practice in Shiprock, Navajo Nation and Albuquerque, New Mexico, primarily representing individual Navajo tribal members. He began work in Indian Country as a summer intern with Dakota Plains Legal Services in Sisseton, and then after graduation on the Navajo Nation with DNA-People’s Legal Services. Indian law cases litigated include: Toledo v. Nobel-Sysco, Inc., 892 F.2d 1481 (10th Cir. 1989), cert. den. 495 U.S. 948 (1990) (trucking company’s refusal to hire member of Native American Church because of his sacramental use of peyote violated Title VII’s prohibition of religious discrimination); Descheenie on behalf of Descheenie v. Bowen, 850 F.2d 624 (10th Cir. 1988) (affirming award of ten years of retroactive Social Security benefits to tribal member based upon Social Security Administration’s recognition of marriage valid under Navajo Nation law, but invalid under New Mexico law); and Tsosie v. United States, 825 F.2d 393 (Fed. Cir. 1987) (rejecting government challenges to existence of an individual cause of action for damages under “bad man” provision of Article I of the 1868 Fort Sumner Treaty between the Navajo Nation and the U.S.).

VENUS MCGHEE PRINCE is a member of the Poarch Band of Creek Indians and is Counsel in the Native American Affairs Practice Group at Kilpatrick Townsend & Stockton LLP in Washington, D.C. Prior to joining the firm, Ms. Prince was Deputy Solicitor for Indian Affairs at the United States Department of Interior in Washington, D.C. where she provided legal counsel and representation to the Secretary and Assistant Secretary for Indian Affairs. Previously, Ms. Prince served for over seven years as the Attorney General for the Poarch Band of Creek Indians in Atmore, Alabama where she managed legal services and representation for all Poarch Creek Tribal entities. Ms. Prince also co-founded and served as President of the Tribal In-House Counsel Association while she worked for her tribe. Before serving as Attorney General for the Poarch Band of Creek Indians, Ms. Prince worked as an associate for law firms in Chicago, Illinois and Washington, D.C. where she gained experience in insurance coverage law, commercial litigation, and Native American legal matters.

Ms. Prince received her Bachelor of Arts, cum laude, in sociology from Harvard University and her Juris Doctor from the University of California at Berkeley. After graduation, Ms. Prince served as a judicial clerk to Justice Dana Fabe in the Alaska Supreme Court. In 2013, Ms. Prince was elected to the American Law Institute and currently serves as an Adviser to the Project on the Restatement of the Law of the American Indians. In 2014, Ms. Prince was a recipient of the Native American Bar Association–DC Chapter Award for “Excellence in Government Service”.
THOMAS J. “TJ” MCREYNOLDS is an experienced and dedicated Indian law practitioner who focuses on tribal economic development, energy & environmental matters, and Indian land and water rights. He has represented tribal clients in major fee-to-trust conversions, gaming and hospitality developments, land acquisition matters, monumental energy projects, oil and gas matters, and complex water rights settlements. He also provides legal advice to tribal governments concerning governance issues, corporate matters and drafts laws, ordinances and regulations. TJ was raised at the Pueblo de San Ildefonso, NM, and began his legal career in 2003. Upon graduating from the University of Denver, Strum College of Law, TJ clerked for the Honorable Nathan B. Coats of the Colorado Supreme Court and then joined an international law firm in Washington, D.C. representing tribal governments and advocating for them before various federal agencies and congressional delegations. After his stint in Washington, D.C., TJ moved back west working as general counsel for a large tribe’s gaming regulatory body and then for a boutique Indian law firm where he continued his representation of tribal governments and tribally owned business and gaming facilities. TJ is admitted in Colorado, Washington, D.C., New Mexico and Arizona. He is also admitted to the Tenth Circuit Court of Appeals.

