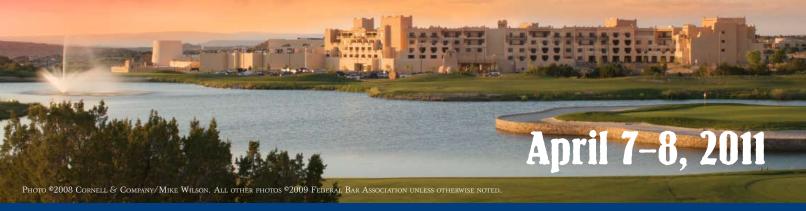
36th Annual Federal Bar Association Indian Law Conference



"Best Practices & Continuing Challenges in Federal Indian Law"











Hilton Santa Fe at Buffalo Thunder Located on the Pueblo of Pojoaque



"Best Practices & Continuing Challenges in Federal Indian Law"

Conference Overview

Native peoples have long been innovators in tribal governance, economic development, and cultural revitalization. Accordingly, the Conference takes a deliberate look at some of the "best practices" in federal Indian law as a means of approaching challenges faced by American Indian, Alaska Native, and Native Hawaiian peoples.

 ${f P}$ anel discussions will cover Indian land & trust law, finance, criminal justice, gaming, and taxation-looking, in each instance, at a continuing legal challenge and the ways that tribes, agencies, legislators, courts, and others are responding to it. Other sessions will address domestic and international advocacy, along with ethical considerations of in-house tribal legal counsel. Focus-group panels will provide "nuts and bolts" information and strategies on water law; tribal family, women, and children's programs; religious freedoms; civil

jurisdiction; and environmental justice. An exciting line-up of speakers from private practice, education, government, and tribal leadership will provide the latest updates on these topics.

This year's Conference also features plenary ▲ addresses by Colorado Law Dean David Getches, Seneca Nation President Robert Odawi Porter, Vice-Chair of the National Indian Gaming Commission Steffani Cochran, and Acting Solicitor of the United States Neal Katyal. A special program will honor the Native American Rights Fund's 40th Anniversary and its leadership role in best Indian law practices. Finally, back by popular demand is the Thursday Night Barbeque, held this year at the Poeh Museum on the Pueblo of Pojoaque. We hope you will join us for a forward-thinking, practicallyoriented, and inspiring conference!

Indian Law Section Leadership

CHAIR: ELIZABETH KRONK, ASSISTANT PROFESSOR, UNIV. OF MONTANA SCHOOL OF LAW DEPUTY CHAIR:

Jennifer Harvey Weddle, Shareholder and American Indian Practice Group

Co-Chair, Greenberg Traurig LLP

SECRETARY: Andrew Adams III, Jacobson, Buffalo, Magnuson, Anderson & Hogen, P.C.

MATTHEW L.M. FLETCHER, ASSOCIATE PROFESSOR, MICHIGAN STATE UNIV. COLLEGE Treasurer:

IMMEDIATE PAST CHAIR: HON. D. MICHAEL McBride III, Crowe & Dunlevy, P.C.

CHAIR EMERITUS: LAWRENCE R. BACA

CONFERENCE CHAIRS: Kristen A. Carpenter, Associate Professor, Univ. of Colorado Law School

Angela R. Riley, Professor, UCLA School of Law and Director, UCLA

American Indian Studies Center

Paul Spruhan, Assistant Attorney General, Navajo Nation Department of Justice Tracy Toulou, Director, Office of Tribal Justice, U.S. Department of Justice







Schedule at a Glance

Wednesday April 6, 2011

1:00–5:00 p.m. NNABA Annual Meeting 4:00–6:00 p.m. Conference Registration

6:00-8:00 p.m. NNABA and NNALSA Welcome Reception

Thursday April 7, 2011

7:00 a.m. Conference Registration

8:00-8:15 A.M. Welcoming Remarks

8:15-8:30 A.M. Opening Address: David Getches, Dean, University of Colorado Law School

