

April 10, 2003

Dear Section Members:

On behalf of the Board of Directors for the Indian Law Section (“ILS”) I submit the following 2003 Annual Report to the Section Membership. On October 17, 2002 the ILS Board of Directors held an organizational meeting to fill existing vacancies on the Board. The Board made five appointments during this meeting and subsequently elected me to serve as Chair, Pamela Ray to serve as Chair-Elect, and Joan Kozon to serve as Secretary. I believe that the Board reflects a diverse range of experience, knowledge and talents reflective both of the State Bar’s commitments and of the Section’s membership.

First, let me extend my sincere gratitude to the efforts of Joan Kozon and Rosemary Maestas-Swazo who volunteered a tremendous amount of time and energy to coordinate and plan this reception tonight specifically for the Section Membership. Their creativity and attention to detail are evident throughout. Thank you for arranging such a wonderful event.

To use efficiently the time and efforts of its few members, in 2002 the Board created committees that reflect the various activities within the jurisdiction of the Section. Board Members were appointed to chair the following committees: (1) Continuing Legal Education Programs; (2) Webpage; (3) Newsletter; (4) Writing Competition; and (5) Annual Meeting. To further promote legal education within the State of New Mexico, the Board also approved a \$1,000.00 donation to meet the special needs of a Pre-Law Summer Institute student who is a New Mexico resident, and a \$1,000.00 donation to the UNM School of Law with the condition that the donation be used to assist the library in acquiring materials related to Indian law or to sponsor the NALSA Moot Court team, or to some other interest that furthers the practice of Indian law.

The Board has worked diligently since October to select activities for this year that would serve the various purposes of the purposes of the Section. Below you will find a brief description of each.

- (1) Newsletter: The Board completed and published its Spring 2003 Newsletter last week. The newsletter, captioned the *Indian Law Times*, reflects the collective efforts of Board Members Lynn Slade and Larry Ruzow who worked in collaboration with the State Bar Publication’s staff to bring the final product together. I believe you will find its contents to be

informative and timely. We welcome your comments for future publications. We greatly need both volunteers and articles. If you have an interest in this area, leads on articles we could follow-up with, or just have some time to volunteer for proofreading, please contact any member of the Board.

- (2) Student Writing Competition: The Board agreed to sponsor its Annual Indian law Student Writing Competition and tasked Board Member Kevin Washburn with overseeing the event. Entries had to relate to an Indian law issue of national interest. Ten students from various law schools submitted papers. A panel of judges deemed an article by Stephen Osborne, as student of Lewis & Clark Law School, as the best entry. His article, titled *Chevron Deference, the Indian Canons, and the Role of Interpretation in Federal Indian Law* was judged to merit the top award of \$500.00 based on topical relevancy and legal sufficiency. The Section will publish this either online at our website and/or in an appropriate State Bar publication. The judges awarded an article by Andrew Long of Willamette University, a third place award of \$200.00 for his article titled *The Active Divestiture of Tribal Sovereignty by the U.S. Supreme Court, 1978-2001*.

The panel's second place article written by Galen Lemei of the University of Minnesota was withdrawn from the competition to comply with the guidelines of the competition. Galen's article, *Abandoning the PIA Standard: A Comment on Gila V* was selected for the top award of a national competition which will publish her article in a scholarly journal. Congratulations Galen. The Board also wishes to extend our deepest gratitude to our volunteer panel of judges: Paul Spruhan, Kymn Harp, June Lorenzo and Jim Burson for their generous donation of time and quality of review given to each of the articles submitted.

- (3) Continuing Legal Education Program: The Board has agreed to sponsor a CLE Program during 2003 in partnership with the Indian Bar Association. While a topic has not been agreed upon to-date, the Board seeks a program that will encourage communication, and allow its participants to analyze the issues and solutions to jurisdictional and other problems facing tribal and non-tribal communities in a global effort to upgrade the quality of administration of justice in Indian country, for Indian and non-Indian citizens alike.
- (4) Website: The Section has a new webpage through the State Bar Center's main website. My sincere gratitude to Pam Ray, Chair-Elect, who has worked closely with the State Bar's webmaster to bring this together for the Section's membership. We hope to make this webpage as beneficial to the members as possible and expect to have more useful information available in the near future including Board agendas and minutes, the Section's newsletter, a message board, and useful links. Again, we greatly need both volunteers and information. If you have an interest in this area or just have some time to volunteer, please contact any member of the Board.
- (5) Amicus Brief: The Board gave thoughtful and earnest consideration to a request from the University of New Mexico Law School to sign onto an amicus brief to be filed with the United States Supreme Court in *Grutter v. Bollinger* and its companion case *Gratz v.*

Bollinger. We took the request and position paper to the membership but the timeframe for action on this matter was too short for the Board to comply with its own Bylaws which require that we obtain not only the input of our membership but the prior approval of the Board of Bar Commissioners to make any statement or take any position publicly with regard to any issue, legislation, controversy, or other matter. The Board nonetheless found that the law school's efforts, in conjunction with its clinical students, compliment the obligation of our Section to participate in various judicial processes by informing our members about relevant issues affecting tribal individuals and communities. We also recognized that the UNM Law School has one of the most diverse groups of faculty and students in the country and has provided a quality legal education to many Section members and to Native students throughout the country. Therefore, the Board approved a \$500.00 cash donation to the UNM Law School to offset the production costs associated with the Admissions Policy Project and in the *Grutter/Gratz* cases.

Although this Board is newly reconstituted, its members are eager to breathe new life into the Section's activities. I have asked the Board to focus this year upon promoting the values of the legal profession such as our commitment to the public good; to help members keep current in this practice area; to set a high standard of professional conduct for others to follow; to respect and protect the image of the legal profession; and to remain committed to our responsibilities to public service and to the improvement of administration of justice. We look forward to serving our membership for the remainder of this year and ask that you call upon us at anytime.

Respectfully Submitted,

Steffani A. Cochran, Chair
Indian Law Section Board of Directors

Cc: ILS Board Members
Maggie Gombos, Director
Membership Administration and Support Division
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