

MICHIGAN INDIAN LAW

**NOW UPDATED
FOR 2022!**



Misshepezhieu—Spirit of the Great Lakes, by Zoey Wood-Salomon, painted in the traditional Woodland style that reflects her Odawa-Ojibwe heritage. Her work can be seen at www.noaa.ca/members/userview.php?Member=200

IMAGE FROM
MICHIGAN LAW
QUADRANGLE —
SPRING 2010

American Indian Law Students Association



Scott Nance; Peter Jourdain, president; Ed Goodman, treasurer. **Not pictured:** Dorothy Goeman, vice-president; John Lowe; Pamela Patrick.

JOHN PETOSKEY -- 2020 GRAD



ENVIRONMENTAL LAW
& POLICY CENTER —
CHICAGO

GRAND TRAVERSE BAND
OF OTTAWA AND
CHIPPEWA INDIANS

MICHIGAN ADVISORY
COUNCIL ON
ENVIRONMENTAL
JUSTICE



THE NATIVE AMERICAN LAW STUDENTS ASSOCIATION
PRESENTS

Do you stand with Standing Rock?

*Key Legal Issues Underlying the Challenge to the
Dakota Access Pipeline*

*A Talk with Michigan State University Indigenous
Law and Policy Center Professor Wenona T. Singel*

SEPTEMBER 23 2016
11:50-1:00 218 HUTCHINS

LUNCH PROVIDED

COSPONSORED BY:
RACIAL JUSTICE COALITION
MICHIGAN ENERGY LAW ASSOCIATION
POVERTY LAW SOCIETY
ENVIRONMENTAL LAW SOCIETY
MICHIGAN JOURNAL OF RACE & LAW





NALSA presents

Indian Law Day 2010



Looking Inward: Tribal Governance



Friday, April 2, 1:00 - 5:00
University of Michigan Law School
138 Hutchins Hall

Panels: 1) Tribal Courts 2) Economic
Diversification 3) Tribal Constitutions

Keynote Speaker: Frank Ettawageshik,
*Former Tribal Chairman of Little
Traverse Bay Bands of Odawa Indians*

Free and Open to the Public

Questions? Contact heidijos@umich.edu

KIRSTEN MATOY CARLSON -- 2003 JD, 2007 PHD



WAYNE STATE LAW
PROFESSOR

ALSA Presents

Indian Law Day 201



Rights, Resources, Respect: A Discussion on Native American Environmental Land Use Issues

Keynote Speaker: Colette Routel

Assistant Professor of Law, William Mitchell College of Law

Friday, April 1, 12:15-3:15, 132 Hutchins

Sponsored by the Native American Law Students Assoc

and the Environmental Law So

Lunch served outside of Room 132 at

Free and open to the p

Questions? Contact tralinds@um

JOSH CLAUSE -- 2010 GRAD



CLAUSE LAW PLLC

MOHAWK NATION — SIX
NATIONS, GRAND RIVER

Native American

Law Day

Friday, April 11, 10 a.m.-5 p.m.
Room 150, Hutchins Hall



Ann Arbor Pow Wow

Sat. & Sun., April 12 & 13, 1:00 p.m.

Sports Coliseum
For info call 763-9044

Native American Law Students Association presents...

Indian Law Day 2013

Friday, April 5



With keynote speaker Kevin Washburn, Assistant Secretary of Indian Affairs

11:00am

Panel on the Indian Child Welfare Act and the Baby Veronica case before the Supreme Court, *Adoptive Parents v. Baby Girl*

12:00pm

Lunch from Potbelly's

1:00pm

Panel on the 25th anniversary of the Indian Gaming Regulatory Act, led by Kevin Washburn

Friday, April 5

10:30am – 3:00pm

Hutchins Hall 220

Lunch will be served

Free and open to all!

Questions? Contact huntersc@umich.edu

MELODY MCCOY -- 1986 GRAD



CHEROKEE
NATION

NATIVE AMERICAN
RIGHTS FUND

ARGUED STRATE V.
A-1 CONTRACTORS IN
SUPREME COURT



Thomas A. Dickson - Attorney,
Dakota and Melody McCoy - N
Senior Attorney

ithan E. Nuechterlein - Assistant to the U.S. Solicitor
eral, Melody McCoy - NARF Senior Attorney, Donald
Wharton - NARF Senior Attorney

AMERICAN INDIAN LAW DAY

FRI., APRIL 18, 9-5

Hutchins Hall, U-M Law School

featuring ***RUSSELL MEANS (Sioux)***
Director of American Indian Movement (AIM)

at 2:15-3:25, rm. 100

Also including eight other guest speakers throughout the day discussing such topics as the Indian Fishing Rights controversy.

