

THE SUPREME COURT: (NEARLY) TEN GOOD YEARS

POW



WOW!

SINCE 2014. . . .

THE GOOD:

- * MICHIGAN V. BAY MILLS INDIAN COMMUNITY (2014)
- * NEBRASKA V. PARKER (2016)
- * U.S. V. BRYANT (2016)*
- * DOLLAR GENERAL V. MISSISSIPPI CHOCTAW (2016)**
- * PATCHAK V. ZINKE (2018)
- * UPPER SKAGIT V. LUNDGREN (2018)
- * WASHINGTON V. U.S. (2018)**
- * WASHINGTON V. COUGAR DEN (2019)
- * HERRERA V. WYOMING (2019)
- * MCGIRT V. OKLAHOMA (2020)
- * U.S. V. COOLEY (2021)*
- * YSLETA DEL SUR PUEBLO V. TEXAS (2022)
- * DENEZPI V. U.S. (2022)*

THE BAD:

- * MENOMINEE TRIBE V. UNITED STATES (2016)
- * LEWIS V. CLARKE (2017)***
- * YELLEN V. CHEHALIS****

**THE BUTT UGLY
HARBINGER OF
DOOM**

*** OKLAHOMA V
CASTRO HUIERTA
(2022)**

THE WHATEVER:

- * STURGEON V. FROST (2016)
- * STURGEON V. FROST (2019)

* BAD FOR NATIVE
CRIMINAL DEFENDANTS

*** GOOD FOR VICTIMS OF TORTS
BY TRIBAL EMPLOYEES

** 4-4 TIE BECAUSE SOMEONE
DIED OR BEHAVED ETHICALLY

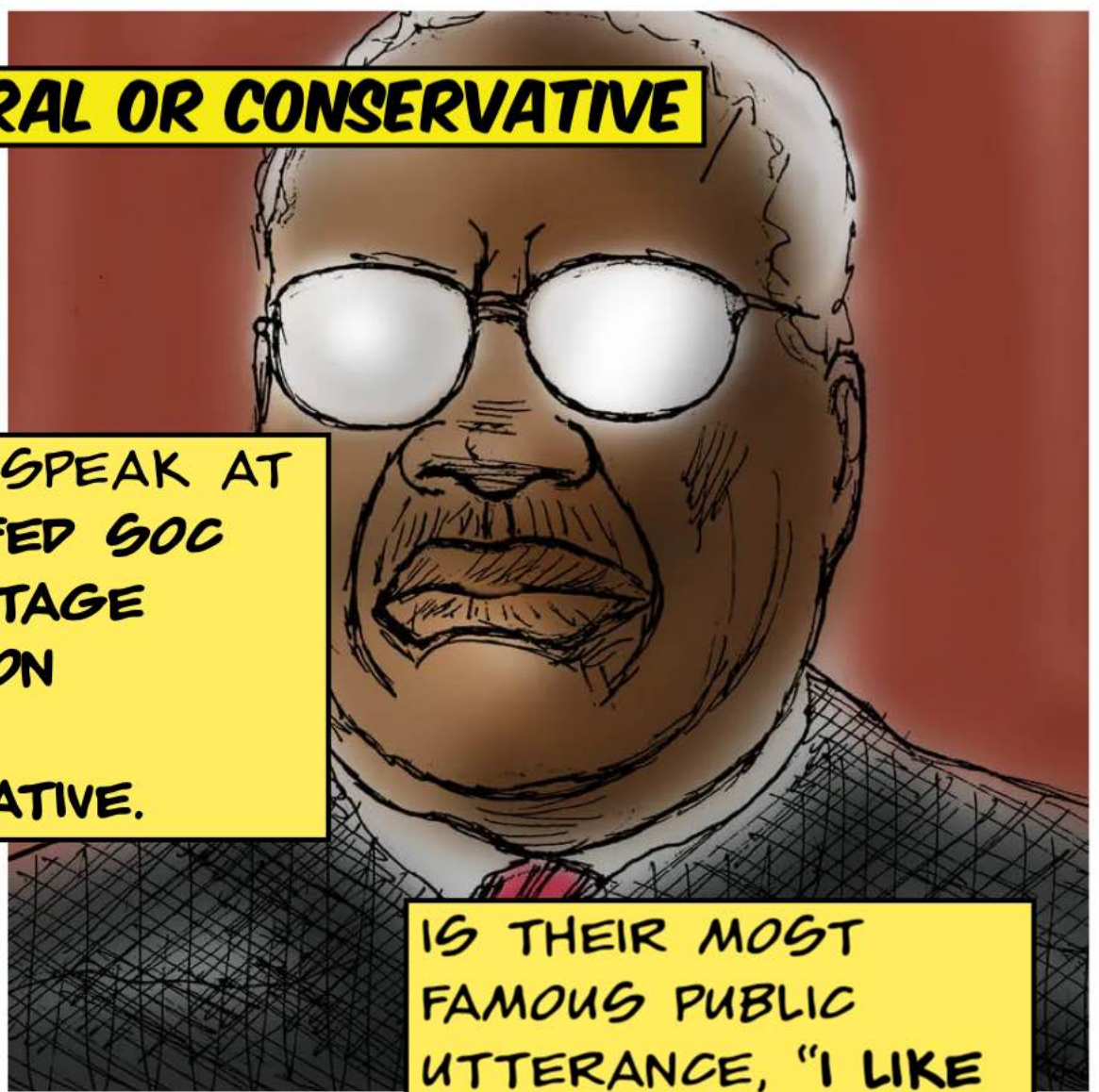
**** GOOD FOR ALASKA
NATIVE CORPS, COUGH