MONTE MILLS is an Associate Professor and Co-Director of the Margery Hunter Brown Indian Law Clinic at the Alexander Blewett III School of Law at the University of Montana, where he teaches a variety of courses related to federal Indian law and also directs the school’s Summer Indian Law Program. Prior to joining that school’s faculty in the summer of 2015, Monte was the Director of the Legal Department for the Southern Ute Indian Tribe in Colorado, an in-house counsel department that he helped organize and implement in 2005 following completion of a unique two-year in-house attorney training program. As Director of the Tribe’s Legal Department, Monte represented and counseled the Tribe on a broad array of issues, including litigation in tribal, state and federal courts, legislative matters before the Colorado General Assembly and the United States Congress, and internal tribal matters such as contracting, code-drafting, and gaming issues.

THOMAS “TOM” MURPHY is the Deputy General Counsel for the Gila River Indian Community in southern Arizona, where he has worked since 2006. Before joining the Community, Tom was in private practice in New Mexico for several years, specializing in civil trial and appellate litigation in federal, state and tribal courts. Tom has argued before the Supreme Court of Arizona, the Supreme Court of New Mexico, the Supreme Court of the Navajo Nation, the Gila River Indian Community Court of Appeals, and the United States Court of Appeals for the Ninth and Tenth Circuits. Last year, Tom was board certified as a specialist in Federal Indian Law by the New Mexico Board of Legal Specialization (the first in-house tribal attorney to become board certified). Tom has been directly involved in several high profile ICWA cases including Matter of C.J., Jr., 2018 WL 1298798 (Ohio App. 2018); Gila River Indian Cmty. v. Dept. of Child Safety, 395 P.3d 286 (Ariz. 2017); and A.D. v. Washburn, 2017 WL 1019685 (D. Ariz. 2017).
ANNETTE NICKEL is the Presenting Officer and Prosecutor for the Pokagon Band of Potawatomi Indians, responsible for child protection matters and criminal matters involving Pokagon Band citizens on or off Trust land. Prior to joining the Pokagon Band in 2013, she was an equity partner in the Michigan law firm of Varnum LLP. Annette’s professional experience also includes positions as a Deputy District Attorney in the Eighteenth Judicial District of Colorado and as an Assistant Prosecuting Attorney in Kalamazoo County, Michigan. Annette has been an invited speaker for training put on by the Michigan State Court Administrative Office, the Michigan Judicial Institute, the Michigan Family Support Council, the Michigan Probate and Juvenile Registers, the Indiana Judicial Institute, and the Indiana Department of Child Services. She is a graduate of the University of Denver Sturm College of Law and Kalamazoo College.

APRIL OLSON is a partner in the Tempe Office of the firm of Rothstein Donatelli LLP. She joined the firm in May 2010 after working for the Gila River Indian Community for three and a half years. Ms. Olson practices in the field of federal Indian law and tribal law and her Indian law experience includes a wide variety of practice areas including criminal law, employment and labor law, civil litigation, corporate documents and organization, taxation and administrative law. A substantial part of Ms. Olson’s practice also involves Indian Child Welfare Act (ICWA) matters matters. Ms. Olson has represented 9 tribes in ICWA matters in over 10 states across the country. Ms. Olson has provided ICWA representation to tribes at the trial court level and in appellate proceedings. Ms. Olson is licensed to practice in the State Courts of California and Arizona, the District Court of the Arizona, and has practiced in the tribal courts of the Gila River Indian Community, the San Carlos Apache Tribe, the Hualapai Tribe, the Kaibab Band of Paiute Indians, Navajo Nation (pro hac vice) and the Havasupai Tribe. Prior to law school, Ms. Olson did social work for the Fond du Lac Band of Lake Superior Chippewa. Ms. Olson is also a former Chair of the Indian Law Section of the State Bar of Arizona and a member of the Native American Bar Association of Arizona.

PETER ORTEGO is the General Counsel for the Ute Mountain Ute Tribe, where he has been employed in the Tribe’s Justice Department since Spring 2000. Peter received his Juris Doctor in 1993 from the University of Colorado, Boulder, and he received a B.A. in Philosophy in 1989 from the University of California, Berkeley. Peter has practiced law primarily in the areas of Indian Law, Criminal Law, and Family Law since 1994 and has practiced in Colorado state and federal courts, New Mexico federal courts, and the Court of Indian Offenses, Ute Mountain Ute Agency. Peter is on several tribal, local, state and federal boards and commissions including as a founding member of the Tribal In-House Counsel Association. Peter lectures annually on Indian Law topics at the Denver University Sturm School of Law, the University of Boulder Law School, and several conferences and events.