For information call:

DOROTHY GOEMAN (313) 764-5418

or

ED GOODMAN (313) 763-3986

*Sponsored by MSA, LS & A, Rackham Student Government,
and Law School Senate.*

Native American Law Students Association presents

Indian Law Day 2012:

Indigenous Peoples' Rights Under International Law



Speakers:

Strong Wiggins
Law Resource Center
Director, Washington Office

Frank Ettawageshik
Executive Director of
United Tribes of Michigan

Kirsten Carls
Assistant Professor of Law
Wayne State University

Friday, March 30, 2012

12:00 p.m.-3:00 p.m.

University of Michigan Law School

Room 1020, South Hall

Zingerman's Lunch served at 12:00 p.m.

Free and open to the public

Questions? Contact nalsaexec@umich.edu

ELIZABETH KRONK WARNER -- 2003 GRAD

SAULT STE. MARIE TRIBE
OF CHIPPEWA INDIANS

DEAN OF S.J. QUINNEY
COLLEGE OF LAW AT THE
UNIVERSITY OF UTAH

ALLIE MALDONADO -- 2000 GRAD



CHIEF JUDGE — LITTLE
TRAVERSE BAY BANDS
OF ODAWA INDIANS

LITTLE TRAVERSE CITIZEN

Navajo Supreme Court visits 'U'

■ While visiting, Supreme Court heard arguments presented on current case

By Leah Graboski
Daily Staff Reporter

The Navajo Nation Supreme Court, the judicial body responsible for upholding Navajo law, made an unprecedented visit to the University Law School Friday.

The court tried the case of a Navajo man from New Mexico named James Kelly. In a lower court, Kelly had been convicted of reckless driving and vehicular homicide. He appealed to the supreme court, arguing the convictions violated the double jeopardy prohibition in the Navajo Bill of Rights. He argued that the charge of reckless driving is embedded in the other conviction.

The proceedings began at 1:30 p.m. in Hutchins Hall with two of the court's attorneys conducting oral arguments before three justices. The presentation of oral arguments was followed by a panel discussion.

No decision has been handed down.

In a country where indigenous people are an ethnic minority, the Navajo Supreme Court travels around the country to increase public awareness of its existence, said Gavin Clarkson, a visiting professor at the University Law School and a member of the Choctaw Tribe.

Other universities the court has visited include Harvard and Stanford.

The court's visit was a component of American Indian Law Day, an annual event organized by the University's Native American Law Students Association.

Expanding from Gallup, New Mexico to Flagstaff, Arizona, the Navajo Nation inhabits the largest land area of the 265 indigenous tribes in the United States. With a population of about 300,000, the Navajo Nation has its own executive, legislative and judicial branches.

The most powerful manifestation of tribal sovereignty is the tribal court, said Paul Spruhan, the permanent law clerk of the Navajo Supreme Court. The task of the courts is to define and interpret the

relationship between tribal law and federal law, said Navajo Supreme Court Chief Justice Herb Yazzie.

There is a fundamental difference in the aims of the federal court system and the tribal court system. In the eyes of Yazzie, in the federal system, someone is meant to win and someone is meant to lose.

Yazzie said the task of the tribal system is to ensure the reestablishment of harmony in society. This harmony is reached when all individuals feel that their thoughts, positions and needs are considered, Yazzie said in his opening remarks.

This difference is not meant to suggest total cleavage between the two courts. Yazzie said the courts must work together to coexist peacefully. Within the tribal system, there is a push-pull relationship between statutory law and common law. Common law is adopted from traditional values and cultural norms of the Navajo tribe, especially those passed down orally.

Over time, there has been an erosion of the tribal common law, said Justice Rudy Bedonie.

As a result of pressure to assimilate into "Western" culture, tribal societies began to eschew their traditional values, forgetting what it was like when "Indians were red men," Bedonie said.

In 2000, Navajo leaders passed legislation mandating the use of common law in Navajo tribal courts, Justice Lorene Ferguson said. Common law has always been in the background, but in the last few years, there has been a strong push to get back to Navajo values.

Farewell! Good Luck!
Thanks for the memories!