HOW TO TELL IF A JUDGE IS LIBERAL OR CONSERVATIVE

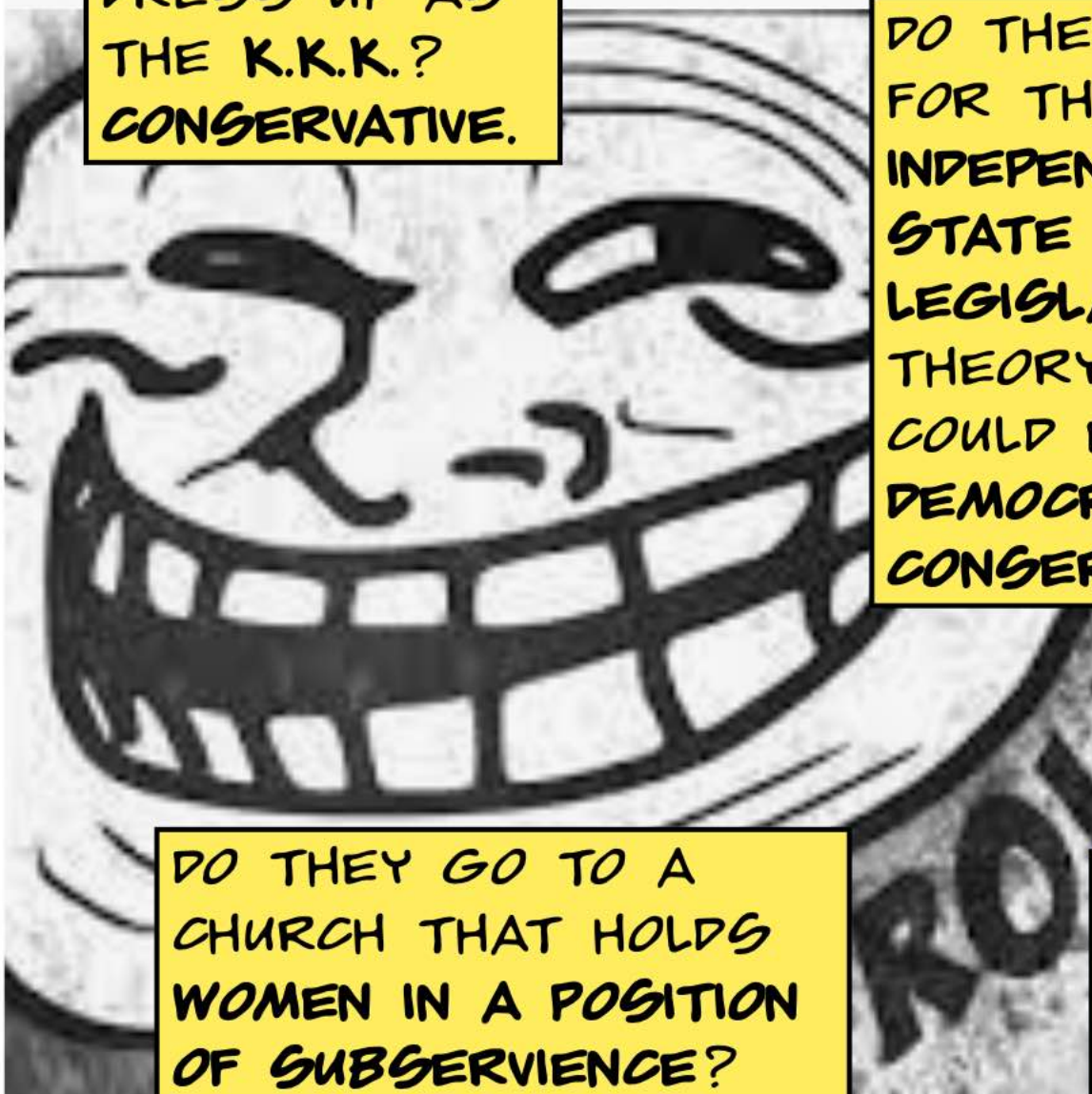


DO THEY
HYPOTHESIZE
THAT BLACK
CHILDREN
DRESS UP AS
THE K.K.K.?
CONSERVATIVE.