REBECCA A. PATTERSON is an attorney at Sonosky, Chambers, Sachse, Miller & Monkman, LLP, a national Indian rights law firm with offices in Alaska, Washington, D.C., New Mexico, and California. Becca joined the firm’s Anchorage office in 2013 and works in all areas of the firm’s practice, but primarily focuses on litigation, self-governance matters, and health care. Before joining the firm, Ms. Patterson clerked for Chief Justice Walter L. Carpeneti (Ret.) of the Alaska Supreme Court and Judge Sharon L. Gleason of the U.S. District Court for the District of Alaska. Ms. Patterson graduated from Harvard Law School in 2011, where she served as Assistant Managing Editor for the Civil Rights-Civil Liberties Law Review and represented defendants in criminal proceedings in local courts. Before law school, Ms. Patterson worked on immigration issues at the Legal Assistance Foundation of Metropolitan Chicago.
KARA PFISTER is an Attorney-Advisor in the Northeast Regional Solicitor’s Office - Twin Cities, Minnesota. She graduated from the University of Florida College of Journalism and Communications in 1985 and College of Law in 1988. She began her career with the U.S. Department of Justice providing legal research services to federal legal offices nationwide. In 1991, she joined the U.S. Department of the Interior, Office of the Solicitor, and worked in several Divisions including the Division of Surface Mining, Division of General Law, and the Division of Indian Affairs. In 1997, she transferred to the Solicitor’s Twin Cities Office. Indian law is the primary focus of her practice. She also advises other DOI client agencies on cross-cutting areas of administrative law such as the Freedom of Information Act and the Privacy Act.

DR. ALEJANDRO PONCE is the Chief Research Officer of the World Justice Project (WJP). He joined the WJP as a Senior Economist and is one of the original designers and a lead author of the WJP Rule of Law Index®. Dr. Ponce leads the research and data collection initiatives of the World Justice Project, from the administration of the WJP Rule of Law Index to the design and implementation of nationwide surveys in Afghanistan, Pakistan, the EU, and Mexico. Prior to joining the World Justice Project, Dr. Ponce worked as a researcher at Yale University and as an economist at the World Bank and the Mexican Banking and Securities Commission. Dr. Ponce has conducted research in the areas of behavioral economics, financial inclusion, justice indicators, and the rule of law, and has been published in collected volumes as well as top academic journals such as The American Economic Review and The Journal of Law and Economics. He is a frequent speaker at international conferences and policy forums in the area of rule of law. He holds a B.A. in Economics from ITAM in Mexico, and an M.A. and Ph.D. in Economics from Stanford University.

ERIC SHEPARD is the Associate Solicitor for the Division of Indian Affairs. Prior to joining the Office of General Counsel (OGC), Shepard was the Attorney General for the Colorado River Indian Tribes for more than a decade. While in this position, he served as the chief legal officer and principal advisor to the Chairman and Tribal Council on litigation, federal and state legislative and regulatory affairs, land use and economic development proposals. Before serving the Colorado River Indian Tribes, Shepard clerked for the Indian Country Environmental Justice Clinic and the Conservation Law Foundation, and served as a fellow at the Soros Open Society Institute in Bucharest, Romania.

