

Indian Law Specialties in ABA Accredited Law Schools
Compiled by Mary Jo B. Hunter and April Schwartz*

My colleague and long time friend and I were discussing the study of the field of Native American and/or tribal law and how it is broad and dynamic.² The area is complex and ever changing, thus requiring that legal education meet the needs of law students, future and practicing lawyers as well as judges and politicians by providing sufficient education in this area. This compilation will provide an overview of all of the courses and programs that have proliferated since the 1960s with the creation of the first programs at the University of New Mexico.³ The increase in programs was seen primarily in the Southwestern United States' law schools with some growth in the Midwestern schools. However, law schools all over the United States are providing courses that overlap with the field of Native American/Tribal/Federal/American Indian Law as schools consider environmental, oil and gas and other types of courses.⁴ How many schools offer courses, full law programs, or the occasional course? Prof. Matthew Fletcher prepared a short list for the blog Turtle Talk which cited the various programs.⁵ In this article we will expand that list.

There are approximately 562 federally recognized tribes in the United States and Alaska.⁶ Some of these are native villages in Alaska as well as reservations and tribal communities.⁷ The larger tribal populations are the Cherokee and Navajo.⁸ Although they have the largest amount of tribal members, only

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¹ The authors have chosen to review all of the various programs rather than attempt to limit the programs being discussed in the area concerning laws about and for Native American Indians and tribes indigenous to the United States.

² David H. Getches et al., *Cases and Materials on Federal Indian Law* (4th ed. 1998).

³ Rennard Strickland & Gloria Valencia-Weber, *Observations on the Evolution of Indian Law in The Law Schools*, 26 N.M. L. Rev. 153 (1996).

⁴ James M. Grijalva, *The Pedagogy of American Indian Law Articles: Compared When? Teaching Indian Law in the Standard Curriculum*, 82 N.D. L. Rev. 697 (2006).

⁵ Available at <http://turtletalk.files.wordpress.com/2009/04/law-schools-offering-indian-law-programs.pdf>.

⁶ Getches, *supra* note 2, at 8.

⁷ *Id.*

⁸ *Id.* at 9.

the Navajo has the largest land holdings.⁹ Tribes such as the Tohono O'odham in Arizona and the Pine Ridge and Cheyenne River Sioux in South Dakota comprise the next largest land holdings. Thus, the likelihood of litigation involving tribes and/or tribal members is a distinct possibility for lawyers in those states. It is important that law schools meet the need of educating future lawyers about this growing field of law.

The area of Indian Law is complex. When issues arise in federal or state courts, law clerks who have not had any exposure to this area quickly think back to their law school experience. Thoughts turn to that one class on federal Indian law that was taught at their law school. This is usually the point in time where they pick up the telephone and call the professor who taught the course. The question is posed as to the issue and the professor must condense an entire semester into a fifteen minute telephone call. In those states where such questions are more frequent, the Indian Law section has been added to the state bar exam. However, law students who seek a broad legal education should have an Indian law course on their transcript. With close to one hundred law schools offering education in the field of Indian Law, there is no reason that a learned student would not have exposure to this area of law. Although not all students will enter an Indian Law Program or obtain a certificate, the opportunity to learn the basics of Indian Law is highly desirable.

As more states begin to include Indian law questions on bar exams, it is important that law schools provide the proper training.¹⁰ This list was prepared as another way to provide aspiring law students, current law student, law professors, admissions personnel, law librarians and others with a current and comprehensive information on what is available nationwide. It allows one to assess where the best Native American/Indian Law education is available.

Methodology

This compilation lists ABA accredited law school courses and programs dealing with Native American law of the United States and its territories. The list was compiled by searching the course and

⁹ *Id.* at 12.

¹⁰ Gloria Valencia-Weber, *Indian Law on State Bar Exams: A Situational Report*, 54-APR Fed. Law 26 (2007) (noting that New Mexico, Washington and South Dakota currently include Indian law questions on their bar exams).

program offerings found at the following link: [ABA Approved Law Schools](#). Further, every law school entry was submitted for approval of content to the school itself.

Hyperlinks provided are sometimes to specific courses and sometimes to the course listings generally.

The list will be updated on an annual basis. The PLSI is not responsible for the updating so any changes or edits should be submitted to Prof. Hunter at MHunter@hamline.edu or Prof. Schwartz at ASchwartz@tourolaw.edu by law school programs. Every effort had been made to provide current and up-to-date information for prospective law students to access. Be aware that not all courses are offered on a regular basis. Contact the school for the most recent course offerings.

Native American/Tribal/Federal/American Indian Law Course Offerings

The University of Arizona, James E. Rogers College of Law

Offers courses, three degree programs with a specialization in Indigenous Peoples Law and Policy, and a series of continuing education courses, all coordinated through the Indigenous Peoples Law and Policy Program.

- Degree programs:
- Certificate as part of the JD
- LLM in Indigenous Peoples Law and Policy (with optional concentrations in Human Rights, Cultural Resources, or Critical Race Theory and Practice)
- SJD (with focus on Indigenous Peoples Law and Policy)

Continuing education program and distance learning resources available through [The University of Arizona NativeNet](#), (in partnership with the Native Nations Institute and the Native Peoples Technical Assistance Office)

Indigenous Peoples Law and Policy Program

- **Program Description** -- The Indigenous Peoples Law and Policy (IPLP) Program is part of The University of Arizona's tradition of excellence, which includes academic centers such as American Indian Studies and Anthropology and community outreach centers such as the Native Nations Institute and the Native Peoples Technical Assistance Office. What makes IPLP unique is its approach to education. Students are educated both in the classroom and the real world, by faculty who are leaders both in their academic field and in the community. Faculty passes these values of community service along to their students.
- **Courses:**
 - [Federal Indian Law \(3 Credits\)](#)
Description -- This course will explore the foundational principles and doctrines governing the legal and political relationship between the United States and Indian tribes. The history of federal Indian law and policy, tribal property rights, congressional plenary power, the trust doctrine, tribal sovereignty, jurisdiction in Indian Country, and tribal government are the major topics covered in the this course.
 - [International Human Rights and Indigenous Peoples \(Seminar\) \(2-3 Credits\)](#)
Description -- This three-credit course provides students with an overview of the practice and theory of international human rights law and policy as it has developed to address in particular the concerns of indigenous peoples worldwide. It supplements and bridges the law school's

Federal Indian Law and International Human Rights courses, although neither of those two courses are prerequisites. This area of international human rights law now forms an important part of the legal practice and scholarship concerning indigenous peoples in the United States and other parts of the world. Given the doctrinal and practical limitations of domestic legal systems, indigenous peoples worldwide increasingly look to the processes of international human rights law as tools in their efforts to survive as distinct communities with historically-based cultures, political institutions, and entitlements to traditional or ancestral lands. Indigenous peoples' demands have generated a great deal of activity within global and regional human rights institutions, placing the concerns of these peoples at the forefront of international human rights law.

- [Comparative Law on Indigenous Peoples \(3 Credits\)](#)
Description -- The course examines the historical and contemporary legal and policy treatment of indigenous peoples in select countries of Latin America, Africa, Asia and the common-law tradition. It will pay special attention to the normative effect that regional and universal human rights bodies have had on domestic constitutional, legislative and jurisprudential developments in those countries. Areas of concern will include legal and political status of indigenous peoples, rights to lands and natural resources, customary justice systems and self-determination. The course aims to identify common and divergent trends between different countries and regions of the world and assess them in light of contemporary international human rights standards.
- [Critical Race Theory \(2 Credits\)](#)
Description -- This seminar, limited to twenty students, will explore the legal history of racism in the post-colonial and post-modern West from critical race and post-colonial theoretical and practice-oriented clinical perspectives. This seminar will focus on the difficulties in defining and understanding the meanings of the term "race;" the nature of "racism" and racial oppression; theories of racial formation; the differing implications of colonization and immigration; the formation of stereotypes; unconscious racism; the gendered and sexualized nature of race and theories of racial identity. Paper topics will be assigned by the instructor, in consultation with the student.
- [The Law, Policy, and Economics of Contemporary Native Nation Building \(1-2 Credits\)](#)
Description -- This course examines the development challenges faced by contemporary Native nations. Utilizing numerous case studies and extensive research on what is working and what is not working to promote the social, political, cultural and economic strengthening of American Indian nations, the course emphasizes themes applicable to community development worldwide. Historical and relevant federal Indian policy and case law are used as background material, but the course emphasizes the interdisciplinary nature of the "nation building" revolution underway in Indian Country. Additional emphasis is placed on how tribal initiatives can conflict with federal case law, state jurisdiction, and federal policies and politics.
- [Tribal Courts and Tribal Law \(3 Credits\)](#)
Description -- The course emphasis will be American Indian tribal governments, tribal courts, tribal peacemaking, tribal laws, and American Indian customary law, with a special focus on Navajo common law as a case study model. Ray Austin, instructor for the course, is a retired Associate Justice of the Navajo Nation Supreme Court.
- [Native American Natural Resources \(3 Credits\)](#)
Description -- This course will examine several themes: conflicts over which government has sovereign control over which resources; the role that tribal governments play in natural resource allocation and management; questions relating to ownership of natural resources; changing federal policies relating to natural resources allocation; the role of federal courts, Congress and Executive branches in relation to the trust responsibilities to protect tribal lands and resources; environmental protection, including EPA policy in relation to Indian Reservations; and natural resources development and management. Where pertinent, a comparative perspective based on Federal Indian Law and International Law principles will also be provided in order to further explore issues of sovereignty, self-determination, land and natural resource rights.

- [Tribal Gaming \(2 Credits\)](#)
Description -- After Indian Tribes won the right to regulate gaming within their jurisdictions in the Supreme Court, Congress passed the Indian Gaming Regulatory Act of 1988 which created the National Indian Gaming Commission (NIGC), and struck a balance between state, tribal, and federal interests. This course will explore the IGRA statute, as well as issues involved in tribal gaming from the tribal, state and federal perspectives. Topics include (but are not limited to): The role of the NIGC, the division between Class II and Class III gaming, gaming compacts between states and tribes, and taking land into trust.
- [Jurisdiction in Indian Country \(1 Credit\)](#)
Description -- A combination of federal statutes and court decisions have created different set of rules for civil and criminal jurisdiction in Indian country than exists for the rest of the United States. This course will explore those rules, primarily through a series of hypothetical problems.
- [Globalization and Transformation of Culture \(3 Credits\)](#)
Description -- joins ecological literacy in legal education to its interconnectedness with social inquiry, responsibility and justice. In essence, this class explores humanity and inhumanity in an accelerated world. It asks, as capitalism approaches universality, what are the legal, social, and community obligations that accompany global participation? Does money equal wealth? How do technological innovations displace existing culture? If public morality supposedly resounds in the law, is morality bound to perpetual consumption? This seminar explains the economic, social, cultural, religious and political consequences of globalization, the Building of Empires, the Poetics of Culture, the Logic of Global Capitalism, consequences of Technologies, New Measurements of Progress, Economic Development, Land Use, Agriculture, and the Environment.
- **Who Owns Native Culture (2 Credits)** (note: course description not yet on line)
Description -- Examines cultural heritage protection and the redefinition of indigenous peoples' heritage as a proprietary resource. Discussion will include select case law, the ethical and economic issues raised by the worldwide circulation of indigenous art, music, and biological knowledge, and the fundamental dichotomy of heritage as a protected resource within a multicultural society
- [Indigenous Peoples Law Clinic \(6, 4 or 2 Credits\)](#)
Description -- The University of Arizona, Rogers College of Laws Indigenous Law Clinic, under the auspices of the Indigenous Peoples Law and Policy Program, provides domestic and international legal assistance to the Indigenous peoples of the southwest and the world. To that end, the Indigenous Law Clinic had established a court-appointed guardian-ad-litem program for the Tohono O'odham Indian Reservation which involved the representation of abused and neglected children before their tribal courts in dependency proceedings. Currently, we are designing a Parole Re-entry Program for the Tohono O'odham Judiciary. We have supervised law students in such areas as Native Hawaiian Sovereignty, Tribal Environmental Law, Tribal Probate, Criminal Code revisions, Cultural Protection, Rules of Court Legislation, Legal Research for Tribal Judges, International Intellectual Property and Human Rights Advocacy, Reorganization of Tribal Criminal Justice Systems, Foreign Trade Zone and Tribal Economic Development, Tribal Tort Claims Legislation, Litigation Based Support for Federal Court Cases Involving Treaty and Other Tribal Rights. We have been consultants for the O'odham in Mexico involving their land claims and immigration. We have provided legal resources to the Tarahumara and Tepehuan Indians in Mexico. Our Law and Policy Program has hosted the United Nations Special Reporter for Human Rights in his conference to assess annual reports from Indigenous leaders from around the globe.

The clinic has developed pro se representation manuals for the Urban Indian population, has drafted cultural and sacred sites protection legislation, and has furnished students to work with the advocates, prosecutors and Attorney Generals staffs of the Tohono O'odham Nation. Students have also been placed as criminal prosecution defenders for the Pascua Yaqui Tribe and have also worked in their Tribal Prosecutors and General Counsel's Office. Students have clerked for the Navajo Nation Supreme Court, the White Mountain Apache Tribes courts, the San Carlos Apache Tribe, the Gila River Indian Community's Tribal Court, and

the Pascua Yaqui Tribal Court Judges. We are available on call to assist all Tribal Judges in the Southwest. Clinical students have helped Indigenous communities from Australia, Belize, Canada and Nicaragua. Students have played a role in the development of the Hopi Rules of Civil Procedure and proposed amendments to the Village of Upper Moenkopi's constitution on the Hopi Indian Reservation. We have created manuals for Youth Justice Programs and have developed a comprehensive practitioners guide to the National Historic Preservation Act. We help draft tribal statutes and ordinances, such as an LLC code, a comprehensive land use code, criminal codes, and the like.

- [Tribal Courts Clinic \(2 Credits\)](#)

Description -- Students provide research support to tribal courts in Arizona and the Southwest, including serving as law clerks, drafting rules and procedures, and drafting training materials.

- [International Human Rights Advocacy Workshop \(2 Credits\)](#)

Description -- IPLP represents Indigenous communities and other groups before a variety of international human rights bodies, including the Organization of American States and United Nations. Students will have the opportunity to work on these cases.

- [UN Special Rapporteur Support Team Workshop \(2-3 Credits\)](#)

Description -- This course provides instruction on the procedures and methods of international human rights advocacy. This semester, it will engage students in work to assist the United Nations Special Rapporteur on the Situation of the Human Rights and Fundamental Freedoms of Indigenous Peoples, a position currently held by Professor Anaya.

In fulfillment of his mandate by the United Nations Human Rights Council, the Special Rapporteur on indigenous peoples a) promotes good practices, including new laws, government programs, and constructive agreements between indigenous peoples and states, to implement international standards concerning the rights of indigenous peoples; b) reports on the overall human rights situations of indigenous peoples in selected countries; c) addresses specific cases of alleged violations of the rights of indigenous peoples through communications with Governments and others; and d) conducts or contributes to thematic studies on topics of special importance regarding the promotion and protection of the rights of indigenous peoples. Additionally, the Special Rapporteur undertakes efforts to follow-up on the recommendations included in his or his predecessor's reports in relation to the foregoing areas of work; and reports annually on his activities to the Human Rights Council.

- [International Human Rights \(2 credits\)](#)

Description -- provides students with an overview of the theory and practice of international human rights law. It will focus on various human rights problems of contemporary significance and the role of international law and institutions in addressing those problems. Topics include civil and political rights, economic and social rights, the environment and development, gender and equality issues, indigenous peoples, minorities, individual criminal responsibility, and human rights in times of conflict. The course examines the evolution and content of human rights norms, their sources and legal status, and domestic and international mechanisms for implementing the norms. Students will become familiar with the United Nations human rights system, as well as with regional regimes, especially that of the Organization of American States. Themes throughout the course will include the tensions between universalism and cultural diversity, rights and duties as organizing conceptions, evolving notions of statehood and sovereignty, the responsibilities of states and other actors, the relevance of the private-public distinction, and the relationship between the domestic and international legal orders.

- [Water Law \(3 Credits\)](#)

Description -- The course in Water Law traditionally emphasizes state law rules that govern rights to use surface water and groundwater throughout the country. Although we will give ample attention to the prior appropriation doctrine, riparian water rights, and various systems for regulating groundwater use, this course will also emphasize how federal law may impact water rights. Increasingly, environmentalists and others claim that there are public rights to water that may take precedence over rights under the prior appropriation system. There is a saying about water that it "flows uphill to wealth and power." We will attempt to understand how politics and economics shape water law doctrines. We will also draw on the science of

hydrology, which will shed light on the important contemporary problem of how groundwater pumping interferes with surface flows and often devastates riparian habitats. We will also examine the struggle over how to allocate Colorado River water, which has a long history but contemporary ramifications. We also will consider the role of federal law, particularly federal reserved water rights claimed by Indian tribes, and the federal government's long history of attempting to irrigate the West through its Bureau of Reclamation. This latter topic concludes with an analysis of the Central Arizona Project. Finally, we will briefly consider how environmental concerns over water quality may on occasion impact water quantity allocation decisions and water rights.

Arizona State University, Sandra Day O'Connor College of Law

- Offers a program on Indian Law and courses.
- **Programs --**
 - **The Indian Legal Program**
Description -- The Indian Legal Program was established in 1988 to provide legal education, scholarship, and public service to tribal governments. It was designed to help train Indian lawyers and promote an understanding of the differences between the legal systems of Indian Nations and the United States. The program has become one of the best in the nation, educating students in Indian law and providing students with practical work experience.
- **Courses** ([Credits for the below courses were not documented])
 - **Adv Research & Writing-Indian Law Seminar**
Description -- This course is designed to fulfill the requirement for an advanced legal research and writing course requirement for the Indian Law Certificate. The course will offer intensive writing instruction, and students will fulfill weekly writing assignments. The course will be organized around the students' representation of a fictional Native American tribal client in a complex matter requiring both litigation and advocacy before administrative and legislative forums. Student work product will include documents such as an attorney contract; an office memorandum; a client advice letter; an initial pleading; discovery documents; a settlement brochure; a trial memorandum; and a draft of a congressional bill. Students will gain substantive knowledge in the field of Federal Indian Law as well as experience in drafting documents typically required in law practice.
 - **American Indian Health Policy**
Description -- This course will expose students to multiple issues related to health policy in American Indian (AI) communities, including:
 - History and evolution of the Indian Health Service
 - Significant federal legislation that has influenced AI health programming
 - Sovereignty and Self-Determination in health programming
 - Health disparities and resource disparities
 - Cultural competence of the workforce
 - Integration of traditional AI medicine in health programs
 - Research Issues in AI communities
 - Environmental health and environmental justice in AI communities
 - **Cultural Resources**
Description -- This seminar course will focus on the protection of Native American cultural resources and religions.
 - **Economic Development in Indian Country**
Description -- This seminar is designed to study issues attorneys must examine before the implementation of a tribal economic development project. The topics may include project selection, environmental impact, contract development, tax implications, financing, employment issues, and tribal and corporate immunity.
 - **Federal Indian Law I**
Description -- Federal Indian Law I surveys the allocation of sovereignty, jurisdiction, and power in Indian country among tribal, federal, and state governments.
 - **Federal Indian Law II**

Description -- This course will cover advanced topics in federal Indian law with an emphasis on environmental and natural resources issues and treaty rights. The course will survey Indian water rights and hunting and fishing rights, as well as timber and mineral development on Indian lands. The course will also cover tribal land use issues and economic development.