DO THEY SPEAK AT
PRIVATE FED SOC
AND HERITAGE
FOUNDATION
EVENTS?
CONSERVATIVE.



IS THEIR MOST
FAMOUS PUBLIC
UTTERANCE, "I LIKE
BEER"?
CONSERVATIVE.

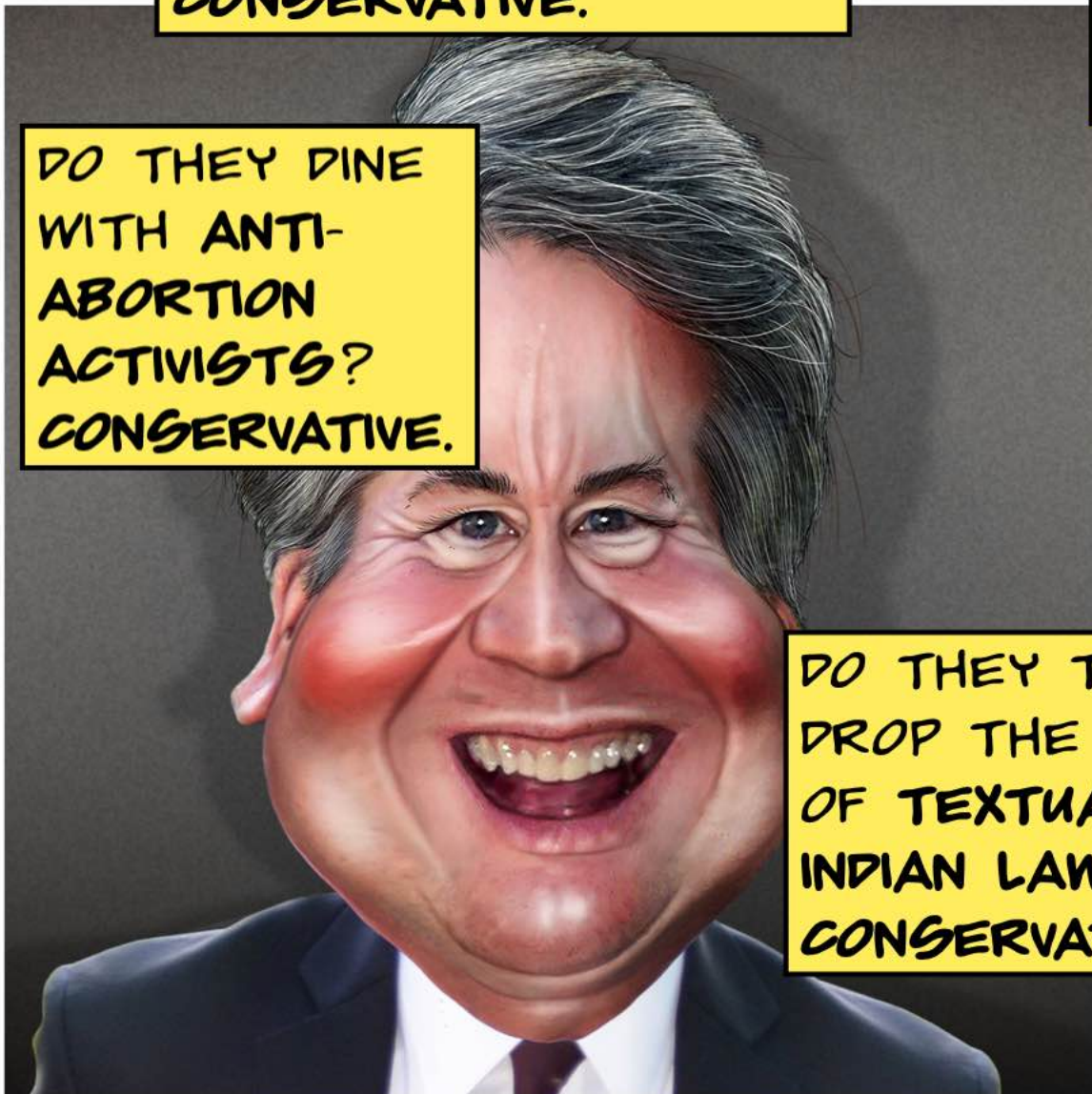


DO THEY ARGUE
FOR THE
INDEPENDENT
STATE
LEGISLATURE
THEORY THAT
COULD END
DEMOCRACY?
CONSERVATIVE.