KAIGHN SMITH, JR. is a shareholder at Drummond Woodsum, and leads the firm’s nationwide Indian Law Practice. He has represented Indian nations and their enterprises for over 25 years. A litigator, his cases focus on all aspects of federal Indian law: jurisdiction and sovereignty disputes, gaming matters, labor and employment relations, land-in-trust and environmental matters, and fishing and water rights. Kaighn is the author of Labor and Employment Law in Indian Country (2011) published by the Native American Rights Fund. Since 2012, he has served as associate reporter (with Professors Matthew L.M. Fletcher and Wenona Singel) on the Restatement of American Indian Law for the American Law Institute. He serves as Adjunct Professor of American Indian Law at the University of Maine School of Law, and he is ranked by his peers in Chambers USA and Best Lawyers in America for the category of Native American Law. Kaighn clerked for Judge Frank M. Coffin at the U.S. Court of Appeals for the First Circuit.
PAUL SPRUHAN is Assistant Attorney General of the Litigation Unit at the Navajo Nation Department of Justice in Window Rock, Arizona. He received his A.B. in 1995 and his A.M. in 1996 from the University of Chicago. He received his J.D. in 2000 from the University of New Mexico. He has several Indian law articles published in law reviews, including *A Legal History of Blood Quantum in Federal Indian Law to 1935*, 51 South Dakota Law Review 1 (2006). His latest article, *CDIB: The Role of the Certificate of Degree of Indian Blood in Defining Native American Identity*, was published by the American Indian Law Journal in May, 2018. He also teaches Indian law topics for Barbri, Inc. and the Tulsa Law School Masters of Jurisprudence in Indian Law Program. He and his wife, Bidtah Becker, have two children and live in Fort Defiance on the Navajo Nation.

GEOFF STROMMER joined Hobbs Straus in 1992 and is managing partner of the office in Portland, Oregon. His involvement in Indian law grew from interests in constitutional issues and American history. Geoff works with tribes on a wide range of issues, primarily self-determination and self-governance. He is dedicated to working with tribal clients to help them develop stable and strong tribal governments that are able to deliver a range of high quality services to tribal members. Geoff is nationally recognized for his knowledge of and experience working with the Indian Self-Determination and Education Assistance Act (ISDEAA). Geoff has also been very involved in advising tribal clients on a broad range of matters related to the implementation of the provisions of the reauthorized Indian Health Care Improvement Act (IHCIA) enacted as part of the Patient Protection and Affordable Care Act (ACA). In 2012 he served as lead counsel for the National Indian Health Board (NIHB) and close to 450 tribes that joined the NIHB in an amicus brief filed in the United States Supreme Court in support of the U.S. government’s position that the ACA, and by extension the reauthorized IHCIA provisions in the ACA, was lawfully enacted. National Federation of Independent Business, et al. v. Sebelius, et al., 132 S.Ct. 2566 (2012). He has also written a number of articles on Indian law issues. Geoff is a veteran and served an active tour of duty in the United States Marine Corps.