○ [Gaming Law](#)

Description -- Indian Gaming Law concerns the federal, tribal, and state law that surrounds the development of gaming enterprises in Indian country. The course will survey the historical background behind Indian gaming and further examine the modern legal regime that governs the development of gaming enterprises in Indian country, focusing primarily on the federal Indian Gaming Regulatory Act of 1988. Topics that may be addressed in the coverage of the course include constitutional questions surrounding the Indian Gaming Regulatory Act, regulatory oversight of gaming management contracts, negotiating tribal-state gaming compacts, legality of contributions to the state in tribal-state gaming compacts, tribal gaming regulation, gaming on newly acquired lands, tribally specific limitations on tribal gaming, distribution of gaming income, and other legal questions arising under the Indian Gaming Regulatory Act of 1988. Most of the course coverage will be supplied by independent student research and presentation of papers, rather than a traditional survey of materials from prepared texts.

○ [Indian Taxation](#)

Description -- This course deals with issues of federal, state, and tribal taxation within Indian country. The course will survey the leading cases, statutes and administrative rulings. Transactional problems and tax planning opportunities will also be discussed. Federal Indian Law I is a prerequisite to this course. Federal Indian Law I provides a general background for the concepts of sovereignty and federal preemption that are more fully developed in this course as specifically applied to tax issues. This course will apply the general concepts to situations that frequently arise for Indian law practitioners.

○ [Tribal Law and Government](#)

Description -- Tribal Law and Government is a seminar designed to provide a practical and applied overview of the structures and laws that govern Indian tribal governments in Indian country. Topics covered include tribal constitutions, the tribal legislative process, the role of tribal traditions and customs, tribal courts, sources of tribal law, and limitations on tribal law. The primary focus of the seminar will be on the application of tribal law in tribal courts.

○ [National NALSA Moot Court \(Independent Study\)](#)

Description -- Students who chose to participate in the NNALSA Moot Court Competition can earn up to 1 credit. The NNALSA Moot Court competition is a team competition sponsored by the National Native American Law Students Association and is hosted by a different law school each year. The competition typically occurs in mid-February and participants will be required to meet deadlines that occur during winter break. Students who chose to participate will be required to complete a legal brief which is no more than 36 pages in length and it will address a timely issue in Federal Indian law and/or Tribal Law and Governance. Students will compete in no less than two preliminary rounds of oral arguments. Credit for NNALSA Moot Court is not dependent on the level of success in the competition. Credit is earned for completion of the competition.

○ [Indian Legal Clinic](#)

Description -- As a student attorney in the Indian Legal Clinic, you will represent real clients in tribal, state, and federal court and in administrative proceedings. You may also have the opportunity to work on tribal government enhancement projects, for example, code drafting, tribal court development, and economic development. Our clients typically are tribal governments, litigants in local tribal courts, or people with federal Indian law issues pending in state or federal tribunals. You will handle all aspects of law practice under the guidance of an experienced faculty supervisor, including appearing in hearings; drafting pleadings, motions, appellate briefs, opinion letters, and contracts; interviewing and counseling clients; conducting discovery; conducting trials, mediations,

and arbitrations; and presenting appellate oral arguments. Depending on the caseload and court calendars, students usually are able to have at least one courtroom experience, work as lead counsel on one or more files, and gain experience in writing for law practice. The Clinic also includes an advanced seminar, which uses simulation exercises to develop crucial skills in tribal customary law, advanced interviewing, fact investigation, case theory, client counseling, discovery, negotiation, alternative dispute resolution and courtroom advocacy. Office hours, law firm meetings, client work, and coursework all can be counted toward your 20 "billable hours" requirement for the clinic each week. Federal Indian Law I and Evidence are co-requisites -- they may be taken before enrollment in the Indian Legal Clinic or at the same time.

Brigham Young University School of Law

- Offers courses in Indian Law.
 - [Federal Indian Law \(2 Credits\)](#)
Description -- This course offers an overview of the development of Federal Indian Law through a study of cases and historical and contemporary materials. It will cover the evolving United States policy respecting Native Americans from the early 18th century to the present. Emphasis is given to unique principles of law regarding tribal sovereignty, the federal trust responsibility, Native American hunting and fishing rights, water rights, treaties, tribal economic development, and the interplay between tribal, state, and federal criminal and civil jurisdiction. Federal statutory regimes that pertain specifically to Native Americans such as child welfare, civil rights, self-governance and religious and cultural freedoms and protections will also be included. Students will gain an understanding of the core principles of Indian law, its history, and an awareness of the current and future direction of the courts, tribes, and Congress regarding Indian issues.
 - [Water Law \(2 Credits\)](#)
Description -- The course will consider state, federal and international law respecting water resources allocation, development, and conservation. More specifically, the course will address: state law regimes for the allocation of water, with a focus on the prior appropriation doctrine employed in the western United States; public rights in the use and conservation of water; allocation of water resources between the federal government, states, and Indian tribes and their respective jurisdiction to control the water resources between the federal government, states, and Indian tribes and their respective jurisdiction to control the water resource; and, finally, international law regarding trans-boundary watercourses.

UC Davis School of Law

- Offers a course in Indian Law.
 - [Native American Law Seminar \(2 Credits\)](#)
Description -- The seminar focuses on legal relations between Native American tribes and the federal and state governments. The course will consider the basic jurisdictional conflicts that dominate this area of law, including specific areas such as land rights, hunting and fishing rights, water rights, environmental protection, gaming regulation, taxation, and criminal law. The course will also touch upon constitutional issues pertaining to tribes and questions of federal policy.

University of California, Hastings School of Law

- Offers a course in Indian law.
 - [American Indian Law \(3 Credits\)](#)
Description -- This course will address the historical and current legal status of American Indians and Indian Tribes. We will examine the history of federal policy toward Indians; the complex relationship between Tribes and the federal government and between Tribes and state governments in civil and criminal matters; jurisdiction over resource development in Indian country; Indian hunting, fishing and water rights; and a sampling of current issues such as the protection of Native American culture and traditions and gaming in Indian country.

University of California, Los Angeles School of Law

- Has program on Native Law and Policy and offers courses.
- **Program**
 - [Program on Native Law and Policy](#)

Program Description -- The mission of the UCLA Native Nations Law & Policy Center (NNLPC) is to support Native Nations nationally in enhancing their governmental institutions and laws, to strengthen cultural resource protections, and to address critical public policy issues by bringing together the University's academic resources and the knowledge and experience of tribal leaders and knowledge-holders.
- **Courses**
 - [Federal Indian Law \(ICredits not published\)](#)

Description -- This course provides an overview of federal Indian law through a study of cases and historical and contemporary materials. It covers the basic conflicts among sovereign governments which dominate this area of law, especially conflicts over criminal, civil adjudicative, and regulatory jurisdiction. Special attention is given to the status and sovereign powers of Indian nations as recognized under United States law, the federal trust responsibility, and the equal protection issues posed by federal and state legislation singling out Indian nations and tribal members. Federal statutory regimes regulating tribal gaming and child welfare will be included. Students should gain a critical understanding of the basic tenets of Indian law, the bases of tribal sovereignty, the structure of the federal-tribal relationship and its history, and a sense of the future directions the courts, tribes, and Congress may take in addressing current legal issues in Indian country. Student will write a short paper on a book or set of articles of their choosing, as well as take a final examination. There is a second course in Indian Law, Indian Law II, that is offered in some years, and covers Indian land, cultural resources, hunting and fishing, water rights, and rights under international law.
 - [Federal Indian Law II \(ICredits not published\)](#)

Description -- This course examines in-depth the principles and doctrines of federal Indian law as applied to property rights in land, cultural resources, hunting and fishing rights, water rights, and economic development. It also addresses special jurisdictional regimes established by federal statutes, such as the Indian Child Welfare Act and the Indian Gaming Regulatory Act. Students will take an in-class final examination.
 - [Tribal Legal Systems \(ICredits not published\)](#)

Description -- Students in this seminar will study the traditional and contemporary legal systems of Native American tribal nations. There will be detailed examination of several different tribal systems, including Navajo, Cherokee, Iroquois, and Hopi. Emphasis will be on the diversity of tribal legal regimes, comparisons with the Anglo-American legal system, changes in tribal systems during the period of contact with non-Indians, and the relationship between tribes' legal systems and other aspects of their cultures, such as religion and social structure. Students will undertake an independent research paper, focusing on a contemporary or historic topic.
 - [Clinical: Tribal Legal Development Clinic \(4 Credits\)](#)

Description -- Students in this clinic will provide non-litigation legal assistance to Indian nations. Projects will include development and modification of tribal legal codes and constitutional provisions, creation of tribal dispute resolution processes, and drafting of intergovernmental agreements. Skills that will be emphasized in this clinic are legislative drafting and cross-cultural representation. Faculty members will meet with tribal leaders to inform them of the availability of clinic services and to determine whether the clinic could assist them with their legal development needs. Once students are assigned to particular projects, they will meet with relevant tribal officials and community groups with travel funds supplied by the school. Students will learn about tribal governments and legal systems, including federal constraints on the activities of tribal legal institutions. They will also learn about the culture of the tribe which they are representing in order to be able to craft legislation and other documents that meets tribal intentions and needs.

- [Clinical: Tribal Appellate Court Clinic \(4 Credits\)](#)
Description -- Students in this Clinic will provide assistance to justices of the highest courts of the Hualapai and Hopi tribes in Arizona, while learning skills useful in clerking for any appellate judge in federal, state, or tribal systems. Almost every case that a student will work on will involve important questions of first impression with respect to constitutional issues (separations of powers, checks and balances, etc.), criminal justice and defendants' and victims' rights in both substance and procedure, the duties and obligations of government with respect to family matters and commercial activities, the establishment of property law schemes, among many others. Students will do all their coursework and assigned casework at UCLA with site visits (at Law School expense) to the respective tribal court to attend oral arguments and to participate in deliberations. Given the unique needs and docketing of tribal appellate courts, all the class meetings will be structured into a four day workshop over two weekends, for which attendance is mandatory. After that, students will meet with their assigned tribal judge by video or teleconference to discuss the research and work on assigned cases on a regular basis. The workshops will take place over two weekends TBD.

California Western School of Law

- Offers courses in Indian Law and a 'Practicum' experience.
 - [Fundamentals of Indian Law \(2 Credits\)](#)
Description -- After briefly examining the history of Indian tribes in the United States, students will learn about the trust relationship between the United States and recognized Indian tribes, tribal property rights, and the complexities of determining the applicability of tribal, state, and federal jurisdiction within Indian lands. The course will also touch on how federal incursions on tribal jurisdiction have affected tribes. As time permits, tribal water rights, treaty hunting and fishing rights, and Indian gaming law will also be examined. This course is a must for anyone who may be interested in representing tribes as well as for students who are interested in representing state and local governments or businesses, such as banks, construction companies, hotel and gaming management companies, and others, that may do business with tribes. In addition to its practical value, the course also provides an important window into the foundations of American democracy, colonialism, and the country's relationship with, and ability to deal with, distinct cultures within its borders.

Case Western Reserve University School of Law

- Offers a course on Indian Law.
 - [American Indian Law \(Credits not listed\)](#)
Description -- No course description provided.

Chapman University School of Law

- Offers courses in Indian law.
 - [American Indian Law and Policy \(2 or 3 units\)](#)
Description -- This course explores both traditional Native American tribal law and the legal relationship between Native Peoples, state governments, and the federal system. Special emphasis is placed upon the foundation cases and the policy eras including the formative years, the treaty era, allotment and assimilation, reform and New Deal, termination, and self-determination. Students will prepare and present a paper on a selected issue of Indian law and policy.
 - [Gambling Law \(2-3 units\)](#)
Description -- This course covers the law and policy of regulating gambling, one of the fastest growing segments of the entertainment industry. The course will examine the history and current development of, as well as possible future changes to, gambling regulation in California, the United States, and other parts of the world. Topics discussed will include casino gambling, lotteries, pari-mutuel wagering, sports-betting, Indian gaming, and Internet gambling.

City University of New York College of Law

- Offers a course on Indian Law.
 - [Native American Law \(3 Credits\)](#)
Description -- This course will examine how the American legal system (from its inception) has treated the indigenous peoples within the borders of the United States, with some reference to indigenous rights in other nations. Specific litigation tactics and results and the main lines of judicial action affecting Native Americans will be analyzed. Students will be involved in selecting the other primary areas of focus. Potential topics include: Treaties, Sovereignty, Criminal Justice Systems, Tribal courts, Comparative Indian National Governments, Religion and Economic Development, Land Rights and Land Claims, Federal and State Powers in Indian Country, Taxation, and Family Law. The course will be run as a seminar. The final grade is based on a research paper.

University of Colorado at Boulder College of Law

- Offers a program focusing on American Indian Law and courses.
- **Program**
 - [American Indian Law Program](#)
 - **Program Description** -- Colorado Law's American Indian Law Program provides students with comprehensive opportunities to acquire specialized knowledge of American Indian law, through curriculum, the American Indian Law Clinic, the Certificate Program, National Tribal Court Law Clerks Program, research on federal and tribal Indian law issues, externships, Native American Law Students Association, conferences and events, expert faculty, affiliated organizations, and community outreach. In addition, students enjoy numerous opportunities to assist in scholarship and contribute to the national development of the field of American Indian law. What distinguishes Colorado Law from other law schools is the incorporation of American Indian law principles in the general law school curriculum, including civil procedure, property, and family law.
 - **Certificate Program Description:** Colorado Law offers an American Indian Law Certificate demonstrating the completion of a concentrated course of study in the legal issues facing America's Native peoples and American Indian tribes. This Certificate is attractive to legal, tribal, and governmental employers, as well as employers seeking to do business with tribes and tribal members. Certificate requirements include: 1) at least 95 credit hours (89 is required for the J.D.), and 2) at least 18 of the 95 credit hours in designated Indian law and related courses.
- **Courses**
 - [Advanced Topics in American Indian Law](#)
Description -- Explores a variety of current issues related to American Indian Law. The topics will change to reflect the subjects that emerge at each time that the seminar is offered. Some examples of topics considered in this seminar include legal protections for American Indian religion and culture, cultural property, Tribal law, gaming law, and Native American natural & cultural resources law.
 - [American Indian Law Clinic](#)
Description -- Emphasizes the practice of federal and tribal Indian law. Students will represent individuals and Indian tribes in matters involving: the Indian Child Welfare Act, enforcement of federal and tribal rights, and code development. Focuses on select current Indian law topics and development of lawyering skills. Satisfies Practice Requirement. Recommended prerequisite or co requisite: American Indian Law and Evidence.
 - [American Indian Law I](#)
Description -- Investigation of the federal statutory, decisional, and constitutional law that bears upon American Indians, tribal governments, and Indian reservation transactions.
 - [American Indian Law II](#)
Description -- This course will investigate of the legal history and current legal status of Alaska Natives and Native Hawaiians. It will also address other current topics such as

- tribal water rights, tribal justice systems, religious freedom, and tribal natural resource and environmental management.
- [Jurisdiction in Indian Country \(3 Credits\)](#)
Description: Examines the current state of the justice system within Indian nations today. It includes understanding the respective roles of tribal and state law enforcement authorities, as well as the Bureau of Indian Affairs' Office of Justice Services, the Federal Bureau of Investigation, and the Drug Enforcement Administration. It examines relationship between federal and tribal courts; substantive laws; and advocates who appear before them.
- **Externship with an American Indian Law Focus (1-4 Credits)**
- **National Native American Law Students Association Moot Court Competition**
- **Independent Legal Research Project on an American Indian Law Topic**
- [Foundations of Natural Resources law and Policy \(3 Credits\)](#)
Description: Introduces students to the law of natural resources. It examines the legal, historical, political, and intellectual influences that shape natural resources development and conservation.
- [Water Law \(3 Credits\)](#)
Description: Analysis of regional and national water problems, including the legal methods by which surface and ground water supplies are allocated, managed, and protected.
- [Public Land Law \(3 Credits\)](#)
Description: Deals with the legal status and management of resources on federal lands, including national forests, parks, and BLM lands. Explores federal law, policy, and agency practice affecting the use of mineral, timber, range, water, wildlife, and wilderness resources on public lands
- [Advanced Natural Resources Law Seminar \(3 Credits\)](#)
Description: Studies historical, literary, and scientific materials and analyzes current problems of natural resources law. Requires additional field trip expenses for students. Any three natural resources/environmental courses. Foundations is strongly recommended and Indian Law can count as one of the three courses. Prerequisites can be taken concurrently with the seminar.
- **North American Indian Acculturation** (CU School of Anthropology; no description available.)

Columbia Law School

- Offers a course on Indian Law.
 - [Federal Indian Law \(2 Credits\)](#)
Description -- The Federal Indian Law course has three basic objectives. First, the course will survey the field of Indian law, tracing its development from Chief Justice Marshall's historic decisions in the Cherokee cases in the early 1800s to the present. The primary focus here will be on the current law defining the allocation of tribal, federal and state power in areas such as civil and criminal jurisdiction over persons and activities on the reservation, gaming rights and environmental regulation. Second, the course will consider the future of federal Indian law, in which law development in the courts has stalled just as Indian tribes have begun to make great strides towards Self-Determination under the policy put in place by President Nixon in 1970. As part of this discussion, we will consider how law is made in the federal courts, with focus on the Supreme Court, as well as the potential for growth in federal Indian law through the incorporation of developments in other areas of law, such as International Law. Third, the course will consider specific problems arising from the intersection of federal Indian law and other areas of law practice - commercial law, environmental law, and family law, among others.

University of Connecticut School of Law

- Offers courses in Indian Law.
 - [American Indian Law \(3 credits\)](#)

Description -- This course explores the foundational doctrines governing the legal and political relationship between Indian tribes and federal and state governments. The history of federal Indian law and policy, tribal property rights, congressional plenary power, tribal sovereignty, and jurisdiction in Indian Country are the major topics covered in this course. Our study of these topics will include consideration of important contemporary laws such as the Indian Gaming Regulatory Act, the Indian Child Welfare Act, tribal recognition regulations, and land claims settlement acts affecting the Indian tribes of Connecticut.
 - [Tribal Justice System \(2 credits\)](#)

Description -- This seminar concerns Tribal Justice Systems, the ways in which America's first nations have historically and are currently structuring their governments, regulating those within their jurisdiction, and resolving disputes. Although the subject is of crucial importance to modern American Indian tribes and those who interact with them, the course deals with broader themes of what law is and how it interacts with community self-definition, colonialism, and cultural change. Topics include the history of tribal legal systems, the challenges of incorporating traditional or customary law, the ways that legal systems can encourage or discourage economic development, disputes over tribal membership, and the ways and extent to which tribal governments protect basic fairness. A previous course in Federal Indian Law or American Indian Law is neither a prerequisite nor a disqualification. Students will be graded primarily on course participation and reflection papers on the materials. A third credit is available for students who also complete a 15 page research paper on the subject.
 - [Taxation of American Indians \(3 Credits\)](#)

Description: This course addresses the federal and state taxation of American Indians and Indian Tribes and non-Indians doing business with Indians and Indian Tribes. The course includes the taxation of Indians residing on or off a reservation, and non-Indians doing business with Indians and Indian Tribes on or off a reservation. Topics include the federal income tax, and state income, sales, excise and property taxes.

