

**State Bar of Michigan  
American Indian Law Section  
Annual Report 2011-2012  
Submitted by Hon. Melissa L. Pope, Chair**

**Mission Statement:**

The Purposes of this Section are to create a credible and diverse membership of Michigan Lawyers who have an interest in American Indian law; to encourage communication and exchange of ideas on issues of American Indian law and the practice of American Indian law; to present and participate in educational seminars on American Indian law; to disseminate information concerning American Indian law developments through meetings, programs and publications; to further the development and improvement of American Indian law by advocating on proposed state and federal legislation, judicial rules Public Policy; to provide support and assistance to attorneys in their relationships with any individual, group or other lawful entity involved with issues of concern to American Indians.

**Officers and Council Members:**

Officer	Name	Address	Telephone	Email
Chair	Hon. Melissa L. Pope	NHBP Tribal Court 2221 1-1/2 Mile Road Fulton, MI	248-805-6322	<a href="mailto:melissaesquire@gmail.com">melissaesquire@gmail.com</a>
Chair-Elect	Hon. Angela K. Sherigan	Wojnecka & Sherigan 56804 Mound Rd Shelby Township, MI 48316	586-822-4220	NWLACouncil@aol.com
Secretary-Treasurer	Kirsten Matoy Carlson	Wayne State University 471 W Palmer St Detroit, MI 48202	313-577-1201	<a href="mailto:kscarlso@umich.edu">kscarlso@umich.edu</a>

Member	Term	Member	Term
Elizabeth Joan Cook	2010-2012	Stanette J. Amy	2011-2013
Cameron Ann Fraser	2010-2012	Hon. Timothy P. Connors	2011-2013
Tanya Sue Wanageshik	2010-2012	Lynnmarie A. Johnson	2011-2013
R. John Wernet, Jr.	2010-2012	James A. Keedy	2011-2013
		Richard Scott Ryder	2011-2013

### Council Meeting Schedule:

Meeting Type	Date	Location
Annual Meeting, Tecumseh Award Presentation and Annual Program: Collaboration between Tribal, State and Local Governments	September 20, 2012	Devos Place, Grand Rapids
Second Strategic Planning Session	June 16, 2012	State Bar, Lansing
First Strategic Planning Session	January 21, 2012	State Bar, Lansing

**General Budget Information:** \$14,895.78

### Events and/or Seminars:

Event or Seminar Title	Date	Location
Annual Program: Collaboration between Tribal, State and Local Governments	September 20, 2012	DeVos Place, Grand Rapids

### A Year of Strategic Planning

The Section sponsored Melissa Pope (Chair) to attend the 2011 State Bar Leadership Forum. Inspired by the presentations and speakers, Judge Pope proposed engaging the Council in a year-long strategic planning process at the Annual Meeting on September 16, 2011. The Section unanimously supported the proposal with the Council committing to actively participating in the process.

Judge Pope met with Anne Vrooman, Director of Research and Development at the State Bar, to obtain information on services offered for strategic planning through the State Bar. Anne suggested holding a focus group to assist in the drafting of questions for a survey of the membership. The Council unanimously supported this proposal. The focus group was held on January 11, 2012 at the State Bar in Lansing. The focus group was diverse with participants from a variety of practice areas and places of employment. The group was also diverse in relation to the number of years in practice, as well as the number of years of involvement with the Section. Anne and Judge Pope then finalized a draft of the survey for the Council's consideration.

The Council held its first strategic planning session on January 21, 2012 at the State Bar. Judge Pope provided a history of the Section, including a presentation on the current Bylaws. The Council unanimously agreed to draft amendments to the Bylaws. Some sections were reserved for discussion after the results of the survey were received. The Council also finalized the questions for the survey.

The survey was sent to the membership via email on March 6, 2012 with an approximately two week window for responding. A reminder was sent shortly before the deadline. The process, including a compilation of the results, was facilitated by Anne.

The survey was a resounding success with almost 35% of the membership responding to the survey. The Council reviewed the results using guiding questions from Anne at the second strategic planning session on June 16, 2012. The following represents the membership priorities: educational/substantive programming; submission of amicus briefs; and advocacy. With regard to educational programming, the membership is most interested in the following topics: jurisdiction of American Indian Tribes; sovereignty; legislation impacting Indian Country; cultural traditions utilized in Tribal Court; Tribal sovereign immunity; the Indian Child Welfare Act; environmental issues; criminal jurisdiction; and Tribal membership. Members also expressed interest in urban Indian issues, the state of reservations and gaming. An important and common theme throughout the survey results was a desire by the membership to have more frequent and consistent communications from the Section.

In response to the survey results, the Council drafted revisions to the Bylaws which will be published within 30 days of the September 20<sup>th</sup> Annual Meeting. Included in these proposed amendments is the revision of the committees. The proposed committees include: Advocacy; Communications and Membership Engagement; and Education. Members of Council agreed to Chair the aforementioned committees at the second strategic planning session. At the Annual Meeting, we will add Co-Chairs from the membership. This will assist in reducing the burden for the current Council, as well as engage members not currently in leadership roles.

## **Amicus Briefs**

The Council unanimously approved submission of Amicus Briefs in two cases involving the Indian Child Welfare Act: In re Gordon and In re Morris. The Supreme Court issued one Opinion for these two cases that included some of the information provided in the Section Briefs.

The Council unanimously approved submitting an Amicus Brief in another Indian Child Welfare Act case, In re Micheau, going before the Michigan Court of Appeals. It will be submitted over the next couple of months.

## **Legislative issues:**

The Council unanimously approved working with the legislature to introduce a bill that strengthens the state's commitment to the Indian Child Welfare Act with the anticipated title being the Michigan Indian Family Preservation Act (MIFPA).

The Council unanimously approved comments on proposed amendments to the Native American Graves Protection and Repatriation Act.

## **Other Activities**

The Council voted to submit a request for American Indian law to be added to the Michigan State Bar Exam.

The Chair is currently gathering the documents necessary to make the website the historical record for the Section. The purposes of this endeavor are to: 1) preserve and centralize all documents relating to the Section; 2) promote the activities of the Section; 3) provide information to the membership; and 4) increase interest and membership in the Section. Documents to be posted include, but are not limited to: Council Information; Meeting Notices; Program Advertisements; Bylaws; Annual Reports; Meeting Minutes; Section Amicus Briefs; and Newsletters.

## **Recommendations for Next Council:**

The Section is fortunate to have members who are committed to the Section and equally, if not more important, to the purpose of the Section. The membership has made it clear that educational opportunities are of the utmost importance to them. As such, it is the Council's responsibility to provide educational programming. As a small Section, we are keenly aware of the challenges of providing services with limited resources, especially volunteers. We are also acutely aware that we will disappoint and ultimately lose our members if we fail to provide services as promised. As such, it is important to set realistic goals for the coming year.

Coupled with the above concern is the desire to involve more members, including within the context of leadership development. Creating avenues for more membership involvement will be an essential endeavor for the new Council.

Most important, however, will be implementing an infrastructure that provides consistent and meaningful communication with the membership. The Council is committed to creating this infrastructure to support our members and for the future success of the Section.