



# Funds Distribution Report

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**Organization's General Goals:**  
For more than a decade, the Center for Indian Law and Policy (CILP) has made Indian law a focal point by delivering an array of educational programs, services, and opportunities for law students, tribes, tribal citizens, and attorneys. We endeavor to ensure tribal history, law and government is an integral part of every student's legal education and are committed to developing powerful advocates prepared to serve Tribes and tribal communities.

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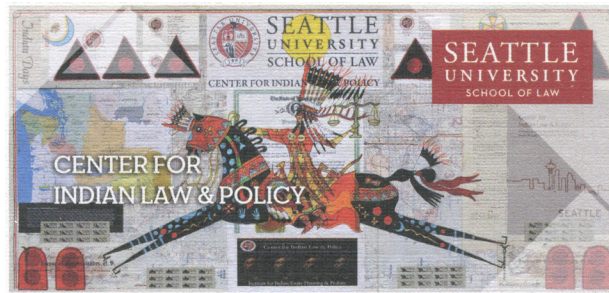
<b>Date of Award:</b>	<b>Level:</b>
2022 Q1	\$10,000+

For more information, please read the attached report from Center for Indian Law and Policy.

8802 27th Ave NE  
Tulalip, WA 98271

**TulalipCares.org**

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## 2022 ANNUAL REPORT TO THE TULALIP TRIBES

The Tulalip Tribes of Washington, 6406 Marine Drive, Tulalip, WA 98271

The Center for Indian Law & Policy (Center) at Seattle University School of Law is a resource for law students, alumni, faculty, and Tribal communities of the Pacific Northwest. We endeavor to provide an emphasis on Indian law through our curriculum, advocacy, programs, and events. We would like to thank the Tulalip Tribes for providing us with an annual grant, which helps us to do the work to fulfill our mission. Due to the generosity of the Tulalip Tribes we've secured student interns to support the work of Tulalip Tribal Court. In addition, we've sponsored programs for students, increased recruitment of tribal members to law school, supported students on their path into Indian and tribal law, and increased the number of attorneys practicing Indian law in the Northwest. Center staff includes Faculty Director Professor Gregory Silverman, Staff Director Brooke Pinkham, and Legal Assistant Elizabeth Guinn. Thank you for your support.



## From the Directors

Q'ci'yew'yew. We at the Center for Indian Law & Policy raise our hands to Tulalip Cares and the Tulalip Tribes for their support of the Center and our surrounding communities. This past year we continue to be mindful of the ongoing global pandemic and it's repercussions. We are nevertheless encouraged and inspired by the endurance and resolve of our colleagues and students at Seattle University, and the tribal communities we serve. Despite the challenges, we've maintained the work and rose to the occasion, and are excited to tell you what we've been up to and what's in store. Below you will learn about the projects, partnerships, events, and programs we've accomplished. We look forward to working with you while we continue to strengthen Indian country.

Please do not hesitate to reach out to us. We look forward to hearing from you.

**Gregory Silverman, Faculty Director**

[gmsilver@seattleu.edu](mailto:gmsilver@seattleu.edu)

**Brooke Pinkham, Staff Director**

[pinkhamb@seattleu.edu](mailto:pinkhamb@seattleu.edu)

## Projects

**Protecting the Indian Child Welfare Act (ICWA)**

We continue to support the work in advance of the Indian Children Welfare Act as it relates to protecting tribal sovereignty and Native families. In the past year we have participated in various ways to support ICWA. Here is what we've been up to:

**Assistance with Amicus Briefs:** This year the Center signed onto two amici briefs in support of the protection of ICWA. The Center again signed onto the Native American Rights Fund's Tribes' brief in the case of *Brackeen v. Haaland* which is now pending decision in the United States Supreme Court. In this case, the state of Texas and several individuals have challenged the constitutionality of ICWA. This case is highly important to not only the protection of ICWA, but the decision could gravely affect all of Indian law if not properly decided. The Center also signed onto an amicus brief filed by Indian Law scholars, and is now pending review in the WA Supreme Court. The case, *In Re Welfare of JMW*, asks whether the active efforts requirement of ICWA must be preserved at the onset of investigation prior to filing a dependency petition. The WA ICWA requires active efforts at such stage, and it is crucial to preventing unnecessary removal of children from their families.

