



UNDERGRADUATE CERTIFICATE – ADDITIONAL INFORMATION FORM

Note: Certificate programs offered at the University of Arizona, at the undergraduate or graduate level, are not approved as eligible programs for federal student financial aid. Although students enrolled in certificate programs are not eligible for any federal student aid programs, students may be eligible for private loans, outside scholarships, and University of Arizona department funding. For more information, please see [Federal Student Financial Aid Eligibility for Programs](#).

I. General Information

- a. Proposed Title of Certificate: Undergraduate Certificate in Tribal Courts and Justice Administration
- b. CIP Code: 22.0399- Legal Support Services, Other.
- c. Anticipated first admission term: Fall 2020

II. Requested by James E. Rogers College of Law, Undergraduate Law Program

III. Program Affiliation BA in Law

IV. Certificate Description

- a. Provide a catalog description of this program to be used to market the certificate. Include information regarding the main content, knowledge areas, key questions to be explored, skillsets to be developed and opportunities for application of the subject matter.

Tribal court and justice systems play a vital role in determining the quality of life in Indian country reservation communities. The administration of justice in Indian country by tribal governments includes the sovereign exercise of jurisdictional authority to resolve legal disputes regarding protection of civil rights, business dealings, and family and domestic relations. Tribal courts try criminal charges against tribal members and where recognized by Congressional legislation such as the Violence Against Women Act, against non-Indians as well. The Tribal Court and Justice Administration Undergraduate Certificate is designed to provide a strong foundation in the workings of tribal courts and justice systems for students wishing to pursue careers as tribal judges (the vast majority of tribes do not require J.D. law degrees for appointment to the tribal

bench), lay advocates, court clerks, probation officers, legal secretaries, assistants and paralegals, tribal law enforcement and game officers, and many other positions and professions connected to the administration of justice in Indian country. The certificate program is well-designed to prepare students who desire to go on to law school and specialize in federal Indian law, tribal justice systems, and Indian country self-governance institutions.

V. Purpose

- a. Discuss the primary intent of this certificate and describe what makes this program distinct from other existing programs on campus.

Among the approximately 250 Indian tribes in the United States with established tribal court and justice administration systems, and the 573 federally recognized tribes with governance systems, the vast majority rely on tribal members who are non-lawyers or who are not legally trained. These members serve as tribal court judges, lay advocates who provide legal representation and advice to tribal members, legal service practitioners, legislative advisors to tribal governments, and many other important roles. Additionally, these tribal legal systems require court clerks, probation officers, legal secretaries, assistants and paralegals, tribal law enforcement officers, and other trained personnel to carry out their sovereign governmental functions.

The proposed certificate will be offered to UA students and external, non-degree seeking and continuing education certificate students who are interested in careers in the administration of justice in Indian country reservation communities. The certificate will have broad application, appeal and relevance to UA students from reservation communities and those with strong cultural connections to those communities who wish to pursue or advance in a variety of careers in the tribal justice system. For non-Native students pursuing the certificate, learning about parallel tribal systems of justice administration will provide deepened cultural insight, sensitivity, and competence for those interested in careers in tribal, federal, state, and local government law-related and policy-making positions.

To address the need for qualified tribal court and justice system personnel, certificate courses will incorporate engaged learning strategies with embedded workshops, experiential learning opportunities, and field trip components to nearby tribal courts and justice administration systems. The certificate courses are designed to educate both Native and non-Native students about these dynamic institutions of tribal sovereignty and self-governance. The courses will be open to all majors and students of all backgrounds, including those who may not have previously considered this little-studied and greatly-misunderstood tribal space within the United States legal system. Students will develop important critical thinking and

writing skills, and a deeper understanding of the similarities and differences between tribal systems of justice administration and their state and federal counterparts. Students pursuing the certificate will develop a variety of cultural competencies by learning to value diversity, assess their own culture, and adapt their communication styles and approaches in working in and with tribal legal system settings, mindful of cultural differences and commonalities between tribal, state, and federal court systems.

University of Arizona Law faculty expertise and long-standing and on-going partnerships with tribal justice systems and tribal communities in Arizona, North America, and the world assures successful implementation and sustainability of the certificate program being proposed by the James E. Rogers College of Law, BA in Law Program, in partnership with the Indigenous Peoples Law and Policy (IPLP) Program. IPLP is a recognized global leader and innovator in the field of federal Indian law and policy and indigenous peoples human rights, partnering for educational advancement and furtherance of the Land Grant tradition with tribal communities in Arizona, across the United States, and world for over four decades.

Regents' Professor and Faculty Chair of the Indigenous Peoples Law and Policy Program, Robert A. Williams, Jr. (Lumbee Tribe), will lead the oversight committee for the certificate. That committee will be responsible for selecting participating faculty for the proposed certificate courses, coordination of admission recommendations with the College of Law BA Law Office of Admissions, curricular changes and elective course development, and student recruitment, admission, support, retention, and advancement services.

The committee's work will also be supported by the 2019 University of Arizona Strategic Plan "Native American Advancement and Tribal Engagement Initiative." Professor Williams serves as Initiative Owner of the Native American Initiative and has worked closely with tribal justice system and education department officials of the Pascua Yaqui Tribe, Tohono O'odham Nation, and Navajo Nation in the development and design of the courses for earning the certificate. The Tribal Courts and Justice Administration Certificate is a key component of the "K-20," workforce development, and life-long learning educational partnership that the Initiative is currently developing as an intergovernmental pilot-project agreement with the Pascua Yaqui Tribe through the office of Chairman Robert Valencia and the tribe's Department of Education. The inter-governmental agreement contemplates the establishment of a micro-campus on the Pascua Yaqui Tribe Reservation, the first that would be established by the UA in a U.S. reservation community. The certificate courses, all of which will be available on-campus live or on-line, can also be offered live or online at this type of micro-campus facility to tribal members and employees who want to complete or start their BA degree. The courses are all 400/500 level, and can also be offered as electives for the newly established College of Law's Master of Professional Studies (MPS) in Indigenous Governance and as

Continuing Education Certificate courses for the IPLP and Native Nations Institute “January in Tucson” Executive Education sessions for tribal leaders, professionals, and managers.

Professor Williams is co-author of the leading textbook on Federal Indian Law, *Federal Indian Law: Cases and Materials* (7th ed.), and has represented American Indian and indigenous tribal communities before the U.S. Supreme Court, Inter-American Court of Human Rights, Inter-American Commission on Human Rights, United Nations Working Group on Indigenous Peoples, and the Supreme Court of Canada. As an instructor with the University of Arizona’s Bachelor of Arts in Law (BA in Law) program, Professor Williams has successfully developed the core curriculum for the two 3-credit required courses for BA in Law undergraduate students, “The American Common Law Systems I & II.” The two courses teach core concepts in American tort, contract, and property law through interactive Socratic lectures and classroom discussion and weekly workshops, incorporating skills development and simulations.

VI. Target Audience(s)

- a. Describe the target audience(s) for this certificate and the specific audience needs this certificate aims to address. Address the relevant points below based on your target audience(s).

The primary target for this certificate are students interested in pursuing careers in tribal justice systems in their home and other reservation communities as tribal judges, lay advocates, court clerks, probation officers, legal secretaries, assistants and paralegals, tribal law enforcement officers, and many other positions connected to the administration of justice in Indian country. The certificate program is well-designed to prepare students who intend to go to law school who wish to specialize in federal Indian law, tribal court justice systems, and tribal governance institutions.

- i. Does this certificate meet the needs of an **industry or workforce partner**? Explain the industry needs this certificate is proposing to address.

IPLP and its faculty have decades of extensive experience working with tribal courts, justice, and self-governance systems in Arizona and across the nation. IPLP faculty and alumni have sat as judges on tribal courts. IPLP alumni serve as tribal prosecutors, public defenders, and attorneys general throughout Indian country. That broad experience and those deep relationships have led to the development of an extensive, nation-wide network of tribal professionals who work with and for tribal courts and governments who keep IPLP informed of what those courts and justice systems need in terms of workforce development and training. Specifically, this certificate program is one of the central elements of the current inter-

governmental agreement being developed between the Pascua Yaqui Tribe and the Native American Advancement and Tribal Engagement Initiative of the 2019 UA Strategic Plan.

- ii. Does this certificate provide an **introductory pathway to an existing graduate degree**? Provide the name(s) of the degree(s).

Yes, this certificate forms an introductory pathway to three existing graduate degrees: Master of Professional Studies in Indigenous Governance, Master of Legal Studies, and Juris Doctor.

- iii. Does this certificate serve as **professional development for the targeted audience**? Explain how this certificate will help the audience develop professionally.

See discussion above regarding the purpose of the proposed certificate.