PHILIP H. TINKER is an Associate Attorney in the Seattle office of Kanji & Katzen, PLLC. Since joining the firm in 2013, Philip has played a key role in its appellate and Supreme Court practice. Keenly interested in matters involving inherent tribal sovereignty, jurisdiction, and powers of government, Philip has helped the firm successfully defend its clients’ interests in cases including *Dollar General Corp. v. Mississippi Band of Choctaw Indians*, 136 S. Ct. 2159 (2016), *Michigan v. Bay Mills Indian Community*, 136 S. Ct. 2024 (2014), and *Kelsey v. Pope*, 809 F3d 849 (6th Cir. 2016). Currently, Philip and Kanji & Katzen are working with the Muscogee (Creek) Nation’s Attorney General’s Office to defend the Nation’s Reservation boundaries before the Supreme Court in the matter of *Carpenter v. Murphy*. A citizen of the Osage Nation, Philip received his J.D. in 2011 from The University of Tulsa College of Law. As a law student, Philip interned with the White House Council on Environmental Quality through the Udall Foundation Native American Congressional Internship Program, and worked as a legal associate for the United States Department of Justice, Office for Civil Rights, through the Department’s Summer Law Internship Program. Before joining Kanji & Katzen, Philip served for two years as a law clerk for the Honorable William J. Riley, Chief Judge of the United States Court of Appeals for the Eighth Circuit. Philip has published two law review articles: *In Search of a Civil Solution: Tribal Authority to Regulate Nonmember Conduct in Indian Country*, 50 Tulsa L. Rev. 193 (2014), and *Is Oklahoma Still Indian Country? “Justifiable Expectations” and Reservation Disestablishment in Murphy v. Sirmons and Osage Nation v. Irby*, 9 Dartmouth L.J. 120 (2011).
HILARY C. TOMPKINS has expansive experience representing chief executives in the public sector at the tribal, state, and federal level. From 2009 to 2017, she served in the presidentially appointed, Senate confirmed, position of Solicitor for the U.S. Department of the Interior (DOI) – the agency responsible for the management and conservation of public lands, natural and wildlife resource programs, and the trustee for Native American tribes. A proud member of the Navajo Nation, she is the first Native American to serve as Solicitor. In that role, she led over 300 attorneys in 16 offices nationwide and acquired significant experience in onshore and offshore energy development (conventional and renewable), the administration of federal water projects, conservation and wildlife legal requirements, and public land law. Clients included the Bureau of Land Management, National Park Service, Fish & Wildlife Service, and Bureau of Reclamation. Hilary is also a leader in federal Indian law in tribal self-determination and economic development, including Indian gaming and protection of tribal jurisdictional interests and treaty rights. At DOI, she set legal policy for the department, managed its position in litigation including cases before the U.S. Supreme Court, and developed legal opinions to advance its objectives. Her accomplishments include development of legal reforms following Deepwater Horizon, the successful defense of the first renewables on public lands, and the historic settlement of the largest class action lawsuit in U.S. history – the Cobell tribal trust litigation. Before serving as DOI Solicitor, Hilary was counsel to New Mexico Governor Bill Richardson (2003-2008), acting as his chief legal advisor and a key negotiator on Indian gaming compacts. She was also a special assistant U.S. attorney in the Eastern District of New York. She began her legal career as an Honors Program Trial Attorney in the Environment and Natural Resources Division of the U.S. Department of Justice, where she handled civil prosecutions in environmental cases nationwide.

HEATHER WHITEMAN RUNS HIM is a citizen of the Crow (Apsáalooke) Nation, grew up on the Crow Reservation, and works as a senior staff attorney at the Native American Rights Fund in Boulder, Colorado, where she focuses on tribal water rights, natural resource and sacred site protection, and international legal advocacy on rights of indigenous peoples. She previously served as Joint Lead Counsel for the Crow Tribe of Montana, where she oversaw a wide variety of legal issues and worked to secure federal and tribal ratification of the Crow Water Rights Settlement. Prior to working with the Crow Tribe, Heather practiced in New Mexico as an Assistant Public Defender, and additionally worked as an associate attorney in private practice, serving tribal governmental clients on a wide variety of issues. Heather received her Juris Doctorate from Harvard Law School. She received her B.A.F.A. with high honors in Art History, and with honors in Studio Art from the University of New Mexico in Albuquerque, and her A.F.A. from the Institute of American Indian Arts in Santa Fe, New Mexico. She is admitted to practice before the state court of New Mexico, and several federal trial and appellate courts.
SHAYNE MACHEN is the prosecutor and ICWA attorney for the Little River Band of Ottawa Indians. Prior to serving as the tribe’s prosecutor, she was in-house counsel in the tribe’s Unified Legal Department. Previous to her work with the tribe, she worked as a Deputy District Attorney in the Sacramento County District Attorney’s Office. She is a Syracuse College of Law graduate and has served on the TICA board since November of 2016.

DOREEN NANIBAA MCPAUL is Navajo (Kinyaa’áanii) and grew up on the Reservation in Chinle, AZ. She is a graduate of Princeton University and earned her Juris Doctorate from the ASU College of Law, where she also received a Certificate in Federal Indian Law and served as a staff writer for the ASU Law Journal. Ms. McPaul currently works as an Assistant Attorney General for the Pascua Yaqui Tribe in Tucson, AZ. In that capacity she represents the Tribe’s Health Services Division. She has practiced law for 17 years, including over 10 years as a tribal in-house attorney. She has also worked as a judicial law clerk, a tribal court staff attorney, an associate attorney for a boutique Indian law firm, and as a visiting clinical law professor and legal clinic director. She is admitted to practice law in Arizona and New Mexico, as well as before several tribal and federal courts. She is a founding board member and the current president of the Tribal In-House Counsel Association (TICA). She is also the first Native American to serve on the State Bar of Arizona Board of Governors. On a personal note, Ms. McPaul is married to SFC Mark McPaul and they have three sons.