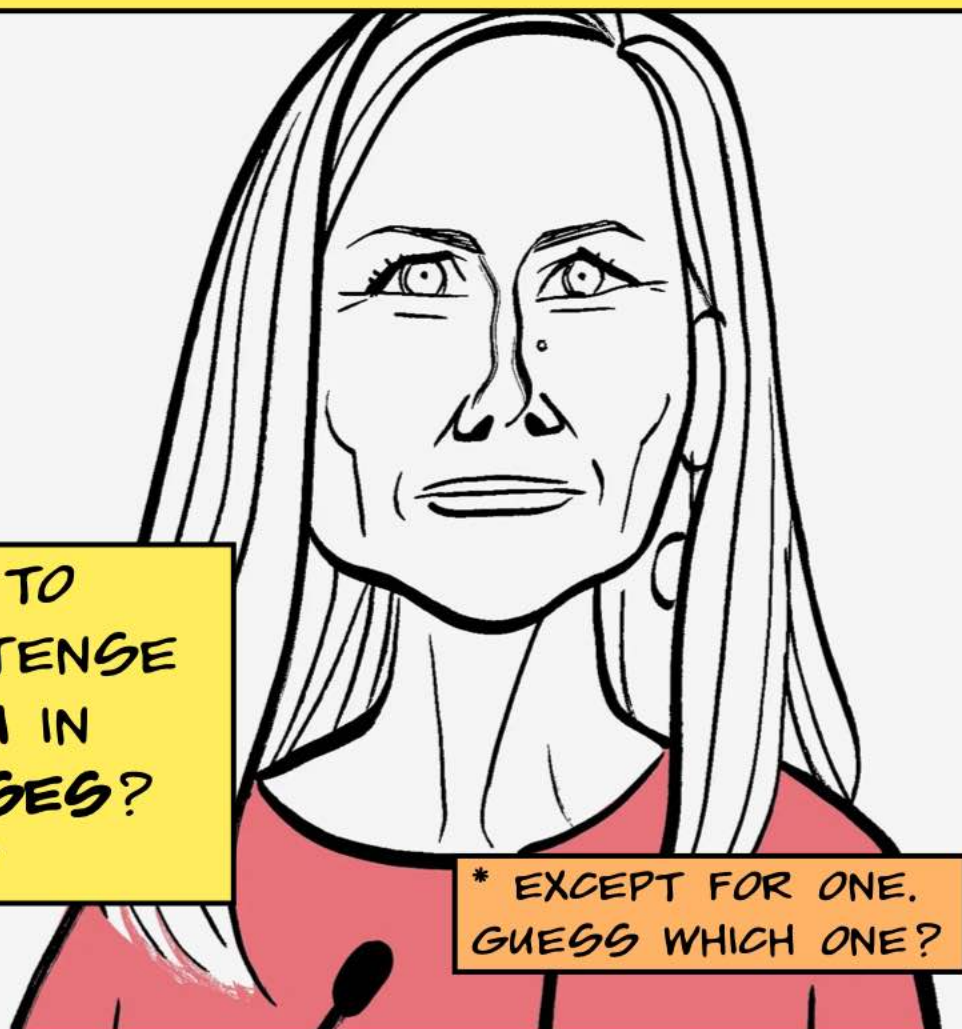
DO THEY GO TO A
CHURCH THAT HOLDS
WOMEN IN A POSITION
OF SUBSERVIENCE?
CONSERVATIVE.

ARE THEY MARRIED TO A RING-
LEADER OF THE JANUARY 6
INSURRECTION AND IS AN ELECTION
DENIER AND PROMISES FRIENDS
THEY HAVE A "FRIEND" AT THE
COURT?**CONSERVATIVE.**



DO THEY DINE
WITH ANTI-
ABORTION
ACTIVISTS?
CONSERVATIVE.

DO THEY TEND TO
DROP THE PRETENSE
OF TEXTUALISM IN
INDIAN LAW CASES?
CONSERVATIVE.*



* EXCEPT FOR ONE.
GUESS WHICH ONE?