Cornell University Law School

- Offers a course in Indian Law.
 - [Federal Indian Law \(2 Credits\)](#)

Description -- The course will focus on the basics of Federal Indian Law, the ever-changing body of case and statutory law and treaties that define the limits and extent of Indian tribal sovereignty in the United States in the late twentieth century. The course will explore the nature and extent of tribal sovereignty at the time of European contact, the changing strategies of the United States in relating to tribes, and the lasting impact of those strategies on current-day tribal communities and their rights of self-government. The course will also explore the role of the United States in protecting tribal sovereignty and tribal resources. It will also examine the powers and jurisdiction of tribal governments with regard to both members and non-members of the tribe, as well as the lack or extent, as the case may be, of state jurisdiction over activities on Indian lands. Students will be encouraged to continually identify and question the legal, political and moral basis of the laws and policies that constitute Federal Indian Law in the United States today.

Creighton University School of Law

- Offers a course in Indian Law.
 - [Native American Law \(3 Credits\)](#)

Description -- The subject matter of this class centers on discovering the range, depth and complexity of law and policy both emanating from and directly affecting American Indian tribes. Treaties concluded between tribes and the U.S. government during America's westward expansion and the attendant assumption of fiduciary responsibility

by Congress form the basis on which subsequent laws and policies are examined. Issues to be studied include tribal court structure, federalism questions, gaming and hunting rights and exemptions, and the implementation of major statutes under U.S. Code Title 25 such as the Indian Child Welfare Act and the 1990 Native American Graves & Repatriation Act.

University of Denver Sturm College of Law

- [Offers courses and publishes *Water Law Journal*.](#)
- **Courses**
 - [Federal Indian Law \(3 credits\)](#)

Description -- This introductory course surveys the body of "Federal Indian Law," focusing on the legal relationship between Indian nations and the United States, including implications of this relationship for states and individual citizens. The course covers the historical origins of federal Indian common law, the development of federal Indian policy, and tribal sovereignty in the modern era (tribal property, jurisdiction, criminal and civil governance, and economic development including gaming). It may provide a brief introduction to the Indian Child Welfare Act, religious and cultural freedoms, tribal law, and indigenous peoples in international law, if time allows.
 - [Indian Law \(Advanced\) \(3 credits\)](#)

Description -- This course furthers students' exposure to topics in Indian Law with a particular focus on contemporary issues in practice, as informed by the history of relations between the federal and tribal governments. Topics may include Indian taxation and environmental regulation, the Indian Reorganization Act and tribal government, tribal court practice, Alaska Native and Native Hawaiian legal issues, religious and cultural freedoms, community lawyering in Indian Country, and international perspectives. The course is organized as a seminar, with lectures, guest speakers, and in-depth student discussions. The course culminates in a research project, including an oral presentation and paper. Prerequisites: Federal Indian Law, Credit Hours: 3, ULW: This course does not satisfy the Upper Level Writing requirement (ULW)
 - **Indian Water Rights Seminar** (3 credits - Link to course description no longer available)

Description -- This course covers all aspects of representing tribes in securing and enforcing their water rights. This includes discussing the prior appropriation doctrine; the vocabulary of hydrology; understanding the competing needs for water in the west; the historical and legal bases of reserved water rights; how to quantify the tribal water right; representing a tribe in a state court water adjudication; the process of limiting competing users to their decreed water right; and how the Endangered Species Act impacts exercise of tribal water rights.
 - **Native American Natural and Cultural Resources Law** (3 credits - Link to course description no longer available)

Description -- This course studies the convergence of federal Indian law, natural and cultural resources law. Topics may include Indian lands, environmental regulation and natural resource development in Indian Country, water rights, hunting and fishing, the Native American Graves Protection and Repatriation Act, use and protection of tribal songs, stories, and ceremonies, and sacred sites. The course culminates in a research project, including an oral presentation and paper.
- **Publications**
 - ["Water Law Review"](#)

Mission Statement -- The Water Law Review seeks to provide a unique, high quality forum for sharing ideas, information, legal analyses and policy analyses concerning water law issues. It is the intent of the editorial board and staff to make the Review a valuable resource for the practitioner, the scholar and the policy maker. The Review primarily emphasizes water law issues; however, we understand that nothing exists in isolation, neither in law nor in nature. Therefore, it is the express policy of the Review to solicit and to publish scholarly works that discuss water law as it affects and is affected by related areas, legal or otherwise. To that end, we remain pleased to present articles by

nationally recognized experts, practitioners, officials, scholars, and others involved in the fields of water law and water planning. We do not restrict the Review's coverage to any one jurisdiction. We live in a highly complex global community where water remains one of the most critical components. The more ideas and information we share, the more successful we will be when managing today's problems and tomorrow's challenges. Therefore, we invite our readers to submit articles that address the full range of issues in water law and water management from any geographical location.

[Drake University Law School](#)

- Offers a course on Indian Law.
 - [Indian Law \(2 credits\)](#)
Description -- The course will cover the basic history of Indian Law, how groups of Indians become tribes and what recognition as a tribe means, tribal sovereign immunity and how it affects interactions between tribes and states and the jurisdiction of state and federal courts, economic development on reservations, including gaming, the protection of Indian religion and culture, and water, fishing, and hunting rights. If time permits, practice before the tribal courts will be explored. This will be a lecture course, graded on an examination.

[Florida State University](#)

- Offers a course in Indian Law.
 - [Federal Indian Law \(2 credits\)](#)
Description -- A survey of the law as it pertains to Native Americans, including tribal law and the relation of tribal governments and local, state, and federal governments.

[Georgetown University Law Center](#)

- Offers Indian Law courses:
 - [Federal Indian Law Seminar \(2 credits\)](#)
Description -- This seminar examines the body of law dealing with the status of the Indian tribes, their special relationship to the federal government, and the governmental policies underlying it. It will also focus on the legal interrelationships among tribal, state, and federal governments, tribal gaming and economic development, and tribal rights to natural resources.
 - [Property Law and Government Economic Policy: American Indians, the Balkans and the Americas \(2 credits\)](#)
Description -- This course will explore the affect of property laws and policies of the government on the economic development of selected emerging and developing countries in Europe, the Americas, and Indian County. While seemingly disparate in historical and geographic contexts, the similarities in the rights of and social views held about ownership in these regions offer an opportunity to explore the overall principals of economic development based upon the policies and laws of the governments of these countries. The course will concentrate on the following issues: 1) What policies and practices promote economic development in a country? 2) What are the social and culture value, if any, that outweigh the traditional economic development in these countries? 3) How do we determine policy from a historical perspective? 4) How does the method and timing of implementation affect policy?
 - [Race and American Law \(4 credits\)](#)
Description -- This four-credit course will provide students with an in-depth examination of the issue of race in the American legal process from the formation of the United States Constitution in 1787 to the present. It is a legal history course that will survey the legal rules and institutions that have shaped racial identity and race relations, particularly concerning the experience of African Americans, American Indians, Latinos/as, and Asian Americans. Among the subjects that will be covered are: Indian removal, slavery, Reconstruction, segregation, Japanese-American internment, civil rights, citizenship and immigration. The course will also cover most of the seminal "race" cases decided by the U.S. Supreme Court.

Gonzaga University School of Law

- Offers courses and a program on Indian law.
- **Program**
 - Indian Law Program

Program Description – To the indigenous people of the region, the North Bank of the Spokane River holds special meaning. For generations, tribal people gathered here to fish, trade, worship, and enjoy the company of friends and family. Gonzaga University is located on the North Bank, not far from some of the most important of their fishing grounds. It's a spot replete with historical and cultural value. Today, our Indian Law Program closes the circle between the past and present. In it, students become intimate with the unique body of federal, state, and tribal law that has evolved around tribal sovereignty - and that safeguards its future. As you explore this section, you will see that students in the program learn by doing. You will be challenged to do substantial and meaningful work in service to the indigenous community.
- **Courses**
 - Federal Indian Law

Description -- Federal Indian Law is an introductory course that focuses on exploration of federal law as it applies American Indian tribes, American Indians and the indigenous people of Alaska and Hawaii. Among the concepts explored in the class are:

 - The nature and extent of Indian sovereignty
 - The federal-Indian treaty relationship
 - Federal policies toward American Indian tribes, including:
 - Self-determination
 - Civil and criminal jurisdiction
 - The special legal status of Alaska Native people
 - Indian Child Welfare Act of 1978

Description -- This course examines the federal policy underlying adoption and custody of Indian children, the laws of select Indian tribes with respect to Indian children, and related jurisdictional issues involving the intersection of Indian and state law.
 - Indian Law Clinic

Description -- The Indian Law Clinic provides students with the opportunity to counsel and represent enrolled members of the Kalispel tribe in litigation in federal, state, and tribal courts. Typically, students work with clients who have problems in the areas of criminal law, landlord/tenant disputes, family law, estate planning, consumer protection, creditor/debtor, and other civil law matters. In addition, students may work with clinical professors to prepare proposed legislation for the tribe, and on transactional matters as they arise.

Hamline University School of Law

- Offers courses in Native American Law
 - Native American Law (2 credits)

Description -- Studies the rights, duties and powers of Native American groups. Attention is given to history, sovereignty, jurisdiction, individual rights, and the relationships of Native Americans to their tribal groups and the groups to the local, state and federal government. Every Other Year Course
 - Native American Law Seminar (3 Credits)

Description – This seminar will focus on four major pieces of legislation and their impact on Native Americans. The seminar will be a study of the Indian Child Welfare Act, the Indian Civil Rights Act, the Indian Reorganization Act and the Indian Gaming Regulatory Act. The focus of the seminar will be the effects of such legislation on the native community and the results produced in the legal relationship between tribes, states and the federal government. Papers will be required for presentation.

Harvard Law School

- Offers a course in Indian law
 - [American Indian Law \(3 Credits\)](#)
Description -- This course covers the history and fundamentals of federal Indian law in the United States. Topics include the relative bounds of federal, tribal and state jurisdiction over Indian country; hunting, fishing and gathering rights; Indian reserved water rights; and settlement of Alaska Native land claims.

University of Hawai'i at Manoa William S. Richardson School of Law

- Offers a course in Indian Law.
 - [Federal Indian Law \(3 Credits\)](#)
Description -- This course examines Federal Indian Law, including fundamental concepts and the historical evolution of legal doctrines and considers the implications of Native Hawaiian Sovereignty within the framework of Federal Indian Law.

Center for Excellence in Native Hawaiian Law

- [Offerings in Native Hawaiian Law](#) (All courses described here.)
 - **Native Hawaiian Rights** (3 Credits)
Description: The purpose of this course is to examine the status and evolution of the rights of Native Hawaiians to land and resources. Areas of study include the relationship of the rights to possession and use of the land vested in the Monarchy, the chiefs, and native tenants prior to the imposition of a Western legal system defining land tenure; the effect of the Māhele of 1848; the ceded lands trust; the Hawaiian Homes Commission Act; and the potential for utilizing native rights based on statute, custom, and use to fashion new and expanded rights to land and its usufructs. The course also examines legal challenges to programs and benefits for Native Hawaiians and the potential for changes in the relationship with the federal and state governments
 - **Native Hawaiian Rights Clinic** (3 Credits)
Description: Students in this clinic work under the direct supervision of a Native Hawaiian Rights specialist providing legal services to actual clients. Each semester, the clinic focuses on one or two major cases involving issues such as traditional and customary rights, the ceded lands trust, the Hawaiian Home Lands trust, and water rights. Students will aid attorneys in identifying and researching significant issues, gathering evidence, interviewing clients, and drafting pleadings.
 - **Environmental Law Clinic** (3 Credits)
Description: This course provides practical, non-litigation “lawyering” experience in the context of issues affecting Hawai‘i’s natural and cultural resources, with an emphasis on water. Students assist clients on a range of issues, including legislative matters and potential cases before state water, land use, and other administrative agencies.
 - **Second Year Seminar**
Description: This seminar is an advanced legal research and writing course focused on Native Hawaiian, social justice and environmental issues.
 - **Federal Indian Law** (3 Credits)
Description: This course is designed to educate students in the general principles of Federal Indian law. It differs from the traditional Indian Law courses by giving special attention to those aspects of Federal Indian Law that are directly analogous to current issues in Native Hawaiian rights law. The course examines the constitutional constraints on the federal government's recognition of Native groups, especially in relation to pending constitutional challenges to federal and state programs for Native Hawaiians, and reviews recent developments and possible future trends in Federal Indian Law that may affect Native Hawaiian self-governance and potential agreements with the state and federal governments over lands and resources.
 - **Advanced Legal Studies Native Hawaiian Law Selected Topics**
 - **Description:** This course allows students to examine a significant Native Hawaiian legal issue from different perspectives - including an historical view, a constitutional and legal perspective, a cultural-sociological perspective, and a comparative analysis with Native American and other indigenous groups. This focused and concentrated study will allow

students to comprehend the complex background, history, and legal implications surrounding an issue of importance to the Native Hawaiian community. Possible issues include: examining the evolution and practical effects resulting from the various definitions of "Native Hawaiian"; examining how indigenous peoples hold title to their lands; or evaluating the protection for ancestral bones and funerary objects under federal and state law. As part of their coursework, students will be required to research and produce short papers analyzing the chosen issue and synthesize their research for presentation at community meetings.

University of Houston Law Center

- [Offers courses in Indian Law](#) (Both courses described here.)
 - **American Indians & Indian Law** (2 credits) -- An interdisciplinary overview of tribal sovereignty and federal Indian policy, and relationships among tribal, state, and federal governments. Also covers traditional and contemporary native legal systems.
 - **American Indian Law** (2 credits) -- Explores the governing of the legal relations between the United States and Indian tribes, the history of federal Indian law and policy, and tribal property, treaty rights and sovereignty.

University of Idaho College of Law

- [Offers program on Native Law.](#) (All courses described here.)
 - **Native American Law** (3 Credits)
Description -- Study of Tribal Sovereignty and interaction with the U.S. government at various levels with an emphasis on treaty rights, jurisdictional issues, the trust relationship, protection of lands, the eras of U.S. Indian policy, and the continued assertion of tribal rights and interests.
 - **Native American Natural Resource Law** (3 Credits)
Description -- An overview of the law surrounding Tribal cultural property, the protection and utilization of the land in terms of resource production and conservation, the development of natural resources derived from Indian lands and the intertwined principles of the federal trust responsibility, taxation of resources, the ever-growing field of Native water rights, and the on-going enforcement of treaty hunting, fishing and gathering rights.
 - **Tribal Nations Economics & Law** (3 Credits)
Description -- Survey of economic development strategies by various Tribal Nations, including an overview of federal incentive programs and disincentives for the growth of strong tribal economies. Tribal legal codes, commercial projects, and federal Indian law parameters will be discussed. Topics will include: the tribal government-owned corporate model, gaming enterprises, economic diversification, the federal 8(a) program, limitations on tribal tax-exempt bond offerings, and value-added on-reservation products.

Indiana University Bloomington Maurer School of Law

- Offers a course in Native American Law
 - [Native American Law \(3 credits\)](#)
Description -- This course provides an examination of the primary themes and materials of the federal law concerning Native American tribes and individuals. It devotes considerable attention to the historical development of law and policy in that area and to the present division of authority over Indian country among federal, state, and tribal governments. The course also includes discussion of hunting, fishing, and water rights and of the economic development of Indian lands.

The University of Iowa College of Law

- Offers a course in Indian law
 - [Federal Indian Law \(3 credits\)](#)
Description -- Surveys the specialized body of law allocating power and authority in Indian country which has grown up around native American peoples and their

reservations. Subjects covered in the course include sovereignty arrangements, jurisdiction, federal Indian policy, and tribal self-government.

The University of Kansas School of Law

- Has a tribal law and government center, a tribal lawyer certificate program, and offers courses.
- **Tribal Law and Government Center**
 - **Tribal Law and Government Center**

Center Description – Effectively representing Indian nations and tribes requires an understanding of the laws, history and policies that affect them. For more than 200 years, the United States has pursued conflicting policies for dealing with the indigenous peoples located within its borders. As a result, there exists an extremely complicated body of federal, state and tribal law that affects every aspect of indigenous life. The complexity of "Indian law," and the lack of specific programs designed to educate graduates about the unique legal and cultural needs of Indian people, has created a situation in which lawyers representing Indian tribes place too great an emphasis on state law and federal law when dealing with Indian nations. As a result, these lawyers may unconsciously be contributing to the weakening of unique tribal legal and governance traditions by recommending the adoption of tribal laws and policies founded upon the Anglo-American legal and political traditions rather than the unique traditions of their tribal clients.
 - **Program**
 - **Tribal Lawyer Certificate Program**

Program Description -- Effectively representing Indian nations and tribes requires an understanding of the laws, history and policies that affect them. For more than 200 years, the United States has pursued conflicting policies for dealing with the indigenous peoples located within its borders. As a result, there exists an extremely complicated body of federal, state and tribal law that affects every aspect of indigenous life. The complexity of "Indian law," and the lack of specific programs designed to educate graduates as to the unique legal and cultural needs of Indian people, has created a situation in which lawyers representing Indian tribes place too great an emphasis on state law and federal law when dealing with Indian nations. As a result, these lawyers may unconsciously be contributing to the weakening of unique tribal legal and governance traditions by recommending the adoption of tribal laws and policies founded upon the Anglo-American legal and political traditions rather than the unique traditions of their tribal clients. The certificate program is designed to ensure that law students aspiring to a career representing Indian nations have the skills necessary to appreciate and strengthen the unique nature of indigenous tribal legal systems. Students may satisfy the certificate requirements by taking courses such as Sovereignty and Self-Determination, Federal Indian Law, Native American Natural Resources, and the Tribal Judicial Support Clinic, combined with several law courses in the area of economic development, taxation, federal courts and natural resources.
 - **Courses**
 - **Federal Indian Law (2.5-3 Credits)**

Description -- Addresses the law and policy of the United States regarding Indian nations and their members. Issues include: the origins and contours of federal plenary power over Indian affairs, the scope of inherent tribal sovereignty, the limits of state power in Indian country, civil and criminal jurisdiction, and gaming. (Same as INS 824) 00 14 01
 - **Race and American Law (2.5-3 Credits)**

Description -- This course addresses the racial and legal history of the major racial groups in the U.S., including African, Native, and Asian Americans, Latinos and Whites. In addition to these histories, the course includes the following topics: Competing definitions of race and racism; race, voting, and participation in democracy; developing notions of equality; segregation and education; racist and anti-racist speech; and responses to racism, including resistance, coalitions, and healing.

