A Successful Launch:
The American Indian Law and Order Project by David W. Fiedler

"Want to spend the summer in Indian country helping American Indian tribes defend their rights, resources, and cultures?"

This e-mail from Steven Gunn, associate professor of law, piqued Amber Goethel’s interest in the School of Law’s American Indian Law and Order Project.

Goethel, a second-year student from Miami, Florida, recalls thinking, “When else in my life would I have the opportunity to do this?”

She became one of four students accepted for the 12-week project, launched last summer. Providing legal assistance to the Cheyenne River Sioux Tribe, the students spent most of their time at tribal government headquarters in Eagle Butte, South Dakota.

“The Cheyenne River Sioux are involved in leading litigation concerning American Indian rights and have a strong history of valuing the contributions of lawyers in protecting tribal sovereignty and self-governance,” Gunn says.

The students’ main task was streamlining and organizing the tribe’s collection of laws. The existing system offered no ordered way to navigate and research the tribal code, and the laws were occasionally conflicting, obsolete, or missing completely—resulting in a chilling effect on businesses wanting to operate on the reservation, many of which were driven away when the tribal attorney had difficulty divining which laws applied to a potential transaction or business. That was the last thing the tribe, situated in two counties ranking among the poorest in the nation, wanted.

Although at times inglorious, bringing order to this body of law was a profoundly important task. Goethel, along with Beverly Yang, Cynthia Wolken, and Kee Wen Wong, identified which statutes were current and highlighted for additional attention those that were conflicting or missing. They then created a single title-based code.

“To refine these laws and make them navigable was important not only to the tribal attorneys, but also to workers in tribal government and especially to non-Indian businesses whose willingness to locate there is in large part tied to knowing what rules apply to them.” Amber Goethel

Feedback from both the students and their clients was positive, notes Gunn, who served as a clerk and tribal attorney with the Cheyenne River Sioux in the mid-1990s.

The program, which is supported by the Kathryn M. Buder Center for American Indian Studies at Washington University’s George Warren Brown School of Social Work, will continue in summer 2005 and may expand to include other Indian reservations.

“It’s one of the fullest, richest experiences you can imagine,” concludes Goethel. “It is satisfying, challenging, hands-on work. You become very excited about the law and its significance.”

(From the left) Cynthia Wolken, Kee Wen Wong, Amber Goethel, and Beverly Yang participated in the American Indian Law and Order Project.