COURSE NAME: Law and the American Indian

COURSE NUMBER: 728

PROFESSOR: Ragsdale

ESSENTIAL PREREQUISITES: First Year Courses

DESIRABLE PREREQUISITES: None

COURSE BOOKS:

Cases on Federal Indian Law, (American Casebook Series)
Authors: Getches, Wilkinson and Williams

American Indian Law in a Nutshell
Author: William C. Canby Jr.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: Exam

SUMMARY DESCRIPTION OF COURSE: The course deals with the legal relations between the United States and the Indian tribes. It focuses on the core concepts of Indian sovereignty, Federal plenary power, and residual states’ rights. Included within these issues are Indian property, treaty rights, civil and criminal jurisdiction, federal trust responsibility, taxation, and individual Indian rights.

COURSE CONTENT:

- The European Doctrine of Discovery and American Indian Rights
- The Federal–Tribal Treaty Relationship
- Shifting Indian Policy through the Twentieth Century
- The Federal–Tribal Relationship
- Tribal Sovereignty and the Administration of Justice in Indian Country
- Tribal Sovereignty and Jurisdiction: Congressional and Judicial Recognition and Limitations
- Tribal and State Conflicts Over Civil Regulatory and Adjudicatory Jurisdiction
- Reservation Economic Development
- Rights of Alaska Natives and Native Hawaiians

RELEVANCY OF COURSE FOR CAREER PURPOSES: Part of the Bar Exam for New Mexico and Washington; Oklahoma is currently considering the addition of Indian Law to the Oklahoma Bar Exam. This class is relevant if a student is thinking of a career where representing an Indian Tribe or litigating against an Indian Tribe may occur. To some extent an understanding of Indian Law is also needed for representing members of Indian Tribes (e.g. Family Law, Probate, or jurisdiction can change if the client is a member of an Indian Tribe).