VII. Certificate Requirements - complete the table below to list the certificate requirements, including number of credit hours required and any special requirements for completion. Certificate requirements should include sufficient units to provide a substantive program and an appropriate level of academic rigor and in no case be less than 12 units of credit. Delete the EXAMPLE column before submitting/uploading.

Minimum total units required <i>*minimum 12 units</i>	12
Minimum upper-division units required <i>*minimum 6 units of credit must be upper division UA coursework</i>	12
Total transfer units that may apply to the certificate.	0
List any special requirements to declare/admission to this certificate	2.5 GPA in at least 45 collegiate units.

<p>(completion of specific coursework, minimum GPA, interview, application, etc.)</p>	<p>Concurrent enrollment in a degree program is allowed, but not required.</p>
<p>Certificate requirements. List all required certificate requirements including core and electives. Courses listed must include course prefix, number, units, and title. Mark new coursework (New). Include any limits/restrictions needed (house number limit, etc.). Provide email(s)/letter(s) of support from home department head(s) for courses not owned by your department.</p>	<p>Required coursework</p> <ol style="list-style-type: none"> 1. EITHER LAW 402A American Common Law System I (3 units) OR LAW 402B American Common Law System II (3 units) 2. LAW 450A Native American Law and Policy (3 units) 3. LAW 467 Tribal Courts Practice and Procedure (3 units) 4. EITHER LAW 468 Tribal Criminal Law and Procedure (3 units) OR LAW 469 Native American Family and Domestic Relations Law (3 units)
<p>Internship, practicum, applied course requirements (Yes/No). If yes, provide description.</p>	<p>Although no separate internship or practicum is required, all the courses for satisfying the certificate requirement include multiple experiential learning opportunities for students. These include workshop simulations focused on the core practical legal skills of interviewing, counseling, negotiating for and representing clients, observation of tribal courts, participation in mock tribal court proceedings, and drafting sample documents for submission to tribal courts and governmental systems. The BA in Law Program also includes</p>

	opportunities for students to earn externship credits through on-reservation tribal justice system placements.
Additional requirements (provide description)	2.5 GPA requirement in the four required courses for the certificate.
Any double-dipping restrictions (Yes/No)? If yes, provide description. <i>*A maximum of 6 units may double-dip with a degree requirement (major, minor, General Education) or second certificate.</i>	Up to 6 credits of double dipping will be allowed.

VIII. Current Courses—using the table below, list all existing courses included in the proposed certificate. You can find information to complete the table using the [UA course catalog](#) or [UAnalytics](#) (Catalog and Schedule Dashboard> “Printable Course Descriptions by Department” On Demand Report; right side of screen). If the courses listed belong to a department that is not a signed party to this implementation request, upload the department head’s permission to include the courses in the proposed certificate and information regarding accessibility to and frequency of offerings for the course(s). Upload letters of support/emails from department heads to the “Letter(s) of Support” field on the UAccess workflow form. Add rows to the table, as needed.

Course prefix and number (include cross-listings)	Units	Title	Course Description	Pre-requisites	Modes of delivery (online, in-person, hybrid)	Typically Offered (F, W, Sp, Su)	Dept signed party to proposal? (Yes/No)
LAW 402A	3	The American Common Law System I	The American Common Law System I is one of two courses which conveys what is distinctive about the common law approach as a legal methodology and as a reflection and commentary	None	In person Online	F F	Yes

			<p>on the history and politics of the American experience, from the early colonial period to the 21st century world of globalized commerce, human rights concerns, and environmental and social justice. The course examines the history and sources of the common law, common law modes of legal rhetoric, argument, and communication skills and transformation and adaptation of the common law achieved through social justice and law reform movements. The weekly discussion sections will focus on the development of legal writing, research, and critical reasoning skills necessary to solve legal problems, particularly in the context of predictive written communications to various audiences. The American Common Law System I course will focus primarily on Contract Law and Tort Law in the American legal system.</p>				
LAW 402B	3	The American Common Law System II	<p>The American Common Law System II is one of two courses which conveys what is distinctive about the common law approach as a legal methodology and as a reflection and commentary on the history and politics of the American experience, from the early colonial period to the 21st century world of globalized commerce, human rights concerns and environmental and social justice. The course examines the history and sources of the common law, common law modes of legal rhetoric, argument, and</p>	None	In person Online	S S	Yes

			<p>communication skills and transformation and adaptation of the common law achieved through social justice and law reform movements. The weekly discussion sections will focus on the development of legal writing, research and critical reasoning skills necessary to solve legal problems, particularly in the context of predictive written communications to various audiences. The American Common Law System II course will focus primarily on Property Law and its intersections with Torts and Contract Law in the contemporary American legal system.</p>				
LAW 450A x-listed with AIS	3	Native American Law & Policy	<p>Explores the place and status of tribal governments in our federal system, focusing in particular on federal policy decisions underlying various laws and statutes. The course examines ways to interpret and apply the relevant laws and explores the impact that would result from changing the policy behind those laws.</p>	Prerequisite or concurrent enrollment in LAW 402A or LAW 402B	In person Online	F Varies	Yes
LAW 467	3	Tribal Courts Practice and Procedure	<p>This course provides students with an overview of the applicable tribal, state, and federal laws and procedures governing native nations, with an in-depth examination of Indian tribal courts, their history, procedures along with the roles of their participants. This course will also focus on the organization of the judicial structure within tribal nations.</p>	None	In person Online	Expected to be offered in Spring	Yes
LAW 468	3	Tribal Criminal Law and Procedure	<p>This course will cover the basics of criminal law and procedure that apply in tribal courts in the United States.</p>	None	In person Online	Expected to be	Yes

			Students will gain an appreciation of the complexities of the maze of criminal jurisdiction in this area of law, and the unique problems that face Native populations.			offered in Spring	
LAW 469	3	Native American Family and Domestic Relations Law	This course concentrates on the role tribal courts and tribal jurisprudence play in regulating family relations impacting indigenous cultural values. Students will learn how the law protects native children and regulates parental rights, guardians, custodians, and the rights of traditional extended families.	None	Online course being prepared	TBD	Yes

Note: Future changes to the curriculum originally approved for the certificate must be approved by the Undergraduate Council.

IX. New Courses Needed – using the table below, list any new courses that must be created for the proposed program. If the specific course number is undetermined, please provide level (ie CHEM 4**). Add rows as needed. Is a new prefix needed? If so, provide the subject description so Curricular Affairs can generate proposed prefix options.

Course prefix and number (include cross-listings)	Units	Title	Course Description	Pre-requisites	Modes of delivery (online, in-person, hybrid)	Status*	Anticipated first term offered	Typically Offered (F, W, Sp, Su)	Dept signed party to proposal? (Yes/No)	Faculty members available to teach the courses
<i>No new courses are required</i>	<i>No new courses are required</i>	<i>No new courses are required</i>	<i>No new courses are required</i>							

*In development (D); submitted for approval (S); approved (A)

Subject description for new prefix (if requested). Include your requested/preferred prefix, if any: Not Applicable

X. Faculty & Resources

- a. **Current Faculty** - complete the table below. If UA Vitae link is not provided/available, attach a short CV (2-3 pages) to the end of the proposal or upload to the workflow form. UA Vitae profiles can be found in the [UA directory/phonebook](#). Add rows as needed. Delete the EXAMPLE rows before submitting/uploading. **NOTE: full proposals are distributed campus-wide, posted on committee agendas and should be considered “publicly visible”.** Contact [Martin Marquez](#) if you have concerns about CV information being “publicly visible”.

Faculty Member	Involvement	UA Vitae link or “CV attached”
Regents Professor Robert A. Williams, Jr.	Teach LAW 402A and LAW 402B, Faculty Advisor, Oversight Committee	https://profiles.arizona.edu/person/lumbee
Regents Professor Rebecca Tsosie	Oversight Committee, available to teach LAW 450, 467, 468, 469	https://profiles.arizona.edu/person/rebeccatsosie
Professor Melissa L. Tatum	Oversight Committee, available to teach LAW 450, 467, 468, 469	https://profiles.arizona.edu/person/mtatum
Emeritus Professor Robert Hershey	Oversight Committee, available to teach LAW 450, 467, 468, 469	https://profiles.arizona.edu/person/hershey
Part-time Professor of Practice Torivio Fodder	Available to teach LAW 450, 467, 468, 469	CV attached (see appendix)
Part-time Professor of Practice Derek Kauano	Available to teach LAW 450, 467, 468, 469	CV attached (see appendix)
Associate Clinical Professor; Director, Tribal Justice Clinic Heather Whiteman Runs Him	Available to teach LAW 450, 467, 468, 469	CV attached (see appendix)

- b. **Additional Faculty** – Describe the additional faculty needed during the next three years for the initiation of the program and list the anticipated schedule for addition of these faculty members.

