

# University of Kansas School of Law Wheat Law Library

## Tribal Law

Legal Research Guide  
November 2007

*Tribal Law refers primarily to that body of law dealing with the status of the Indian tribes and their special relationship to the federal government. It is concerned with the treaties, statutes, executive orders, court decisions, and administrative action defining the relationship among the United States, Indian tribes and individuals, and the states.*

## Finding Aids

**KF 8201 .A2 N3 1982 (also in Reference)** National Indian law library catalogue: an index to Indian legal materials. Native American Rights Fund, 1982. 1989 Supplement. Indexes briefs, pleadings, orders and decisions, books, law journal articles, reports and studies, legal opinions and memoranda. Loose-leaf for updating. 1982 Cumulative Edition.

**KF 8205 .A76 1998 (Reference)** American Indian law deskbook. 2<sup>nd</sup> edition. Conference of Western Attorneys General. Mazurek, Joseph P. ed. Niwot: University Press of Colorado, c1998. 2002 Supplement.

**KF 8201 .A1 D86 1990** Dupont, Jerry ed. Native Americans, a legal/historical collection. Law Library Microform Consortium. Honolulu, Hawaii : LLMC, c1990. A guide to 1,688 titles, all of which we have on microfiche.

**KF 8201 .R4 1998 (Reference)** Klein, Barry T., ed. Reference encyclopedia of the American Indian. 8th ed. West Nyack, NY : Todd Publications, c1998.

## Treatises, Monographs and Reporters

**KF 8204 .E53 1998** Johansen, Bruce Elliot, ed. The encyclopedia of Native American legal tradition. Westport, Conn.: Greenwood Press, 1998.

**KF 8205 .C6 2005** Cohen, Felix S. Felix S. Cohen's Handbook of federal Indian law. 2005 ed. Newark, NJ: LexisNexis/Matthew Bender. Probably the most important treatise on Indian law. Reprint of 1971, 1942, and 1986 editions with additions.

**KF 8210 .C5 E53 1997** Olson, James S. ed. Encyclopedia of American Indian civil rights. Westport, Conn.: Greenwood Press, 1997.

**KF 8205 .P67 2005** Robert Odawi Porter, Sovereignty, Colonialism, and the Indigenous Nations: A Reader. Durham, NC: Carolina Academic Press, 2005.

**KF 8210 .C45 H36 2003** Hager, C. Steven. Handbook on the Indian Child Welfare Act. Oklahoma City, Okla.: Oklahoma Indian Legal Services, Inc., c1997. 1 vol. with forms.

**KF 8208 .A55 (Microforms)** Decisions of the Indian Claims Commission : findings, opinions, orders and final awards of the United States Indian Claims Commission, 1948 et seq. [Washington, D.C.: The Commission, 1948-1978] Other Title: Cases decided by the Indian Claims Commission. 47 vols. Cumulative index. Indian claims against the federal government, 1946-1978. Indian claims handled by Court of Claims, 1978-date.

**KF 8205 .Z9 C36 2004** Canby, William C. American Indian law in a nutshell. 4<sup>th</sup> ed. St. Paul, Minn.: West Pub. Co. 2004. Series: Nutshell Series.

**KF 8210 .C5 P48 2002** Pevar, Stephen L. The rights of Indians and tribes : the basic ACLU guide to Indian and tribal rights. 3<sup>rd</sup> ed. Carbondale, IL: Southern Illinois University Press, c2002. Series: An American Civil Liberties Union handbook.

**KF 8210 .C45 I53 1992** Continuing Legal Education in Colorado, Inc. Indian Child Welfare Act. Denver, Colo.: Continuing Legal Education in Colorado, c1992.

**Y 4.In 2/11:S.Hrg.104-574** Amendments to the Indian Child Welfare Act : hearing before the Committee on Indian Affairs, United States Senate, One Hundred Fourth Congress, second session, on to provide constructive dialog on how to improve the Indian Child Welfare Act, June 26, 1996, Washington, DC. Washington: U.S. G.P.O., Supt. of Docs., Congressional Sales Office, 1996. Series: United States. Congress. Senate. S. hrg. ; 104-574.

**KF 8210 .C7 R43** Reeser, Ralph, ed. Manual of Indian gaming law, annotated. Fairfax, VA (3918 Prosperity Ave., Suite 302, Fairfax 22031): Falmouth Institute, [1992]-. Loose-leaf.

### **Tribal Codes and Statutes**

**KF 8228 .N3 A51 1993** Navajo Nation practice book. Window Rock, Ariz.: T & B Publishing, c1993. Rules of the Navajo Nation Supreme Court, Navajo Nation District Courts, Navajo Nation Family Courts, Navajo Peacemaker Court and Selected Administrative Rules of Procedure.

**KF 8228 .N313 1995** [prepared by] Office of Legislative Counsel, The Navajo Nation Council. Navajo Nation code. 5<sup>th</sup> ed. 6 volumes loose-leaf. Revised edition of Navajo Tribal code.

**KF 8228 .N3 A5 2005** Navajo Nation code annotated. [St. Paul, Minn. : Thompson/West, c2005. 4 volumes.

**KF 8228 .J5 A5 1987** Jicarilla Apache tribal code : 1987 compilation of the laws of the Jicarilla Apache Tribe. Orford, N.H.: Equity Pub. Corp., c1987-. 1 vol. loose-leaf.

**KF 8228 .C5 A5 1993** Cherokee Nation code annotated. 2 vols. St. Paul, Minn.: West Pub. Co., c1993. Kept up to date by pocket parts.