**Providing Training On ICWA issues:** The Center continues to provide numerous training opportunities for lawyers, students and tribes throughout the region. New this year, the Center has entered into a partnership with the law offices of Davis Wright Tremaine LLP to begin training their attorneys on ICWA and other Indian law topics. The Center also provided training to faculty, staff and students on ICWA at UC Hastings School of Law.

**Working and Meeting with ICW workers and staff:** The Center continues to take part in the National ICWA conference as well as attend various meetings and conferences with ICW workers, state social workers, and state representatives supporting tribes and working to create more efficient programs. This allows the Center to network and get to know all those in support of the work.

**In-house ICW Tribal Attorney Support:** The Center continues to support Tribal Indian Child Welfare attorneys who work directly for WA Tribes. The next scheduled meeting was previously postponed and we will reach out to folks when we are able to meet again.

**ICWA Courts:** The Center has joined a movement to bring more “ICWA Courts” to WA state. ICWA courts are dedicated to overseeing only ICWA cases, in which WA sees a high number. The movement is being lead by the National Council of Juvenile and Family Courts. The Center hopes to assist in this endeavor so that we see a fall in the number of Natives in foster care and a better understanding of and respect for ICWA.

## Partnerships

The Center continues to work closely with the **Indigenous Peoples Institute (IPI)** at Seattle University to tackle the work desperately needed in Indian education, and the recruitment and retention of Native students. The Center also continues to partner with a **consortium of law schools** in the Pacific Northwest focused on encouraging undergraduate Native students from all over the nation to attend law school. This work is especially important as American Indians continue to be the least represented in the legal profession. In addition to planning future programming with IPI, the Center has joined IPI along with Seattle University’s Development Department in working to build better relationships with WA Tribes.

The Center has begun to build stronger connections to the **Indian law academic community** on a national level. We now work more closely with law schools who have strong Indian law programs. This partnership has assisted in bringing focus on the work we do at the Center, as well as Seattle University School of Law; and in hopes to garner more funding, and greater Native student matriculation.

The Center partnered with the **Korematsu Center at Seattle University**, and others, to work on the Criminal Justice Task Force. The goal of the Task Force was to answer the Washington Supreme Court’s call to address systemic discrimination and racism in the criminal justice system. Judicial officers, academics, prosecutors, defenders, law enforcement, and community leaders met and formed working groups to examine race disproportionality in the criminal justice system in order to present findings and recommendations. The findings were released and presented to the court in September 2021. In its introduction, the report highlighted the disproportionate number of Native people in the system, and the continued discrimination and racism against Natives. You can find the report here: [https://digitalcommons.law.seattleu.edu/korematsu\\_center/116/](https://digitalcommons.law.seattleu.edu/korematsu_center/116/).

The Center partnered with the **Native American Law Students Association at SU** to make changes to Seattle University's land acknowledgement statement. NALSA and the Center encourage those using a land acknowledgement to think beyond just making a statement, but digging deep to learn and teach in a proper way about Native people.

The Center has entered into a partnership with the law offices of **Davis Wright Tremaine LLP** to provide training to their attorneys on a national level. The training will be provided by the Center on the topic of Indian law and cultural competency in the hopes DWT attorneys can provide pro bono assistance to tribes on amicus issues.