THE OUTLIER PROBLEM OF INDIAN LAW



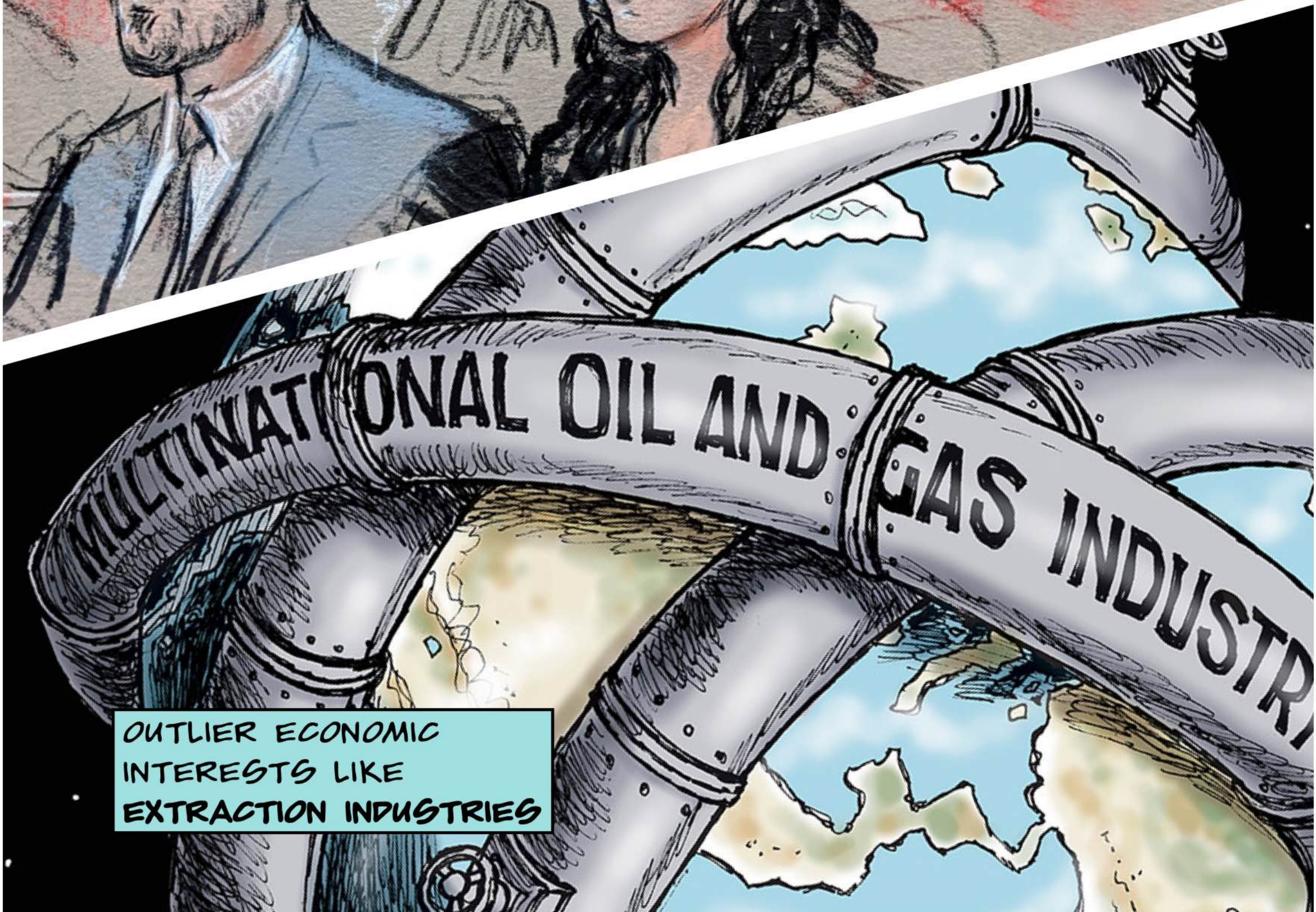
OUTLIER STATES
LIKE TEXAS



OUTLIER NON-
PROFITS LIKE
GOLDWATER



OUTLIER INDIVIDUALS
LIKE THE BRACKEENS



OUTLIER ECONOMIC
INTERESTS LIKE
EXTRACTION INDUSTRIES

WE DON'T TALK ABOUT JUSTICE

ALSO, THE DEPARTMENT OF JUSTICE AS AN OUTLIER!

