Welcome from NPLC Chair

Yah’teeh. I would like to begin by stating that it has been my privilege serving as the 2014-2015 Chair for the Native Peoples Law Caucus (NPLC). The NPLC, as I understand from the meeting notes for 2004, began in 1991. Unfortunately, no record exists for the members involved in the NPLC, but I can almost guarantee that the people who formed the Caucus were movers and shakers. Why? Because they demanded Native American issues be recognized. Now, I cannot comment on the history, but I can offer my opinion and that is that they changed the American Association of Law Libraries for the better. By simply taking a stand and letting people know that Indigenous laws do exist, they brought attention to an issue that was often ignored. Today, I am proud to report that the NPLC continues to show a strong presence in the Association. Members have contributed Indian Law publications to various law reviews, magazine and newspaper editorials, and blogs, just to name a few.

My hope is that the momentum continues and membership in the NPLC increases. I believe that the NPLC will continue to strive to be one the most active caucuses in the Association. I hope you enjoy the many benefits of being affiliated with such a worthy group of people who support the ongoing mission of the Native Peoples Law Caucus.

Ahéhee’ (Thank you)

Eugenia Charles-Newton
NPLC Chair 2014-2015
Get To Know The NPLC

Mission & Vision

The aim of the Native Peoples Law Caucus (NPLC) is to provide a forum in which Native law and other issues that impact Indigenous Peoples worldwide can be discussed, ideas shared, information exchanged, and education offered. The Caucus encourages and facilitates the analysis, cataloging, collection, dissemination, management, organization, and preservation of Native law in accordance with cultural tradition.

2014 - 2015 Officers

Chair:
Eugenia Charles-Newton
Wyoming State Law Librarian
Wyoming State Law Library

Secretary:
Chris Pamboukes
Government Resources Reference Librarian
New York Law School

Webmaster:
Bonnie Shucha
Assistant Director for Public Services
University of Wisconsin Law Library

Newsletter Editor:
Anne Lucke
Law Librarian
National Indian Law Library
Native American Rights Fund

ENCOURAGE OTHERS TO JOIN NPLC!

Know a colleague who’s interested in Federal Indian and Tribal Law? Tell them about the Native Peoples Law Caucus! They can join our community by going to bit.ly/aallnplc, signing in, and clicking on the green “Join Community” button. All AALL members are welcome!
Book Review


While a bureaucratic history is hardly the stuff of the "page-turner" genre, Thomas A. Britten presents an important piece of history with clear concise prose and a well-researched presentation of the facts as he understands them.

The facts of this relatively obscure Federal Council (established by Lyndon B. Johnson's Executive Order 11399, establishing the National Council on Indian Opportunity, March 6, 1968) are that it lived a short life and could easily be missed as one travels through the pantheon of Federal Indian Policy. However, this is where Professor Britten's book demonstrates its usefulness. It reminds us or educates us for the first time the often over-looked role that the NCIO played in several pivotal "wins" in Indian Country; namely the return of the Sacred Blue Lake to Taos Pueblo, the negotiations of the Alaska Native Claims Settlement Act along with playing an influential position in positive (relatively) outcomes for the Yakamas, Lumnis, Mescalero Apaches as well as funneling over 14 million dollars in US Government loans (primarily used for housing on reservations).

The author speculates about what might have been had the NCIO not suffered an abrupt dissolution in June 1974. The true value of this book is that it captures a time that was changing from assimilationist policies through termination policies to the newly-welcomed era of Self-Determination. That the NCIO played a significant role in these changes has now been documented and for that we should all thank Professor Britten. Thank you.


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Faye Hadley
Online Adjunct Professor - Research Methods in Indian Law
Master of Jurisprudence in Indian Law
University of Tulsa College of Law

Article Publication

NPLC member Bonnie Shucha published an article in the Wisconsin Lawyer entitled “Engaging the Third Sovereign: The Nature, Reach, and Sources of Tribal Law.” The article attempts to clarify some of the confusion surrounding tribal law, which, notably, is distinct from federal Indian law. This article explores the nature of tribal government, reviews tribes’ complex relationships with federal and state governments, examines the reach of tribal law, and highlights available sources of tribal law.