The Center signed onto an amicus brief written and filed by **ACLU of WA, and Kilpatrick Townsend** attorney and SU Law Alum Bree Blackhorse. This case involves an unarmed, pregnant Indigenous woman who was killed by Tacoma Police officers in 2016. Her mother, seeking answers about the police killing, made a public records request of the City of Tacoma. She received two installments of responsive records and was told that was it. A camera set up by the Tacoma Police Department "malfunctioned" and no video footage was produced. Coincidentally, the only footage available was right before and right after the shooting. The mother filed a lawsuit against the City of Tacoma and, through discovery, received additional material that was responsive to and should have been produced through her public records request. She filed a second suit within a year of discovering there were more responsive documents in Tacoma's possession/control, seeking relief from the Public Records Act (PRA) violation and requesting additional records. However, the PRA suit was dismissed on a procedural technicality. Her discovery of the violation occurred more than two-and-a-half years after the Tacoma Police killed her daughter and after the 12-month statute of limitations (SOL) for PRA actions. She argued, to no avail, that the SOL should toll from the time that the violation is discovered, or alternatively, that equitable tolling should apply given the evidence suggesting that the City of Tacoma engaged in fraud and deception. However, this is not just a debate over records. This is a policing issue, a government misconduct issue, a community safety issue, a public health issue, and a race equity issue. The woman killed by Tacoma Police was Puyallup tribal member.

**Legislative work:** The Center continues to stay on top of policies affecting ICWA so that we may intervene and comment when appropriate. The Center continues to be invited by WA Legislative office to provide training to new senators on tribal governance and Indian law.

The Center also partners with alumni, local law firms, Tribal organizations, and other community organizations to find opportunities for our law students as well as educate the broader community on understanding the importance of federal Indian and tribal law.

## Programs and Events

In honor of **Indigenous Peoples Day 2021**, the Center, along with the Native American Law Students Association at Seattle University hosted a lunch time talk entitled: The Land Back Movement: A campaign for the return of tribal lands. The event was very well attended and our speakers included Krystal Two Bulls of NDN Collective and Chase Iron Eyes, esq.

On **April 7th, 2021** the students of the American Indian Law Journal hosted a program on issues affecting native and traditional communities in the Amazon. We heard from Johnny Giffoni, a public defender in Brazil, who discussed two cases relating to ILO Convention 169. One case involved native Venezuelan communities who are refugees in Brazil. The other case about the construction of a harbor for Cargill affecting traditional communities of descendants of former enslaved people. We also heard from Professor Antkowiak, SU law, who discussed human and environmental rights. The discussion was moderated by Center Staff Director, Brooke Pinkham.

We are pleased to announce that SU School of Law is now offering a new course on Tribal Court Practice. The Course is taught by Chief Judge at Swinomish Tribal Court, Judge Mark Pouley.

### You are invited to save the date:

**On March 4, 2022** our American Indian Law Student Journal in collaboration with Seattle Journal for Social Justice will host a full day symposium on the topic of Disability Rights in Indian Country. You can attend the virtual event by registering here: <https://www.eventbrite.com/e/beyond-rights-critical-perspectives-on-disability-justice-tickets-229896786477>

**On April 21, 2022**, the American Indian Law Journal and the Native American Law Students Association will host its annual banquet recognizing their students and the hard work they've accomplished over the past year. We would love to have you in attendance! Please RSVP to: Onnaedo Nwankwo, [onwankwo@seattleu.edu](mailto:onwankwo@seattleu.edu)

## **Thank you for your Support of Our Students!**

Here at the Center we prioritize the needs of our students. This includes Native students as well as students who are interested in Indian and tribal law. Every year we provide these students with academic guidance, summer internships, and job placement. We take pride in educating students on how to do the work in Indian Country.

### **The American Indian Law Journal's 2021-2022 Editorial Board:**

Editor-in-Chief Jamie Hearn; Managing Editor Onnaedo Nwankwo; Development Editor Rachel Sugar; Executive Megan Fore; Content Editor Nathan McCurtain; and Senior Editors Jessica Park and Christina Schnalzer.

The journal was launched in 2011 by Seattle University law students and faculty with the goal of filling a critical gap in scholarship of the rapidly developing fields of Indian and tribal law. AILJ's online format makes this resource readily available throughout Indian Country; the latest issue can be found online: <https://law.seattleu.edu/academics/co-curricular/journals/ailj>.

### **The Native American Law Student Association, Seattle University Chapter 2021-2022 Board:**

Jessica Pouley, Colville Confederated Tribes, President; Nathan McCurtain, Choctaw Nation of Oklahoma, Vice President; Molly Gunther, Tlingit-Haida, Secretary; Mary Bent, Collville Confederated Tribes; Treasurer.