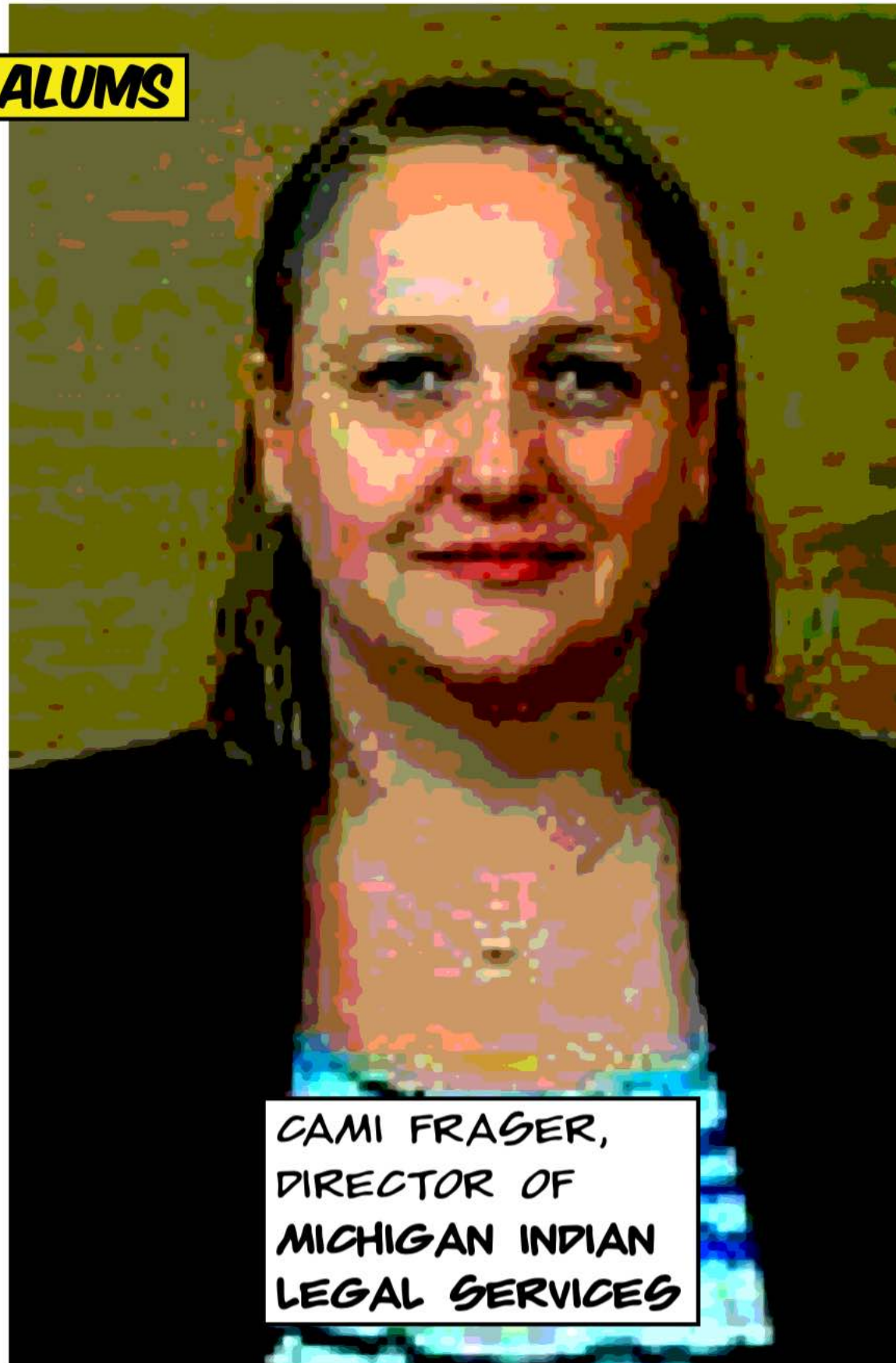
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OTHER ALUMS



RON DOUGLAS, SAGINAW
CHIPPEWA INDIAN TRIBE (POSSIBLY
THE FIRST NATIVE LAW GRAD
FROM MICHIGAN LAW)