SUPREME COURT ADVOCACY MATTERS

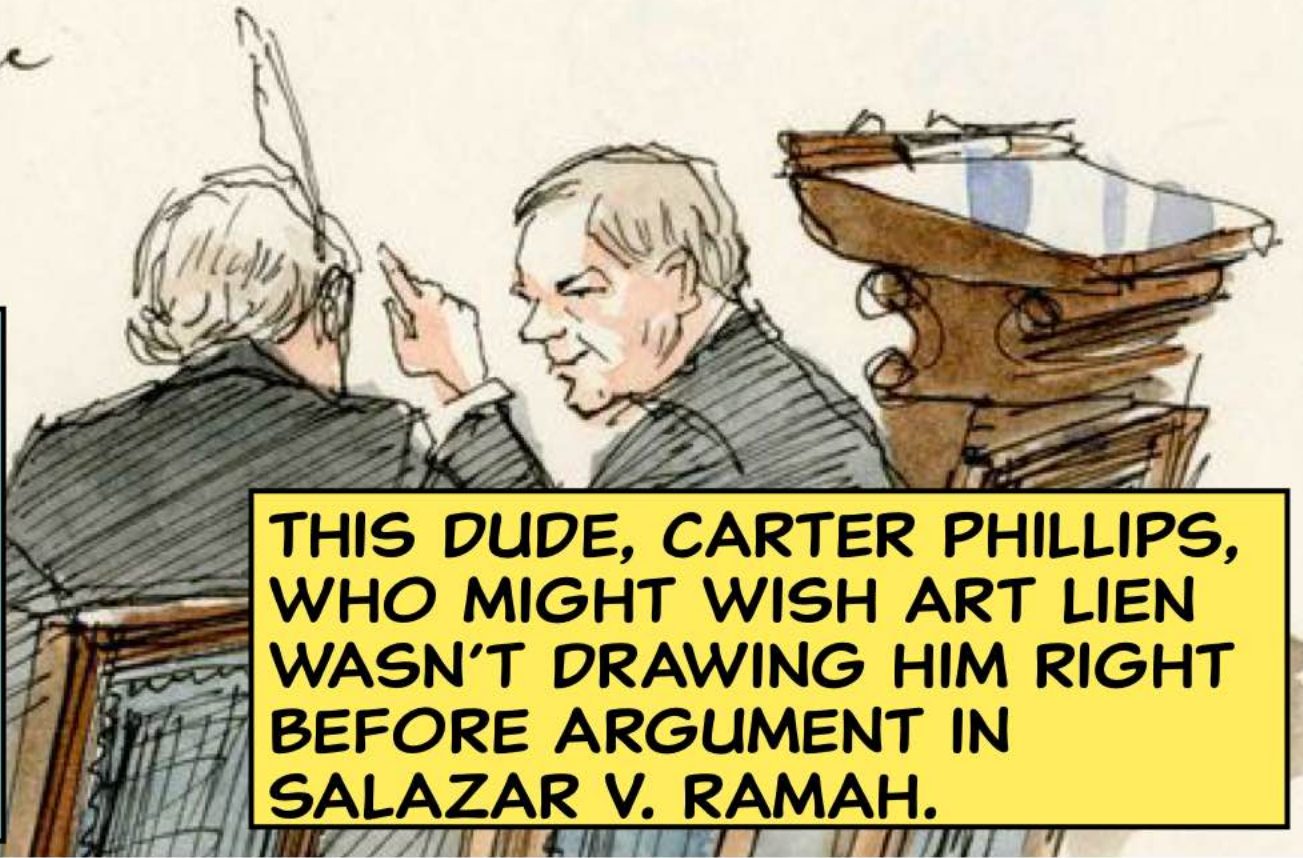
PATRICIA MILLETT, NOW A JUDGE ON THE D.C. CIRCUIT — THE ONLY WOMAN TO ARGUE A CASE ON BEHALF OF AN INDIAN TRIBE OR AN INDIVIDUAL INDIAN SINCE THE BEGINNING OF THE TRIBAL SUPREME COURT PROJECT ERA.

A photograph of Patricia Millett, a woman with dark hair, wearing a dark blazer over a white shirt. She is smiling and looking slightly upwards and to the right. She is holding a large, thick orange folder or stack of papers in front of her. The background is a blurred interior with white columns and a decorative ceiling.