MICHAEL OESER has spoken, published, taught, and practiced extensively in the areas of both tribal law and federal Indian law. He has published articles on political participation by tribes and tribal citizenship. He has advised tribal governments on a variety of topics including business law, constitutional interpretation, construction law, employment law, and gaming. He is a former William H. Hastie Fellow and former law professor. Before his time as a law professor, Mr. Oeser practiced trial and appellate law for 9 years. Mr. Oeser has represented and advised tribal governments on a variety of matters, including breach of trust claims relating to wildlife and natural resources, code drafting, U.S. Supreme Court appeals, commercial contracts, and collection of tribal court judgments. He served as senior tribal counsel to the Ho-Chunk Nation. Mr. Oeser’s primary area of responsibility was advising the Nation’s Department of Business, the Ho-Chunk office that oversees the Nation’s $1.5B gaming, retail, and smoke shop enterprises. In that capacity, he provided advice on employment law, tribal bidding/contracting, and taxation. Two of Mr. Oeser’s largest assignments were to provide legal support to the Nation’s multimillion dollar casino renovation project and guidance on a multimillion dollar dispute with an information technology services vendor. Other projects Mr. Oeser worked on include diversification of the tribe’s revenue sources, switching tribal facilities to renewable energy, and assisting in the development of the next generation of casino gaming.
MALENA PINKHAM (Nez Perce, Palouse, Grand Ronde) is a staff attorney in the Office of Legal Counsel for the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in Pendleton, OR. She works primarily in employment, housing, leasing, Indian Child Welfare Act, and insurance law. Prior to joining the CTUIR in 2013, Pinkham served as a public defender in Seattle, WA handling misdemeanor and involuntary commitments cases and as a private attorney in Spokane, WA in criminal, family, and immigration law.

Pinkham currently serves as a Board Member on the Washington State Bar Association Law Clerk Board. Pinkham is admitted to practice in the State of Washington, the State of Oregon, the U.S. Federal Eastern District Court of Washington, the Tulalip Tribal Court and Confederated Tribes of the Umatilla Indian Reservation Tribal Court. Pinkham received her B.A. in Social Welfare (2003) and J.D. (2006) from the University of Washington.

PAUL SPRUHAN see speaker biographies, page 21.

JAMES WASHINAWATOK II received his law degree from the University of Wisconsin Law School and a masters in law and policy from the University of Arizona College of Law’s Indigenous Peoples Law & Policy Program. During law school, he clerked with the Indian Law Resource Center in Helena, MT and with the Ho-Chunk Nation Legislature.

After law school, he was a legal fellow with the National Congress of American Indians and a part-time clerk with Hobbs Straus Dean & Walker. He relocated to the Southwest and joined the Nordhaus Law Firm in Albuquerque, NM. In 2007, he was accepted into the Southern Ute Indian Tribe’s in-house attorney training program in coordination with Maynes Bradford Shipps & Sheftel. After completing the training program, James has been a tribal attorney with the Southern Ute Legal Department for the past 11 years. He has been a lawyer for about 15 years, and has spent 13 of those years practicing Indian law. He is admitted to practice law in Wisconsin, New Mexico, Colorado, the Southern Ute Tribal court and other federal courts. In 2015, he was appointed to the Tribal In-House Council Association’s board.

Mr. Washinawatok is enrolled Menominee and has Mohawk ancestry, and grew up on the Menominee Reservation. He is married to Brenna Clani-Washinawatok, who is also an attorney, and they have a son and a daughter and live in Farmington, NM.