We do not anticipate needing any additional faculty during the next three years.

- c. **Library Acquisitions Needed** – Describe additional library acquisitions needed during the next three years for the successful initiation of the program.

No additional library acquisitions are needed. The law library currently holds an extensive collection of materials and resources related to Federal Indian and tribal law, including tribal codes and tribal court reporters. In addition, the Native American Law Library (part of the Native American Rights Fund) has an extensive collection of tribal constitutions, codes, and court material freely available online.

- d. **Physical Facilities & Equipment** - Assess the adequacy of existing physical facilities and equipment available for the proposed certificate. Include special classrooms, laboratories, physical equipment, computer facilities, etc. Describe additional physical facilities and equipment that will be required or are anticipated during the next three years for the proposed program.

No additional physical facilities or equipment should be required. The current physical facilities and equipment made available to the College of Law's BA in Law Program are sufficient to support the addition of an Undergraduate Certificate.

- e. **Other Support** - Describe other support currently available for the proposed certificate. Include support staff, university and non-university assistance. List additional staff and other assistance needed for the next three years.

Administration of the certificate program will be supported as a key component of the 2019 University of Arizona Strategic Plan "Native American Advancement and Tribal Engagement Initiative." Under its agreement with the Office of Strategic Initiatives, designated staff who have been hired as part of the Initiative and who will support the certificate include:

- **Ashlee Irving** (Navajo Nation), Administrative Associate for the Native American Advancement and Tribal Engagement Initiative, will support admissions, record-keeping, and enrollment for the certificate program;
- **Karen Diver** (Fond du Lac Band of Lake Superior Chippewa, served as Chairwoman from 2007 -2015), Director of Business Development for the Native American Advancement and Tribal Engagement Initiative, will support recruitment, scholarship, and fundraising efforts, and student advising and job placement programs for the certificate;
- **Susanna Cota-Robles**, Marketing Specialist for the Native American Advancement and Tribal Engagement Initiative, will support marketing and promotion of the certificate through web-based advertising campaigns,

e-mail, direct mail, phone contact, and outreach efforts with tribal courts, justice, and self-governance systems, and with UA students, academic advisers, and Native American Student Affairs;

IPLP will also be providing support in the administration of the certificate program as part of its extensive offerings of degree and certificate programs, which now include the LL.M. and S.J.D. in Indigenous Peoples Law and Policy, the J.D. certificate in Indigenous Peoples Law and Policy, the M.L.S. Concentration in Indigenous Peoples Law and Policy, the MPS and Graduate Certificate (GC) in Indigenous Governance and the JIT Continuing Education Certificate (CEC) in Indigenous Governance. IPLP academic and administrative support staff include:

- **Justin Boro**, IPLP Assistant Director, Native American Advancement and Tribal Engagement Initiative Co-Owner, will provide additional support for administration, outreach, marketing, and IT-related activities for the certificate;
- **Andrea Bojorquez**, IPLP Coordinator, will provide additional support for admissions, record-keeping, and enrollment for the certificate program;
- **Faith Liston** (Tohono O'odham), will provide additional support for student advising, career counseling, outreach and placement for the certificate program.

There are a multitude of private foundations, University partners, tribal governments, and government agencies whose funding priorities align with our undergraduate certificate.

Examples of potential funders include the Agnese Nelms Haury Program in Environment and Social Justice at the University of Arizona Foundation. This program provides seed funding for programs working to create a safe, just, and sustainable space for all that help students working to improve social justice through education. Our certificate program's focus on experiential learning within tribal courts to address social injustice make it a great fit for this grant.

Another potential funder is the University of Arizona Office Of Student Engagement, which provides grants to University programs which provide undergraduate students transformative applied experiences that develop competencies and skills required to address the problems and challenges facing communities. Our certificate program's focus on experiential learning within tribal courts to address social justice issues makes it an excellent fit for this grant program.

Potential private foundation funders include Access Group Center for Research & Policy Analysis' Legal Education Diversity Pipeline Grant Program. This grant program provides funding to programs which address critical issues facing legal education by enhancing access to legal education for students from diverse backgrounds. Our certificate program's focus on expanding legal education to undergraduate students from diverse backgrounds make it a great fit for this grant. Once our certificate program is operational, IPLP can leverage the extended relationships that faculty and staff have with tribes across Arizona and the United States to get additional funding in the form of scholarships and operational support through tribal foundation funding sources.

f. **Marketing & Recruitment** - Provide a detailed and robust marketing strategy for this certificate.

The Native American Advancement and Tribal Engagement Initiative has developed a comprehensive marketing strategy for the certificate program, building on the success of IPLP's marketing of its highly successful offerings of degree and certificate programs, which now include the LL.M. and S.J.D. in Indigenous Peoples Law and Policy, the J.D. certificate in Indigenous Peoples Law and Policy, the M.L.S. Concentration in Indigenous Peoples Law and Policy, the MPS and GC in Indigenous Governance and the JIT CEC in Indigenous Governance. The College of Law boasts the highest number of Native law students of any top-50 U.S. News and World Report ranked law school in the country, and the highest percentage of Native law students of any law school in the entire nation. The strategic plan for marketing and promoting the certificate includes a web-based, e-mail, and direct mail advertising campaign. The campaign also involves direct phone contact and outreach efforts with tribal justice and self-governance systems in Arizona and throughout the U.S., utilizing IPLP's extensive network of alumni and other contacts working in tribal justice systems, focusing particularly on the on-line availability of the certificate courses and the BA in Law degree. The marketing strategy also includes e-mail and outreach efforts focused on UA Native students, academic advisers, and Native American Student Affairs. According to University Analytics there are approximately 1,390 undergraduate American Indian and Alaska Native (AI/AN) students attending the University of Arizona and our strategy focuses on contacting every one of those students by e-mail to inform them of the availability of this certificate. Additionally, the certificate will be extensively advertised and promoted to the 843 BA in Law students (653 main campus and 190 fully online).

To recruit students into the Tribal Courts and Justice Administration certificate we will launch an integrated marketing campaign, establishing a branded message with eye catching visuals that will lure prospective students to click a link, access our website, or call an associated number. This campaign will consist of a mix of targeted emails and social media ads, marketing directly to prospective students and high-yield cohorts - including all Native students enrolled at

the UA, current BA in Law students, and American Indian Studies (AIS) students. Our digital marketing campaign will also integrate ads on major news sites, Google word search ads, and digital banner campaigns to increase awareness of this program. In addition to a robust digital campaign, we will distribute print collateral to departments across campus, as well as to various student groups on campus, and via recruitment related events on campus and across Tucson and Arizona. We will also engage the extensive network of IPLP faculty, staff, and alumni to spread the word about the certificate and help recruit students.

The effectiveness of this type of marketing strategy is demonstrated by the record-breaking IPLP and NNI 2020 January in Tucson (JIT) session, previously only available to Continuing Education Certificate students, which featured the launch of our first Master of Professional Studies in Indigenous Governance and Graduate Certificate in Indigenous Governance cohort. The Native American Advancement and Tribal Engagement Initiative undertook an extensive marketing campaign to increase enrollments and demonstrate sustainability of these degree and certificate programs. In its original projections based on prior enrollment and the growth of similar programs, the Initiative had projected a combined cohort of all certificate and degree students of 25 students in year 1 (FY 19), 50 students in year 2 (FY 20), and 75 students in year 3 (FY 21). For the 2020 JIT session just conducted at the Law College, total enrollments nearly doubled our projections of 50 students in year 2 (FY 20), with 5 new MPS students, 24 University of Arizona law and graduate students, and 89 CEC students for a total of 118 JIT participants. In addition, the program admitted 2 GC students who will begin their studies in the Spring '20 semester. This cohort of JIT students includes 40 members of the Pascua Yaqui Tribe, which contracted with the Law College to pay for 40 one-credit courses at \$20,000 for 40 tribal managers and directors. An additional 11 Pascua Yaqui Tribe employees came to the University of Arizona campus to attend JIT courses. The tribe has indicated strong support and promotion of this certificate opportunity to its members and employees.

- g. **Financial** - Provide a copy of the budget for the certificate including start-up costs and the anticipated costs for the first three years. Include some indication of how this fits with the overall department budget.

See attached.

- XI. **Student Learning Outcomes and Assessment** – describe what students should know, understand, and/or be able to do after completing this certificate, and how student outcomes will be assessed. Provided a detailed curricular map linking student

outcomes to specific courses and class activities. Consider working with [Office of Instruction and Assessment](#) to create a curricular map using Taskstream.