CAMI FRASER,
DIRECTOR OF
MICHIGAN INDIAN
LEGAL SERVICES



TRENT CRABLE,
MAKAH NATION, IN-
HOUSE COUNSEL AT
MUCKLESHOOT TRIBE



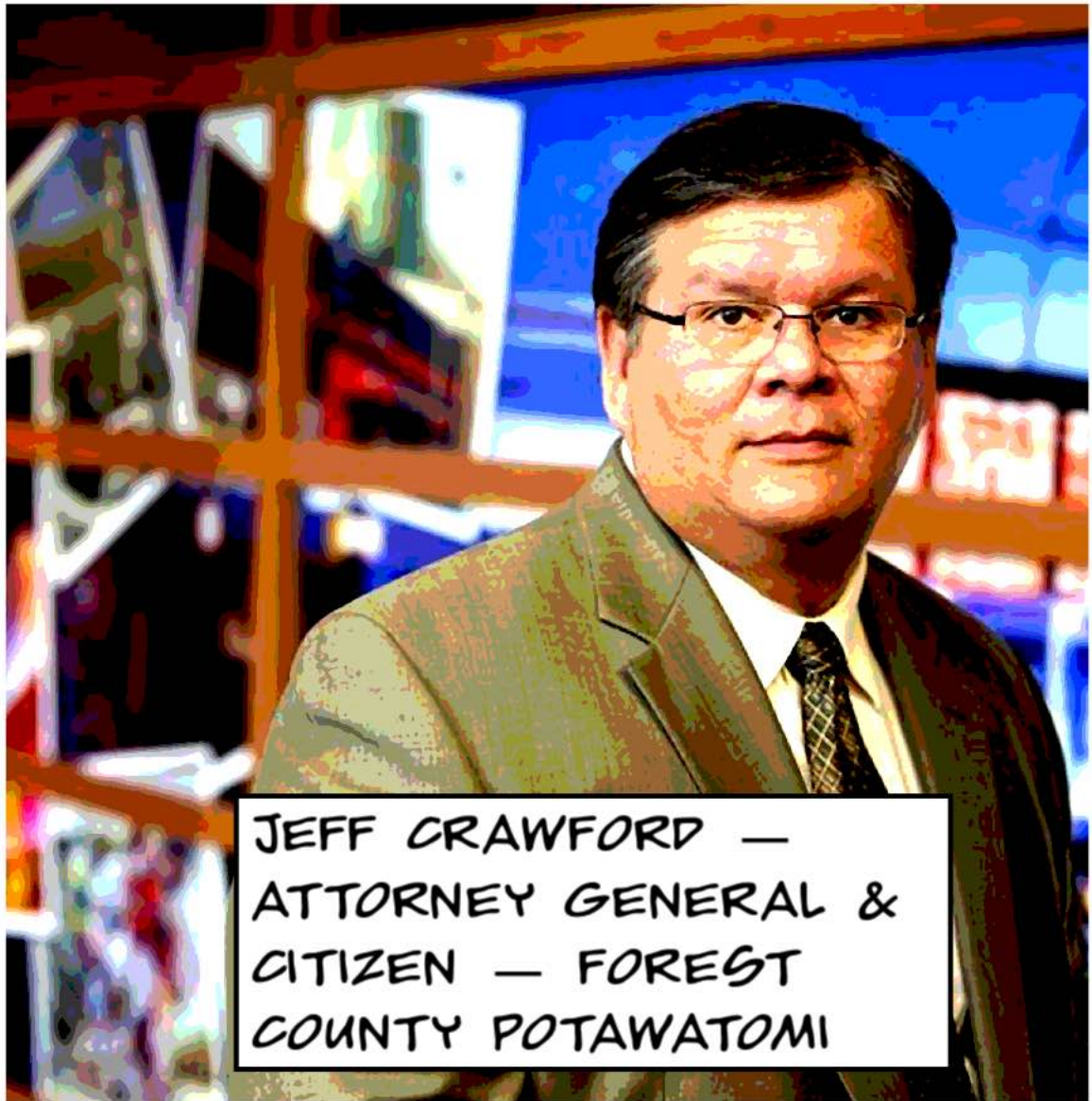
BEN CORNELIUS
— WISCONSIN
ONEIDA



MICHIGAN NALSA — SPRING
BREAK @ NAVAJO NATION — 2015



GUSSIE LORD —
EARTHJUSTICE —
WISCONSIN ONEIDA



JEFF CRAWFORD —
ATTORNEY GENERAL &
CITIZEN — FOREST
COUNTY POTAWATOMI



KEYSTONE XL
EVENT 2015

Alumni Become a Force in Native American Law

By Sheryl James

John Wildhorse called his daughter over and over again by her Indian name, Waboose, which means rabbit in Odawa; but she didn't turn her head and look at him until he spoke the name given to her by the foster family, Jane. How would the Creator hear his daughter's prayers if she couldn't tell the Creator that it was her, Waboose, praying?

How, indeed? This is the life mission—call it her own prayer—of Allie Greenleaf Maldonado, '00, an American Indian attorney who lives in Petoskey, Michigan. A member of the Little Traverse Bay Band of Odawa Indians and the tribe's assistant general counsel, Maldonado is an advocate for Native American children everywhere. She devotes a great deal of her time on bringing the State of Michigan, and other governmental entities around the country, into compliance with the Indian Child Welfare Act (ICWA).

The excerpt above is from a book chapter Maldonado penned recently on the subject. The ICWA was passed in 1978 to prevent the kind of problems John Wildhorse faced—and far worse abuses. But, she says, too many legal exceptions have undermined the law and allowed the separation of Indian children from their homes and culture, and other abuses.



PHOTO COURTESY OF THE LITTLE TRAVERSE BAY BAND OF ODAWA INDIANS

Maldonado's passion for this work has a personal genesis, she says.