- [Native American Natural Resources Law \(2-3 Credits\)](#)
Description -- This course provides detailed examination of natural resource law as it applies to Indian country. Among the topics to be discussed are water law, environmental protection, and subsurface property rights. While not a prerequisite, it is recommended that students take Federal Indian Law before enrolling in this course.
- [Indian Gaming Law \(2 Credits\)](#)
Description -- This course will examine the law, policy, politics, economics, and cultural effects of Indian gaming. It will focus primarily on the federal Indian Gaming Regulatory Act (IGRA), including its origins, structure, and real-world effects. In addition to mastering the pertinent legal issues, students will be asked to consider a series of questions about Indian gaming law, including (1) what are its real objectives? (2) does IGRA, as it is currently being applied, promote those objectives? and (3) given the expansion of non-Indian gaming in recent years, should IGRA be revised to better serve those objectives? Course materials will include IGRA and related case law, materials from the U.S. Department of Interior setting forth current federal policy, and various tribal-state compacts.
- [Tribal Judicial Support Clinic \(3 Credits\)](#)
Description -- Students are assigned research projects from participating tribal courts as arranged by the instructor. Students provide research assistance to tribal court personnel in any array of projects that range from tribal code development, legal research and drafting of legal memoranda and judicial orders. Prerequisite: Federal Indian Law; Sovereignty, Self-Determination, and the Indigenous Nations; or Native American Natural Resources.
- [Economic Development and Indigenous Nations \(2-2.5 Credits\)](#)
Description -- The course examines the laws governing the development and expansion of tribal economies including federal regulations governing the alienability of land, secured transactions, tribal commercial law and international trade. The course includes a detailed discussion of the taxation of activities occurring within Indigenous Nations.

Lewis and Clark Law School

- Offers an Indian Law Program and Courses
 - [Indian Law Program](#)
Program Description -- With rich course offerings by distinguished faculty members, Lewis & Clark Law School provides a solid academic platform for advancement in the practice of Indian law and its diverse specialties. The law school incorporates the best aspects of classroom-based learning with many opportunities for the development of practical legal skills. The law school's emphasis on environmental issues as well as business reflects the ongoing development issues that face many tribes across the country. Our comprehensive curriculum produces graduates prepared to successfully face the challenges at the forefront of Indian law practice.
- **Courses**
 - [Advanced Federal Indian Law \(\[Credits not published\]\)](#)
Description -- In-depth study of current issues in Indian law, which may include tribal sovereignty, tribal court jurisdiction, reservation economic development and environmental regulation, cultural resources protection, and tribal rights in natural resources and endangered species. This class explores the way history, legislation, and litigation has influenced the development of Indian law and policy.
 - [Alaska Native Law \(2 Credits\)](#)
Description -- This two-credit two-week intensive course is designed to strengthen student understanding of Alaska Native law and the cultural and historical backdrop of its application in rural Alaska. With 229 tribal governments, a multitude of Regional and Village Corporations formed pursuant to the Alaska Native Claims Settlement Act (ANCSA), and a myriad of Native non-profit corporations, Alaska Natives are a powerful economic, political, and legal force. Alaska Native values and practices regarding the traditional subsistence way of life help inform the culture of all Alaskans and are at the

center of cutting edge litigation and international treaties surrounding traditional harvest of wildlife.

- [Contemporary Issues in Indian Law \(Credits not published\)](#)
Description -- Current issues, with a focus on recent as well as future cases, relating to jurisdictional conflicts in Indian country, the implementation of the trust relationship and the implementation of federal legislation such as the Native American Graves Protection and Repatriation Act, the Indian Gaming Regulatory Act, the Indian Child Welfare Act, implementation of treaty rights, and the Religious Freedom Restoration Act.
- [Criminal law in Indian Country \(3 Credits\)](#)
Description -- This course Criminal Law in Indian Country is designed to reflect upon crime and punishment in Indian Country, and the embedded story within the shared “criminal” history of tribal nations.
- [Cultural Resources Protection Law \(Credits not published\)](#)
Description -- Exploration of several federal statutes, including National Historic Preservation Act and the Native American Graves Protection and Repatriation Act. Not limited to Indian cultural issues, this seminar covers a wide range of preservation issues and examines the extent to which courts and legislatures have helped and hindered the protection of cultural resources. Students examine the policy decisions behind legislation and the efficiency of various approaches to cultural resource protection.
- [Economic Development in Indian Country \(Credits not published\)](#)
Description -- An examination of issues regarding economic activity in Indian country, including gaming, asset-extractive activities such as logging and mining, job creation through manufacturing and attraction of business investment to reservations, and the creation of functioning reservation economies by tribal governments. The history of tribal entrepreneurial activities and a focus on the legal, sovereign, judicial, regulatory, and funding challenges that tribal governments face in bringing beneficial economic growth to Indian country. Course evaluation will be by a two-hour exam or through a paper at the student's option. Prerequisite: Completion of or current enrollment in Federal Indian Law.
- [Federal Indian Law \(3 Credits\)](#)
Description -- The development of federal Indian law from the late 19th century to the present. Emphasis given to unique principles of law concerning tribal sovereignty, the federal trust relationship, hunting, fishing, and water rights, and the interplay between tribal, state, and federal criminal and civil jurisdiction. Special attention to federal statutes that pertain specifically to Native Americans. These statutes and the above principles of law are discussed in the context of self-determination.
- [Federal Indian Law Seminar \(3 Credits\)](#)
Description -- This advanced seminar provides in-depth study of current issues in Indian law, which may include tribal sovereignty and tribal court jurisdiction, reservation economic development and environmental regulation, cultural resource protection, and tribal rights in natural resources and endangered species. This class will explore the ways history, legislation and litigation influence the development of Indian law and policy. Completion of the basic course in Federal Indian Law is a prerequisite for this seminar or other arrangements can be made with the professor. The class format will include group discussion, a research paper and a class presentation by each student. Papers can satisfy the A or B writing requirement and can apply towards the Environmental Law Certificate.
- [Federalism and Indian Law \(2 credits\)](#)
Description -- Exploration of the philosophy of Indian law, including a close examination of the underlying legal and historical precedents in the United States and Canada, and discussion and analysis of future directions in this dynamic field.
- [Indian Gaming \(2 Credits\)](#)
Description -- Indian gaming concerns the federal, tribal and state law regarding the development of gaming and related enterprises in Indian country. This course will survey the historical background behind Indian gaming and further examine the modern legal system governing the operation and regulation of Indian gaming activities. General topics to be covered include the jurisdictional precepts to gaming in Indian country, the

Indian Gaming Regulatory Act of 1988, tribal-state compacts, and regulatory oversight schemes of Indian gaming activities. Emerging issues also will be reviewed, such as taking land into trust for gaming purposes and diversification of tribal gaming. In addition, coursework will include review of financing documents, contracts involved in the operation gaming enterprise, and tribal legal and judicial systems that support tribes' economic endeavors.

- [International Law and American Indians \(1 Credit\)](#)
Description -- Europeans used international law in North America from the beginning of their explorations and settlements on this continent. They used the Doctrine of Discovery to claim for themselves many of the sovereign, diplomatic, commercial and human rights of native peoples.
- [NALSA Moot Court \(Up to 4 Credits\)](#)
Description -- During the fall, students research a problem in a specific area of Indian law. Students prepare appellate briefs and participate in oral arguments based on the problem. Students from the fall class are selected to represent the school in the national NALSA moot court competition held in the spring.
- [Native American Natural Resources Law \(3 credits\)](#)
Description -- Survey of natural resources law, including water, timber, mining, fish, and wildlife. Resource protection and development in the context of treaty rights and conflicting sovereignty. Special attention is given to the regulatory powers of the federal government and tribal governments, as well as to the competing interests of federal, state, and tribal entities. Students gain an enhanced understanding of the legal positions of tribes intent on asserting and preserving treaty obligations.
- [Themes in Sovereignty \(3 Credits\)](#)
Description -- Focus on specific topics that support tribal self-governance, including federalism and Indian law, economic development and taxation in Indian country, criminal law enforcement in Indian country, state and tribal relations, and environmental regulation in Indian country.

Loyola Law School Los Angeles

- Offers courses in Indigenous Peoples Law touching on Native Americans.
 - [Indigenous Peoples Law \(3 credits\)](#)
Description -- This course covers the traditional native American Indian law subjects and adds materials on new norms of international law that have emerged in recent decades for protection of indigenous peoples around the world. U.S. topics include the genocide of the American Indians and the legal theories that supported it, Indian sovereignty, changes in U.S. Indian policy from extermination through assimilation to self-government, criminal and civil jurisdiction, civil liberties, control of natural resources, environmental law, and economic development including gambling. International topics include norms emerging internationally and in other nations for protection of indigenous peoples, shift in policy from assimilation to cultural survival and autonomy, ownership of aboriginal territory and subsurface mineral rights, and the requirement of consent of indigenous groups prior to government or corporate exploitation of their natural resources.
 - [Native American Law \(3 credits\)](#)
Description -- This course will explore Federal Indian Law through a study of historical and contemporary cases and materials. It will cover basic problems and conflicts including criminal and civil jurisdiction within Indian country, tribal sovereignty, gaming, environmental protection, water rights, cultural resources, as well as constitutional issues. Students should gain a critical understanding of the basic tenets of Federal Indian law and a sense of possible future directions for Indian nations.

University of Maine School of Law

- Offers a course on American Indian Law
 - [American Indian Law \(2 hours\)](#)
Description -- The emphasis of this seminar will be on the body of federal law that defines the relationship between Native Americans and the federal and state governments.

Marquette University Law School

- Offers courses on Indian Law or touching upon the American Indian
 - [Federal Indian Law \(3 credits\)](#)
Description -- A critical analysis, drawing from a variety of perspectives, of the legal principles governing the relationships among Indian tribes, the federal government, and the states.
 - [Current Issues in Indian Law \(2 credits\)](#)
Description -- This course will examine current issues and controversies in Indian law, including Indian lands claims under the Indian Non-intercourse act, tribal sovereign immunity, restoration of the tribal land base, federal trust obligation, state regulatory authority over tribes, tribal authority over nonmember, federal authority over tribes and tribal environmental protection efforts. With respect to each issue, we will focus on a particular high-impact case currently under consideration in the appellate courts of the United States or a legislative proposal before the U.S. Congress.
 - [Water Law \(3 credits\)](#)
Description -- This course examines the legal principles involved in securing, allocating, transferring, managing, and adjudicating water rights for public and private uses. Topics include the prior appropriation doctrine; riparian water rights; groundwater; the public trust doctrine; federal and Indian reserved water rights; water development and distribution; the relationship between water and economic development; water quality; government regulation; federal and constitutional water-related issues; and the economics of water policy.

University of the Pacific McGeorge School of Law

- Offers a course in Federal Indian Gaming Law.
 - [Federal Indian and Gaming Law \(3 credits\)](#)
Description -- A course covering the relationship of American Indian nations to the federal government, including tribal sovereignty, interpretation and abrogation of treaties, relationship with states, criminal and civil jurisdiction, water rights and natural resources management, child custody, and a special emphasis on tribal gaming, tribal-state compacts, gaming on reservation and trust lands, and gaming classifications.

Michigan State University College of Law

- Offers courses in Indian Law and has an Indigenous Law Certificate Program
- **Courses**
 - [Advanced Topics in Indian Law \(2 credits\)](#)
Description -- Provides an opportunity for in-depth discussion and examination of current legal issues of federal and tribal law in Indian country including tribal gaming and economic development, tribal policy and governance, treaty rights, international indigenous peoples, and other contemporary topics.
 - [Advanced Topics in Indian Law: Indian Gaming \(2 credits\)](#)
Description -- This course will introduce students to the unique legal issues that govern Indian gaming activities. Indian Gaming has been the largest economic development tool available to Indian tribal governments over the past 30 years. Today, the Indian gaming industry generates more than \$25 billion per year, nationwide. Students in this class will learn about the federal and tribal regulatory structures that govern tribal gaming, the interplay of federal, state, tribal, and local laws in this regulatory structure, the process by which tribes and states negotiate gaming compacts, and the nuanced classification of tribal gaming activities. It is highly recommended that you have taken Federal Law and

Indian Tribes as a pre-requisite. See Prof. Fletcher for an override if you have not taken this course.

- [Advanced Topics in Indian Law: Indian Child Welfare Act \(2 credits\)](#)
Description -- This course will be focused on the implementation, interpretation and understanding of the Indian Child Welfare Act (ICWA). ICWA, a federal statute interpreted almost entirely in state and tribal courts, applies to all "non-voluntary" termination of parental rights if the child involved is considered an Indian child. This law was passed in 1978 in response to the overwhelming numbers of Indian children in foster care and adopted away from their tribes and families. ICWA is one of the most important statutes in federal Indian law and even those not in the Indian law field will likely encounter it.
- [Advanced Topics in Indian Law: Tribal Law \(2 credits\)](#)
Description -- This course provides in-depth coverage of the laws of American Indian nations, including tribal court jurisprudence and practice, tribal constitutional law, tribal economic development, and tribal customary and traditional law.
- [Federal Law and Indian Tribes \(3 credits\)](#)
Description -- An examination of the law and policy of the United States regarding Indian tribes and their citizen members. Study the relationships between the federal, state, and tribal governments; and examine the source and scope of federal, state and tribal authority in Indian Country
- [Indigenous Law and Policy Center \(3 credits\)](#)
Description -- This experiential learning course addresses the issues involved in creating and operating tribal judiciaries, and the federal, state, and tribal tax laws that affect tribal governance. Students learn about the appellate process in tribal court systems, including preparation of bench memoranda for pending cases in tribal appellate courts. Students also have the opportunity to assist in developing tribal court structures and improving tribal court administration. In addition, students assist in drafting tribal tax codes, creating administrative tax tribunals, and handling tax controversies for qualifying clients. Other projects may include legislative and policy work for tribal governments, including drafting and revising tribal laws and providing legal assistance regarding land tenure systems.
- **Indigenous law certificate program.**
 - [Indigenous Law Certificate Program](#)
Program Description -- Indigenous Law Certificate Program The distinctive mission of the Indigenous Law Certificate Program is to prepare students for practicing indigenous law upon graduation by providing rigorous and comprehensive training in indigenous law, policy and practice. The program is designed to ensure that selected law students are equipped with a specialized expertise – having the knowledge and skills to effectively identify and address indigenous law issues, represent Indian nations and appreciate these nations' unique legal and governance systems. The MSU Indigenous Law Certificate Program is one of just a few formal certificate programs nationwide.

University of Michigan Law School

- Offers a course in Federal Indian Law
 - [Federal Indian Law \(3 credits\)](#)
Description -- This course explores the legal relationships between American Indian tribes and the United States and the various states. Major topics in the course include the history of federal Indian law and policy, congressional power with respect to Indian peoples and nations, principles of interpretation of laws and treaties regarding Indians, the nature of tribal sovereignty, and tribal, federal, and state jurisdiction in Indian country. In examining these topics, we will also discuss tribal recognition, gambling, taxation, and natural resources in Indian country, and the Indian Child Welfare Act.

University of Minnesota

- Offers courses in Indian Law.
 - [Federal Indian Law \(3 credits\)](#)
Description -- This course covers the unique jurisdictional, regulatory and business environment on Indian reservations and involving Indian people in the United States. The core of the course involves developing an understanding of the relationship between the United States, the Indian tribes, and states, and issues that arise under the tripartite federalist system in the United States. It also reaches issues of sovereignty, race theory, separation of powers, and several substantive law fields, including criminal law, natural resources, constitutional law, tax law, and sovereign immunity. For purposes of context, the course also touches on the development of Indian policy over the past two and a half centuries and also discusses some facets of internal tribal laws and tribal courts.
 - [Indian Child Welfare Project \(4 Credits Fall; 3 Credits Spring\)](#)
Description -- The Indian Child Welfare Act Clinic is a two-semester clinic offered annually since 1996. The clinic gives students practical experience in handling family law and juvenile law cases with a special emphasis on the federal Indian Child Welfare Act (ICWA) passed by Congress in 1978. Weekly classroom sessions are held in conjunction with the Child Advocacy Clinic and cover such topics as interviewing, negotiation, and motion practice. Students handle two to three cases over two semesters. Cases are referred from the Indian Child Welfare Law Center and students work closely with Shannon Smith, the Executive Director of ICWA, and other Center staff attorneys. These cases are selected to provide students with a variety of substantive and procedural experiences. The clinic course is a two-semester program beginning in the fall semester. Students earn a total of seven credits allocated over two semesters.
 - [Native American Law and Literature \(2 credits\)](#)
Description -- This is a course about Native American storytelling - as law - and literature. The Acoma Pueblo poet Simon Ortiz once noted that “because of the insistence to keep telling and creating stories, Indian life continues, and it is this resistance against loss that has made life possible.” Similarly, Crow Creek Sioux novelist Elizabeth Cook-Lynn wrote that the most important question we can ask of native literature is “What role does American Indian literature play in today's struggles to defend and clarify tribal sovereignty.” This course will examine the regenerative power of Indigenous stories in relation to both tribal law and federal Indian law. Students will read legal and literary texts produced by Native authors (including Joseph Boyden, Louise Erdrich, Linda Hogan, Basil Johnston, Thomas King, Susan Power, Leslie Silko, Gerald Vizenor, James Welch, Robert Williams Jr., etc) to understand how stories continue to contribute to the persistence of First Nations law in contemporary North America. Topics to be addressed include Native American legal ethics, Indian removal, tribal land allotment, termination, cultural property rights, Indigenous legal education, child welfare laws, etc.
 - **Native American Law Seminar (2 credits)**
Description -- No description offered.

The University of Mississippi The School of Law

- Offers a course in Indian Law
 - [Federal Indian Law \(2-3 credits\)](#)
Description -- A survey of federal, state, and tribal law with an emphasis on jurisdictional issues.

The University of Missouri—Kansas City School of Law

- Offers a course in Indian Law
 - [Law & The American Indian](#)
Description -- No course description.

The University of Montana

- Offers an American Indian Law Certificate, American Indian Law Summer Program, Indian Law Clinical Program, and courses.
- [American Indian Law Certificate](#)
Description -- The American Indian Law Certificate Program is designed for law students who wish to acquire an in-depth knowledge of American Indian law and who are willing to commit the time and effort necessary to achieve a level of specialization in their legal education. The Certificate Program provides students the opportunity to graduate from law school with a credential recognizing their concentration and accomplishment in this field. Because we believe specialization in law school should not come at the expense of a well-rounded legal education, we require students in the Certificate Program to complete 95 hours compared to 90 credit hours for students outside the Certificate Program. In most cases, this additional credit load can be completed within the normal three academic years of law school. Upon successful completion of the certificate program, the certificate is noted officially on the student's transcript. If you wish to pursue a certificate program, you must notify the Associate Dean of the School of Law as soon as you decide to do so, but in no case later than the beginning of your second year of law school.
- [American Indian Law Summer Program](#)
Description-- Law students, graduate students, attorneys and other interested community members have the opportunity to take several one-week, one-credit courses in the area of Indian Law. The program attracts professors and practitioners from around the country, offering students the opportunity to learn from the foremost experts in the nation. Six or seven courses are offered each summer; most courses are offered at least every-other year and new classes are introduced periodically.
- **American Indian Law Summer Program Courses:**
 - **American Indian Estate Planning & Probate (1 credit)**
Description -- This course provides information about policy and legal aspects of probate issues within Indian Country. The course addresses the historical background creating the fractionalization of Indian land and looks at the various legal sources used to address estate planning and probate matters involving Indian lands and people.
 - **Economic Development in Indian Country (1 credit)**
Description -- Economic development for Indian Nations and their citizens is one of the most important topics in Indian law and policy today. Indian gaming gets all the headlines but the grinding poverty and lack of economic activity on reservations is a fact of life for almost all American Indians and their governments. This class will analyze this crucial topic and explore the practical and theoretical issues facing American Indian governments in bringing economic development to their reservations that is profitable, sustainable, and culturally appropriate.
 - **Indian Child Welfare Act (1 credit)**
Description -- This course looks at past federal policies which resulted in the removal of Indian children from their families and led to Congress passing the Indian Child Welfare Act. The course discusses the legal requirements of the Indian Child Welfare Act, various aspects of working with Indian families, potential conflicts with state and other federal laws, and the difficulties in getting compliance with the Act.
 - **Indian Education and the Law (1 credit)**
Description -- This course provides information about policy and legal aspects of Indian education in the United States. The course addresses the historical sources for Indian education rights; the scope of tribal, state and federal laws on Indian educational matters.
 - **Indian Gaming (1 credit)**
Description -- The objective of this one credit class is to give students a review of federal statutes, regulations, and case law pertaining to Indian gaming. Students will review legislative initiatives seeking to amend laws affecting Indian gaming, the gaming regulation system, and contemporary issues facing "gaming" tribes. Special emphasis will be placed on Montana tribal gaming concerns.
 - **Indian Health Law (1 credit)**
Description -- This course has two main purposes. First, it will provide an understanding

of how healthcare services are provided to tribal members who are eligible for care with the Indian Health Service, and examine the respective roles of the federal, tribal and state governments in the administration of healthcare to Native Americans. Second, the course will explore ethical issues in healthcare that can arise for Native American patients (American Indian, Alaska Native, and Native Hawaiian) because of cultural differences. The course will cover the fundamentals of the trust relationship between the United States and federally recognized tribes, examine the structure of healthcare services provided to tribal members, and introduce the fundamental principles of bioethics that inform the appropriate and culturally-competent delivery of healthcare services to tribal members.

