31st Annual Indian Law Section Seminar

Original Program Date: May 10, 2019
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REPORTING YOUR CREDIT
This on-demand seminar was originally presented as a live seminar and webcast on May 10, 2019, in Seattle, WA. If you attended the live seminar or webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording.

DESCRIPTION
In this on-demand CLE seasoned practitioners present updates on the issues that continue to shape the practice of Indian Law, including:

- Indian Child Welfare Act
- New Federal Tribal Energy and Farm Bill implementation legislation
- Reservation diminishment after Carpenter v. Murphy and Yakama Nation v. Klickitat County
- Tribal Court perspectives from the bench
- Salmon and orca management
- Litigation updates
- State legislative and administrative update
- Current tax issues in Indian Country
- In-house perspectives on ethics in representation of tribal governments

AGENDA
1 Litigation Update
   This session reviews key court decisions that continue to shape our practices.
   Thomas Schlosser – Morriset Schlosser, Joziak & Somerville, Seattle, WA

2 Current ICWA Issues
   This session provides an update on recent ICWA cases nationally including a discussion of Brackeen v. Bernhardt, ICWA constitutionality decisions out of Texas and 5th Circuit Court of Appeals, as well as ICWA practice issues and experiences in Washington State.
   Andrea Smith – Port Gamble, S’Klallam Tribe, Kingston, WA
   Craig Dorsay – Dorsay & Easton, LLP, Portland, OR

3 New Federal Tribal Energy and Farm Bill Implementation
   This presentation provides an overview of Tribal energy legislation at the federal level, as well as detail a title-by-title overview of the historic number of Tribal provisions in the 2018 Farm Bill.
   Brian Gunn – Powers, Pyles, Sutter & Verville, PC, Washington, DC
   G. Blake Jackson – Indigenous Food and Agriculture Initiative, Fayetteville, AR
4 Salmon and Orca Management
David Troutt – Natural Resources Dir., Nisqually Tribe, Olympia, WA
John Hollowed – Northwest Indian Fisheries Commission, Olympia, WA
Lynne Barre – NOAA Fisheries, Seattle, WA

5 State Legislative and Administrative Update
From gaming and commerce, to energy, transportation and education, the session looks at the issues the state legislature is addressing that may impact tribes and tribal businesses. Review bills that passed during the short 60 day 2019 legislative session, the ones that didn’t, and what we likely see again.
Aubrey Seffernick – Miller Nash Graham & Dunn LLP, Seattle, WA

6 Reservation Diminishment after Carpenter v. Murphy and in Yakama Nation v. Klickitat County
This panel discusses reservation diminishment arguments made to the United States Supreme Court in Carpenter v. Murphy, and offer opinions on how the case could impact Indian Country. Panelists then discuss the recent reservation diminishment dispute in Confederated Tribes and Band of the Yakama Nation v. Klickitat County, currently pending before the United States District Court for the Eastern District of Washington.
Ann Tweedy – Muckleshoot Indian Tribe, Auburn, WA
Ethan Jones – Yakama Nation Office of Legal Counsel, Toppenish, WA

7 Current Tax Issues in Indian Country
This presentation provides an overview of recent Indian law tax cases in the Ninth Circuit and Washington State courts, and looks at some of the current day-to-day issues impacting tribes in the area of taxation.
Chloe Thompson Villagomez – Tribal Attorney, Snoqualmie Indian Tribe, Snoqualmie, WA
Sarah Roubidoux Lawson – Schwabe Williamson & Wyatt, Seattle, WA

8 Tribal Court Perspectives from the Bench
This on-demand session get perspectives from the bench on improving state and tribal court communication, common parties and common issues, and creative ideas to improve decision-making.
Raquel Montoya-Lewis – Judge, Whatcom County Superior Court, Bellingham, WA
Meredith Drent – Associate Judge, Puyallup Tribe; Chief Justice, Osage Nation, Tacoma, WA

9 In-House Perspectives on Ethics in Representation of Tribal Governments
In-house, on-reservation representation of Indian Tribes presents special ethical challenges for both the in-house attorneys and the outside attorneys who deal with them. This on-demand session explores ethical issues such as lawyer communications and confidentiality in the context of representing tribal governments.
Timothy Brewer – Office of Reservation Attorney, Tulalip, WA
Mary M. Neil – Office of the Reservation Attorney, Lummi Nation, Bellingham, WA
Stephen Suagee – Lower Elwha Klallam Tribe Office of Tribal Attorney, Port Angeles, WA