"My mother was a victim of pre-Indian Child Welfare Act. When her mother died, there were lots of family members she could have been placed with. But it was a common practice at that time to pull Indian children out of their home, strip them of their culture—to 'beat the Indian out of the Indian.' My mother went to be a house slave for a Mennonite minister. She was only 4. She still talks about it. They beat her if she spoke her language. She couldn't practice her religion. They cut her hair. When she was 18, they married her off to get her out of the house. The abuses that happened to those kids were horrendous.

"That's why I went to law school. That was the purpose."

Maldonado, chair emeritus of the Federal Bar Association Indian Law Section, is among a vital group of Michigan Law alumni who

The history of her tribe spurred Allie Greenleaf Maldonado, '00, to go to law school. "It was common practice . . . to pull Indian children out of their home, strip them of their culture—to 'beat the Indian out of the Indian,'" she says. This tintype (above) depicts an Odawa family in the late 1800s.

are making an impact on the complicated, diverse, and at times legally challenging lives of Native Americans and Indian tribal issues. The national profile of U-M alumni is becoming more prominent at the same time that activities at the Law School also are increasingly visible, with an active chapter of the Native American Law Students Association (NALSA); the hosting of American Indian Law Day, when the Navajo Supreme Court heard oral arguments at U-M; and the election of 3L Josh Clause as president of the National NALSA.

The work of alumni with tribes throughout the country reveals a world most Americans rarely think about. It's a world of melodic names, disparate tribes, ancient customs, and modern-day adaptations.



It takes just one look at the office of Matthew L.M. Fletcher, '97, to get a sense of this world. Fletcher, director of Michigan State University's Indigenous Law Center, has abundant evidence of his native culture. One wall bears a map of northwest lower Michigan with all Indian names, such as "Mshii Gum," the Indian name for "Michigan."

Another poster is labeled "Anishinaabek: Heritage Language Map of the Three Fires People," referring to the Ottawa, Ojibwe, and Pottawatomie; Fletcher belongs to the Grand Traverse Band of Ottawa and Chippewa Indians.

Perhaps most interesting in the Native American history lessons offered in the office is the large "Map of Indian Country," showing reservations, tribes, and historical perspectives of Indians. It also briefly narrates important eras: "1492: the Arrival of Columbus; 1790: Indians Forced Inland; 1830: 'Indian Country'; 1860: Immigrant Stampede; 1890: The Vanquished Indian."

The final date reads, "2090: Indian Land?"

That may sound improbable; Fletcher's work is much more practical. He serves several functions. He works with the Center, along with his wife, Wenona, the Center's assistant director and member of the Little Traverse Bay Bands of Odawa Indians; he also works as a tribal appellate judge. But most of his time is spent on teaching and scholarship, he says.

After earning his law degree, he says, "I went back to work for my tribe for four years. It was the best working experience I had as a lawyer." But, he says, he had not studied Indian law at all because such courses were not plentiful, even at U-M. "It's really, really hard to graduate from law school and go practice Indian law. I did that and struggled."

As a result, "I went into teaching because every time I had an interesting legal case, there were no cases or scholarship on it. So the first articles I wrote were research questions I had to answer as a lawyer, because nobody else had written about these things before. That's why I became a professor."

Fletcher says there are 12 federally recognized Indian tribes in Michigan, and that, legally speaking, things are going well. "The ability of the various tribal governments in Michigan to govern has expanded exponentially in the last few decades, partly because tribal governments are



PHOTO COURTESY OF THE LITTLE TRAVERSE BAY BAND OF ODAWA INDIANS

A tintype from the late 1800s shows a group of Waganakising Odawa women. Today, several Michigan Law alumni are working on issues of importance to Native Americans, including efforts to ensure that Native American families are kept together.



Allie Greenleaf Maldonado, '00



Matthew L.M. Fletcher, '97



Elizabeth Kronk, '03

more accountable to their people. Some have gaming money, so they can afford to become better."

Michigan state governmental authorities also, he says, "have been very supportive of working with tribes as opposed to fighting with tribes." Because so many Michigan tribes have little actual land, they are entering into new, promising cooperative agreements with local and state jurisdictions—a leader in the United States in this approach.

Fletcher also is continually involved with the ICWA, and recently edited the book *Facing the Future, The Indian Child Welfare Act at 30*. Maldonado's chapter cited at the beginning of this article is included in the book.

Outside of Michigan, Elizabeth Kronk, '03, assistant professor of law at the University of Montana School of Law, focuses on tribal court development and energy development in Indian Country. She is chief judge of the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals. She also is chair of the Federal Bar Association's Indian Law Section.

She recently has written about the Indian Civil Rights Act, "and its limitations, specifically that it limits tribal courts' sentences to \$5,000 and/or a year in prison," Kronk says. "My position in the paper is that that has a significant effect on crime and lawlessness in Indian country. We're seeing criminals come in and deliberately

"I went into teaching because every time I had an interesting legal case, there were no cases or scholarship on it. So the first articles I wrote were research questions I had to answer as a lawyer, because nobody else had written about these things before. That's why I became a professor."