**KF 8228 .C65 A5 1996** Mille Lacs Band statutes annotated. 2 vols. St. Paul, Minn.: West Pub. Co., 1996-. Kept up to date by pocket supplements. Provides full text of statutes and orders governing daily life on the Mille Lacs Band Reservation, band membership and powers, civil and criminal court procedures, casinos, commercial operations and numerous other topics.

### **Microfiche**

Various Indian Tribal Codes - on the 4th floor, across from Superintendent of Documents holdings.

### **Treaties**

**KF 8202 1789 .V38** Vaughan, Alden T. gen. ed. Early American Indian documents : treaties and laws, 1607-1789. Washington: University Publications of America, c1979-. 20 volumes.

**KF 8203 1976** Kappler, Charles Joseph. Indian affairs: Laws and treaties. Washington: Govt. Print. Off., 1904-1941, 1975 printing. 5 volumes. Commonly known as the Kappler report on Indian affairs.

**KF 8201 .A1 D86 1990** Native American collection : a bibliography describing the microfiche collection assembled and marketed by the Law Library Microform Consortium. Cover title: Native Americans: a legal/historical collection. Honolulu, Hawaii: LLMC, c1990. Includes a section on treaties which are available on Microfiche. Series: LLMC bibliography series; no. 3.

### **Periodicals**

**KF 8201 .A3 N381** NARF Legal Review. Native American Rights Fund. Periodical.

**KF 8201 .A3 I52x** Indian law reporter. [Washington] American Indian Lawyer Training Program. Monthly. Annual topical index. Includes cases from all courts including Tribal Courts. 1974 - present

**KF 8228 .N3 A45 1993** Navajo law reporter. Window Rock, Ariz.: T & B Publishing, 1993-. Decisions and rules of the Navajo Nation Supreme Court, Navajo Nation District Courts, and Navajo Nation Family Courts. 1 vol. Loose-leaf.

## Subject Classification

Treaties	KF8202
Land Laws	KF8208-KF8210
Tribal Law	KF8220-KF8224
Particular Tribes	KF8228

## On-Line Sources

### Westlaw

Federal native American Law Cases (FNAM-CS); Oklahoma Tribal Court Reports (OKTRIB-CS); Interior Board of Indian Appeals (FNAM-IBIA); West Legal Directory - Native Americans (WLD-NAM).

### Lexis

Interior Board of Indian Appeals (ENVIRN;IBIA)

## Internet

**Tribal Law and Government Center** (University of Kansas)

<http://www.ku.edu/~kulaw/tribal/>

**Aboriginal Law and Legislation (includes international sources)**

<http://www.bloorstreet.com/300block/ablawleg.htm>

**Center for World Indigenous Studies**

<http://www.cwis.org/>

**Internet Law Library - Indian Nations and Tribes**

<http://www.priweb.com/internetlawlib/31.HTM>

**Native American Legal Resources** (University of Oklahoma Law Center)

Choose from tribal home pages, cultural pages, historical pages, legal resources.

<http://www.law.ou.edu/indian/>

**Native Web - Law and Legal Issues** (Gives links to legislation, projects and cases.)

<http://www.nativeweb.org/>

**Native American Rights Fund**

<http://www.narf.org/>

**Indian Law Resource Center**

<http://www.indianlaw.org/>

**Native American Law Center** (University of Tulsa)  
<http://www.law.utulsa.edu/indianlaw>

**Indian Law Clinic** (University of Colorado)  
<http://www.colorado.edu/Law/clinics/ilc/index.htm>

**Indian Law Materials**  
<http://www.law.cornell.edu/topics/indian.html>

**Index of Native American Legal Resources on the Internet**  
<http://www.hanksville.org/NAresources/indices/NAlegal.html>

**United Nations Permanent Forum on Indigenous Issues**  
<http://www.un.org/esa/socdev/unpfi/index.html>

### Organizations

**Indian Law Resource Center** <http://www.indianlaw.org>. Founded in 1978. A legal, environmental and human rights organization for Indian tribes and other indigenous people. Works to combat discrimination and injustice in the law and in public policy. Publications: *Indian rights-human rights handbook*, *Indian rights-human rights newsletter*.

**Institute for the Development of Indian Law (IDIL)** Founded in 1971. Public interest law firm that places special interest on Indian sovereignty, encouragement of Indian self-confidence and self-government, clarification of historical and legal foundations of modern Indian rights. Publications: *American Indian Journal*, *The Indians and the U.S. Constitution*.

**Native American Indian Court Clerks Association** Founded in 1980. Works to improve the efficiency and provide for the upgrading of the American Indian court system. Publications: *Courtline*.

**Native American Indian Courts Judges Association** Founded in 1968. Seeks to strengthen and enhance tribal justice systems. Publications: *NAICJA News*.

**Trial Lawyers.** <http://www.tlpj.org>. Founded in 1982. National public interest law firm specializing in precedent-setting and socially significant civil litigation requiring trial attorney skills. Publications: *Public Justice*, *TLPJ in the News*, *Trial Lawyers Doing Public Justice*.

**Tribal Court Clearing House** <http://www.tribal-institute.org>. Works as resource for tribal justice systems to enhance justice in Indian country and health, well being, and culture of Native peoples.

**National Congress of American Indians** <http://www.ncai.org>. Founded in 1944. Serves legislative interests of Indian tribes through legislation and litigation committee. Publications: *Sentinel*.

**Native American Rights Fund (NARF)** <http://www.narf.org>. Founded in 1970. Provides legal representation and technical services to individuals, tribes and organizations in matters of Indian law. Publications: *Landmark Indian Law Cases*, *NARF Legal Review*.