- **Indian Law Research (1 credit)**

Description -- Because tribes are sovereign governments, the field of Indian Law encompasses distinct legal issues and legal sources. Researching both federal Indian law (the law of the relationship between tribal governments and the U.S. government) and tribal law (the law of individual tribes) requires a different set of tools and research skills than those students are introduced to in a basic legal research course. In this course, students will learn the skills and sources necessary to research general Indian law issues as well as the very specialized skills and sources used in researching the legal history of a tribe, including reserved treaty rights. The course will cover researching treaties, Indian land claims, statutory and case law, and tribal law. Students will actively participate in a research assignment throughout the course.

- **Indian Water Law (1 credit)**

Description -- This course provides information about the various aspects of Indian water law. The course addresses the historical sources for Indian water rights, the scope of Indian water rights and protection of Indian water rights.

- **Mineral and Energy Development in Indian Country (1 credit)**

Description -- The purpose of this course is to provide an introduction to natural resources development in Indian country, with a concentration on the development of minerals and energy resources and associated rights of way. Mineral and energy resources in Indian country are extensive, with approximately two million acres of Indian lands under leases administered by the Department of the Interior, and approximately ten percent of all on-shore federal energy production occurring on Indian lands. Development of these resources in Indian country is governed by a web of federal statutes and case law, including a new Indian energy title in the Energy Policy Act of 2005. The course will begin with an introduction to mineral development and a careful exploration of the primary mineral/energy development statutes, tracing the ever-increasing role of tribal governments in the development of their resources. The course will then explore the federal role in mineral development, considering the Department of the Interior's role in approving mineral leases and agreements, and actions for breach of Interior's trust responsibility. Next, the course will consider rights of way, with particular emphasis on energy and utility rights of way. The course will then look at regulatory aspects of mineral and energy development, including taxation of such development by both tribal and state governments, and environmental regulation of mining activities, with an emphasis on pre-development environmental review.

- **Protection of Wildlife and the Environment in Indian Country (1 credit)**

Description -- This course explores the federal response to violations of federal environmental and wildlife protection statutes and regulations in regards to activities within Indian country or impacting Indian country. The course focuses on enforcement issues surrounding current federal policies based on executive orders, legislation and implementing regulations. Course discussions will incorporate applicable aspects of federal statutes such as the National Environmental Protection Act, Resource Conservation and Recovery Act, Clean Air and Water Acts, Comprehensive Environmental Response, Compensation, and Liability Act, Historic Preservation Act, Native American Grave Protection and Repatriation Act, Endangered Species Act, Lacey Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, and the National Wildlife Refuge System Improvement Act, and Bald Eagle Protection Act.

- **Taxation & Finance in Indian Country (1 credit)**
Description -- The purpose of this course is to provide an introduction to tax and finance law as it applies in Indian Country. Taxation and finance in Indian Country presents unique and complicated problems that often turn on the status of land and individuals in a matter. The course will begin with an introduction to the general principles and historical background of taxation in Indian Country. The course will then explore the application of federal taxation in Indian Country, looking at congressional authority to tax, the federal taxation of tribes and individual Indians, and federal taxation of non-Indians dealing with Indians and tribes. Next, the course will consider the role of state taxation in Indian Country by first looking at the state taxing authority in Indian Country and state authority over Indians and tribes outside of Indian Country. The course will also consider the tribal authority to tax and federal limitations on tribal taxing jurisdiction in Indian Country. Once students have a thorough understanding of taxation in Indian Country, the course will go on to explore the role taxation plays in tribal economic development and finance. This portion of the course will begin with an overview of different organizational forms in Indian Country, and then discuss the role of tribal finance in tribal economic development.
- **Tribal Criminal Law & Procedure (1 credit)**
Description -- This course provides information about crime within Indian Country. The course addresses traditional methods of resolving unacceptable behavioral problems within tribal communities and the evolution of current responses to crime within Indian Country.
- **Tribal State Conflict of Law (1 credit)**
Description -- Students in this course will be assigned to play the role of attorneys in a series of hypothetical cases designed to introduce them to jurisdictional rules as they apply to state and tribal governments. The course will begin with an introduction to the general principles of jurisdiction and a historical background, and will then explore the standards governing both the legislative and judicial jurisdiction of state and tribal governments.
- **INDIAN LAW CLINIC (variable credits)**
Description--The Indian Law Clinic at The University of Montana School of Law was established in 1980 as a component of the school's clinical education program. Designed to provide students with practical experience regarding Indian law issues, the Indian Law Clinic is an in-house clinical program focusing primarily on issues and problems affecting tribal governments and justice systems located in Montana and Wyoming. The Indian Law Clinic provides legal research and technical assistance on Indian law issues to a variety of individuals and entities. Due to limited resources, the Indian Law Clinic generally provides assistance on matters impacting tribal sovereignty, cultural preservation and economic conditions within Indian country.
 - **COURSES IN INDIAN LAW**
 - **Advanced Federal Indian Law (2 credits)**
Description -- This two-unit seminar course focuses on how tribal attorneys and other advocates can assist contemporary tribal governments in achieving political, cultural, and economic self-determination. Tribal self-determination requires the development of effective means for the exercise of tribal sovereign powers. These means include the development of effective tribal justice systems, tribal governmental institutions, tribal administrative agencies, and tribal natural and cultural resource protection programs.
 - **Advanced Problems in Federal Indian Law (variable credits)**
 - **American Indian Cultural and Religious Freedoms (2 credits)**
Description -- This seminar course examines the unique cultural and religious freedoms enjoyed by the American Indian peoples. Course coverage will focus on the evolving judicial and legislative responses to the traditional and contemporary assertions by the American Indian peoples of their inherent right to the free exercise of their religious and cultural practices. Particular emphasis will be given to the Indian peoples' contemporary efforts to secure federal judicial and legislative protection of such practices. The major U.S. Supreme Court decisions regarding these rights, such as *Lyng v. Northwest Indian Cemetery Protective Association* and *Employment Division v. Smith*, will be assessed in

terms of their effect on the Indian peoples' religious and cultural freedoms. Additionally, those contemporary federal statutory and executive initiatives that seek to preserve these freedoms, pursuant to the federal government's trust duty that it owes to the Indian peoples, will be analyzed. These initiatives include the American Indian Religious Freedom Act (AIRFA), the Religious Freedom Restoration Act (RFRA), the Native American Graves Protection and Repatriation Act (NAGPRA), the National Historic Preservation Act (NHPA) and the Archaeological Resources Protection Act (ARPA). Several case studies will evaluate the success, if any, achieved by the relevant federal land management and regulatory agencies through their implementation of these initiative pursuant to their resource management plans and their rule making efforts. Potential alternative legal theories that may provide new judicial or regulatory protection for the Indian peoples' cultural and religious resources will also be examined. Particular emphasis will be given to the on-going international legal effort to create a new and more encompassing indigenous cultural resources law that will prevent the unauthorized alienation or other loss of a people's sacred objects of "cultural patrimony."

- **American Indian Natural Resource Law (2 credits)**
Description -- American Indian Natural Resources is a growing, dynamic, exciting area of the law, involving important resources. The field includes transcendent issues, such as compensation for or restoration of lost resources, as well as pragmatic concerns, such as the ability to site or maintain major facilities, the allocation of water supplies and pollution control. The course begins with a brief introduction to federal Indian law. Students will then examine the unique contours of natural resource matters that arise in Indian country, specifically focusing on: land, environmental protection, natural resource development, water rights and usufructuary rights, including hunting, fishing and gathering. Upon the successful completion of the course, students should have a good understanding of the basic principles of federal Indian law and how the development of natural resources in Indian country may trigger different legal responses than would otherwise be triggered elsewhere.
- **Federal Indian Law (3 credits)**
Description -- This course examines the law that governs the relationship among American Indian tribes, the federal and state governments and those persons who may be subject to tribal jurisdiction. Students will learn about the evolution of federal Indian law from its late 18th century treaty-based origins to its early 21st century era of tribal self-determination. Specific topics for study and analysis include the foundational doctrines of original Indian title; inherent tribal sovereignty; congressional plenary authority over American Indian affairs; and the federal trust duty to protect American Indian lands and rights. These doctrines' impact on the contemporary lives, resources, cultures, and rights of the American Indian peoples will be evaluated within selected legal frameworks. These areas of analysis include: (a) civil and criminal jurisdiction within Indian country; (b) Indian natural resources law; (c) Indian environmental law; (d) Indian taxation; (e) Indian cultural and religious freedoms; (f) Indian child welfare law; (g) Indian gaming; (h) Indian economic development; (i) Indian reserved water rights; and (j) Indian hunting and fishing rights.
- **Tribal Court/Tribal Jurisdiction (2 credits)**
Description -- This course is a study of tribal laws and tribal justice systems, both historically and currently, to evaluate the scope of tribal jurisdiction. Course also looks at variety of tribal justice systems, including the tribes located in Montana to evaluate similarities and difference between tribal systems, and compares tribal justice systems to state and federal systems of justice in the areas of criminal, civil, and regulatory laws.
- **Water Law (3 credits)**
Description -- The law plays a critical role in determining how our scarce water resources are used and allocated. This course examines the historical events and customs that led to the water laws we have today. The course then covers modern-day water permitting regulations and the adjudication of historic water rights. From there, the course explores emerging issues that a water lawyer will face in practice – from water marketing, to in-stream flow protection, to recreational access, to coal bed methane

development. The course compares the differences between water law in the eastern and western United States, and then focuses on the Rocky Mountain West and the variations among the states in our region. Alongside a selection of national readings, students study the specific water laws of Montana. Although water law is primarily the province of state law, the course also addresses tribal water rights, federal water rights, and interstate water allocation. Finally, students practice water lawyer skills, including researching and analyzing water rights, handling water rights in a real estate transaction, and appearing before a water court in an adjudication proceeding.

- **Tribal State Relations (2 credits)**
Description -- This course focuses on how the State of Montana and the seven tribal governments within this state may choose to resolve future and present disputes that involve jurisdictional, regulatory and natural resource issues that are of statewide and regional concern. Particular emphasis is given to the unique Montana constitutional, legislative and judicial factors governing tribal-state relations that set it apart from other large Indian Country states. Particular topics for analysis and discussion include: (1) Indian reserved water rights claims to Montana's water resources; (2) tribal power to develop and enforce environmental standards within Indian Country; (3) Indian gaming and tribal-state compacting process under the Indian Gaming Regulatory Act; (4) Indian educational status under Montana law; (5) the impact on tribal-state relations of the Indian Child Welfare Act; and (6) the recent state legislative re-districting to potentially improve Indian representation within the Montana legislature.
- **NALSA Moot Court (2 credits)**
Description -- In the Native American Law Student Association competition, two-person teams argue cases on topics chosen from among a variety of legal issues involving Native American rights and concerns. UM team members are selected by a competitive process. Members must be second or third year law students in good academic standing (2.0 GPA) and have taken or be enrolled in Indian Law.

[The University of Nebraska-Lincoln School of Law](#)

- Offers courses in Native American Law.
 - [Native American Law \(3 credits\)](#)
Description -- Legal concepts historically used to fit Native American nations into the legal structure of the United States are examined. The legal power or jurisdiction of the federal government, the states and the tribes is explored in cases, legislation and practice. Students who have previously taken Native American Law Seminar (Law 797) may not enroll in this course.
 - [Native American Law Seminar \(3 credits\)](#)
Description -- Legal concepts historically used to fit Native American nations into the legal structure of the United States are examined. The legal power or jurisdiction of the federal government, the states and the tribes is explored in cases, legislation and practice. Students who have previously taken Native American Law (Law 796) may not enroll in this course.

[New England Law, Boston](#)

- Offers a course in Indian Law.
 - [American Indian Law \(3 credits\)](#)
Description -- Studies the law that governs the legal relationships between Indian tribes and the United States. Topics covered include the historical development of the status of Indian tribes as "domestic dependent nations"; Indian property rights and land claims; Indian religious and cultural rights; the federal trust responsibility to Indian tribes; tribal sovereignty; overlapping federal, state, and tribal governmental authority; Indian gaming; and indigenous peoples' rights under international law. In addition to conventional legal materials, the course reading includes historical and anthropological materials. Besides developing knowledge of Indian law, the course is designed to examine what Indian law reveals about the ability of the law and society to tolerate diversity.

The University of New Mexico

- Offers an Indian Law Certificate, Program in Indian Law, and courses in Indian Law.
- **Program**
 - **Indian Law Program**

Description -- The UNM School of Law has a strong and longstanding tradition of dedication and commitment to the development of the field of Indian law education and assisting in the legal protection and representation of Native American nations and communities. In the 1960s, school leaders recognized the significance of Indian sovereignty, and in 1967, UNM became the first law school in the country to initiate an effort to increase the number of American Indians and Alaskan Natives in the legal profession. Since then, the UNM School of Law has led the way in educating lawyers among the American Indian and Alaska Native populations. The UNM School of Law also was a pioneer in incorporating Indian Law into the curriculum and has continued to develop one of the most comprehensive Indian law programs in the country. Through the law school's efforts, New Mexico was the first state to include Indian Law as a subject on the bar examination.
- **Clinic**
 - **Indian Law Clinic**

Description -- The Southwest Indian Law Clinic (SILC) provides high quality legal representation and clinical practice experience in Indian Country. SILC is pro-active in the advocacy, promotion and establishment of indigenous people's rights. SILC students may represent individual clients and/or tribal groups or Indian communities. Through representation, students may be exposed to issues arising from historical oppression, poverty, under-representation, and other issues related to culture, race and socio-economic status in the legal system. Students are taught to approach legal solutions premised on tribal sovereignty, cultural rights or traditional internal law, as well as general legal principles. The type of case work depends largely on the existing caseload and new case intake, but the Clinic experience is also driven by individual student interest and energy. The Southwest Indian Law Clinic handles cases arising under federal, state, or tribal law. Students may have opportunities to appear in all courts and to assist clients in access and use of tribal traditional dispute resolution in their community. SILC cases allow students to engage in vigorous defense, active motion practice, and extensive brief writing. These cases typically involve people that would go without representation, if not for the SILC. Potential clients come from the outlying and nearby Pueblos and tribal communities, and the urban Indian population. In addition to serving walk-in clients, SILC may provide legal services or intake at community intake sites in and around Albuquerque. Students may also engage in project work with tribal governments, non-profit organizations and non-governmental Indian organizations. To enroll in the clinic, students must have completed the first year curriculum and a qualifying Indian Law course. Students will not be enrolled without the pre-requisite Indian law course. Pre-or-co-requisite: Ethics. Students are required to attend and actively participate in up to five classroom sessions per week and maintain office hours of 16 hours each week, in addition to class. Summer students maintain 24 hours of clinical office hours each week, in addition to class.
- **Courses**
 - **Conflicts of Indian Law (Credits vary)**

Description -- This variable-credits seminar focuses on conflicting assertions of tribal, federal, and state authority affecting Indian tribes in Indian country. The objective of the seminar is to facilitate a deeper understanding of the origins, essence, and trajectory of current doctrine and theory defining the scope and limits of tribal, federal, and state power in Indian country. Special attention is paid to the emergence and dominance of the discrete but related concepts of the "implicit divestiture" of tribal sovereignty, state infringement of tribal self-government, and federal preemption of state authority in Indian country. Supreme Court cases addressing these concepts will be examined in detail, with students assigned to initiate discussions of cases on a rotating basis.

Occasionally, important articles by Indian law scholars and other commentators also may be assigned. There are no exams for this seminar. Instead, the seminar entails two writing components: (1) a midterm paper tracing and critically evaluating the development of the doctrines of state jurisdiction in Indian country, as covered in class; and (2) a mock Supreme Court opinion reversing an assigned actual or hypothetical lower court decision regarding tribal jurisdiction in Indian country, due at the end of the semester. Grades are based on the quality of students' written work and classroom participation.

To enroll in the course, students must have taken Indian Law previously, or be concurrently enrolled in Indian Law, or else have obtained the professor's permission based on significant previous Indian law-related work or study.

- [Economic Development in Indian Country](#)

Description -- Native peoples' cultural survival depends upon economic development. As more and more Native Americans must leave their communities to feed their families, it is increasingly difficult to maintain and develop cultural strengths. But tribal economic development is not easy, particularly in the midst of sometimes hostile state and local actors. Moreover, done poorly, tribal economic development can destroy the very values Native peoples seek to protect. In this class we will explore how tribes and their citizens can promote economic development while safeguarding important cultural values. This course will be a very practical, interdisciplinary course that aims to explore economic development in Native communities from the perspective of "indigenous planning," an emerging theory of action among tribal community planners focusing on land tenure and culture as they relate to community development. Graduate students in Planning and Law will work together to understand indigenous planning and the legal framework within which development in Native communities occurs. Students will work on interdisciplinary teams, each developing a case study and explanatory materials on an economic development project in a Native community. Students will be required to prepare materials and one or more presentations to tribal groups about the issues and possible strategies to address them. A warning: this will not be a typical, read-and-discuss, seminar. Members of the class will often be required to work independently of the professors, to seek out appropriate materials and information, and to figure out how to make their conclusions and recommendations accessible to non-lawyers. Because real people, struggling with real problems, will rely on the work produced, the expected standard will be unusually high.

- [Indian Education and Equity \(\[Credits not published\]\)](#)

Description -- Native American children face the worst educational prospects of any demographic group in the U.S. Native children do worse on standardized tests, drop out at a higher rate, go to college at a much lower rate, and are more likely to commit suicide. This course, a one-credit supplement to Education Equity in Law and Policy, will consider the history and policies behind the challenges Native communities face in assuring that their children obtain good educations. Topics will include: boarding school experiences; equality, integration, and community control; PL-638 and Self-Determination; Indian Education and Finance; No Child Left Behind and Indian Ed; and community-controlled schools and Native spirituality. The class, which can be taken separately or in conjunction with Education Equity in Law and Policy, will meet beginning August 30 for five consecutive Tuesdays (5-7:00 p.m.) with one additional class meeting to be arranged.

