



Emerging Issues in Tribal-State Relations, 2016 ed.: Leading Lawyers on Analyzing the Economic, Cultural, and Political Trends Affecting Tribal- State Interactions (Inside the Minds)

Thomas Nedderman, John Safarli, Pilar Thomas, Jeffrey Connolly, Ryan Smith, Emily Sullivan

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Emerging Issues in Tribal-State Relations guides the reader through proven best practices for attorneys who represent Native American groups, and the organizations, government agencies, and private entities that come into contact with these tribes. In this book, some of the nation's leading practitioners address such important issues as:

Tribal sovereign immunity and its application with respect to tribal officials, as observed in *Maxwell v. County of San Diego*, 708 F.3d 1075 (9th Cir. 2013); the authors propose that Maxwell actually undermines the stated purpose of tribal sovereign immunity, and provide practitioners with suggestions on how to proceed in light of this unique decision;

The often confusing nature of tribal water rights and the various state and federal actions and processes that make resolution of water rights debates even more challenging;

The variety of differences between tribal and state court including the extent of the judge's and lawyer's legal training (or possible lack thereof); the composition of juries; the currentness of tribal code and rules of procedure, and the general unpredictability of the courts' dockets and processes as well as best practices for navigating them;

Explaining the opportunities and obstacles to Native American tribes interested in participating in energy industry developments; and

Understanding how tribal communities can develop energy projects and the projects' impact on job creation, revenue generation, access to energy, and adapting to climate change impacts.

This edition has been updated to reflect the latest thinking in tribal-state interaction and shines a light on future trends that every practitioner must remain cognizant of.

Inside the Minds provides readers with proven business and legal intelligence from leading C-Level executives and lawyers. Each chapter offers thought leadership and expert analysis on an industry, profession, or topic, providing a future-oriented perspective and proven strategies for success. Each author has been selected based on their experience and C-Level standing within the business and legal communities.

Chapters Include:

1. Thomas B. Nedderman and John A. Safarli, Floyd Pflueger & Ringer PS "Maxwell and Tribal Sovereign Immunity in the Ninth Circuit: Restoring a True Purpose or Ignoring Reality?"
2. Pilar M. Thomas, Lewis Roca Rothgerber Christie LLP "Developing Energy Resources and Other Economic Projects on Tribal Lands"
3. Jeffrey Robert Connolly, Gunderson Palmer Nelson & Ashmore LLP "Civil and Criminal Litigation in Western South Dakota Tribal Courts: A Trial Lawyer's Perspective"
4. Ryan A. Smith and Emily Sullivan, Brownstein Hyatt Farber Schreck "A Look at Tribal Water Rights and Settlements"

Appendices include:

Appendix A: Practice Tip Flow Chart for Defending Claims For Money Damages Against Tribal Officers
Appendix B: Indian Energy Development, Regulatory and Jurisdictional Considerations
Appendix C: Letter from Chairman Bishop to Secretary Jewell and Attorney General Holder Re Indian
Water Settlements February 26, 2015

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