8:30-10:00 a.m. Plenary 1: Hot Topics in Indian Land and Trust Law

9:00 a.m.-1:00 p.m. NNALSA Annual Meeting

10:00–10:15 a.m. Break

10:15–11:45 A.M. PLENARY 2: TRIBES, STATES, AND TAXES

11:45 a.m.-12:00 p.m. Break

12:00–1:15 p.m. Luncheon Program: Honoring NARF's 40th Anniversary

1:15-1:30 p.m. Break

1:30–1:45 p.m. Afternoon Address: Robert Odawi Porter, President, Seneca Nation of Indians

1:45-3:15 p.m. Plenary 3: The Tribal Law and Order Act Meets the Real World

3:15–3:30 p.m. Break

3:30-5:00 p.m. Plenary 4: Roundtable Discussion on Tribal Finance

4:00–6:30 p.m. NNALSA Candidate Mixer

6:30 p.m. Outdoor BBQ Dinner Reception at the Poeh Museum, Pueblo of Pojoaque

Friday April 8, 2011

7:00 a.m. Conference Registration

8:15–8:30 A.M. OPENING ADDRESS: STEFFANI A. COCHRAN, VICE-CHAIR, NATIONAL INDIAN GAMING

Commission

8:30-10:00 a.m. Plenary 5: Strategies for Tribal Advocacy: Judicial, Legislative, and

International

9:00 a.m.-12:00 p.m. NNALSA Elections

10:00-10:15 a.m. Break

10:15-11:45 a.m. Plenary 6: The Sacred and Profane: Indian Religions & the Federal

GOVERNMENT

10:15–11:45 A.M. CONCURRENT FOCUS GROUP SESSIONS

A. Innovations in Tribal Family, Women, & Children's Law Programs

B. Water Law Update
C. Environmental Justice

D. Creative Approaches to Tribal Civil Jurisdiction

11:45 a.m.-12:00 p.m. Break

12:00–1:15 p.m. Luncheon Program: Presentation of Section Awards; Report from

the National Native American Law Students Association

1:15–1:45 p.m. Afternoon Address: Neal Katyal, Acting Solicitor of the United States

1:45–2:00 p.m. Break

2:00-3:30 p.m. Plenary 7: The Next Century of Federal Indian Law

3:30–3:45 p.m. Break

3:45-5:15 p.m. Plenary 8: Ethics: The Role of In-House Tribal Counsel

"Best Practices & Continuing Challenges in Federal Indian Law"