- [Indian Gaming \(\[Credits not published\]\)](#)

Description -- This course examines the various legal and political issues facing the enterprise of Indian gaming. The course materials will include the Indian Gaming Regulatory Act, applicable regulations, selected gaming compacts, and the leading cases.

- [Indian Law \(\[Credits not published\]\)](#)

Description -- This course examines the power of the Indian tribes and the relationships among tribes, states, and the United States. Emphasis will be given to jurisdictional interfaces and conflicts among the three sovereignties.

- [Indian Tax \(\[Credits not published\]\)](#)
Description -- This course deals with problems of tribal, state, and federal taxation within Indian country. The first half of the semester involves general reading of the leading cases. The second half of the semester involves a set of transactional problems and the tax consequences that flow from those problems.
- [Indian Water Law](#)
Description -- Indian Water Law will explore the jurisprudential origins of the role of Indian tribes as governments, and tribal entitlements in property and land. After a review of the historical underpinnings of tribal sovereignty, the course will explore contemporary issues confronting tribes and pueblos relating to the development and use of their waters. This aspect of the course will develop a working knowledge of the *Winter's* doctrine, quantification of Indian water rights, and finally the potential environmental and economic development solutions that may be integrated into global water right settlements.
- [International Law and Indigenous People](#)
Description -- This course will cover the basic international law frameworks, instruments, and emerging norms that apply to indigenous peoples. After the basic principles of international law, including customary law, the course moves to indigenous peoples as the subjects and objects of international understandings. Indigenous peoples are acting to change the established norms, going beyond the formalized states of prior relations among nations to recognizing peoples, political entities who are not just another ethnic minority. The course will cover the emerging norms and their formalization including the International Labor Conference Convention 169 (ILO 169) and the United Nations Working Group on Indigenous Populations, Draft United Nations Declaration on the Rights of Indigenous Peoples (UN Draft Declaration). For the comparative scope, we will study laws and cases that (1) invoke the international law to protect the rights of indigenous peoples; and (2) how respective states use and do not use international law in matters involving indigenous peoples within their boundaries. The latter includes cases from Canada, Australia, New Zealand, and other states. Note: Indian Law (any Indian Law course) is recommended as prior coursework. Students without any Indian Law should talk to the instructor regarding a background reading to be completed prior to the start of the course. Prior international law coursework will be helpful.
- [International Advocacy for Indigenous People \(2 Credits\)](#)
Description -- This is a two-credit seminar that will critically examine specific current international law developing and affecting the rights of indigenous peoples. It is intended to look closely at major studies, findings, recommendations, and emerging international law in respect to indigenous peoples, in specific areas including, discrimination, self-determination, and intellectual property and protection of indigenous knowledge. The seminar is intended to examine the major issues in depth and to stimulate discussion regarding the developing law, and its use in advocacy for indigenous peoples in the US. The seminar will also consider issues raised by indigenous peoples at the international level including, repatriation, border issues, universal jurisdiction, and others that arise for indigenous peoples as international law norms affect indigenous communities, such as conflict of human rights norms with tradition. Advocating human rights domestically and use of international law in advocacy by Indian nations within the nation state will be considered. Discussions will focus specifically on international advocacy for indigenous peoples in the US, including the challenges to such advocacy and the impact on indigenous peoples, within the US context. International Law and Indigenous Peoples and/or Federal Indian Law are useful for this course, but not required.
- [Law of Indigenous People \(\[Credits not published\]\)](#)
Description -- This course provides a historical and a contemporary perspective on the internal law of Indigenous peoples, domestically and internationally. It is not a survey of the law; rather it provides a general introduction to the types of law by which Indigenous peoples govern themselves, as well as a format to discuss the development and effect of this law. This course is intended to familiarize students not only with traditional and contemporary aspects of the internal law of tribes, but also to consider the complex

interrelationship between the two. The tremendous influence exerted by outside forces on the internal law of Indigenous peoples will also be considered in a critical manner. Students will be required to consider the internal laws of a tribe selected by the student and create a profile of the tribe's laws following the course outline. It is strongly recommended that the student choose his/her own tribe or a tribe with whom the student has a working relationship with or can develop a working relationship with, including a tribe the student may work with in the future or has worked with in the past. Students will be expected to add to the course materials as designated on the course syllabus. At the end of the semester, students will exchange the information gathered with appropriate appendices, notes and comments. The purpose of this project work is to allow students to consider the internal laws of one tribe in conjunction with the broader discussion that will take place in class. Students will be expected to share their observations based on the analysis and consideration of the internal law of their selected tribe as the semester progresses.

- [Native American Rights \(Credits not published\)](#)
Description -- The course examines legislation, regulation, treaties, and case law that govern Native American rights. Specific individual and tribal nation rights, as traditional and emerging issues, are studied in a focused manner. Besides legal materials, history as a scholarly discipline and as a legal tool will be covered.
- [Native Land Rights and Claims](#)
Description -- Land is at the heart of most Native peoples' lives, continued vitality, and cultural survival. For most Native peoples in the United States, land is also the heart of sovereignty -- Native peoples' abilities to govern themselves and their homes -- and spirituality. This course examines the U.S. legal regime that developed around ownership of Indian lands, compensation for forced acquisition of those lands, and recovery of their title and use by their Indian owners. Specifically, the course will cover aboriginal title (both tribal and individual), recognized title (including treaty title), the Indian Claims Commission process, and more recent efforts at land recovery and/or compensation, including the prosecution of human rights claims in international forums. Instead of the usual broad survey of Indian land claims issues, this experimental course will use a single currently active land claim, that of the Western Shoshone Nation, as a lens through which to study the subject. The Western Shoshones' claim to most of the state of Nevada has been in litigation and negotiation for more than five decades, continuing to the present time, and has included most of the important Indian land claims issues. Attorney Thomas E. Luebben, who will co-teach the class, has represented Western Shoshone tribes and organizations for the last thirty years, including Mary and Carrie Dann, defendants in the phase of the claim that reached the U.S. Supreme Court.
- [Natural Resources: Indian Country \(Credits not published\)](#)
Description -- This course addresses issues of ownership, regulation, and jurisdiction that arise in the unique context of the management of natural resources in Indian country. Specific topics include ownership of land and water resources on Indian reservations; land use and environmental protection in Indian country; taxation of natural resources in the reservation setting; federally reserved Indian water rights; and off-reservation Indian hunting, fishing, and gathering rights. To enroll in this course, students must have taken the basic introductory Indian Law course or have obtained special permission from the instructor.
- [Specialized Legal Research: Indian Law \(2 Credits\)](#)
Description -- The goals of this course are to give students advanced and in-depth training on researching questions involving federal Indian law and tribal law. Specifically, the courses aims are (1) to teach students to evaluate legal information sources effectively and to formulate a rational research methodology which maximizes efficiency; (2) to introduce students to using the primary American legal and tribal sources (cases, statutes, and administrative regulations and reports) in traditional and electronic formats; (3) to introduce students to specialized American legal and tribal law sources in Indian law; (4) to hone skills in compiling legislative histories. Students will

have numerous opportunities for "hands on" experiences with a wide range of legal materials and databases.

- [State Tribal Relations \(Credits not published\)](#)
Description -- Tribal, state, and local governments have characteristically acted as if they were in parallel universes whose fates were determined by the gods in Washington. In fact their affairs are intertwined economically, socially, environmentally, and politically, and their fates are largely determined by the behavior of these local governments and the management of their intergovernmental relationship. This course will deal with the inescapable tribal-state relationship, first as a broad set of policy issues and then in a series of substantive areas such as environment, human services and the ever-popular gaming. As the past few years should have demonstrated, this course is NOT just for people with an interest in federal Indian law; it is for anyone who intends to practice in the State of New Mexico and do it right.
- [Tribal Courts \(Credits not published\)](#)
Description -- This course will explore the many facets of tribal courts in the United States, ranging from historical origins to the modern day operations of tribal courts. Among the topics will be the inherent power of tribal courts, judicial independence, separation of powers within tribal government, inter-tribal appellate courts, and the interplay among federal, state, and tribal courts. We will also analyze the fundamental characteristics of tribal courts and their function in the context of cutting edge cases involving jurisdictional issues, Indian civil rights, the use of tribal custom and tradition, criminal law, torts, and consumer law.

[New York University School of Law](#)

- Offers courses in Indian Law.
 - [Federal Indian Law \(2 credits\)](#)
Description -- Federal Indian Law surveys the allocation of sovereignty and jurisdiction in "Indian country" among tribal, federal, and state governments. Specific topics include: tribal autonomy; property and cultural rights; the boundaries of "Indian country"; and state jurisdiction over Native Americans.
 - [Federal Indian Law: Writing Credit \(1 credit\)](#)
Description -- This extra credit enables you to write a longer, more elaborate paper to satisfy the Writing Credit A requirement. Topics must be approved in advance.

[University of North Carolina School of Law](#)

- Offers a course in Indian Law
 - [Federal Indian law \(3 Credits\)](#)
Description -- This course examines the legal relationships of American Indians and federally recognized Indian Tribes in the context of Federal Indian Law. In particular, the course focuses on Indian Tribal sovereignty and its intersection with the Federal and State governments with emphasis on Tribal Court jurisdiction, property rights, the place of the Tribes within the constitutional framework of the Federal government, and relationship between Tribal governments and the States. This course will have a special emphasis on the Eastern Band of Cherokee Indians located in North Carolina.

[North Carolina Central School of Law](#)

- Offers a course in Native American Law.
 - [Federal Indian Law \(3 Credits\)](#)
Description -- This course presents the basic doctrines and historical underpinnings of federal Indian law, including the history of federal Indian policy, the foundations of tribal sovereignty, the federal role in Indian affairs, and the interplay of federal, tribal, and state authority in Indian country. Students study the sources of and limitations on federal power over Indians and Indian tribes; the sources of and federal restraints on tribal governmental authority; the various areas in which tribal governments exercise authority, such as criminal jurisdiction, judicial jurisdiction, regulatory jurisdiction, and jurisdiction

over tribal affairs; and state claims to power over both Indian tribes and non-Indians who live or work within Indian country.

The University of North Dakota School of Law

- Offers a certificate in Indian Law, courses, and has an Indian Law Center
- **Law Center**
 - North Plains Indian Law Center

Center Description -- The School of Law, in consultation with area tribes and Indian leaders, has established the Northern Plains Indian Law Center. The Center's purposes are to assist tribal governments in addressing legal issues affecting tribal lands and members, and to promote diversity within the legal profession by increasing recruitment and retention of American Indian law students. The Center is a clearinghouse for American Indian legal materials and provides a forum for discussing and resolving legal issues confronting Indian tribes, the states, and the federal government. It will also support tribal advocacy training programs. Among the Center's programs are the Northern Plains Tribal Judicial Training Institute, the Native American Law Project, Tribal Environmental Law Project, and the Institute for the Study of Tribal Gaming Law and Policy.
 - **Project Components of the Center**
 - Tribal Judicial Institute

Description -- The Tribal Judicial Institute was established in 1993 with an award from a private foundation, the Bush Foundation, to provide training and technical assistance to twenty tribal courts in North Dakota, South Dakota and Minnesota. Since then, the Institute has expanded to become a national institute and has conducted over 500 local, regional and national training sessions for approximately 250 different tribal courts and tribal agencies throughout the nation. The Institute's trainings have focused primarily on tribal law enforcement development and enhancement, as well as the design and enhancement of tribal justice systems for adults and youth. In 1998, the Institute became one of the initial grantees of the Bureau of Justice Assistance under BJA's Tribal Court Assistance Program. In 2001, the Institute was asked by BJA to coordinate the Tribal Court Assistance Program and since that time has served as the primary technical assistance provider to the over 250 Indian tribes that have received funding under the Tribal Court Assistance Project. The TCAP program was conceived under DOJ's Indian Country Law Enforcement Initiative and its primary focus has been assuring safety for native communities by providing funding to Indian tribes to improve the collaboration between law enforcement and the Courts and to assist local tribal initiatives to respond to crime in Indian country. Tribal Justice issues have always been a priority for the Tribal Judicial Institute. Under the TCAP program the Institute helped coordinate two "Listening" conferences where tribal leaders in Alaska and tribal leaders in the lower 48 United States were able to come together with federal and state policy makers and express their concerns about crime in their communities.
 - Tribal Environmental Law Project

Description -- This project provides legal and policy assistance to tribal governments developing environmental programs intended to protect the health and welfare of tribal citizens, tribal natural resources, and the quality of reservations and ceded lands. The project also researches legal issues of general relevance to the authority of tribal governments to implement and administer civil regulatory programs.
 - Institute for the Study of Tribal Gaming Law and Policy

Description -- The Institute for the Study of Tribal Gaming Law and Policy provides legal and policy assistance related to tribal gaming enterprises to all interested governments and organizations, assists tribes with gaming enterprises in pursuing reservation economic development and building strong tribal governments, and contributes to the scholarly and practical research and literature in the area of tribal gaming.
 - Native American Law Project

Description -- This project, offered some semesters, provides legal assistance to the Spirit Lake Nation of the Fort Totten Indian Reservation. Second and third year law

students provide legal services under the supervision of a practicing attorney. The project has also served as the Tribe's Prosecutor for criminal matters

- **Certificate Program**

- [Indian Law Certificate Program](#)

- **Program Description** -- The Indian Law Certificate Special Project is intended to provide the student with the opportunity and incentive to explore more fully a topic in Indian law of the student's choice, independent of the student's prior or current coursework. Through this special project, the student is expected to explore a pressing Indian law issue while applying the legal and professional principles learned through the program coursework. The special project is designed to provide broad opportunities for exploring Indian law issues and thus could take a variety of forms, including a law review article, a research memorandum, or a series of written works.

- **Courses**

- [Federal Indian Law \(3 Credits\)](#)

- **Description** -- This course examines the United States' policies and laws regarding tribal governments and individual Indians. Major topics include: the origin and scope of federal power over Indian affairs, tribal governmental powers, tribal court systems, tribal property rights, limitations on state powers, and civil and criminal jurisdiction in Indian Country. Emphasis will be given to jurisdictional interfaces and conflicts among the three sovereigns.

- [Indian Child Welfare Act \(2 credits\)](#)

- **Description** -- This course will combine an academic and historical analysis of the Indian Child Welfare Act with an examination of how native children are treated in the legal system in the child welfare area, as well as other areas (health care, education, and child support enforcement). The final grade will be based upon the students writing a brief for an Indian tribe, Indian parent, adoptive parent, or other party to an ICWA proceeding in an actual case that is being litigated by the Indian Law Center or in other pending cases. Students will have the opportunity during the class to hear from tribal leaders, native persons who have been adopted out, and others about the historical displacement of Indian children from their Tribes and the impact of this legacy.

- [Indian Gaming Law \(2 credits\)](#)

- **Description** -- Framed by tribal sovereignty and the federal Indian Gaming Regulatory Act (IGRA), this course examines the substantive law governing Indian gaming, as well as the broader political context of reservation economic development through gaming. The course will examine the history of tribal gaming, substantive provisions of IGRA as well as other pertinent federal, tribal, and state law, and the continuing development of case law, statutory and administrative law, and, of course, politics. Topics include tribal authority, casino-style gaming and tribal-state compacts, socioeconomic effects, regulation, the role of state law, and "off-reservation" gaming. Students also will have the unique opportunity to assist in compiling an Indian gaming law casebook, and the course may include a possible field trip to a tribal casino. In lieu of a final exam, students will be required to write a paper on a topic related to the course.

- [Tribal Environmental Law Project \(1 credit\)](#)

- **Description** -- This one credit pass/fail course is designed as a practical skills-oriented course, intended to assist students in recognizing and serving client needs, in the context of real legal issues and problems. Acting as a small law firm with tribal clients, students will gain experience researching and analyzing in the areas of federal Indian law, federal environmental law, and federal administrative law. This course complements other components of the Tribal Environmental Law Project, whose mission is to confront "environmental injustice" in Indian Country. Environmental injustice describes the reality that residents of Indian reservations often bear a disproportionately high risk of environmental pollution. The Project is devoted to ameliorating such injustice by providing legal and policy assistance to tribal governments developing environmental programs intended to protect the health and welfare of tribal citizens, tribal natural resources, and the quality of reservations and ceded lands. The research project for spring 2010 is still being developed, but likely will focus on the federal government's imminent

release of a draft programmatic Environmental Impact Statement (EIS) addressing how environmental justice concerns should be considered during environmental assessments of specific proposed actions under the National Environmental Policy Act. We will be researching the issues presented and preparing comments on the draft on behalf of a hypothetical tribal client; depending on when the draft EIS is issued, and the length of the comment period, we may in fact submit our comments (on behalf of the Tribal Environmental Law Project) to the federal government.

- [Tribal Law \(2 Credits\)](#)

Description -- This course involves an examination of how Indian tribes legislate the law and adjudicate disputes that evolve in tribal communities. Instead of focusing on the relationship between the federal government and Indian tribes this course undertakes an analysis of how Indian tribes promulgate and enforce the law and how they interact with each other and state governments. Students will be given the option of writing a paper on a topic impacting this area or writing a judicial decision in an actual case in a tribal court utilizing the principles learned in the class.

[The University of Oklahoma College of Law](#)

- [Offers a program on Indian Law](#)

- **6311 American Indian Law Review (1 hour)**

Prerequisite: American Indian Law Review membership. Production of a written note or comment for the Review or other approved activities associated with production of the Review.

- **5602 Comparative Indigenous Peoples Law Seminar (2 hours)**

Description -- The seminar will examine the differences and similarities between Canadian, United States, Australian and New Zealand laws affecting native peoples. Participants in the seminar will include students from the University of Ottawa Law School, University of Saskatchewan, Auckland University, and Monash University attending via television. Professors from these schools will co-moderate. Paper required. Federal Indian Law is not a prerequisite, but recommended.

- **5610 Federal Indian Law (2 or 3 hours)**

Description --The law governing the relationship between the Indian tribes, the states and the United States. Topics include the history of federal Indian law and policy; the federal-tribal relationship; tribal sovereignty, federal supremacy and states' rights; the jurisdictional framework; criminal jurisdiction; civil jurisdiction; taxation and regulation of reservation economic development, including environmental regulation and regulation of Indian gaming; Indian religion and culture; water rights; fishing and hunting rights.

- **6400 Federal Indian Law Externship (Up to 12 hours)**

Description -- This clinical program allows students to work one semester for federal attorneys engaged in Indian law litigation and policymaking in Washington, D.C. Students have interned at the United States Department of Justice and the Bureau of Indian Affairs. Interns are expected to participate in weekly substantive presentations and meetings on significant litigation and policy matters and are required to complete two independent writing projects.

- **6700 Federal Indian Water Law (2 hours)**

Description -- Water rights and their management increasingly present critical legal and economic development challenges, and in Oklahoma—as throughout the West—those challenges are often made more complex by the interplay of state law rights and American Indian tribal rights. This course will provide students the opportunity both to study a fascinating and unique area of law as well as examine the complexity of inter sovereign resource disputes. The course will explore the history and policy that have shaped water law, and building on a review of foundational Indian law cases as well as relevant history, we will examine the substantive rules of federal Indian law cases and—at least as importantly—the complex intergovernmental processes in which these rules

are applied (e.g., general stream adjudications, the McCarran Amendment, the federal criteria and procedures for American Indian water rights settlements, the Montana approach, etc.) This course will require a paper that can be used to satisfy the Graduation Writing Requirement.