To read the article, go to: http://ssrn.com/abstract=2608077
National Indian Law Library’s 3 Pillars of Service to the Public

The National Indian Law Library (NILL) has a dual mission to serve both the Native American Rights Fund (NARF) staff and the public with their Indian law-related information needs. NARF, a nonprofit law firm, currently has 36 employees including 16 attorneys in offices located in Boulder (Colorado), Anchorage (Alaska), and Washington D.C. In addition to two full-time librarians, the library shares space and works with NARF’s Information Technology and Web Services staff and enjoys volunteer help from several volunteers who, together, work about 20 hours per week. The library’s primary goal is to fulfill the information needs of NARF, but nearly 50% of staff time is spent helping the public. The focus of NILL’s service is defined by three pillars.

Three Pillars of Service to the Public

1) Indian Law Updates

NILL provides timely and free updates via the Indian Law Bulletin service. Research is ongoing with the results summarized in bulletins published on the library’s website and distributed by email. The bulletins are divided by source and encompass case law, regulatory action, U.S. legislation, news, and law review articles. Subscribers receive free email updates when new content is added to the website, usually once a week. The bulletins are full-text searchable on our website, giving users the ability to search thousands of court opinions and other materials related to Indian law that were published since about 2002. In addition to the Bulletin, ICWA Info is another online news service of NILL. This blog provides updates specific to Indian child welfare.

2) Indian Law Research Assistance

Librarians David Selden and Anne Lucke answer close to 200 questions from the public each month. NILL unofficially fills the role of “the nation’s Indian law library,” answering thousands of questions and providing digital resources that help the public keep abreast of Indian law and perform Indian law research.

3) Access to Tribal Law

NILL strives to provide the best access to tribal codes and constitutions through its Tribal Law Gateway. This directory of tribal law content and full-text copies of tribal law is heavily used by tribal law researchers.

We invite you to Ask NILL for help on your next Indian law research project.

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David Selden
Library Director
National Indian Law Library / Native American Rights Fund
NILL’s Website Gets A New Look

In February, the Native American Rights Fund, including the National Indian Law Library, debuted a new website. The product of many months of work, the new website is designed to help users find what they’re looking for more easily. Some of the new features include:

- **Mobile friendly** - The new site is responsive and works on a variety of screen sizes.
- **Search engine optimized** - We have begun the process of fine-tuning individual pages to get the best results that we can in the search engines, which in turn will help potential users find us.
- **New content** – The new NARF website gives the public more information about NARF’s great and expansive work, arranged by its five organizational priorities.
- **Visually engaging** – The new NILL site uses images and graphical navigation to make it easier to find resources.
- **Better navigation** – In addition to a navigation menu based on NILL’s three pillars of service, many of the pages now have sub-navigation menus and bread crumbs to help users get around.

The downside to this redesign is that many of the URLs on our website have changed. If you have links to NILL or the Tribal Law Gateway in your catalog or on your website, you will likely need to update them. We apologize for this inconvenience, but hope that the enhanced functionality of our new website will benefit everyone in the long run.
Sliver of a Full Moon Reading at Yale

On Tuesday, March 31, Yale Law School hosted a live reading of the play Sliver of a Full Moon, which explores the movement to restore justice to native women on reservations through the Violence Against Women Act (VAWA). The performance included a courageous cast of women who shared their personal stories of abuse by non-Indians. For more information and to view the performance, go to: http://howlround.com/livestreaming-sliver-of-a-full-moon-a-play-about-justice-for-native-women-yale-law-school-tues-march

The day following the performance, a panel convened to discuss the complicated federal Indian law issues explored in Sliver of a Full Moon, specifically how the legal system has facilitated an epidemic of violence against Native women and how new provisions in the 2013 VAWA reauthorization aim to address the problem. Panelists included Judge William Fletcher, Lisa Brunner (White Earth Ojibwe) from the National Indigenous Women’s Resource Center, lawyer and playwright Mary Kathryn Nagle (Cherokee), and Professor Gerald Torres.