— Matthew L.M. Fletcher, '97

develop their criminal enterprise in Indian country thinking they can get away with it. It's not necessarily true, but there's that perception in the criminal world."

Calling her appellate judgeship "my dream job," Kronk most often sees child welfare and criminal cases.

All three of the alumni—Maldonado, Fletcher, and Kronk—say their Law School days were positive, and that the School itself was especially supportive. Kronk says the School was generous in providing opportunities to attend National Native American Law Students Association moot court competitions every year, and also the Federal Bar Association Indian Law Section's annual conferences. "There were wonderful learning and networking opportunities."

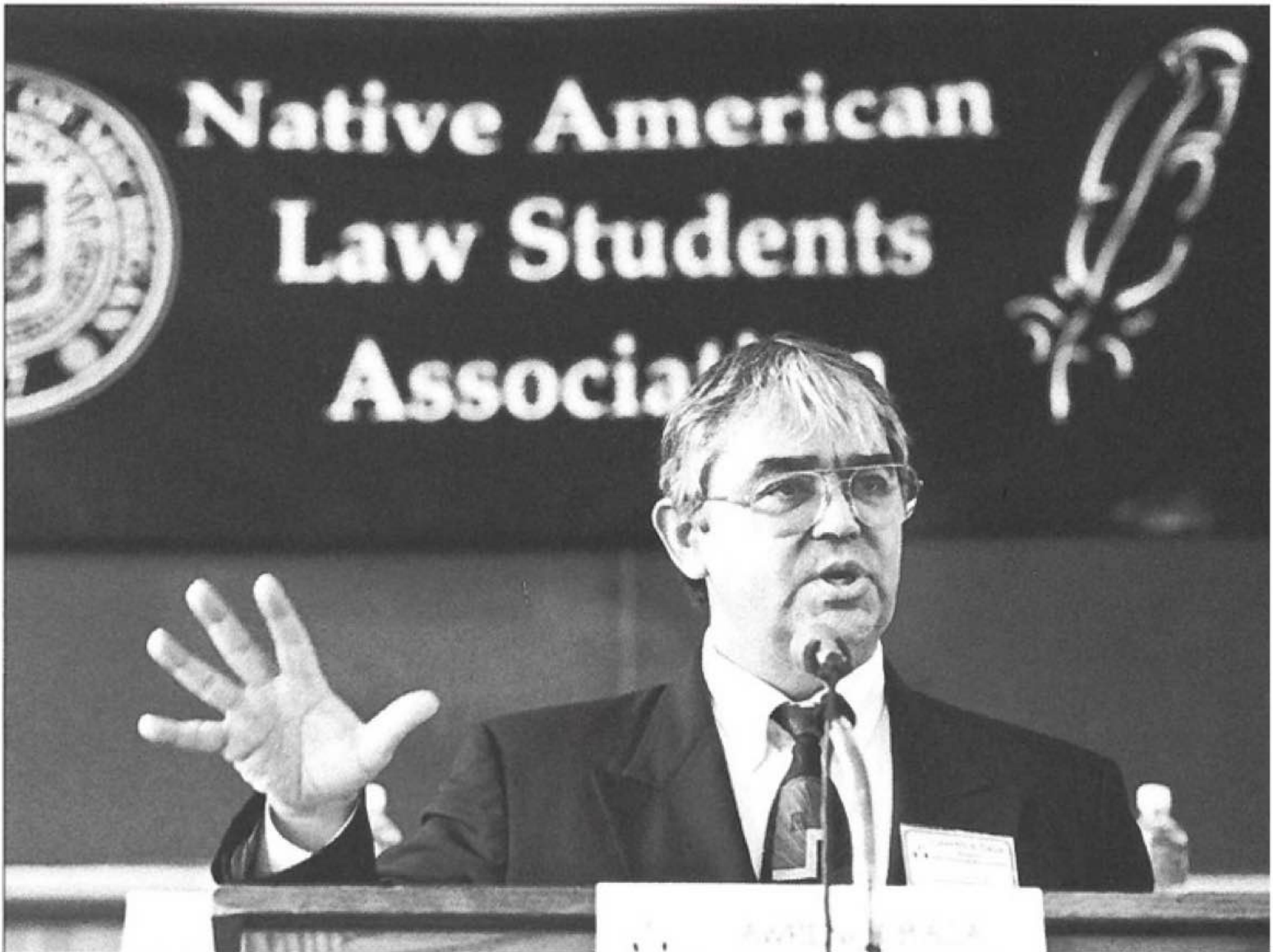
Fletcher, whose family has 10 U-M graduates stretching back to the 1890s, says he had the chance to be in the founding generation of the *Michigan Journal of Race and Law*, which helped lead him eventually into scholarship.

