

Feb 19, 2017 Meeting Agenda

Call in information:

1-866-469-3239 Call-in toll-free number (US/Canada)

Attendee access code: 62002548

1. -Roll call
2. -Approve minutes from last conference call
3. -February 4 Section Feedback meeting (see summary below)
4. -Discuss impact of Workgroup proposals on Young Lawyer/Student Outreach/Scholarship programs
5. -ILS Newsletter
6. -Planning for CLE (May 12 - coordinate with NIBA dinner) – update on speakers/speaker availability
7. Options on location
8. Program chairs
9. Updates on topics/speakers?
10. The treaty rights at risk initiative, including environmental challenges to fish habitat
11. Lauren Rasmussen –confirmed Jim Weber (nuts and bolts) and Mike Graham (DC initiative)
12. Fee-to-trust transactions in Alaska, including DOI's rule change
13. Tom to identify speaker – Heather Kendall Miller happy to come talk to us – can address re-establishment of Indian Country in AK.
14. Challenges to fee-to-trust transactions, including Patchak, Amador County, Big Lagoon, statutes of limitations (perhaps too close to #2 to be separate)
15. Lauren to coordinate
- 16.
17. Status of the Montana exceptions re jurisdiction over nonmembers, including Dollar General, if decided
18. Tom – both Laurens can help make calls – John Dossett, counsel for NCAI happy to present.
19. Water Quality Standards, especially toxicity standards applicable where tribes are especially dependent on fish, including EPA threatened rulemaking for WA
20. Lauren R. to coordinate – Brian Cladoosby can't make May 12. So Todd Bolster from fish commission can cover technical aspect.
21. Robin can talk to Ecology Director Maia Bellon. Robin confirmed that Maia is probably available that day but may not be able to be flexible on time of day. She wanted to know what it is about exactly and what she's going to be asked to speak on. Panel presentation - Water quality standards from her perspective and Todd would give more technical perspective.
22. John Hollowed – Lauren R. to talk to re water quality and treaty rights at risk. He is backup on both topics
23. Professor O'Neil – Aubrey
24. Diana to help
25. Diana suggests panelist on fish consumption studies – Lummi did an involved study, Swinomish has done one, etc. Catherine O'Neil would be a good speaker.
26. Family law, including BIA ICWA guidelines constitutional challenges and implementation of title IV-E of the Social Security Act foster care programs

27. Rebecca – Kate Fort has volunteered but we would need to pay for her to come out from Michigan. She suggested someone at Port Gamble for title IV-E part of the talk.
28. Tribal court orders and the National Crime Information Center and other federal criminal information databases, including implementation of the Tribal Law & Order Act sec. 223 provisions
29. Lauren to coordinate – Mike says Tulalip, Michelle Demmert as a potential speaker, Ron Whitener, perhaps a policy person from the tribal attorneys office, Judge Pauley
30. Whether justice department is actually carrying out law and order act
31. Discussion of what the law and order act intended with respect to coordination of criminal information, what's actually going on with the justice department, and gun case decision at Marysville and what went wrong
32. My Judicial Update presentation – Tom Schlosser
33. Using federal tort claims act coverage for injuries caused by tribal employees, including Pub.L. 93-638, claims procedures, MJ v. United States, Shirk v. United States in the 9th Circuit, and coverage for police officer intentional torts
34. Tom to coordinate and get in touch with people at US attorneys office – Tom has talked to a few people so there are a number who may present; getting a name soon.
35. Unionization in Indian country, including Little River and Saginaw Chippewa v. NLRB in the 6th Circuit, and the NLRB ruling favoring Chickasaw via treaty language
36. Ryan to coordinate – spoken to Scott Wilson who does employment work at Pechanga and Tory Bigknife who works at Villejas.

37. Ethics

-Animus River spill and governmental attorney ethical requirements

-Mike will coordinate this topic. Mike contacted Navajo attorney but he had an internal conflict making him unable to present on Animus River. Navajo attorney had recently done water rights presentation for ABA that did qualify for ethics credit.

-Mike has a contact at Southern Ute. No one there would speak but Mike was referred to other attorneys who worked on the spill. Neither of them volunteered or offered any suggested.

-Lauren and Tom have contact at Navajo

7. –Motion to contribute \$50 for Open Sections Night
8. -Financial update
9. -Other business?