Ms. Nagle explained that she was worried about how to include the law in play in a coherent and natural way. After meeting with the women, however, she realized they all knew the law better than she did, and thus legal concepts fit organically into the story.

Judge Fletcher lamented that he didn’t have Indian Law training in law school but wished he had as the field is an important part of his case load. Such intricacies as the application of the phrase “Indian Country” shows how complicated Indian Law is; for example, lawmakers may not realize that Alaska tribal land is not included as part of “Indian Country”. He also stressed that the VAWA 2013 overruling of Olyphant is very limited in that it doesn’t apply to stranger rape. The abuse must occur within a relationship, whether the couple is married or dating.

The general tone of the panel stressed that VAWA is not enough to overcome the injustices occurring on reservations. They hope broader legislation is passed and greater jurisdiction is returned to the tribes. Both the panel and the performance were eye-opening programs that reached broad audiences at Yale and beyond. The title Sliver of a Full Moon means that while progress has been made, it’s just a tiny piece or small beginning in the struggle to restore justice for native women.

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Cate Kellett
Catalog and Government Documents Librarian
Yale Law School
Fellow NPLC Member Marilyn Nicely, former Head of Technical Services at the Donald E. Pray Law Library, University of Oklahoma College of Law, will be presenting a session on digitization projects at the AALL Annual Meeting in Philadelphia.

Date: Tuesday, July 21st, 2015
Time: 11:00am - 12:00pm
Location: PCC-Room 201BC

With library budgets being cut all over the country, creating quality digitization projects for low cost and with minimal staff time can be challenging, but not impossible. Panelists will share tools they leveraged to bring their materials to a broader audience, including identifying high-demand collections for digitization, forming collaborations funded through grants, creative use of student help to create professional-level metadata for digital collections, and much more.

Takeaways:
1) Participants will learn how to create an economic and organizational model to support a digitization project and/or an ongoing commitment to digital preservation.
2) Participants will learn how to form partnerships and identify content within their own library that is appropriate for digitization projects or digitization grants.
3) Participants will learn the latest standards and best practices for digital imaging and metadata creation.

Who Should Attend: Librarians and library directors who are interested in digitization, but have no idea where to start.

Congratulations On Your Retirement!

Marilyn will be attending AALL as a retired member (as of June 30). In 1996, she began the still popular Native American Constitution and Law Digitization Project at University of Oklahoma College of Law. Post-retirement, she plans to continue working on a digitization project to create searchable PDFs of Serial Set Documents as identified in the bibliography Guide to American Indian Documents in the Congressional Serial Set: 1817-1899 by Steven L. Johnson, New York: Clearwater Publishing Company, Inc., 1977. The bibliography identifies approximately 10,000 documents, which will be made freely available on the internet through the University of Oklahoma Libraries repository. To date, 5,078 titles for 186,000 pages have been scanned for this project. Congratulations, Marilyn! Thank you for your many contributions to our profession.
Going to the Annual Meeting in Philadelphia?

Please join us for lunch!

We’re trying something new this year and will be holding our caucus meeting off-site at a nearby restaurant. Harness the “Power of Connection” and get to know fellow caucus members over a dutch-treat lunch while we attend to the business of our caucus.

AALL Native Peoples Law Caucus Annual Meeting

Date: Monday, July 20
Time: 12:30 pm

Location: Field House Philly
1150 Filbert Street
Philadelphia, PA 19107
215.720.1876
http://www.fieldhousephilly.com/

Please RSVP to:
Eugenia Charles-Newton at enewton@courts.state.wy.us