Students who complete the certificate will gain a wide range of skills and knowledge bases, including:

- Broad knowledge of how the three branches of the federal government, the Congress, the President, and the Supreme Court affect tribes;
- Familiarity with key jurisprudential concepts and theories relevant tribal criminal law and procedure;
- Familiarity with perspectives on federal Indian law and tribal law;
- General introduction to the uniqueness of traditional and “modern” indigenous justice systems;
- Apply legal principles derived from relevant U.S. Supreme Court and Tribal Court cases;
- Gain understanding of the historical context of the relationship between American Indian tribes, federal, and state governments;
- Learn the basic approaches to criminal and civil jurisdiction governing federal, state, and tribal courts;
- Learn the history, role, and structure of tribal courts and justice systems and tribal governance institutions;
- Gain an appreciation for the role of Native culture and tradition in tribal courts and justice administration systems;
- Develop important skills necessary for working in the tribal court system or with tribes, including cultural competence;
- Broad knowledge of the distinct roles played by different actors (judges, legislatures, lawyers, legal scholars and the organized bar, reporters, litigants, voters, social activists and reformers, etc.) within the American common law system;
- Familiarity with key jurisprudential concepts and theories relevant to the common law;
- Familiarity with global and comparative perspectives in law and the development of the American common law system;
- Familiarity with the common law’s relationship to institutional and organizational structure and change;
- Familiarity with common law modes of legal rhetoric, argument, communication skills;
- Read and analyze diverse primary legal and political sources carefully and accurately, with attention to the author’s perspective, position, and credibility, and to the source’s general context;
- Read, evaluate, summarize, and engage with scholarly works by others, and be able to analyze authors’ arguments for evidence, context, strength, and credibility;
- Understand how to work with and situate one’s own work within existing scholarship and how to properly cite facts, ideas, and scholarship;

- Generate original research questions regarding the relationship of the common law and society and devise research strategies for answering research questions;
- Make clearly written and organized arguments that are well supported by primary sources;
- Find relevant primary and secondary legal sources in electronic and print media and apply them to specific fact scenarios using prescribed analysis and argument;
- Apply investigative techniques to support the development of a legal argument;
- Develop skills in legal research and legal writing.

We will assess completion of the certificate outcomes through grading assessments in our certificate courses and through successful completion of graded assignments. The above learning outcomes will be verified by the instructors teaching the courses required in the certificate. We will work with the Office of Instruction and Assessment to further develop a curricular map using Taskstream in the future.

XII. Certificate Outcomes and Assessment– identify factors that indicate that completion of the certificate enhances the undergraduate experience. Describe measures for programmatic assessment, and provide a detailed plan for assessing certificate outcomes.

Upon completing the certificate, students will be prepared to pursue careers in tribal court and justice systems, tribal governance, and other settings, and bring their experiences and acquired competencies to any profession. Certificate students will benefit from unique cross-cultural experiences, exposing them to the unique legal issues facing tribal communities and preparing them to be legal advocates within a wide range of settings. Students will be assessed on their ability to grasp and apply legal concepts through in-class discussion and reflection papers, as well as workshop activities such as simulations, briefing, and group work. Critical writing and analytical skills are developed and evaluated through graded case briefing and memo-writing assignments, legal essays, and intensive class writing assignments. Oral advocacy and inter-cultural communication skills will be developed and evaluated through oral presentations of research findings.

More broadly, students in the certificate program will form a cohort of students from under-represented communities prepared to be legal advocates, as well as non-Native students who have never viewed legal issues from such a unique cultural perspective. This diverse group of students will enhance exposure to the cultures and institutions of Arizona’s tribes among other students, faculty, and staff at the University and beyond.

Programmatic assessment will be conducted through satisfactory completion of the required certificate courses, through student surveys, and through professional development and internship and job placement services. Students who complete the certificate will be given a student exit survey to assess their experience in the certificate program, the faculty and staff, the curriculum, and how the certificate has prepared them to enter the workforce. This survey will be distributed via Qualtrics by the certificate administrative staff. In addition to a student exit survey, certificate students will be encouraged to work closely with Linus Kafka, Assistant Director, Careers and Outreach and Part-time Professor of Practice for the BA in Law Program. Professor Kafka will provide professional development programming, internship opportunities, and mentorship to students in the certificate program. Kafka's extensive experience in the legal field and higher education will be an asset to students and he will work closely with students to assess their professional needs, help them find internships and jobs, and provide support and guidance in their job search. Kafka will also stay in contact with certificate students after they graduate to better assess whether the certificate provides skills in demand in Indian country. IPLP faculty will also provide mentorship and support to students exploring careers in tribal justice systems. By connecting students to IPLP faculty member's extensive network in Indian country, certificate students will have a wide range of internship and job opportunities available to them.

XIII. Certificate Demand – *is there sufficient student demand for the certificate?*

- a. What is the anticipated student enrollment for this certificate by the third year the certificate is offered? Please provide measurable indicators of student interest in the certificate (survey results of current students or alumni) and with reference to similar programs elsewhere. Provide market analysis or other tangible evidence to support projected enrollment numbers.

We anticipate that in year 1, there will be 18 students enrolled in the Tribal Courts and Justice Administration certificate. This number is based on our cohort of 843 BA in Law students (653 on campus and 190 online), the large population of AI/AN undergraduate students at the University of Arizona, and other affiliated undergraduate and graduate students who would benefit from this certificate. By Year 2, we anticipate 26 certificate students and by year 3 we anticipate 49 certificate students.

These projected certificate enrollments are based on the following assumptions. In year 1, we assume that we will recruit 2% of the BA in Law student cohort and 2% of the undergraduate AIS cohort (all else held constant). In year 2, we assume that we will be able to recruit 3% of the BA in Law student cohort and 3% of the undergraduate AIS cohort. In year 3, we assume

that we will be able to recruit 4% of the BA in Law student cohort, 4% of the undergraduate AIS cohort, and 1% of the total AI/AN undergraduate student body. We provide more information below for the cohorts. This conservative estimate is consistent with the rapid growth of both the BA in Law and the existing certificate courses. We are confident that the exceptional curriculum and faculty, marketing campaign, and partnerships with tribes and employers will make this a top-quality certificate program.

The University's BA in Law, first in the nation, offers an accessible degree with an enrollment of 843 (not counting BA in Law students attending a UA micro-campus), including many traditionally underserved students (57% diverse students as of Spring 2020) who may not have previously considered the legal profession. Offering BA in Law students a specialization in the field of tribal courts and justice administration will expand upon the already successful educational model used in this degree program. The rapid increase in the number of BA in Law students since the program's inception speaks to the value students and employers find in this degree. From its inception in Fall 2014 the BA in Law has been rapidly growing. Here is the growth of the BA in Law:

- Fall 2014: 111 (in-person)
- Fall 2015: 284 (in-person, 155% increase)
- Fall 2016: 413 (in-person, 45% increase)
- Fall 2017: 529 (in-person, 28% increase)
33 online
- Fall 2018: 638 (in-person, 20% increase)
80 online (142% increase)
- Fall 2019: 644 (in-person, 9% increase)
128 online (60% increase)

There are currently 843 BA in Law majors (653 on campus and 190 online) who we can recruit to enroll in the certificate program. Since BA in Law majors are required to take both of the required common law certificate courses, LAW 402A and LAW 402B, they will already fulfil one of the certificate requirements. They will also be exposed to the human rights, environmental, and social justice issues facing tribal communities, making our certificate an attractive option to specialize in these areas of law and policy.

The demand for this certificate is also exhibited by the number of students currently enrolled in LAW 450A Native American Law and Policy and LAW 468 Introduction to Tribal Criminal Law and Procedure. LAW 450A has seen growing enrollment numbers since it was first offered; 19 students for Fall 2018 (main), 25 students for Fall 2018 (online), 14 students for Summer 2019 (online), and 23 students for Fall 2019 (main). Similarly, LAW 468 has seen strong demand with 9 students enrolled for Spring 2020 (main) and 28 students enrolled for Spring 2020 (online).

In addition to the large cohort of BA in Law students, there are approximately 1,390 undergraduate AI/AN students attending the University of Arizona. Our certificate addresses the lack of courses at the undergraduate level that focus on the unique legal issues within tribal communities and prepare students to work within tribal courtroom and related settings. By offering culturally relevant courses and experiential learning opportunities, we believe that the undergraduate population of AI/AN students at the University of Arizona will provide a great group of students to recruit from. Offering courses and internship opportunities that address the barriers to justice faced by many tribal communities will meet a vital community need and engage AI/AN undergraduates with a truly unique and rewarding learning experience.

There are also approximately 49 undergraduate and 40 graduate students enrolled in the American Indian Studies (AIS) program. The 4 certificate courses will be highly appealing to these students, offering courses focused on tribal governance, law and policy systems as well as reservation and tribal community based experiential learning opportunities.