Maldonado calls her U-M years "one of the best experiences of my life. I felt like they wanted me to succeed as badly as I wanted to succeed." 

Sheryl James is a Pulitzer Prize-winning journalist who lives in Brighton, Michigan.



2003 NALSA



LAWRENCE BACA
2000 LAW DAY
SPEAKER

Keynote speaker Lawrence Baca tells the American Indian Law Day 2000 audience that Native Americans too often are “invisible” in U.S. society. Said Baca, the highest ranking trial attorney in the Civil Rights Division of the U.S. Department of Justice: “When two men meet there are actually six men present: each man as he sees himself; each man as the other man sees him; and each man as he thinks is.”



REBECCA TSOSIE, SHANE GREENBURG, DAVID GETCHES
— 2003 LAW DAY



nts in the recent American Indian Law Students Association symposium on education in the Reagan years included (from left to right) Hap McArthur, Roy Ennard, Paul Johnson, Dr. Robert Thomas, and Jeff Crawford.

Indian law students sponsor Law Day

By David Purcell and Melody McCoy

Legal issues involving American Indians will be explored in a series of discussions sponsored by American Indian Law students at the Law School on April 11, 1986.

The theme of the "American Indian Law Day" is tribal-state relations, and the position of the federal government on what should be the relationship. Topics to be discussed include: the history of tribal-state relations; current federal legislation affecting Indians; the immutability of federal and state guarantees to Indians of benefits such as health and education; recent Indian rights cases in Michigan; the development of independent tribal judicial systems; federal recognition and federal regulation of Indian gaming facilities.

American Indian Law Day is free and open to the public. The conference will run on Friday, April 11, from 10:00 a.m. to 5:00 p.m. in room 150, Hutchins Hall. A reception will follow. It is offered in conjunction with the 1986 Ann Arbor Pow Wow on April 12th and 13th at the coliseum, sponsored by the Native American Students at the University of

A tentative schedule of Law Day speakers and their topics includes:

—At 10:00 a.m. Charles F. Wilkinson, visiting professor of law from the University of Oregon (Indian law, public lands law) will start the discussions.

—At 11:00 a.m. Dan Lewis, staff assistant, Navajo Nation, Washington, D.C., will speak.

—At 1:00 p.m. Theodore Holappa, former Chief Judge of the Tribal Court of the Keweenaw Bay Indian Community, will speak.

—At 2:00 p.m. Jim Bransky, attorney with Michigan Indian Legal Services (MILS), Traverse City, Michigan will discuss recent cases in which MILS has been involved, and the benefits and burdens of federal recognition of Indian communities in Michigan.

—At 2:45 p.m. John Wernet, Attorney for the State of Michigan, State Attorney General's Office, Lansing, Michigan will discuss areas of Indian law in which he has been involved, and a proposed model for

—At 3:30 p.m. Tom Wilson, attorney for the Saginaw-Chippewa Indian Tribe of Michigan will discuss the role of tribal attorneys and the work of the National Indian Gaming Task Force.

—At 4:15 p.m. a panel of the Senate Committee on Indian Affairs will discuss the role of the Indian Affairs Commission in Washington.