Full Schedule of Events

1:00-5:00 P.M.	NNABA Annual Meeting	Mesa A-
4:00-6:00 p.m.	Conference Registration	
6:00-8:00 р.м.	NNABA AND NNALSA WELCOME RECEPTION, SPONSORED BY WAL-MART	
Thursday April	7. 2011	
7:00 A.M.	Conference Registration	itside Pueblo Ballroc
7:00 A.M5:00 P.M.	Career Tables, Exhibits, and Vendors	Caldei
8:00-8:15 a.m.	WELCOMING REMARKS Ashley L. Belleau, President, Federal Bar Association Elizabeth Kronk, Chair, Federal Bar Association Indian Law Section Jack Lockridge, Executive Director, Federal Bar Association	Tewa Ballroc
8:15-8:30 а.м.	OPENING Address	псе
8:30-10:00 A.M.	PLENARY 1: HOT TOPICS IN INDIAN LAND AND TRUST LAW	Tewa Ballroo
Moderator: Panelists:	Angela R. Riley, Co-chair, 2011 FBA Indian Law Conference Dan Rey-Bear, Partner, Nordhaus Law Firm LLP Hilary C. Tompkins, Solicitor, U.S. Department of the Interior Rebecca Tsosie, Professor, Arizona State University, Sandra Day O'Conne	or College of Law
9:00 A.M1:00 P.M.	NNALSA Annual Meeting	BARRANCA
10:00-10:15 A.M.	Break	Outside Calder
10:15-11:45 A.M.	PLENARY 2: TRIBES, STATES, AND TAXES	Tewa Ballroc
Moderator: Panelists:	Paul Spruhan, Co-chair, 2011 FBA Indian Law Conference Carolyn Abeita, Partner, Van Amberg, Rogers, Yepa, Abeita & Gomez LL. Mark Graham, Tax Reporting & Collections Manager, Salt River Tribe Robert Odawi Porter, President, Seneca Nation of Indians	p
11:45 а.м12:00 р.м.	Break	Outside Calder
12:00-1:15 р.м.	LUNCHEON PROGRAM: HONORING THE NATIVE AMERICAN RIGHTS FUND'S	D D
1.15 1.20	40th Anniversary	
1:15-1:30 P.M.	Break	
1:30-1:45 p.m.	Afternoon Address	псе
1:45-3:15 р.м.	PLENARY 3: THE TRIBAL LAW AND ORDER ACT MEETS THE REAL WORLD	Tewa Ballroc
Moderator: Panelists:	Tracy Toulou, Co-chair, 2011 FBA Indian Law Conference Chris Chaney, Deputy Director, Office of Tribal Justice Mark Pouley, Judge, Swinomish Indian Tribal Community Teresa Pouley, Judge, Tulalip Tribes	
2.15.2.20	Dean Kevin Washburn, University of New Mexico School of Law	0 0
3:15-3:30 р.м.	Break	
3:30–5:00 P.M. Moderator: Panelists:	PLENARY 4: ROUNDTABLE DISCUSSION ON TRIBAL FINANCE	I EWA DALLROC
6:30 р.м.	Melissa Schlicting, Staff Attorney, National Indian Gaming Commission Outdoor BBQ Dinner Reception	IIM PLIERLO OF POLOAGI
		OM, I VEBLO OF I OJOAQU
<u>Friday April 8, 2</u>		True Derroca
7:00 A.M. 5:00 P.M.	CARRED TARKS EVALUATED AND VENDORS	
7:00 A.M5:00 P.M.	CAREER TABLES, EXHIBITS, AND VENDORS	
8:15-8:30 A.M.	OPENING ADDRESS	:

April 7-8, 2011

8:30-10:00 A.M.	Plenary 5: Strategies for Tribal Advocacy: Judicial, Legislative, and International
Moderator:	Angela R. Riley, Co-chair, 2011 FBA Indian Law Conference
Panelists:	Tim Coulter, Executive Director, Indian Law Resource Center
	Walter Echo-Hawk, Of Counsel, Crowe & Dunlevy (Invited)
	Riyaz Kanji, Partner, Kanji & Katzen (Invited)
9:00 A.M12:00 P.M.	Loretta Tuell, Partner, Anderson Tuell LLP NNALSA Elections Caldera
10:00-10:15 A.M.	Break Outside Caldera
10:15-11:45 A.M.	PLENARY 6: THE SACRED AND PROFANE: INDIAN RELIGIONS AND THE FEDERAL
	GOVERNMENT
Moderator:	Tracy Toulou, Co-chair, 2011 FBA Indian Law Conference
	Ethan Shenkman, Environment and Natural Resources Division, U.S. Department of Justice Lawrence Walker, Legislator, Ho-Chunk Nation
	Alexander Tallchief Skibine, S.J. Quinney Professor of Law, University of Utah
10:15-11:45 A.M.	Concurrent Focus Group Sessions
	A. Innovations in Tribal Family, Women, & Children's Law Programs
Moderator:	Kristen A. Carpenter, Co-chair, 2011 FBA Indian Law Conference
Panelists:	Jerilyn Decoteau, Attorney, Eldorado Springs, Colo. Anita Fineday, Chief Judge, White Earth Reservation Tribal Court
	Terri Henry, Tribal Council Representative, Eastern Band of Cherokee Indians and Principal
	Director, Clan Star Inc.
	Jill Tompkins, Director, University of Colorado Law School Indian Law Clinic
Moderator:	B. Water Law Update Barranca B Angela R. Riley, Co-chair, 2011 FBA Indian Law Conference
Panelists:	Diane Hammons, Attorney General, Cherokee Nation
	John Shurts, General Council, Northwest Power and Conservation Council
	Jeanne Whiteing, Law Office of Jeanne Whiteing
M - 1	C. Environmental Justice Vista A
Moderator: Panelists:	Elizabeth Kronk, Chair, FBA Indian Law Section Ignacia Moreno, Assistant Attorney General, Environment and Natural Resources Division, U.S.
i anonoto.	Department of Justice
	Joann Chase, Director, American Indian Environmental Office, Environmental Protection Agency
	Dean B. Suagee, Of Counsel, Hobbs, Strauss, Dean and Walker
Moderator:	D. Creative Approaches to Tribal Civil Jurisdiction
Panelists:	Amy Bowers, Staff Attorney, Native American Rights Fund (Invited)
	Jill Grant, Partner, Nordhaus Law Firm LLP
	Sarah Krakoff, Professor, University of Colorado Law School
	Break Outside Caldera
12:00-1:15 P.M.	Luncheon Program
	Report from National Native American Law Students Association
1:15-1:45 p.m.	AFTERNOON ADDRESS
	Introduction: Matthew L.M. Fletcher, Treasurer, FBA Indian Law Section
1 45 2 00	Distinguished Speaker: Neal Katyal, Acting Solicitor of the United States (appearing by video)
1:45-2:00 p.m. 2:00-3:30 p.m.	Break
Moderator:	Kaighn Smith, Partner, Drummond, Woodsum & MacMahon LLP
Panelists:	Eugene Fidell, Senior Research Scholar in Law and Florence Rogatz Lecturer in Law, Yale
	Law School
	Stacy Leeds, Associate Dean & Professor, University of Kansas Law School Wenona Singel, Assistant Professor, Michigan State University Law School
3:30-3:45 р.м.	Break
3:45-5:15 р.м.	PLENARY 8: ETHICS: THE ROLE OF IN-HOUSE TRIBAL COUNSEL
Moderator:	Paul Spruhan, Co-chair, 2011 FBA Indian Law Conference
Panelists:	Bidtah Becker, Principal Attorney, Navajo Nation
	Aaron Loomis, General Counsel, St. Croix Chippewa Indians of Wisconsin Venus Prince, Attorney General, Poarch Band of Creek Indians
	volus Fillo, Autrieg General, Fourth Bana of Greek Thalans

Conference Registration

THREE WAYS TO REGISTER: By email to Kate Faenza at kfaenza@fedbar.org; by mail to Federal Bar Association, 36th Annual Indian Law Conference, 1220 North Fillmore St., Suite 444, Arlington, VA 22201; or by fax to (571) 481-9090. Registration is also available online at www.fedbar.org. Registration Deadline: March 31, 2010.

REGISTRANT INFORMATION		
Name		
Firm/Agency		
Address		
City	State Zip	
Phone	Fax	
E-mail Address		
Indicate if you have any special nee	eds requiring assistance, including dietary.	
Conference Fees		
EARLY REGISTRATION (BY 5:00 P.M. EST ON 3/9/11)	REGISTRATION (AFTER 5:00 P.M. EST on 3/9/11)	
□ \$425 FBA Member	□ \$485 FBA Member	
☐ \$515 NEW FBA Member	☐ \$575 NEW FBA Member	
For the early registration fee of \$ year membership in the FBA, and the FBA. After 5:00 p.m. on March up to \$575. You must complete bo	the Federal Bar Association now and save up 515, you will receive conference registration a full 1 year membership in the Indian Law Son 9, 2011, you still receive the savings, but the oth the registration form and membership appers of the savings.	, a full 1 ection of fee goes
This total package is only being o so take advantage of this one-tin	offered to the 2011 Indian Law Conference at ne offer today!	tendees,
	THE CONFERENCE REGISTRATION FORM AN ICATION ON THE OPPOSITE PAGE!	ND THE
□ \$545 Nonmember	□ \$605 Non-Member	
☐ \$175 Law Student	☐ \$195 Law Student	
METHOD OF PAYMENT	4	
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oroan cara. Tyloa Tivi	asteroard — American Express	
Account Number	Exp. Date	
Signature		