The certificate courses cover the federal and state laws governing tribes, tribal court practice, tribal criminal law, and tribal family law, and provide a comprehensive overview of the unique legal challenges and opportunities facing tribal governments and communities. Our certificate will incorporate experiential learning opportunities to give students practical experience in tribal courtroom settings and prepare them for wide range of high paying careers in roles such as tribal court advocates, guardian ad litem, tribal court clerks, and more. We believe the growing need for people trained to work in tribal court room settings, coupled with the large population of undergraduate students who the course topics and careers appeal to, provide a strong foundation for our certificate to be successful.

- b. What community needs, preparation for professional certification exams, degree program recruitment, or employability enhancements will this certificate provide? Please provide evidence of feedback from potential employers regarding the value of the proposed program.

We are working closely with several tribes, tribal enterprises, and Native non-profits that have expressed interest in our undergraduate curriculum and the proposed certificate and have voiced their support of this program because it meets a fundamental need. The IPLP Program is working with the Pascua Yaqui Tribe to establish a micro-campus on the Pascua Yaqui reservation to provide educational programming at the professional development and lifelong learning, undergraduate, and graduate level. We are also working with Casino Del Sol and the Pascua Yaqui Tribe Education Department to further develop our undergraduate programming built to meet the tribe's needs. The Pascua Yaqui Tribe has indicated a strong interest in tribal courts and justice administration and indigenous governance programming at the undergraduate level. Equipping students with expertise in tribal justice systems will help tribes throughout Arizona and the country meet the pressing needs for capacity building, indigenous governance, and improving access to justice for community members.

In addition to the Pascua Yaqui Tribe, we are working closely with the Tohono O'odham Nation, Navajo Nation, Navajo Technical University, and Dine College to expand our programming in the areas of tribal courts and justice administration. The Navajo Nation has indicated interest in creating a law school on the Navajo reservation. Our BA in Law program is perfectly suited to meet the growing need on the Navajo Nation for professionals trained in tribal courts and justice administration. Because of the wide range of careers in the justice system within the Navajo court system and Indian country generally our BA in Law curriculum is perfectly suited to meet the growing and unmet need for professionals in this area.

Beyond meeting community needs and enhancing employability for certificate students, this certificate program will also better equip undergraduate students to excel in law school and graduate school. Having a strong foundation in the U.S. common law system and the complex tapestry of law and policy in Indian country will equip certificate students to excel in law school, particularly those interested in federal Indian law programs like the IPLP Program.

Please see the appendix for letters of support from potential employers.

- c. Will there be any collaboration with other departments or universities to maximize resources? If there is collaboration, please include a memo of support from the applicable parties.

We will work closely with the University of Arizona Native Nations Institute (NNI), Indigenous Governance Program (IGP), and the BA in Law Program to leverage additional resources for this certificate program. We will work with NNI and IGP to provide curriculum development and we will work with the BA in Law program to provide additional administrative, student support, and professional development services.

XIV. Contacts and Administration

- a. List the name and contact information for the primary point of contact for the certificate.

Justin Boro
Assistant Director
Indigenous Peoples Law and Policy Program
Rountree Hall
Suite 305
1145 N. Mountain Avenue
Tucson, Arizona 85721
justinboro1986@email.arizona.edu
520-626-9224

- b. List the name and contact information for the person or persons who will serve in the role of Director of Undergraduate Studies (DUS) for the certificate. (This is not always the same as the DUS for affiliated programs or head of the managing academic unit.)

Mark Blair
Assistant Director
Master of Legal Studies Program; Undergraduate Law Program
Part-time Professor of Practice
1203 N. Mountain Ave.
mlmb@email.arizona.edu
520-626-8575

XV. Required Signatures

Managing Unit Administrator: Robert A. Williams, Jr., Regents Professor, College of Law
(name and title)

Managing Administrator's Signature: Robert Williams Date: JANUARY 29, 2020

Managing Unit Administrator: Justin Boro, Assistant Director, IPLP
(name and title)

Managing Administrator's Signature: Justin Boro Date: 1/29/2020

Dean's Signature Marc Miller Date: Jan 29, 2020

Appendix: Budget

Proforma Budget
Tribal Courts and Justice Administration
Undergraduate Certificate

Fiscal Year	FY22	FY23	FY24
Annual Enrollment			
# Student Projections, per year	18	26	49
BA # of NEW, Fully Online Students	11	16	29
BA # of OnCampus Students - Residents	4	5	10
BA # of OnCampus Students - NR	4	5	10
# of Classes/Units Offered Per Year	12	12	12
Avg # OnCampus Units per Student, per year	12	12	12
*Online Tuition per Unit - BA	\$ 560.00	\$ 560.00	\$ 560.00
AISS Tax Rate - BA	35%	35%	35%
UG Avg RCM SCH Rev per Unit - R/NR	\$ 297.00	\$ 298.00	\$ 299.00
RCM Tax Rate	31%	31%	31%
Approx. Split Ownership of Classes between Law & Other Colleges	100%	100%	100%
Sources of Funds to UA			
BA Gross AISS Revenue - Fully Online Students	72,576	104,832	197,568
Less AISS Share	(25,402)	(36,691)	(69,149)
Gross RCM SCH Revenue - OnCampus Students	25,661	37,190	70,325
Less RCM Share	(8,052)	(11,670)	(22,068)
Gross RCM Major Revenue		-	-

~FY22: 10 BA students per term/year; per certificate; ~80% fully online 20% on-campus

Estimated at \$5,969 per semester base tuition; 25% SCH allocation, and avg 12 units per term
 SCER + SIA + FAS

From on-campus i-course students paying regular base tuition

If existing law majors, or non-law majors \$0 additional RCM Major rev.

Gross RCM Program Fee Revenue		-	-
Sources of Funds to Law			
Net AISS Revenue	47,174	68,141	128,419
Net RCM SCH Revenue	17,608	25,520	48,257
Net RCM Major Revenue		-	-
Net RCM Program Fee Revenue		-	-
Total Sources of Funds	64,783	93,661	176,676
Uses of Funds			
Course Development/Instruction	43,200	43,200	43,200
Instructional Design, Advising & Career Services	10,000	10,000	10,000
Management Coordination	7,500	7,500	7,500
Advertising/Marketing - new cost	2,500	2,500	1,500
Total Uses of Funds	63,200	63,200	62,200
Overall Net Proceeds (Deficit)	1,583	30,461	114,476

If existing law majors, or non-law majors \$0 additional RCM Prog. Fee rev.

Estimated at \$3K per course plus ERE, ancillary

Three-Year Cumulative
Balance/(Shortfall)

146,520

Notes:

Expenses/Uses listed above include existing College of Law expenses already incorporated into existing operational budgets, and are considered sustainable course delivery costs.

*Online tuition rate per unit subject to review/approval and consistency with pricing structure of other College of Law Masters/Graduate online programs.

Appendix: Letters of Support

Indigenous Governance PROGRAM

January 28, 2020

Robert A. Williams, Jr.
Indigenous Peoples Law & Policy Program
University of Arizona, James E. Rogers College of Law
P.O. Box 210176
Tucson, AZ 85721

Dear Prof. Williams:

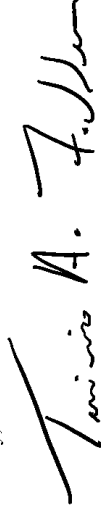
On behalf of the University of Arizona's Indigenous Governance Program, I write to offer our strong support of your proposed "Tribal Courts and Justice Administration Undergraduate Certificate."

As partners in your work on the University of Arizona Strategic Plan's *Native American Advancement and Tribal Engagement Initiative* (3.1C3), we have been given a mandated to develop a research-based curriculum that addresses the governance needs of Indigenous communities. Additional learning opportunities that provide insight into the role of tribal courts in creating effective Indigenous governance institutions are critical to our efforts.

During our recent *January in Tucson* event, we were able to attract 118 participants from tribal communities across the United States, and from Indigenous communities around the world. Such a robust demonstration of interest in Indigenous governance education only underscores the need for an undergraduate certificate like your proposal envisions.

Please know that we are happy to see your proposal move forward and will hope for a positive outcome that allows us to expand our collaboration on this important initiative. If I can provide additional information, please do not hesitate to get in touch.

