

# THE NATIONAL INDIAN JUSTICE CENTER



## CRITICAL ISSUES IN FEDERAL INDIAN LAW

SEPTEMBER 17-19, 2008  
RENO, NEVADA

**Presented By:**

**Joseph Myers, Executive Director, NIJC  
Raquelle Myers, Staff Attorney, NIJC**

### Protecting Tribal Sovereignty

The National Indian Justice Center will conduct a training session on Critical Issues in Federal Indian Law. The session is designed for those who safeguard tribal sovereignty: tribal officials, court personnel and law enforcement. This training offers practical advice for protecting tribal sovereignty in light of the negative opinions issued by the U.S. Supreme Court. It examines the status of sovereign immunity, tribal civil and criminal jurisdiction, adjudicatory v. regulatory jurisdiction and Indian gaming issues. This session is essential for new tribal council members and others vested with responsibility of administering tribal government programs. Each participant will receive a comprehensive training manual and a certificate of achievement.

#### This Training Session Will Cover:

- ▶ Overview of Federal Indian Law and Policy
- ▶ Indian Land Tenure
- ▶ Federal—Tribal Trust Doctrine
- ▶ Government to Government Relationship
- ▶ Tribal Criminal Jurisdiction
- ▶ Tribal Civil Jurisdiction
- ▶ Indian Civil Rights Act
- ▶ Indian Gaming Overview

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## LODGING

This conference will be conducted at the **Atlantis Casino Resort Spa, Reno, Nevada**. All individuals are responsible for their own lodging. The Atlantis Casino Resort Spa is holding a block of rooms at a rate of \$89.00 (single/double), plus tax (12%) and an energy surcharge per room night, for participants. **This special rate will be available until August 17th.** To reserve a room at the Atlantis Casino Resort Spa, please call the Hotel and state that you are with the **National Indian Justice Center**.

**Atlantis Casino Resort Spa**  
**3800 South Virginia Street**  
**Reno, NV 89502**  
**Ph: (800) 723 - 6500**  
**Fax: (775) 825 - 1170**

## TUITION

The tuition fee to attend this training session is **\$485** per person. The deadline for registration is Friday, **September 12th**. Please complete the registration form and return by mail or fax to:

**NIJC**  
**5250 Aero Drive**  
**Santa Rosa, CA, 95403**  
**Ph: (707) 579-5507**  
**Fax: (707) 579-9019**  
**E-mail: nijc@aol.com**

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## REGISTRATION FORM: Critical Issues in Federal Indian Law

Mr. \_\_\_\_\_ Ms. \_\_\_\_\_ Name: \_\_\_\_\_ Your Tribe: \_\_\_\_\_

Title: \_\_\_\_\_ Employer: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or P.O. Box City State Zip

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Credit Card:  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  
Please check one Card#: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Name as it appears on the Card: \_\_\_\_\_

Signature: \_\_\_\_\_

**Return completed form to NIJC at 5250 Aero Dr., Santa Rosa, CA 95403 or fax to (707) 579-9019.**



# NATIONAL INDIAN JUSTICE CENTER

5250 Aero Drive  
Santa Rosa, California 95403  
A non-profit corporation

Phone; (707) 579-5507  
Fax: (707) 579-9019  
E-mail: nijc@aol.com  
Web: www.nijc.org

Joseph A. Myers, Executive Director

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Reno, Nevada

### TRAINING AGENDA

#### Wednesday - September 17, 2008

- 8:00 a.m. - 9:00 a.m. **Registration and Distribution of Materials**
- 9:00 a.m. - 9:30 a.m. **Introduction, Overview and Icebreaker**
- 9:30 a.m. - 10:30 a.m. An Overview of the History of Federal Indian Law and Policy
- What is Federal Indian Law?
  - Doctrine of Discovery and Tribal Land Occupancy Rights
  - Indian Removal and the Cherokee Case
- 10:30 a.m. - 10:45 a.m. **BREAK**
- 10:45 a.m. - 12:00 p.m. Legislative Conquest
- General Allotment Act
  - The End of Treaty Making
  - The Indian Reorganization Act and Its Impact on Tribal Governments
- 12:00 p.m. - 1:30 p.m. **LUNCH**
- 1:30 p.m. - 2:30 p.m. Termination Era
- Relocation
  - Public Law 280
  - The End of Termination and the Self-Government Era
- 2:30 p.m. - 2:45 p.m. **BREAK**
- 2:45 p.m. - 4:30 p.m. Government-to-Government Relationship with Tribal Governments
- The Federal-Tribal Trust Relationship
  - Selected Tribal Powers -
    - \* *Powers of Self-Governance*
    - \* *Tribal Courts*
    - \* *Tribal Constitutions, Codes and Resolutions*
    - \* *Tribal Sovereign Immunity*

#### Thursday - September 18, 2008

- 9:00 a.m. - 10:30 a.m. Tribal Criminal Jurisdiction
- Tribal Authority over Non-Indians
  - General and Major Crimes Act
  - Defining "Indian Country"
  - Concurrent Jurisdiction
  - Federal and State Criminal Jurisdiction in Indian Country

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John St. Clair  
Shoshone

Chief Judge  
Michael Petowskey  
Potawatomi

- 10:30 a.m. - 10:45 a.m. **BREAK**  
 10:45 a.m. - 12:00 p.m. Tribal Civil Jurisdiction
- Tribal Regulatory Authority
  - Strate v. A-1 Contractors
  - Alaska v. Native Village of Venetie Tribal Government
  - Full Faith and Credit of Tribal Court Judgments
  - McCain's Amendment
- 12:00 p.m. - 1:30 p.m. **LUNCH**  
 1:30 p.m. - 2:30 p.m. Indian Civil Rights Act (ICRA)
- Santa Clara Pueblo v. Martinez
  - Due Process under ICRA
  - Limitations Imposed by the ICRA
- 2:30 p.m. - 2:45 p.m. **BREAK**  
 2:45 p.m. - 4:30 p.m. ICRA (Continued)

**Friday - September 19, 2008**

- 9:00 a.m. - 10:30 a.m. Tribal Sovereignty, Federal and States' Powers in Indian Country
- 10:30 a.m. - 10:45 a.m. **BREAK**  
 10:45 a.m. - 12:00 p.m. Indian Gaming Overview
- Key Indian Gaming Cases: Cabazon, Seminole
  - The Indian Gaming Regulatory Act (IGRA)
- 12:00 p.m. - 1:30 p.m. **LUNCH**  
 1:30 p.m. - 2:30 p.m. • Environmental Regulation in Indian Country
- Overview of Selected Environmental Laws
- 2:30 p.m. - 2:45 p.m. **BREAK**  
 2:45 p.m. - 4:00 p.m. • Questions and Answers