

## Supporting and Placing Indigenous Students

### 2024 NALP AEC Session – Boston, MA

Presented by:

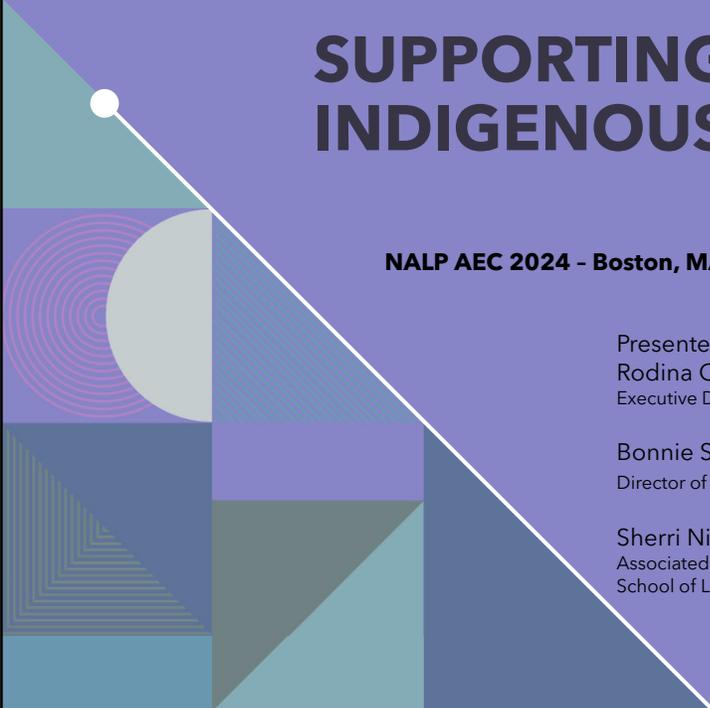
Rodina Cave Parnall - Executive Director, American Indian Law Center

Bonnie Stepleton - Director of Student and Career Services, University of New Mexico

Sherri Nicole Thomas - Associate Dean of Institutional Culture and Equity, University of New Mexico School of Law

### Institutional Checklist

Question	Yes	No	How to address/implement resolutions. Benefits/Barriers?	Sustainability Measures
Can you name the state and federally tribes recognized in your area (state/region)?			If you had to do a land acknowledgement in your office, who would you acknowledge? Do you know how their government is organized, election cycle, etc.?	
What does your hiring cycle look like?			Are your recruiting efforts supported by your hiring, onboarding, professional development, and offboarding procedures/programs?	
Do you know the legal issues of those tribal/indigenous communities?			What are the tribes trying to achieve for their respective communities?	
Do you know the attorneys representing the people and the tribes?			Is it a national firm or a local firm? In-house counsel?	
Are the questions you are asking students or job candidates open-ended?			Are the questions laced with implicit bias? "Do you intend to practice primarily in Indian Law?"	
Does the institution have any initiatives in place to provide support for a native attorney/student?			Are your initiatives/programs dependent on the presence and efforts of one or two people or two people, or is there an institutionalized infrastructure that can sustain those initiatives/programs?	
Do your mentorship and/or advising models support the students/attorneys in multiple ways?			Is there only one mentor/advisor in place? Are the programs formal or informal?	
Are your leave procedures clear?			Is there room for support for religious/familial/community obligations?	



# SUPPORTING AND PLACING INDIGENOUS STUDENTS

**NALP AEC 2024 - Boston, MA - April 17, 2024**

Presented by:  
Rodina Cave Parnall  
Executive Director, American Indian Law Center

Bonnie Stepleton  
Director of Student and Career Services, University of New Mexico

Sherri Nicole Thomas  
Associated Dean of Institutional Culture and Equity, University of New Mexico  
School of Law (Moderator)

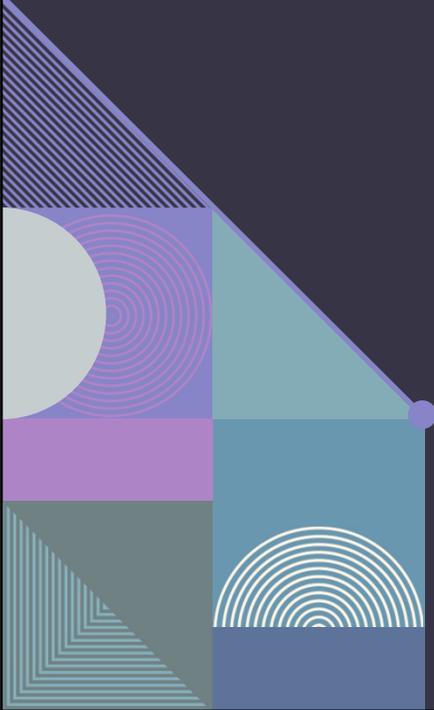
1



**At the end of this session, participants will be able to:**

- 1. Identify issues that Indigenous students and attorneys face as a group and as individuals.**
- 2. Identify the implicit biases projected upon Indigenous students and attorneys.**
- 3. Identify professional networks that will aid Indigenous students and attorneys in the development and mentoring of their legal careers.**
- 4. Implement techniques and language to aid in attracting and placing Indigenous students.**
- 5. Implement programming strategies to address Indigenous attorney concerns.**