- **6700 Indian Gaming Law And Regulation Seminar (2 hours)**
Description -- This course begins with a review of the legal and political history of federal/tribal relations, focusing on the litigation of the 1970's and 1980's through the SCOTUS ruling in Cabazon (1987). The class then studies the pivotal decisions related to the compacting and scope of gaming wars of the 1990's, and discusses the comparison of the tribal experiences around the country with those of the Oklahoma tribes up to the first significant Class III tribal/state gaming compact in Oklahoma in 2004. The regulatory roles of tribes, states and the NIGC are studied in detail. Specifically the statutory interpretations, regulatory changes and case law determinations in regard to the difference between Class II and Class III gaming. Techniques of financing and development, as well as the use of management agreements, development agreements, equipment lease agreements, loan agreements and consulting agreements as key vehicles for development are also covered.
- **5633 Native American Natural Resources (3 hours)**
Description -- After an overview of the history of U.S. native policy and the basic doctrines of Indian law, this course covers a variety of issues relating to tribal interests in and jurisdiction over environmental resources. Course coverage includes tribal rights to land; land use and environmental protection in Indian country; economic and natural resource development issues (including grazing, minerals, timber and taxation); water rights; hunting and fishing rights; as well as international perspectives on indigenous resources. Throughout the course, students will consider the roles of the tribal, federal, and state governments in resource regulation and use.
- **6700 Tribal Courts Seminar (2 hours)**
Description -- This seminar is a study of Tribal Courts as a cornerstone of Tribal Sovereignty. Each student will research and make a presentation on a Native American tribe, its court system and the forum of judicial redress.

Oklahoma City University School of Law

- Offers courses in Indian Law.
 - [Advanced Indian Law \(2 Credits\)](#)
Description -- A study of advanced topics and federal laws applicable in Indian country. The course focuses on the federal government's trust responsibility to American Indian populations, and how that trust responsibility has translated throughout the jurisprudence of modern Federal Indian Law. It studies federal statutes specifically applicable to American Indian people, including the Indian Self Determination and Educational Assistance Act, the Tribal Self Governance Act, the Indian Gaming Regulatory Act, The Indian Arts and Crafts Act, the Indian Child Welfare Act, and the Native American Graves Protection and Repatriation Act, and other federal statutes on Indian health, education and housing. Issues of federal Administrative policy are addressed throughout the course.
 - [American Indian Law \(2 or 3 Credits\)](#)
Description -- The bases of tribal, federal, and state jurisdiction over Indian people and Indian country. The course includes a brief overview of Indian history in North America, the legal responses of different cultures to native and aboriginal populations, and a description of the various eras in United States Indian law. It studies in detail the sources of federal, tribal, and state authority, and concludes by focusing on specific applications of the resulting principles to hunting, fishing, and water rights. Problems of civil and criminal jurisdiction are addressed throughout the course, with heavy emphasis on both traditional tribal sovereignty and the federal statutory scheme.

- [American Indian Wills Clinic \(4 Credits\)](#)
Description -- A clinical experience in which students, under the supervision of a faculty clinician, will provide wills and estate planning services to American Indians owning trust or restricted property in Oklahoma. Clinic students are primarily responsible for all case-related work, including fact gathering, development of legal theory, and initial document drafting. Additionally, students are expected to work an average of 6 to 10 hours per week providing legal services during the semester, exclusive of class time and preparation for class. The classroom component complements students' field work with a practice-oriented examination of advocacy and substantive law in the context of American Indian Wills Services. Students who satisfactorily complete the course will receive four hours of graded credit, with two of those hours counting toward the limit on credit hours that can be earned toward the J.D. degree through externships and clinical courses. Note: This course will be offered only when grant funding is available.
- [Native American Externship \(1 or 2 Credits\)](#)
Description -- An externship program using field work, classroom, and simulation methods to provide legal assistance to Native Americans in central Oklahoma. In addition to a weekly two hour classroom session, students are required to work 91 hours for two credits at a placement site such as Oklahoma Indian Legal Services, the U.S. Attorney's Office, a Tribal Court or a Tribal Prosecutor's office. In addition to the site work, students are required to attend class sessions covering skills training topics. Students are required to submit weekly time records as well as a journal. The course is graded on a credit (CR), no-credit (NC), or credit with honors (CrH) basis. Each student will receive an Interim and a Final Evaluation from his/her supervising attorney.
- [Native American Victims' Rights Clinic \(4 Credits\)](#)
Description -- A clinical experience in which students, under the supervision of a faculty clinician, will represent victims of violent crimes in state, tribal and CFR Courts. Cases may include representation of victims in pertinent phases of the criminal trial such as attending criminal hearings, assisting with victim impact statements, victim compensation issues, notification upon release of defendant and protection from overly aggressive tactics. Clinic students are primarily responsible for all case-related work, including fact gathering, development of legal theory, and final case presentation. Students are expected to work an average of 6 to 10 hours of fieldwork per week during the semester, exclusive of class time and preparation for class. The classroom component complements students' field work with a practice-oriented examination of advocacy and substantive law in the context of victims' rights proceedings. Students who satisfactorily complete the course will receive four hours of graded credit, with two of those hours counting toward the limit on credit hours that can be earned toward the J.D. degree through externships and clinical courses. Note: This course will be offered only when grant funding is available.

University of Pennsylvania Law School

- Offers a course in Indian Law.
 - [Federal Indian Law \(3 credits\)](#)
Description -- This course will explore selected theoretical and doctrinal aspects of the field known as federal Indian law. We will study the historical, conceptual and legal roots of tribal sovereignty; the development of federal doctrines concerning the powers of tribal governments; and the current state of federal law concerning tribal legislative, executive and judicial authority. Attention will be given to the division of authority among tribal, federal, and state governments, as well as to questions concerning possible tensions between governmental powers and individual rights. We will consider a number of current issues, which may include land claims; gaming; family law; economic development; religious and cultural rights; and natural resources. The course is open both to Penn Law students and to students enrolled in other Schools at Penn; students who are not enrolled in the Law School will be strongly encouraged to take the course on a "pass/fail" basis if permitted by their home Schools or departments.

The Pennsylvania State University The Dickinson School of Law

- Offers a course in Native American Law.
- [Native American Law \(3 Credits\)](#)
Description -- This course has several segments covering such matters as federal and state power over Native American affairs; personal rights and liberties under tribal law; and the history of treaties with and legislation concerning Native Americans.

Phoenix School of Law

- Offers a course in Indian Law.
- [Federal Indian Law \(3 Hours\)](#)
Description -- This course addresses the development and operation of federal Indian law, including its relationship to other federal, state, and local law.

Qunnipiac University School of Law

- Offers a course in Native American Law.
- [Native American Law \(2 credits\)](#)
Description -- Topics covered in this course include tribal sovereignty and self government in Indian country, the special relationship between Indians and the federal government, federal Indian policy, conflicts involving tribal, federal, and state jurisdiction over Indians and Indian affairs in Indian country, tribal authority over Indians and non-Indians, criminal jurisdiction over Indians and non-Indians for offenses committed on reservations, tribal access to capital markets, tribal economic development, casinos and other types of gaming, land claim litigation, and current issues affecting tribal tribes, their governments, and their members.

Rodger Williams School of Law

- Offers a course in Indian law.
- [Federal Indian Law \(1 credit\)](#)
Description -- Federal Indian Law will examine the allocation of sovereignty between the United States, Indian tribes and the states. It will include a review of some of the major cases, statutes, federal policies and historical practices that have governed the field. The course will take a particular look at the allocation of sovereignty in Rhode Island and will discuss issues raised by *Carcieri v. Salazar*, a recent U.S. Supreme Court case involving the Narragansett Indian Tribe and the State of Rhode Island. The course will be taught by Claire Richards, former legal counsel to Governors Lincoln Almond and Donald Carcieri Credit(s) LSM.856.AH5

Rutgers School of Law – Camden

- Offers a course in Indian Law.
- [American Indian Law \(2 credits\)](#)
Description -- This course will address a wide variety of legal issues in the context of tribal, common and federal law. Topics such as sovereignty, tribal membership, land and water rights, hunting and fishing rights, respect for tribal practices and traditional burial grounds, trademark challenges concerning tribal names and images, custody and domestic violence, dispute resolution will be explored. Significant U.S. Supreme Court decisions will be examined in historical and social context as well as the Navajo and other tribal court and common laws. Peacemaking will be studied as well as the underlying cultural context of tribal law.

St. John's University School of Law

- Offers a course in Indian law.
- [American Indian Law Seminar \(2 credits\)](#)
Description -- American Indian Law is a uniquely comprehensive field of law that encompasses Federal Constitutional Law and often the Federal-Tribal relations, Federal-State relations, State- Tribal relations, and Treaty-making law in an historic context.

Tribal self-government, self-regulation and law-making, and regulation of activities on tribal land will be analyzed. The course will then examine legal issues that have been arising in a modern context, including environmental regulation; water rights and control over other natural resources; subsistence rights; the use of Tribal land for toxic or nuclear waste storage and disposal; including the introduction of the gaming industry, and potential conflicts with the laws of contiguous States; the tax consequences of commercial activities on Tribal land; and current litigation regarding historic land claims that arise under the Treaty rights explored during the early part of the semester. Some attention will also be paid to how the unique American experience compares with the protection of indigenous peoples in other countries. Grades are based on a research paper and class participation.

University of St. Thomas School of Law

- Offers a course in Native American Law.
 - [Native American Law \(3 credits\)](#)
Description -- Course will explore the principles and doctrines governing the complex legal and political relationship between the United States and Native American tribes. Students will examine topics such as the history of federal Indian law and policy, bases for tribal sovereignty, jurisdiction and government, tribal property rights, congressional plenary power and the trust doctrine.

University of San Diego School of Law

- Offers course in Native American Law
 - [Native American Law \(\[credits unknown\]\)](#)
Description -- No course description available.

Santa Clara Law

- Offers a course in Indian law.
 - [Federal Indian Law \(2 or 3 credits\)](#)
Description -- Course offers students an overview of federal Indian law through a study of cases and historical and contemporary materials. Covers the basic jurisdictional conflicts that dominate this area of law and will cover specific areas that have been the subject of these conflicts, such as land rights, hunting and fishing rights, water rights, domestic relations law, and environmental protection. Other areas, such as religious freedom and repatriation, will also be covered.

Seattle University School of Law

- Offers courses in Indian law.
 - [Contemporary Issues in Indian Law \(2 credits\)](#)
Description -- This seminar will explore and analyze the changes that are occurring in Indian law as a result of decisions by the U.S. Supreme Court and statutes enacted by the U.S. Congress. Indian law is among the oldest and most complex areas of federal law. Unlike many other areas of federal law, it undergoes periodic change that reflects shifting federal policies, the conflicts between tribal governments and other units of government and the ever changing economic and social environment both on and off of Indian lands. The course will offer a framework for understanding the changes in Indian law through an analysis of the foundational doctrines of Indian law and the way in which the courts and the Congress are applying those doctrines to shape contemporary Indian law and policy and resolve disputes involving Indian tribes. The content of the course will reflect current developments in areas such as the trust responsibility; protection of cultural resources; religious freedom; taxation; business activities; land status; regulation of the environment; tribal, state and federal civil and criminal jurisdiction; and the regulation of gaming. The course will be of most interest to students who plan to practice in the area of Indian law. Requirements for the class include preparation and presentation of a paper and informed class participation. Federal Indian Law (INDL-300) is a prerequisite for this course.

- [Federal Indian Law \(3 credits\)](#)
Description -- Federal Indian Law is a survey course introducing students to the special federal statutes and court decisions governing the unique legal status of Indian tribes, Indian individuals, and Indian property. The course provides an overview of the history of federal Indian policy and legal development. It introduces the student to the interpretation of treaty rights; tribal sovereignty; federal, state, and tribal jurisdiction in Indian country; special rules regarding environmental protection of resources of importance to tribes; the disposition on Indian child custody matters; Indian gaming; and other matters of increasing importance to the practice of law in areas such as Washington State where a significant tribal presence exists.
- [Indian Law and Natural Resources \(2 credits\)](#)
Description -- Indian tribes have traditionally relied upon the natural resources for their personal, economic, cultural and religious well-being. Although ownership and access to those resources has been reduced over time, Indian tribes continue to own, and have rights to, a wide range of natural resources. Tribal management of natural resources have, in some instances, become models of wise use, protection and enhancement. This course will explore the basis for tribal ownership of, and rights to, natural resources; the nature and extent of those rights today; tribal managements of those resources; the interface and conflicts among tribal, state and federal agencies over the use and management of these resources; and the implication of selected federal statutes. Guest speakers will give presentations over the course of the semester. A paper will be required in lieu of a final exam.
- [Tribal Governmental Gaming \(2 credits\)](#)
Description -- This seminar will review the legal, political and social forces that led to the enactment of the Indian Gaming Regulatory Act (IGRA) and examine the implementation of the Act. The course covers all of the major issues involved in IGRA, including: management contracts; the powers of the National Indian Gaming Commission; the classification of various gaming activities; tribal authority over gaming; the role of the states in the regulation of Indian gaming and the determination of where Indian gaming facilities may be located. Requirements for the course include informed class participation and the preparation of a research paper. The Federal Indian Law course is not a prerequisite, but it will be helpful in understanding the concepts involved in IGRA and the issues that have arisen in the implementation of the Act.

[University of South Carolina School of Law](#)

- Offers a course in Indian Law.
 - [Federal Indian Law \(2 or 3 credits\)](#)
Description -- This seminar explores the basic legal principles that govern the relationship between American Indian tribes, the federal government, and the state governments. Topics covered will include jurisdictional issues arising between those governments, the source and scope of Indian sovereignty, and the recognition and enforcement of Indian land and treaty rights.

[The University of South Dakota School of Law](#)

- Offers a program in Indian law.
- Program --
 - [American Indian Law Program](#)
Description -- The Indian Law Program offers students an opportunity to learn about the unique legal concerns confronting American Indians on reservations and in tribal life. Prominent professors direct this program and offer courses on topics such as Indian Law and Indian Jurisdiction. Eleven more electives (up to 32 credits) and an opportunity to extern in Indian country (6 credits) complete this curriculum. The Law School hosts the biennial Indian Law Symposium and supports the Native American Law School Advisory Committee and the Native American Law Students Association. The Institute of American Indian Studies is located on The University of South Dakota campus.

- Courses
 - [Indian Gaming & Economic Development 849 \(2 hrs\)](#)
Description -- This course examines federal, tribal and state laws involved in the development and operation of gaming enterprises in Indian country. The course will survey the historical background of Indian gaming and further examine the modern legal and regulatory schemes governing the operation of Indian gaming, focusing primarily on the Indian Gaming Regulatory Act.
 - [Indian Law 883 \(3 hrs\)](#)
Description -- An introduction to Indian law by studying the history of federal policy toward American Indians, the federal-tribal relationships, tribal sovereignty and states' rights, tribal self-government, jurisdiction in Indian country, tribal economic development, the rights of individual Indians, Indian land, water rights, and fishing and hunting rights.
 - [Rights of Indigenous Peoples 884 \(3 hrs\)](#)
Description -- This course examines developments in international human rights law and institutions that concern indigenous peoples worldwide, while seeking to understand those developments in relation to the domestic law and policies of the United States and selected other countries. This course will endeavor to provide students with an exposure to the theory and practice of international human rights law as it concerns indigenous peoples, as well as with a critical assessment of related trends at the domestic level.
- The following courses are also listed but course descriptions are not provided.
 - [Advanced Research \(Indian Law topic\) \(1-2 credits\)](#)
 -independent study Law 877
 - [Externship \(placement in Indian Law\) \(6 credits\)](#)
 -field placement
 - [Indian Criminal Jurisdiction \(1 Credits not listed\)](#)
**** Tribal Courts and Tribal law is scheduled for Spring 2012, however, a course description is unavailable at this time. [waiting for update]**

Southwestern Law School

- Offers a course on Indian Law.
 - [Federal Indian Law \(2 credits\)](#)
Description -- Among other things, the success of Indian gaming and the controversy surrounding the adoption of Indian children have brought new attention to the unique status of Indians and Indian tribes in the American legal system. This course examines the tension between tribal sovereignty and the traditional legal and political notions underlying the American federal system. The course focuses on the historical legacy of federal Indian policy from removal to self-determination; the conflict between states' rights and tribal sovereignty; and civil and criminal jurisdiction in Indian Country.

Stanford Law School

- Offers a course in Indian Law.
 - [Federal Indian Law \(3 credits\)](#)
Description -- This course offers an overview of federal Indian law through a study of cases, statutes and historical material. It focuses on the interlocking relationships of tribes, states and the federal government with special emphasis on economic development, religious freedom, and environmental justice.

Suffolk Law School

- Offers a clinic in Indian law
 - [Indian Law and Indigenous People's Clinic \(8 credits\)](#)
Description-- This is a full-year clinic offered for 8 credits (4 credits/semester) and students will receive a letter grade. Students will serve the legal needs of tribal governments, courts and individuals located in New England. The types of projects and cases on which students may work will be driven in part by the legal needs of the region's federally and state-recognized tribes. However, students can expect to work on projects

such as drafting court rules and tribal codes, developing materials to assist pro se claimants in tribal court and engaging in Indian Child Welfare Act (ICWA) advocacy efforts. Students may also have an opportunity to assist tribal members navigating tribal court, work on international or regional human rights advocacy efforts on behalf of indigenous communities or support an ongoing land claim. Some of these projects will be small group projects and therefore will require regular meetings as a group. In addition to working on their projects and/or cases, students will be required to attend a two-hour weekly seminar. The seminar will explore the unique aspects of lawyering in Indian country and working for tribal governments, cover advance topics of federal Indian law such as tribal court jurisdiction and practice and the New England Indian settlement acts, as well as international human rights as it applies to indigenous peoples, and study lawyering skills such as interviewing, legal strategizing, drafting and counseling. Students will also be required to submit at least three short Reflection Papers during the course of each semester reflecting on their projects and/or cases. Students who have completed Indigenous Peoples Rights and U.S. Law will be given preference.

[The University of Texas School of Law, Austin](#)

- Offers a course in Indian Law.
 - [Indian Law, Federal \(3 credits\)](#)
Description -- This course will survey the broad currents in federal Indian Law. We will confront the basic legal and policy questions posed by this body of law. It is a highly technical legal field that is additionally complicated by questions of the history of colonialism, nation building and philosophy. In order to address the underlying normative questions it will be necessary to master the basics of the law regulating Indians and Indian Tribes. We will use the last part of the semester to address some comparative law questions. We will compare the distinctly American approach to these issues with those approaches taken by other Western Hemispheric nations and the tribes themselves.

[Thomas Jefferson School of Law, San Diego](#)

- Offers a course in Indian Law.
 - [American Indian Law \(Credits unknown\)](#)
Description -- This course surveys federal statutory, treaty, and case law relating to American Indians, including such issues as Native American sovereignty and self-determination, criminal and civil jurisdictional conflicts, treaty rights, Native economic development and gambling, the Indian Child Welfare Act, and Native religious rights. The course uses a historical perspective to illuminate current issues and controversies. This is a paper option course. Students may write a final paper to satisfy the upper level writing requirement, or elect to take the full 3-hour final exam. All students, including paper writers, take the multiple-choice section (one hour or less) of the final exam; non-paper-writers take the remaining essay sections of the exam.