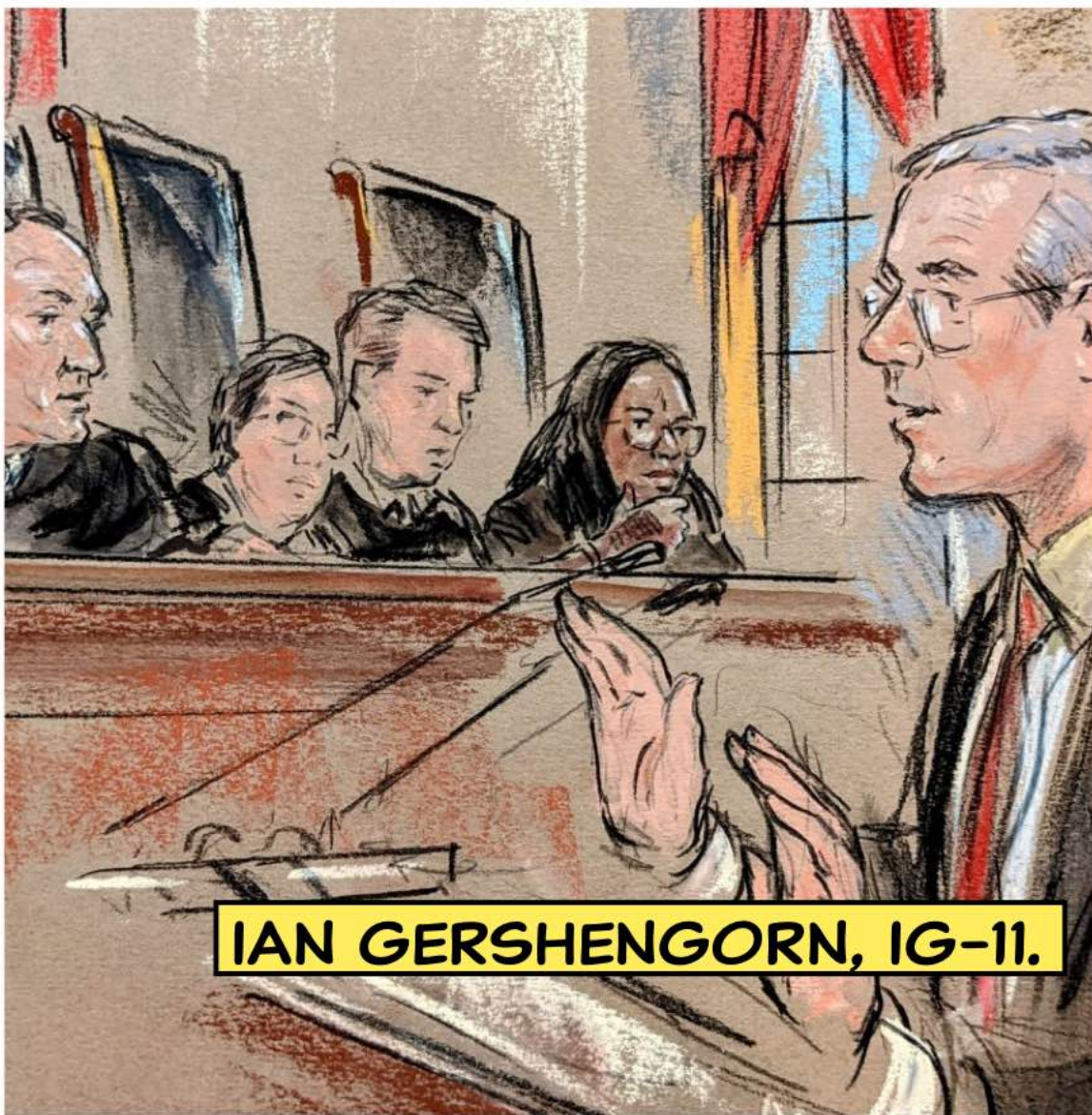
NOW-JUDGE MILLETT UPON LEAVING THE COURT AFTER ARGUING MATCH-E-BE-NASH-E-WISH BAND OF POTTAWATOMI INDIANS V. PATCHAK IN 2011.

lawyer representing Ramah Navajo Chapter
inserts feather quill
behind his ear before
arguments.

SINCE JIM ANAYA WAS THE
LAST INDIGENOUS PERSON
TO ARGUE A SUPREME
COURT CASE, 27 MEN AND 1
WOMAN – ALL NON-
NATIVES – HAVE ARGUED
ON BEHALF OF TRIBES OR
INDIANS.



THIS DUDE, CARTER PHILLIPS,
WHO MIGHT WISH ART LIEN
WASN'T DRAWING HIM RIGHT
BEFORE ARGUMENT IN
SALAZAR V. RAMAH.