Sincerely,



Dr. Torivio A. Fodder
Manager, Indigenous Governance Program
Native Nations Institute | "Strengthening Indigenous Governance"
Udall Center for Studies in Public Policy | The University of Arizona
803 E First Street | Tucson, AZ 85719

**NATIVE NATIONS
INSTITUTE**
Founded by the Udall Foundation
& the University of Arizona

Strengthening Indigenous Governance



JAMES E. ROGERS COLLEGE OF LAW
**Indigenous Peoples
Law & Policy**



January 30, 2020

To whom it may concern;

As the Director of Education for the Pascua Yaqui Tribe I am writing to endorse the efforts of the University of Arizona in establishing a Tribal Courts and Justice Administration BA in Law Undergraduate Certificate (Curricular Affairs Proposal) and the Native Nations Life-Long Learning Project (Provost's Investment Fund Proposal). The Pascua Yaqui Tribe tribal court and justice systems are integral components of the Pascua Yaqui sovereign government functions that determine and ensure the health, welfare, and safety of our community and Pascua Yaqui Tribe members and employees. The BA certificate proposal will lead to an on-line and on-campus four course (3 credits each) BA in Law Undergraduate Certificate in Tribal Courts and Justice Administration and the Native Nations On-Line Learning Project will fund production of 10 on-line Indigenous Governance Program courses, including a new course co-developed with the tribe on Yaqui/Yoeme Justice Systems and Tribal Courts.

As part of a core group here at Pascua Yaqui that has been working with the University of Arizona, I am excited that President Robbins has been encouraged to develop exactly the types of courses that will be included in these innovative and greatly-needed proposed initiatives. I am pleased to see and strongly support these types of proposals being forwarded by the University of Arizona Strategic Plan Native American Advancement and Tribal Engagement Initiative led by Regents' Professor Robert A. Williams, Jr. and his expert team at the College of Law Indigenous Peoples Law and Policy Program. This collaboration with the University will provide greater opportunities for Pascua Yaqui tribal members to attend college and pursue degrees, something the Education Division here at Pascua Yaqui strongly supports.

Thank you for your consideration.

Respectfully,

Ann Parker, Ph.D.
Director of Education, Pascua Yaqui Tribe

*Administration • Ili Uusim Mahiawapo • Yaqui Education Services • Hiaki High School
Community and Adult Education • Dr. Fernando Escalante Community Library • NACTEP*

**5100 W. Calle Tetakusim • Tucson, Arizona 85757 • Phone (520) 883-5050 • Fax (520) 883-5049
9405 S. Avenida Del Yaqui • Guadalupe, Arizona 85283 • Phone (480) 768-2082 • Fax (480) 768-2051**



Jane Hunter, Ph.D., PMP
Vice President for Strategic Initiatives
The University of Arizona
Tucson, Arizona 85721
jhunter2@email.arizona.edu

To: Curricular Affairs Executive Review Committee

Re: Tribal Courts and Justice Administration Undergraduate Certificate Proposal

Date: January 31, 2020

From: Jane Hunter, Ph.D., PMP, Vice President for Strategic Initiatives

Dear Executive Review Committee Members,

I write as University of Arizona Vice President for Strategic Initiatives in support of the UA Strategic Plan Native American and Advancement initiative (3.1C1) efforts to establish a Tribal Courts and Justice Administration Undergraduate Certificate as part of the James E. Rogers College of Law BA in Law degree program. The 3.1C1 initiative advances the goals of the UA Strategic Plan by developing and fostering comprehensive higher educational partnerships with Native Nations in Arizona and around the world by providing world class undergraduate level opportunities to Native and non-Native students interested in pursuing careers and positions in the administration of justice and self-government in Native Nations and tribal communities.

I appreciate your consideration of my letter of support.

Sincerely,

A handwritten signature in black ink that reads 'J. Hunter'.

Jane Hunter, Ph.D., PMP
Vice President for Strategic Initiatives
The University of Arizona



**PASCUA YAQUI TRIBE
EDUCATION DIVISION**

January 30, 2020

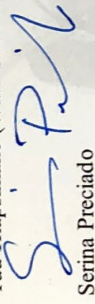
To Whom it May Concern,

Lios enchim aniavu. As the Deputy Director of Education for the Pascua Yaqui Tribe of Arizona, I am writing to share my great support and enthusiasm for the proposals being made by the University of Arizona Strategic Plan Native American Advancement and Tribal Engagement Initiative led by Professor Robert Williams in the College of Law's Indigenous Peoples Law and Policy Program. These initiatives are not only innovative but are necessary for the continued growth and development of the Pascua Yaqui Nation.

The University of Arizona's Curricular Affairs Proposal for a Tribal Courts and Justice Administration BA in Law and its subsequent online and in campus courses will provide greater access and understanding for the Pascua Yaqui workforce with regards to self-determination and greater competency in the delivery of services to our people. Additionally, the Provost's Investment Fund Proposal to assist with the Native Nations On-Line Learning Project will work to build the capacity of our young and growing work force beyond the arena of Law, instructing our employees in a myriad of areas relevant to the enrichment of our workforce, community and capacity for self-determination.

As a proud tribal member and employee of the Pascua Yaqui Tribe, I issue both my support and deep thanks for the consideration of these proposals.

Tuu Hiapsimake (With Good Heart),


Serina Preciado

Education Deputy Director

Administration ♦ Ili Uusim ♦ Yaqui Education ♦ Hiaki ♦ Community & ♦ NACTEP
Mahtawapo ♦ Services ♦ High School ♦ Adult Education ♦ Escalante Library

5100 W. Calle Tetakusim, Tucson, Arizona 85757 • Phone: 520-883-5050 • Fax: 520-883-5049
9405 S. Avenida del Yaqui, Guadalupe, Arizona 85283 • Phone: 480-768-2082 • Fax: 480-897-5499

From: [Williams, Robert A - \(lumbee\)](#)
To: [Carlson, Stephanie L - \(scarlson\)](#); [Brooks, Catherine F - \(cfbrooks\)](#); [Marquez, Martin - \(martinmarquez\)](#)
Cc: [Gilbert, Matthew Sakiestewa - \(sakiestewa\)](#); [Miller, Marc L - \(miller47\)](#); [O'Grady, Catherine G - \(catherineogrady\)](#); [Swisher, Keith - \(keithswisher\)](#)
Subject: Fw: Tribal Courts Undergraduate Certificate Proposal
Date: Monday, February 24, 2020 5:00:35 PM

Dear Stephanie

In anticipation of my appearance tomorrow before the Subcommittee, I wanted to send along AIS Director Mathew Gilbert's letter of support for the BA Law undergraduate certificate in Tribal Courts and Justice Administration.

rw

Robert A. Williams, Jr.
Regents' Professor, E. Thomas Sullivan Professor of Law and
Faculty Chair, Indigenous Peoples Law and Policy Program
The University of Arizona Rogers College of Law
Tucson, Arizona 85721
Tel.# 520-621-5622 Fax: 520-621-9140
e-mail: lumbee@email.arizona.edu

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From: Gilbert, Matthew Sakiestewa - (sakiestewa) <sakiestewa@email.arizona.edu>
Sent: Monday, February 24, 2020 2:20 PM
To: Williams, Robert A - (lumbee) <lumbee@email.arizona.edu>
Subject: Re: Tribal Courts Undergraduate Certificate Proposal

Dear Rob,

Thank you for your email. The Department of American Indian Studies (AIS) is pleased to convey its support for the proposed BA Law Undergraduate Certificate in Tribal Courts and Justice Administration. To further demonstrate its support of the certificate, the department is also pleased to cross-list the following Law courses with AIS:

Law 468/567 (3 units) Tribal Courts Practice and Procedure
Law 468/568 (3 units) Tribal Criminal Law and Procedure
Law 469/569 (3 units) Native American Family and Domestic Relations Law

Thank you for your interest and desire to include AIS as a supporting unit of the certificate.

All best,

Matt

Matthew Sakiestewa Gilbert
Professor and Head
Department of American Indian Studies
University of Arizona



NATION
JUSTICE CENTER

P. O. BOX 761
SELLS, ARIZONA 85634
(520) 383-6300
(520) 383-3193 OR (520) 383-3194
FAX: (520) 383-3500 OR (520) 383-2650

February 14, 2020

Executive Review Committee
University of Arizona
1201 E. Speedway
Tucson, AZ 85721

Dear Executive Review Committee:

The Tohono O'odham Nation Judicial Branch strongly endorses the University of Arizona's efforts in establishing a Tribal Courts and Justice Administration Undergraduate Certificate. The tribal court and justice systems are integral components that support the health, welfare, and safety of tribal communities.

The administration of justice by tribal governments includes exercising jurisdictional authority to resolve legal disputes regarding protection of civil rights, business transactions, family, and domestic relations. The Tribal Courts and Justice Administration Undergraduate Certificate will train students (community members and non-tribal members) interested in the administration of justice in tribal communities to effectively serve in tribal legal systems.

As the Chief Judge of the Tohono O'odham Nation Judicial Branch, I highly support implementing the Tribal Courts and Justice Administration Undergraduate Certificate. By implementing this certificate, University of Arizona will not only support current and prospective tribal justice professionals; it will further the rule of law in tribal communities supported by knowledgeable and skilled personnel. Ultimately, the certificate will improve the quality of life in tribal communities. Thank you for your time and consideration. Please feel free to contact me with any questions or concerns.