Enrollment and Fees
Enrollment in the conference is open to all persons with an interest in Native American legal issues. The deadline for registration by mail or fax is March 31, 2011. The conference fee includes one ticket to each luncheon and one ticket to the Thursday night reception as well as one set of course materials as provided by the speakers. Registration fees paid to the Federal Bar Association are not tax deductible as charitable contributions for federal income tax purposes. However, such fees may be deductible under other provisions of the IRS Code, such as ordinary and necessary business expenses.

Cancellation Policy

No refunds will be made for cancellations received after the close of business on March 31, 2011. Noshows will be billed. Substitutions m6y be made at any time upon written notification to the conference office. All requests for refunds must be made in writing and be addressed to Federal Bar Association, 36th Annual Indian Law Conference, 1220 North Fillmore Street, Suite 444, Arlington, NA 22201. For more information regarding refund. VA 22201. For more information regarding refund, complaint and/or program cancellation policies, please contact Kate Faenza at kfaenza@fedbar.org.

cut-off date for reservations is March 14, 2011, unless rooms sell out earlier.

has been arranged. Reservations are required and may be made no more than 30 days in advance by calling 1-888-775-5696 and mentioning the Federal Bar Association. Schedules and other information are available at www.sandiashuttle.com.

New Mexico Rail Runner

Airport Express Bus—Route 350 picks up from the Albuquerque Airport and transports to the Albuquerque Downtown train station. Once in Santa Fe, a complimentary shuttle provided by Hilton will transport you from the train station to the hotel. (Please check with the hotel for their shuttle schedule.) For more information and to pre-purchase rail





Nonmembers: Complete both the form below and the registration form on the opposite page to join the FBA today—and receive a discount on your conference registration fees as well as the many year-round benefits!

2011 Indian Law Co	Conterence New Member Application			INDLAW-CONF 11	
1. Please tell us about yourself (Please Print)	1. Practice Type (based on primary employment)	2. FBA Membership Categories 2a. Active Membership	PRIVATE SECTOR	PUBLIC SECTOR MEMBER	
First Name M.I. Last Name	Private Sector O Private Practice	Please choose one. Member Admitted to practice 0-5 years	<u>Мемвек</u>	О	
Title O Male O Female Date of Birth/	O Corporate/In-House Public Sector	Member Admitted to practice 6-10 years	0	0	
Please supply both your business and home addresses below. My preferred mailing address is O Business O Home	O Government O Judiciary	Member Admitted to practice 11 years or more			
Business Address	O University/College O Military	Retired (fully retired from the practice of	(law)	0	
Firm/Agency	O Non-profit O Association Counsel				
Address	Please provide information regard	ding bar admission:			
Suite/Floor	Court of Record for Admission	n State/District			
City State Zip	Original Admission Date (MM/DD/YYYY)				
() () Phone Fax	If you practice before a tribal cou	rt, please complete:			
E-mail	Tribal Court of Record				
Home Address	State/District Admis	ssion Date			
Address Apt. #		mplete and return with Conference Registra FBA Indian Law Conference			
City State Zip	(5	Fillmore St., Suite 444, Arlington, VA 2 571) 481-9100 • (571) 481-9090 (fax) efaenza@fedbar.org • www.fedbar.org	22201		
Phone Fax					







BBQ is Back!

Join us on Thursday night for an outdoor BBQ dinner at the Poeh Museum on the Pueblo of Pojoaque. More details inside!