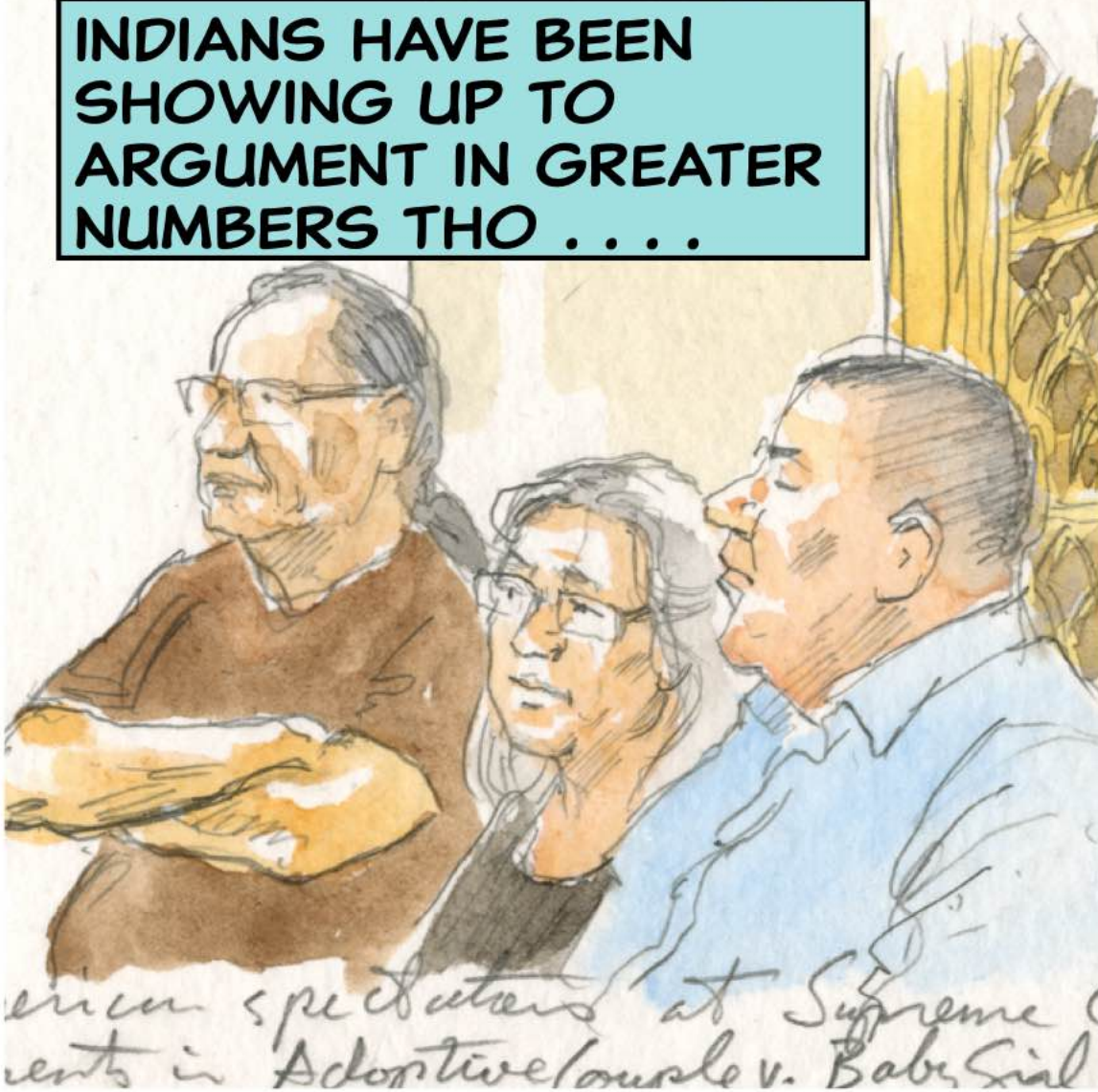
IAN GERSHENGORN, IG-11.



RIYAZ KANJI

Riyaz A. Kanji for Muscogee Nation
CARPENTER V. MURPHY, 11-27-17

INDIANS HAVE BEEN
SHOWING UP TO
ARGUMENT IN GREATER
NUMBERS THO



american spectators at Supreme
court in Adarand v. Imin. Babu Sial



THE BLACK HOLE OF INDIGENOUS S.C.T. ADVOCATES

THERE HAVE BEEN NO NATIVE SUPREME COURT ORAL ADVOCATES SINCE 2001.

THE OFFICE OF SOLICITOR GENERAL HAS NEVER HIRED A NATIVE LAWYER.

BIGLAW SUPREME COURT PRACTICE GROUPS RARELY HIRE NATIVE LAWYERS AND GROOM THEM FOR SUPREME COURT ADVOCACY.

THE DEPARTMENT OF JUSTICE HAS HAD ONE INDIGENOUS POLITICAL APPOINTEE.

FEDERAL JUDGES RARELY HIRE NATIVE CLERKS.