Respectfully,

Hon. Donald Harvey
Chief Judge
Tohono O'odham Nation

Appendix: Faculty CVs

TORIVIO A. FODDER
January 17, 2020
University of Arizona Native Nations Institute
Udall Center for Studies in Public Policy
520-425-1342
taf05@email.arizona.edu

CHRONOLOGY OF EDUCATION

SJD 2012 Indigenous Peoples Law and Policy, James E Rogers College of Law, University of Arizona.
Dissertation title: A Libertarian Framework for Indian Rights. Advisors: Robert A Williams, Jr
(Chair), Robert Hershey & Melissa Tatum. Major fields: law, economic development,
philosophy, critical race theory.

JD 2010 James E. Rogers College of Law, University of Arizona. Dean's List 2010. Advisor: Robert A
Williams, Jr. Major field: law.

AB 2005 Dartmouth College. Honors (thesis) title: Faith and Culture: The Construction of Religious
Identity among the Plains Native Americans of Oklahoma. Advisor: Clarence Hardy. Major
field: government, religion (with honors).

CHRONOLOGY OF EMPLOYMENT

Salaried, Shared, & Courtesy Appointments

2016–present Manager, Indigenous Governance Program, Native Nations Institute, Udall Center for Studies
in Public Policy, The University of Arizona

2017–present Professor of Practice (Part-Time), James E Rogers College of Law, The University of Arizona

2014–2016 Associate Director, High Plains American Indian Research Institute, The University of
Wyoming

2015–2016 Assistant Lecturer, American Indian Studies Program, The University of Wyoming

2014–2015 Post-Doctoral Fellow, American Indian Studies Program, The University of Wyoming

2014–2017 Post-Doctoral Research Fellow, Māori and Indigenous Governance Centre, The University of
Waikato

Other Contractual & Courtesy Appointments

2018–present Faculty, Indigenous Governance Program, Native Nations Institute, The University of Arizona

HONORS & AWARDS

2018 Judge, National Native American Law Students' Association, National Moot Court
Competition

2015 RSO Advisor of the Year, University of Wyoming

2014 Post-Doctoral Fellow, American Indian Studies, University of Wyoming

2013 Post-Doctoral Research Fellow, Māori and Indigenous Governance Centre, The University of
Waikato

2012 Faculty, Graduate Horizons Program, Harvard Law School

2010

Dean's List, Spring 2010, James E Rogers College of Law, University of Arizona

SERVICE & OUTREACH

Local/State Service & Outreach

2016 – 2019	Manager	Indigenous Governance Program (IGP), Native Nations Institute (NNI), Indigenous Peoples Law & Policy Program (IPLP), University of Arizona. Prepared, maintained and managed program budget; oversaw program fundraising, development, and marketing of January in Tucson event; prompted IGP programs within University of Arizona academic units; directed development of promotional assets on behalf of program; oversaw student recruitment for continuing education certificate, graduate certificate, and master of professional studies programs; directed communications outreach, online, and social media strategy for program; oversaw nine staff members from NNI and IPLP assigned to support the January in Tucson program; staff included marketing, videography, administrative support, and finance professionals; reviewed curriculum to ensure consistency with University academic standards; scheduled January in Tucson courses, secured external faculty for the event, negotiated cohort contracts, and planned special events; aided senior leadership in developing international partnerships; assisted senior leadership in strategic decision-making, including personnel, annual budgetary processes, and resource allocation.
2019	Workshop co-organizer	Meeting the Need for Higher Education in Indian Country (Held at TenWest Impact Festival)
2019	Working Group Member	Taskforce, Creating a Dine College School of Law on the Navajo Nation
2019	Participant	Meeting the Need for Higher Education & Professional Development in Indian Country: Creating a School of Indigenous Governance & Development (Udall Foundation Board Meeting Presentation)

National/International Service & Outreach

List excludes executive education, which is listed separately below.

2019	Manager	MOA Addendum and Student Exchange Agreement. Directed finalization of agreement between the Indigenous Governance Program (IGP), University of Arizona, and the Centre for Aboriginal Economic Policy Research at the Australian National University (ANU), Canberra, Australia. Agreement provides for the exchange of students between the programs for course in Indigenous governance via the January in Tucson event hosted at the University of Arizona, James E Rogers College of Law; and provides opportunities for IGP Master of Professional Studies students to attend classes at the ANU.
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2019 Peer Reviewer Infrastructure and Capacity Building Challenge Grants, National Endowment for the Humanities

Departmental Committees & Service

2019 – 2020 Advisor Academic Advisor, Master of Professional Studies and Graduate Certificate in Indigenous Governance, James E Rogers College of Law, University of Arizona

2019 – 2020 Member Admissions Committee, Master of Professional Studies in Indigenous Governance, James E Rogers College of Law, University of Arizona

2019 – 2020 Member Curriculum Committee and Administrative Committee, Planning Team, School of Indigenous Governance and Development, University of Arizona.

Courses Taught at the University of Arizona

Law 631S 1 credit hour Indigenous Peoples and the Environment (taught 2020 at the UA College of Law)

Law 643D 3 credit hours Native American Natural Resources (taught in 2018–2020 at the UA College of Law)

Law 643D 3 credit hours Native American Natural Resources Online (developed online course in 2019 and taught at the UA College of Law)

Law 699 1 credit hour Independent Study (taught in 2019 at the UA College of Law)

Courses Taught at Other Institutions

AIST 1001 3 credit hours Foundations in American Indian Studies (taught in 2014 – 2016 in the American Indian Studies program at the University of Wyoming)

AIST 3200 3 credit hours Indigenous Peoples and the Environment (taught in 2014 – 2016 in the American Indian Studies program at the University of Wyoming)

AIST 4100 3 credit hours Tribal Governments (taught in 2014 – 2016 in the American Indian Studies program at the University of Wyoming)

AIST 4200 4 credit hours Indigenous Communities Abroad (co-led the American Indian Studies program's study abroad in New Zealand in 2015 at the University of Wyoming)

DEREK H. KAUAÑO

2212 E. La Mirada Street
Tucson, AZ 85719

(808) 729-0289
dhk@email.arizona.edu

EDUCATION

University of Arizona, James E. Rogers College of Law – LLM (anticipated 2019)
Indigenous Peoples Law and Policy

University of Hawai‘i, William S. Richardson School of Law - *Juris Doctor* (2008)

Hawai‘i Pacific University, Honolulu Campus - *Bachelor of Arts* (2000)

- Political Science
- Psychology (minor)

PROFESSIONAL EXPERIENCE

James E. Rogers College of Law
Teaching Fellow

- Teach 3-4 sections of Introduction to American Common Law Systems I and II (covering Contracts, Torts, and Real Property) to Bachelor of Arts in Law and Master of Legal Studies students
- Review, grade, and provide feedback on weekly assignments and quizzes, case briefs, and course papers
- Maximized student understanding of legal rules and course materials and taught students how to improve their writing

Tucson, AZ

August 2017 – current

Office of Hawaiian Affairs
Governance Manager

- Managed OHA’s participation in Native Hawaiian self-governance activities
- Conducted research on, wrote papers for, made policy recommendations regarding Native Hawaiian self-determination and self-governance to the Board of Trustees.
- Researched relevant international law principles and practice
- Developed relationships and collaborated with various, experts, organizations, and community stakeholders to advance self-determination and self-governance initiatives.

Honolulu, HI

June 2014 – August 2017

William S. Richardson School of Law
Lecturer-in-Law

- Co-taught 3-credit federal Indian law course
- Helped students contextualize federal Indian law and relevant international law and understand how both are relevant to Native Hawaiians
- Kept abreast of indigenous legal issues and incorporated developments into curriculum

Honolulu, HI

August 2015 – May 2017

William S. Richardson School of Law
Faculty Specialist

Honolulu, HI
October 2010 – May 2014

- Better ensured compliance with state law by developing and managing Native Hawaiian law training program for decision-makers, lawmakers/policymakers
- Increased the number of Native Hawaiian attorneys by designing and executing law school recruitment program
- Managed and developed indigenous law advocates through the Hawai'i Native American Law Students Association's Moot Court team

Community Outreach Fellow

August 2008 - September 2010

- Organized and facilitated community meetings, pioneered new media outlets for community outreach including blogs, live-streaming, and podcasts
- Surveyed and presented on legal and policy issues
- Developed educational materials and community outreach programs

Research Assistant

May 2005 - May 2008

- Surveyed legal and policy issues and wrote memoranda
- Assisted in the coordination and development of symposia and conferences
- Conducted presentations on legal and policy issues

