



## 35th Annual Indian Law CLE

Thursday, May 18, 2023

Friday, May 19, 2023

Schwabe, Williamson &  
Wyatt P.C. 1420 5th Avenue  
Seattle, WA 98101

### Tuition:

\$245 - Indian Law Section Members  
\$275 - Standard/Non-Section Members

### Webinar

Thurs 8:00am - 1:20pm PST  
Fri 8:00am - 12:40 pm PST

### 9.0 CLE Credits

L&LP - 8.00

Ethics - 1.00

**Description:** Join seasoned practitioners for the Indian Law Section's annual CLE. We will cover some of the most important developments and pressing issues affecting tribes in Washington and beyond.

### CLE Committee:

Brenda George - Suquamish Indian Tribe,  
Suquamish

Derek Red Arrow Frank - Stokes Lawrence P.S.,  
Yakima

Mary Neil - Mukleshoot Indian Tribe, Auburn

Drew Pollom - Ogden Murphy Wallace, Seattle

Andrew Fuller - Ogden Murphy Wallace, Seattle

Daniel Rey-Bear - Rey-Bear McLaughlin LLP,  
Spokane

Thomas Schlosser - Morrisset Schlosser Jozwiak  
& Somerville, Seattle

Dillon Spiess - Sauk-Suiattle Tribe, Darrington

Christine Masse - Miller Nash, Seattle  
Brenda George, Suquamish Indian Tribe

### 10:25 a.m. Break

### 10:30 a.m. Waiting for *Brackeen*: Searching for Tribal Solutions.

The presentation will focus on the potential impact of *Brackeen* on Indian Child Welfare Act cases and how tribes can strengthen their own systems to protect Native children and families.

Prof. Kathryn Fort - Director of Clinics, Michigan State  
University College of Law

### 11:15 a.m. Tribal Authority to Regulate Non-Indian Fee Land—the Latest Round of *Rincon Mushroom Co. v. Mazzetti*.

This presentation will discuss the significance of *Rincon Mushroom Co. v. Mazzetti* for the regulation of non-Indian fee lands in Indian country and tribal court exhaustion.

Jeff Keohane - Schwabe Williamson & Wyatt

### 11:55 a.m. Legal Representation for Individuals Indians.

This panel will discuss seemingly limited legal assistance referral resources for Native individuals and the need to build a centralized database. How can we, as a legal community serving in Indian Country, better create a system supporting Native people? Attorneys attending the CLE will be asked to complete an optional questionnaire on ways to assist Native individuals seeking legal help.

Brooke Pinkham - Director, Center for Indian Law & Policy

Madeline Rider - Director of Advocacy, The Yarrow Project

Jen Yogi - Managing Attorney, Native American Unit,  
Northwest Justice Project

### 12:35 p.m. Culverts/Watershed Improvement Funding. Joe Mentor - Mentor Law

### 1:20 p.m. Day One Program Concludes

## Schedule

### DAY ONE - THURSDAY, May 18, 2023

#### Presented by:

WSBA Indian Law Section

# Schwabe

### REGISTRATION:

<https://www.eventbrite.com/e/wsba-35th-annual-indian-law-cle-tickets-617806875997>

### 7:45 a.m. Webinar Lobby Opens

### 8:00 a.m. Introduction and Prayer

(Optional - Not for CLE credit)

### 8:15 a.m. Judicial Update

This session will summarize recent litigation involving Indian Tribes.

Thomas Schlosser - Morrisset, Schlosser, Jozwiak,  
& Somerville, Seattle

### 9:15 a.m. What's Next for Cannabis?

# 35th Annual Indian Law CLE

Thursday, May 18, 2023 and Friday, May 19, 2023

**DAY TWO - FRIDAY, May 19, 2023**

**7:45 a.m. Webinar Lobby Opens**

**8:00 a.m. Introduction**

**8:10 a.m. ATNI's Climate Resilience Program and Tribal Climate Change Resilience Grant Opportunities.**

This presentation describes the goals and activities of the Affiliated Tribes of Northwest Indians (ATNI) Climate Resilience Program. An overview of the Program's climate trainings, workshops, and policy support will be followed by information and resources about climate-related grant and funding opportunities. Amelia Marchand - Senior Tribal Climate Resilience Liaison, Affiliated Tribes of Northwest Indians

**8:50 a.m. The Role of In-House Counsel.**

This session reviews the various roles, functions, and challenges of serving as In-House Counsel for Indian Tribes.

Mary Neil - Muckleshoot Indian Tribe

**9:30 a.m. Arizona v. Navajo Nation & Water Rights Trust Duties.**

This presentation will discuss *Arizona and Department of the Interior v. Navajo Nation*, a pending Supreme Court case which addresses asserted federal trust duties regarding treaty-based water rights and needs.

Daniel Rey-Bear - Rey-Bear McLaughlin, LLP

**10:10 a.m. Sauk-Suiattle Tribe v. Seattle.**

This presentation will report on issues in pending litigation between a tribal nation in Washington and a Washington municipal corporation.

Jack Fiander - Sacred Ground Legal Services

**10:50 a.m. Break**

**11:00 a.m. Treasury Department Funds.**

Join us for a discussion with the U.S. Treasury on updates to recovery grants for Tribal governments. During the session, you will learn more about how recovery funds may be used for economic recovery, important compliance and reporting changes, recent amendments to the program guidance enhancing flexibility, and other eligible use updates. The session will be followed by a brief Q&A.

Jennifer Parisien & Fatima Abbas - U.S. Department of Treasury

**11:40 a.m. Professional Responsibility, Waivers, and Elimination of Bias.**

Relative obscurity and difficulty of American Indian law enables lawyers and courts to exploit deep-seated stereotypes about American Indian people rooted in systemic racism to undermine the enforcement of the Indian and tribal rights. This presentation will focus on lawyering in Indian Child Welfare Act cases in federal and state court.

Matthew Fletcher – Professor, University of Michigan School of Law

**12:40 p.m. Program Concludes**

**Presented by:**

WSBA Indian Law Section

**Schwabe**

**REGISTRATION:**

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