[Thomas M. Cooley Law School](#)

- Offers a course in Indian Law.
 - [Federal Indian Law \(2 credits\)](#)
Description -- Examines legal doctrines relating to American Indians, Indian tribes, and Indian reservations. Focuses on the relationship of Indian tribal sovereignty to the federal and state governments.

The University of Toledo College of Law

- Offers a course in Native American Law and a course in Race and American Law that touches on the American Indian.
 - [Native American Law \(2 or 3 credits\)](#)
Description -- This course will initially examine the legal concepts of “Native American” individual and tribe. The study of unique (and not so unique) aspects of the treatment of Native American individuals and tribes under the U.S. Constitution, treaties, and national, tribal and state law will form the heart of the course. Attention will be given to issues relating to tribal government and tribal courts, criminal and civil jurisdiction over Indians and non-Indians, environmental regulation on reservation lands, commercial trade in Indian art, casino gaming, the American Indian Religious Freedom Act and the Native American Graves Protection and Repatriation Act.
 - [Race and American Law Seminar \(2 or 3 credits\)](#)
Description -- This seminar addresses the racial and legal history of the major racial groups in the U.S., including African Americans, Native Americans, Asian Americans, Latinos and Whites. In addition to these histories, the seminar includes the following topics: Competing definitions of race and racism; race, voting, and participation in democracy; developing notions of equality; segregation and education; and responses to racism, including resistance, coalitions, and healing.

The University of Tulsa College of Law

- Offers courses in Indian Law and a LLM in American Indian and Indigenous Law Policy Manual.
- **LLM --**
 - [LLM in American Indian and Indigenous Law –](#)
LLM Description -- Tribes play an increasingly important role in business and politics. As a consequence, Indian law has become less of a specialty and more of a necessity for today's lawyers - and certainly for tomorrow's lawyer. Already recognized as one of the best law schools for Indian Law, The University of Tulsa College of Law goes one step further by offering an LL.M. in American Indian and Indigenous Law. This advanced degree is designed to train lawyers in the issues critical to understanding and representing American Indian and other indigenous peoples, both in the U.S. and abroad. Many lawyers do not realize they need training in American Indian and Indigenous Law until they begin working. Indeed, at a recent conference of solo practitioners in Oklahoma, the participants unanimously agreed that the class they should have taken in law school, but didn't, was Indian law. Our LL.M. is designed to fill that gap. Because of our unique location and the expertise of our Indian Law faculty, TU offers what no other law school can: an LL.M. program with a balanced approach - emphasizing the three foundation sets of legal principles: law of the tribal governments, domestic laws of the U.S. (federal Indian law) and the international law applicable to indigenous peoples. Flexibility is the key to the TU program. In consultation with the faculty, students can tailor a field of study not just to Indian law in general, but to specific sub-specialties they wish to develop. The LL.M. program is available in either an academic track, emphasizing course work, or a research track. Both tracks require successfully completing a minimum of 24 credit hours to earn the degree. Students are encouraged to make a preliminary choice of which track they intend to pursue when they enter the LL.M. program. That preliminary choice, however, is not binding on the LL.M. student. The NALC faculty remain committed to working individually with LL.M. students to meet particular academic needs.
 - [Courses --](#)
 - [Native American Natural Resources Law \(3 credits\)](#)
Description -- This course concentrates on resource-related issues in the field of federal Indian law. The course begins with an interdisciplinary look at way(s) Indians and non-Indians view and interact with the natural world. There is a brief overview of the basic concepts of federal Indian law. This overview serves as a refresher for those students who have taken the Indian law course, and as the necessary background for those students who have not. The remainder of the course focuses on specific issues: property rights,

- land use and environmental protection, natural resources development, taxation of lands and natural resources, water rights, treaty rights to hunt and fish, and international approaches to indigenous property rights. Meets the Perspective course requirement
- [Federal Indian Law \(3 Credits\)](#)
Description -- This course is a study of the history, policy and law of the relations between the United States and the Indian tribes. The course focuses on the powers and responsibilities of the federal government, the governmental status and authority of the Indian tribes, and conflicts over authority between tribal and state governments. Meets the Perspective course requirement
 - [Special Topics in Indian & Indigenous Peoples Law: Lands and Territories \(1 Credit\)](#)
Description -- The course examines the developing role of the international law and legal system as it relates to the laws of the US respecting the Native American Indians, Alaska Natives, and Native Hawaiians. One of the objectives is to help students understand and appreciate how the development of international norms, standards, and practice may impact the development of federal and tribal law and the environment in which they will practice Indian law. Under the topic "Lands and Territories", the class will explore whether federal constructs of "Indian Country", "trust or restricted lands", and their acquisition and alienation are consistent with the standards set out in the Declaration, and, if not, how changes might be made to achieve consistency.
 - [Seminar: American Indian Law \(3 Credits\)](#)
Description -- An advanced study of American Indian Law. We will critically explore the basic framework and doctrines and consider alternative approaches to basic issues, particularly as they impact on establishing the authority and legitimacy of tribal courts and tribal government.
 - [Native American and Indigenous Rights \(3 Credits\)](#)
Description -- The course examines the allocation of jurisdictional authority between federal, tribal, and state governments as a result of federal treaties, legislation, and case law governing certain Native American rights. Legal materials will be considered in historical and cultural perspective, and consideration will be given to the use of history, ethnology, and other scholarly disciplines as tools in the resolution of legal issues respecting Native American rights. Course content concentrates on the governmental prerogatives of Indian Nations concerning sovereignty, government, economic development, and natural resources, and will include materials on the structure and nature of tribal government. Meets Trans-national course requirement.
 - [Tribal Government \(3 Credits\)](#)
Description -- This course surveys the traditional and modern forms of various Indian tribal governments through the review of tribal constitutions, tribal codes, and tribal and federal court decisions in addition to the text. The class engages in comparing tribal legal and governmental systems with the American systems of government and legal thought both directly and indirectly. The course also exposes students to those aspects of tribal courts and other tribal dispute resolution mechanisms that are different from the traditional Anglo-American model.
 - [Tribal Economic Development \(2 Credits\)](#)
Description -- The Tribal Economics course provides students with an opportunity to explore subject areas unique to developing economies within Indigenous Nations. The course examines the laws governing the development and expansion of tribal economies including federal regulations governing the alienability of land, secured transactions, tribal commercial law and international trade. The course includes a detailed discussion of the taxation of activities occurring within Indigenous Nations. Special Notes: May answer a certificate requirement. Elective Course
 - [Indian Gaming Law \(3 Credits\)](#)
Description -- After Indian Tribes won the right to regulate gaming within their jurisdictions in the Supreme Court, Congress passed the Indian Gaming Regulatory Act of 1988 which created the National Indian Gaming Commission (NIGC). The NIGC has responsibility to establish minimal regulatory standards and monitor certain forms of Indian gaming, approve gaming management contracts, tribal gaming ordinances, and

tribal-state compacts; review background investigations, and conduct audits of the books and records of Indian gaming operations. The NIGC also has certain enforcement responsibility for violations of the Indian Gaming Regulatory Act, NIGC regulations, and approved tribal gaming ordinances in conjunction with other federal and tribal law enforcement agencies. Some forms of Indian gaming are regulated pursuant to tribal-state compacts adopted pursuant to the Act. The Indian Gaming Law course will offer an overview of the federal law regulating Indian Gaming, and the legal issues involved in Indian gaming. Special Notes: Perspective; meets a certificate requirement.

University of Utah S.J. Quinney College of Law

- Offers courses in Indian Law.
 - [Law and the American Indian \(\[Credits not listed\]\)](#)
Description -- Analyzes the development of the legal and political relationship between the tribes and the United States as viewed through court decisions and Acts of Congress. Emphasis will be placed on current legal problems and issues facing Indian tribes and the relationship with the United States and the states.
 - [Gambling & Gaming \(\[Credits not listed\]\)](#)
Description -- The Gaming Industry encompasses many different businesses under one roof and therefore references many areas of the law. In addition to the gaming regulatory regime, this course will concentrate on transactional aspects (many of Wall Street's cutting edge mergers & acquisitions are in the gaming field); the fascinating Native American legal perspective; and the international context as the industry explodes on the global scene. Public interest lawyers need to be aware of development issues that impact indigenous peoples. Business and international lawyers should pay attention to this under-served high growth area.

Vermont Law School

- Offers a course in Indian Law.
 - [Indian Tribes as Governmental Stewards of the Environment \(3 hours\)](#)
Description -- This course examines the unique body of law governing “Indian country,” the geographic areas recognized by the federal government as the homelands of sovereign American Indian tribes. Major topics include the history of federal-tribal relations, tribal property rights, tribal court systems, and the balance of governmental power between tribes, states, and the federal government. Particular attention will be devoted to understanding the legal framework that supports the tribes’ role as governmental steward of the natural world, including powers derived from the tribes’ inherent sovereignty authority and rights stemming from treaties and federal statutes. The course will include a close examination of treaty-based fishing rights and federal environmental statutes that accord tribes a role as governmental partners in the implementation of federal environmental programs (e.g., Clean Water Act).
Ethics, Policy, Regulatory

Villanova University School of Law

- Offers a course in Indian Law.
 - [Federal Indian Law \(2 Credits\)](#)
Description -- Course Type: Research Paper Course. Students will be given the opportunity to learn about the substantive areas of Indian law. The course will also expose students to questions of federalism, the relationship between the judiciary and the executive, and critical race theory.

Wake Forest University School of Law

- Offers a course in Indian law.
 - [Native American Law \(2 or 3 hours\)](#)
Description -- This course deals with legal protections for tribal sovereignty, the enforcement of the trust responsibility, the protection of land and natural resources,

federal recognition, gaming and financing of tribal projects. This field of law supports a vibrant legal practice for attorneys in a complex regulatory environment.

Washburn University School of Law

- Offers a course in Indian Law.
 - [Federal Indian Law \(3 Credits\)](#)
Description -- This course focuses on the framework which bears upon Native Americans and Indian reservation transactions. The course explores the Native Americans and the federal government, powers of tribal government, Indian civil rights, Indian lands, water and mineral development, Bureau of Indian Affairs authority, and federal/state conflicts regarding jurisdiction over Indians and Indian affairs.

Washington and Lee University School of Law

- Offers a course in Indian law.
 - [Federal Indian Law \(Credits not listed\)](#)
Description -- This course examines the development of federal Indian law, including the history of federal Indian policy, treaties, trust responsibility, civil and criminal jurisdiction, and the federal, state, and tribal relationship. Current issues will also be examined, including the powers of Indian tribes, the Indian Child Welfare Act, taxation, economic development regulation, and gaming. Two hours. *D. Smith*

University of Washington School of Law

- Offers courses in Indian law.
 - [Indian Law Seminar \(Credits 2-6\)](#)
Description -- This seminar covers advanced topics in Indian Law that vary from year-to-year depending on the instructor. Enrollment is limited to students who have taken A565 or who secure permission from the instructor.
 - [Advanced American Indian Law \(3 Credits\)](#)
Description -- Covers Indian hunting and fishing rights, water rights, Indian gaming, religious freedom and cultural property issues, environmental statutes unique to tribes, and comparative Indigenous international issues.
 - [American Indian Law \(4 Credits\)](#)
Description -- History, from 1789, of vacillating federal laws and policies towards Indians. Current federal law and policy. Judicial trends in Indian cases. The federal trust responsibility toward Indian tribes; tribal powers of self government. Tribal courts. Federal supremacy (preemption) over state law in Indian country. Tribal/state/federal judicial and legislative jurisdiction in Indian country. Criminal and civil jurisdiction. Indian religious freedom. Indian water rights. Special hunting and fishing rights. Comparisons with Canadian Indian law and policy.

Washington University in St. Louis School of Law

- Offers courses in Indian law.
 - [American Indian Law \(3 Credits\)](#)
Description -- This course will explore the central aspects of federal and international law affecting American Indians. The course will begin by considering the status of Indian nations as sovereign political entities within the United States and examining the legal and political relationships these nations have with the U.S. and the several states. The course will then explore the development of federal Indian law over the past two centuries. Particular attention will be given to the doctrines of tribal sovereignty, self-government, and self-determination; treaty-based rights to land, water, wildlife, and other natural resources; the preservation of Indian languages, cultures, and religions; issues of economic development, including the right of Indian nations to operate gaming enterprises on their reservations; and jurisdictional conflicts between and among the U.S., Indian nations, and the states over authority to regulate the activities of Indians and non-Indians in Indian country. Special consideration will also be given to the evolution and modern status of Indian governments, their laws, and legal systems. The course will

conclude with a survey of various international laws and the laws of other nations, including Canada and Australia, as they relate to indigenous peoples. The manner of evaluating students will be discussed and determined by democratic vote of the students in the first two weeks of class. In the past, students have elected to be evaluated based on their performance on examinations (including three-hour, open-book, in-class final examinations and multiple day, open book, take home final examinations), papers, or some combination of both. Anonymous grading is preferred, but may not be possible if students elect to write papers on topics of their own choosing.

- [American Indian Societies, Cultures and Values \(Credits not listed\)](#).
Description -- No course description is currently offered for this course.

Western State University College of Law

- Offers a course in Indian law.
 - [American Indian Law \(3 Credits\)](#)
Description -- This course will focus on the legal environment surrounding American Indians. The purpose of the course is to educate students about the distinct legal status of American Indians, to demonstrate that American Indian Tribes or Nations are sovereigns with their own laws and regulations, and to sensitize students to the legal needs and differences of American Indians.

Whittier Law School

- Offers courses in Indian law.
 - [Gaming Law \(Credits not listed\)](#)
Description -- An examination of issues relating to legal gambling. The primary emphasis is on gaming in the United States, although other countries are discussed. Topics include the proliferation of legal gambling, common law and governmental licensing and regulatory schemes, the right to advertise, the ability to collect gambling debts, compulsive and underage gamblers, taxation and bankruptcy, public welfare issues, and Indian gaming.
 - [Native American Law \(Credits not listed\)](#)
Description -- A of the relationship between Native American tribes and federal and state governments; the role of Congress, the Bureau of Indian Affairs, and tribal governments; Native American education; economic development on reservations; water, hunting, and fishing rights; religion; criminal justice, and the role of customary Native American laws; urban Native American rights; and the status of California Native American "rancherias" are examined."
 - [Native American Law Seminar \(Credits not listed\)](#)
Description -- No course description offered.

Williamette University College of Law

- Offers a course in Indian law.
 - [American Indian Law \(3 Credits\)](#)
Description -- Statutory, judicial, and administrative material concerning American Indian tribes and individuals. Included are the historical development of Federal Indian policy; treaties; the trust relationship; tribal sovereignty; civil and criminal jurisdiction; natural resources of tribes; hunting and fishing rights; tribal self-government.

William Mitchell College of Law

- [Offers courses on Indian Law and has a partnership with White Earth Tribal Court.](#)
 - Our Indian law courses are designed to give students a solid understanding of the theoretical framework of Indian law as well as the tools needed to put the law to work—analysis, skills, and ethics. It's called Practical Wisdom, and it's what we're known for.
 - [Federal Indian Law \(3 credits\)](#)
Description -- Examines the legal relationship among Indian tribes, states, and the federal government. After providing an overview of the history of federal Indian policy

from colonial times to the present, this course emphasizes civil and criminal jurisdiction in Indian country.

- [Introduction to Tribal Law \(3 credits\)](#)
Description -- Provides a broad overview of tribal legal studies. Topics include tribal governments, the history of tribal court systems, the modern day structure and operations of tribal courts, and tribal criminal and civil jurisdiction.
- [Natural Resources Law \(3 credits\)](#)
Description -- Examines the formal and informal legal regimes (tribal, state, and federal) governing the acquisition, control, exploitation, and preservation of natural resources, such as water, minerals, forest, wildlife, and wilderness. This course includes sections on Indian water rights, on and off-reservation hunting and fishing rights, the acquisition and development of trust lands, and other Indian natural resources issues.
- [Advanced Topics in Federal Indian Law \(3 credits\)](#)
Description -- Allows students who have already taken either Federal Indian Law or Introduction to Tribal Law to pursue concentrated study of advanced topics in these fields. The specific topics included in this course rotate based on student interests.
- [National NALSA Moot Court Competition \(2 credits\)](#)
Description -- Allows students compete in the annual moot court competition organized by the National Native American Law Student Association. This competition requires teams of students to research and prepare a written appellate brief on an Indian-law-related topic. Then, teams prepare for oral argument at the national competition. Unlike other schools, Mitchell's NNALSA Moot Court teams are coached by full-time professors, who assist students in preparing for oral argument, and travel with them to the national competition.
- [Independent Clinic \(up to 4 credits\)](#)
Description -- Students work one-on-one with a faculty member to create a specific internship or externship opportunity that fits the students' interests and needs. Examples include serving as law clerks to tribal judges, working in tribal legal departments and assisting non-profit organizations dedicated to serving Indian people.
- [Long Paper Requirement \(up to 4 credits\)](#)
Description -- As a requirement for graduation, all students must complete a comprehensive research paper after their first year of law school. The paper is generally required to be written under the supervision of a full-time faculty member, and up to four independent study credits can be applied for. Interested students are encouraged to write their paper on an Indian law topic.
- **Partnership with White Earth Tribal Court**
 - [Partnership with White Earth Tribal Court](#)
Description -- In the August 2009, William Mitchell entered into a partnership with the White Earth Tribal Court. As a result, the Court holds hearings at the College every 60 to 90 days. This allows students to view a tribal court system in session, and gives tribal members living in the Twin Cities a more convenient way to access their Court.

University of Wisconsin Law School

- Offers courses on Indian Law.
 - [Federal Law and Indian Tribes \(Credits not listed\)](#)
Description -- The study of the relationships between Federal, state, and tribal governments, the source and scope of their respective sovereignties, and time.
 - [Federal Indian Law \(Advanced Seminar\) \(Credits not listed\)](#)
Description -- Course description not offered.

University of Wyoming Law School

- Offers courses in Indian Law.
 - [American Indian Law \(3 credits\)](#)
Description -- A study of tribal sovereignty and federal law regarding Native Americans and their reservations.

- [Native American Natural Resources Law \(3 Credits\)](#)
Description -- This course will examine federal and tribal law (chiefly federal statutes, regulations, judicial decisions, and treaties) governing environmental regulation and use and management of tribal land, water, minerals, timber, fish/wildlife, and cultural resources. Principal issues relate to the federal trust doctrine, aboriginal title, reserved rights, allotment, and the “tribes-as-states” doctrine.

Yale Law School

- Offers a course in Native American Law.
- [Native American Law Course Number \(3 Units\)](#)
Description -- The course will examine the concept of indigenesness and the trajectory of legal relations between Native American tribes and the federal and state governments. Particular attention will be given to shifting federal policies, the development and jurisdiction of tribal courts, tribal sovereignty and legislative competence, tribal membership, criminal and family law, constitutional rights, taxation, gaming, and the control of natural and cultural resources. The role of the federal courts, including the changing approach of the Supreme Court, will be studied, as will the experience of other countries with indigenous populations. The American experience will be evaluated in light of the 2007 United Nations Declaration on the Rights of Indigenous Peoples. There will be a field trip.
****Please note this course is only offered every other year.**