Kaiser Permanente Hawai'i
Case Management Assistant

Honolulu, HI
February 2002 - July 2004

- Improved compliance rate for newborns and adolescent physical exams by more than 100%, after analyzing issues and developing effective solutions
- Ensured long-term federal Medicaid regulatory compliance throughout region
- Provided support to, and advocated for, Kaiser Med-QUEST patients

AWARDS, CERTIFICATES, MERIT-BASED SCHOLARSHIPS

- **Employee of the Quarter** Office of Hawaiian Affairs (2015)
- **Hawai'i Employers Council** Manager Training Certificate (2015)
- **Kūpa'a Pono Nā Pou:** Office of Hawaiian Affairs Pou Kāko'o Training (2014)
- **'Imi Na'auao:** Kamehameha Schools Merit-Based Scholarship (2013)
- **Pacific-Asian Legal Studies Certificate:** Specialty in Native Hawaiian Law (2008)
- **Mālamalama Award,** Ulu Lehua Scholars (2008)
- **Second Place, Best Advocate,** National Native American Law Students Association Moot Court Competition (2008)
- **Samuel Soifer Award for Social Justice** (2006)
- **Dean's List** (Fall 1998)

PUBLICATIONS

Articles

Derek Kauanoe and Breann Swann Nu'uhiwa, *We Are Who We Thought We Were: Congress' Authority to Recognize a Native Hawaiian Polity United by Common Descendancy*, 13 Asian-Pacific Law & Policy Journal 117, (2012).

Editorials - Commentary

Law Recognizes Hawaiians as Indigenous People with Special Rights, Civil Beat, September 18, 2015.

Law of Splintered Paddle Should Apply to Hawai'i's Homeless, The Honolulu Star-Advertiser, February 6, 2014.

OHA Under Attack by Out-of-State Interests, The Honolulu Star-Advertiser, November 18, 2012.

Resolve Claims Before Selling Ceded Lands, The Honolulu Advertiser, November 14, 2008.

Too Early to Determine Akaka Bill Impact, The Honolulu Advertiser, September 4, 2007. Derek H. Kauanoe, Moani Crowell, Scott Hovey, Greg Schlats, and Anosh Yaqoob.

WORKS IN PROGRESS

Fundamental Similarities: Examining Indigenous Hawaiians' Legal History from the Hawaiian Kingdom Era to the Present and Justifying Federal Recognition.

Human Rights vs. States Rights: Prioritizing Strategies for Native Hawaiian Self-Determination and Self-Governance.

PRESENTATIONS, DISCUSSIONS

Native Hawaiian Rights and Federal Indian Law. Presentation to Law 631A - course on Federal Indian Law taught by Rebecca Tsosie. University of Arizona, James E. Rogers College of Law, Tucson, Arizona, October 4, 2018.

Comparative Case Study: Native Hawaiians and Federal Indian Law. Presentation to Law 631A - course on Federal Indian Law taught by Rebecca Tsosie. University of Arizona, James E. Rogers College of Law, Tucson, Arizona, December 5, 2017.

Native Hawaiian Recognition and Federal Indian Law: Square Pegs and Round Holes? Presentation for the Indigenous Peoples' Law & Policy Program at the University of Arizona. Tucson, Arizona, January 30, 2017

HEATHER WHITEMAN RUNS HIM

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EDUCATION

HARVARD LAW SCHOOL, J.D. 2002

Activities:

Community Based Advocacy Clinical Program - Nima, Ghana, January 2002
Vice President, National Native American Law Students Association (NNALSA), 2001-2002
Secretary, NNALSA, 2000-2001
President, Harvard Native American Law Students Association, 2000-2001
Navajo Nation Supreme Court Clinical Program, Spring 2001
Semi-finalist, 2000 NNALSA Moot Court Competition, Honolulu, Hawai'i
Harvard Peabody Museum Repatriation Advisory Board
Thesis: An Argument for Overturning Ward v. Race Horse and Upholding the Hunting Rights of the Crow Tribe on Ceded Lands

Thesis:

UNIVERSITY OF NEW MEXICO, B.A.F.A. in Studio Art and Art History, May 1999

Honors:

cum laude
High Departmental Honors, *magna cum laude*, in Art History
Dean's Advisory Board

Activities:

Kiva Club

Thesis:

Degrees of Duality: Thunderbird and Water Monster in Great Plains and Woodland Indian Iconography

INSTITUTE OF AMERICAN INDIAN ARTS, A.F.A. in Museum Studies, May 1996

Honors:

Dean's List
Miss IAlA 1995
Museum Purchase Award, Spring 1996
Museum Club
Powwow Club

Activities:

EXPERIENCE

NATIVE AMERICAN RIGHTS FUND Boulder, Colorado

Staff Attorney. Representing tribal clients on water rights and advising clients on claims relating to water, land, and other natural resource issues. Representing national intertribal consortium on issues related to international indigenous rights law and the implementation and enforcement of international legal instruments on human and collective rights of indigenous peoples. Representing tribal amici in litigation on sacred site protection, tribal treaty rights. Representing tribe in jurisdictional challenge by non-Indian utility company. Representing coalition on filing before UN Body on missing indigenous children in US Boarding School system.

1/2013 – present

CROW TRIBE OFFICE OF EXECUTIVE COUNSEL Crow Agency, Montana

Joint Lead Counsel from 7/2009 – 11/2012. Managed and supervised staff of 6 in-house attorneys and various clerical and administrative staff, as well as supervising and managing outside attorney and firm contracts; oversaw tribal prosecution and Indian Child Welfare attorneys; legal issues pertaining to intergovernmental relations, tribal land management, water rights, elections, health, law enforcement, economic development, and general litigation issues.

Deputy Executive Counsel from 11/2006 – 7/2009, working primarily on legal issues pertaining to land, water, elections, law enforcement, and general litigation; supervisory authority over tribal prosecution and Indian Child Welfare attorneys.

11/2006 – 11/2012

Heather White man Runs Him -2-

NEW MEXICO PUBLIC DEFENDERS – METRO DIVISION Albuquerque, New Mexico Assistant Public Defender representing indigent individuals facing misdemeanor criminal charges in the tenth busiest metropolitan court in the United States. Advocating on behalf of clients from initial arraignment through sentencing and post-conviction proceedings.	5/2005 – 11/2006
SONOSKY CHAMBERS SACHSE ENDRESON & MIELKE, LLP Albuquerque, New Mexico Associate Attorney at law firm serving as general counsel to three New Mexico Pueblos and special counsel to Indian tribes nationwide. Focus on gaming, employment, civil rights, and water law, as well as general litigation.	2/2004 – 5/2005
NORDHAUS HALTOM TAYLOR TARADASH & BLADH, LLP Albuquerque, New Mexico Associate Attorney at law firm representing tribal governmental clients. Duties include researching various claims by tribal clients, including civil rights, tribal trust, and tribal jurisdictional disputes; assisting senior attorneys with various real estate and commercial transactions; and drafting procedural motions filed in federal district court.	8/2002 – 2/2004

ETCETERA

Speaker at numerous CLE sessions and academic symposia. Presentations on tribal water rights, including the *Agua Caliente v. CYWD* groundwater litigation; Crow Tribe Water Rights Settlement Act; human rights and tribal water rights; Indigenous Peoples' participation in United Nations system and fora; tribal treaty rights and the *Herrera v. Wyoming* hunting rights case; attorney ethics in Indian Country, and history of federal Indian law and policy.

Criminal Jurisdiction in Indian Country, presented to Hardin High School's "Street Law" students each semester, 2008-2012.

Part-time Adjunct Faculty, University of New Mexico, Albuquerque, NM, Department of Native American Studies, Fall 2003 – present. Courses taught include "Principles of Federal Indian Law" and "Contemporary Approaches to Federal Indian Law"; courses offered at UNM Albuquerque campus as well as at branch campuses statewide via satellite.

Volunteer Coordinator, Native Vote 2004 Election Protection Project, New Mexico. Coordinated non-partisan poll monitor training and deployment on ten New Mexico reservations, and various urban precincts with significant Native American populations.

Ambassador, Americans for Indian Opportunity, Class of 2003-2004. Participated in highly selective leadership program for young Native American professionals. Shared in international indigenous exchange with Advancement of Maori Opportunity program in Washington, D.C. and Wellington, Auckland, and Hamilton, New Zealand, stressing common values of respect, relationships, reciprocity, renewal and redistribution.

PROFESSIONAL AFFILIATIONS

Admitted to Practice Before: State Bar of New Mexico (2002); District of New Mexico (2002); Crow Tribal Bar (2003); Ninth Circuit Court of Appeals; Tenth Circuit Court of Appeals; District of Columbia Court of Appeals. Member, State Bar of New Mexico (Indian Law Section); Federal Bar Association (Natural Resources and Indian Law Sections); Colorado Indian Bar Association, Native American Bar Association.

REFERENCES

Available on request.