Native American

Law Day

LAW DAY 1986

Friday, April 11, 10 a.m.-5 p.m.
Room 150, Hutchins Hall

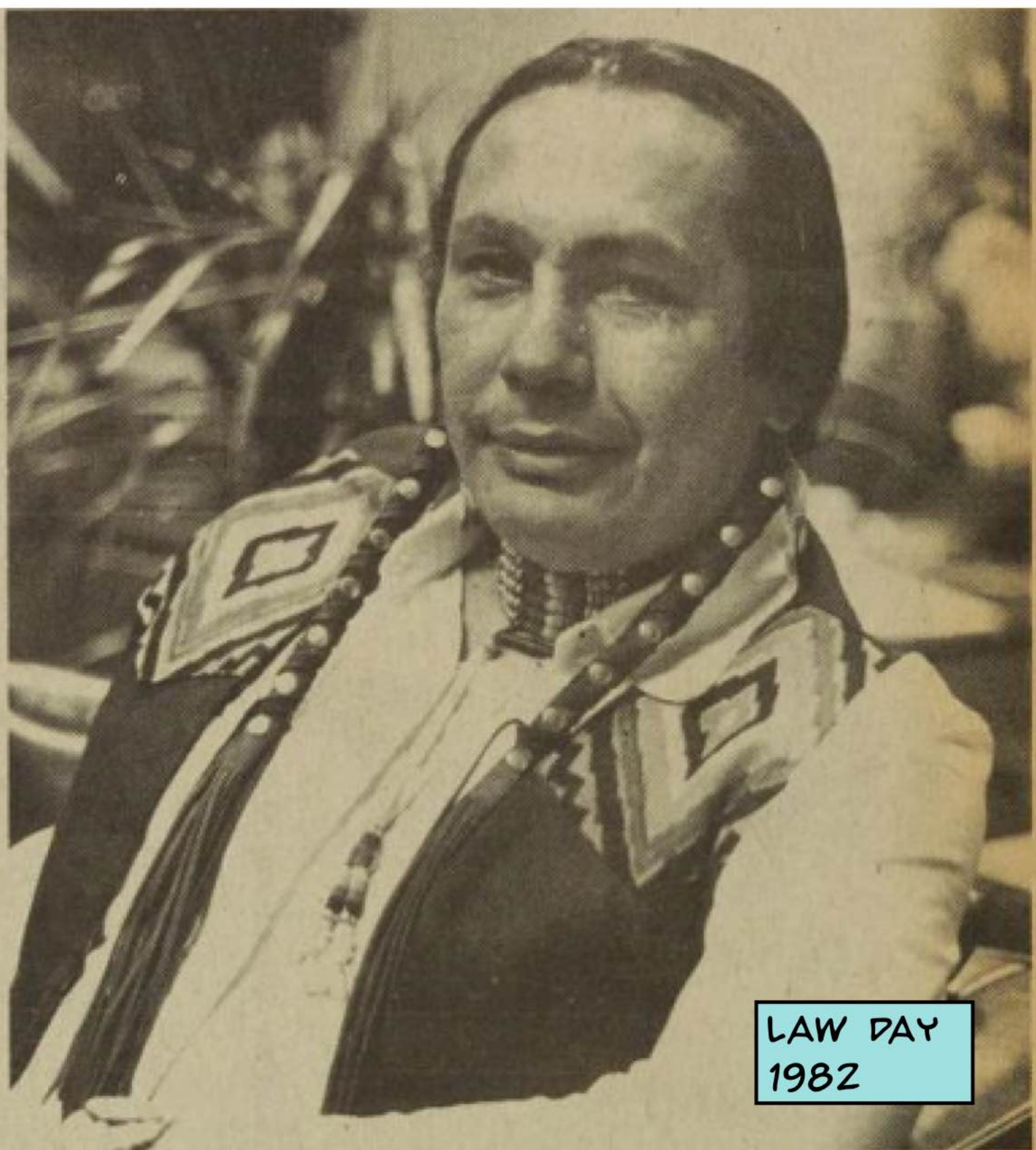
Activist Means urges fight for Indian rights

By HARLAN KAHN

American Indian activist Russell Means is still fighting for his rights as a native American, and yesterday he brought a bit of that war to the University.

Means, who spoke yesterday at Hutchins Hall in the Law School, addressed the nation's "arrogance of human rights," as part of a two day seminar sponsored by the American Indian Law Students Association.

MEANS SAID he wants freedom from exploitation and manipulation for all people, but only in the context of natural rights. There are three types of



LAW DAY
1982

Daily Photo by DOUG McMAHON

LAW DAY
2008

The Native American Law Students Association presents
American Indian Law Day 2008

Navigating the Jurisdictional Maze: Combating Crime in Indian Country

Please join us for a discussion on how the jurisdictional maze of criminal law in Indian Country has created a barrier to justice, how crime is currently being combated, and what actions are being taken to obtain justice.

Friday, March 28, 2008
University of Michigan Law School
Hutchins Hall, Room 138
1:00pm - 4:00pm
Free and Open to the Public

NATIVE AMERICAN LAW STUDENT ASSOCIATION



presents

American Indian Law Days: Religious Freedom

7:00 PM • 250 Hutchins Hall • U of M Law School

SESSION 1: PROTECTION OF RELIGIOUS SITES

February 21, 1990

- Marilyn Miles, Staff Attorney
California Indian Legal Services
- Steven Moore, Staff Attorney
Native American Rights Fund

SESSION II: REPATRIATION OF BURIAL REMAINS

February 22, 1990

- Walter Echohawk, Senior Staff Attorney
Native American Rights Fund
- Dr. Richard Ford, Chairman of Anthro Department
University of Michigan
- Dean Suagee, Attorney
Hobbs, Strauss, Dean & Wilder

Sponsored By: American Indian Law Student Association, Minority Student Services
Contributors: Law School Student Senate, Law School Office of Student Affairs, Law
School Speaker Fund, Office of Minority Affairs, Vice President of Student Services,
Vice Provost for Minority Affairs



INDIAN POWER

Daily Photo by RANDY EDMONDS
"INDIAN POWER" adorns the front of one man's shirt as he participated in yesterday's Indian demonstration against the University. "Custer had it coming" is the message from behind. Thus far, the Indians have received no action on their demands from the University.