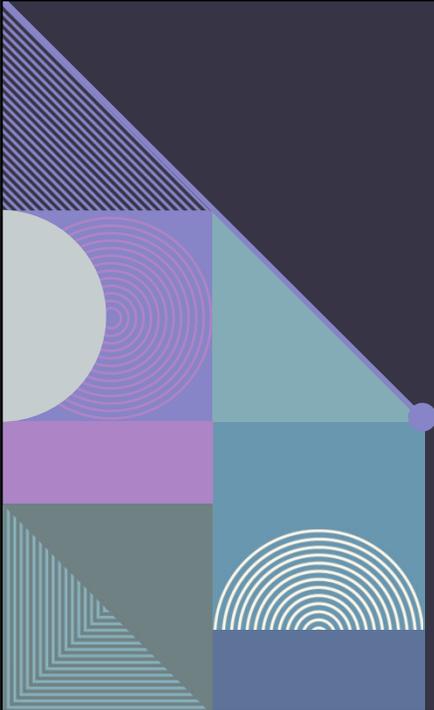
2



# WHY ARE WE HERE?



3



# THE INSTITUTIONAL DESIRE FOR DIVERSITY

Do you want these candidates enough to  
place/hire them?

4

## THE ABA TRACKS THIS RIGHT?

"Native Americans are represented in the legal profession at roughly the same proportion as their presence in the general population. Less than one-half of 1 percent of all lawyers (0.4%) are Native American - down slightly from 0.7% a decade ago - while the U.S. population is 1.3% Native American. The number of mixed-race lawyers is slowly rising."

[https://www.americanbar.org/groups/young\\_lawyers/about/initiatives/men-of-color/lawyer-demographics/](https://www.americanbar.org/groups/young_lawyers/about/initiatives/men-of-color/lawyer-demographics/)

5

5

## LOOK AT THAT STEADY RISE!

Academic Year	Number of Schools	1st Year J.D. Enrollment	2nd Year J.D. Enrollment	3rd Year J.D. Enrollment	4th Year J.D. Enrollment	Total Enrollment
1979-1989	169	171	110	100	11	392
1989-1990	175	220	147	143	17	527
1999-2000	182	342	294	312	30	978
2009-2010	200	451	410	383	29	1,273

[https://www.nativeamericanbar.org/wp-content/uploads/2014/01/2015-02-11-final-NNABA\\_report\\_pp6.pdf](https://www.nativeamericanbar.org/wp-content/uploads/2014/01/2015-02-11-final-NNABA_report_pp6.pdf), p.20

6

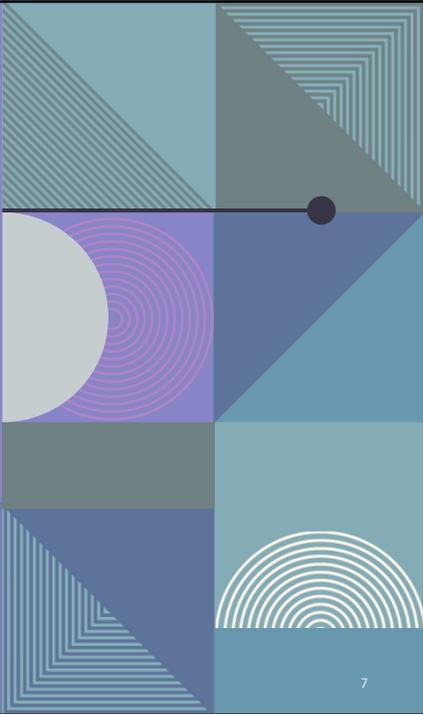
6

# IN 2020, NATIVE AMERICANS WERE OVERLOOKED...AGAIN!

"On Wednesday, June 15, 2020, a national press release announced a joint study by The Center for Women in Law and The NALP (National Association for Law Placement) Foundation titled, "Women of Color - A Study of Law Student Experiences."

The press release stated the analysis within the study was focused on "Asian/Pacific Islander, Black/African-American and Hispanic women/Latinas comprised the majority of the women of color respondent." Noticeably absent from this list are Native American/American Indian/Alaskan Native women who are on every checklist also women of color."

<https://ictnews.org/opinion/native-women-law-students-excluded-from-so-called-women-of-color-in-law-schools-study?redir=1>



7

# WHAT DO YOU KNOW ABOUT INDIAN LAW?



8



# ALASKAN AND HAWAIIAN PEOPLES

## Alaska Natives

- Treaty of Cession with Russia in 1867
- Alaska Organic Act of 1884
- Alaska Native Claims Act of 1974

## Native Hawaiians

- Kingdom Overthrown in 1893
- Inclusion in Indian legislation since 1974
- P.L. 103-150 (1993) - Apology and Reconciliation
- Rice v. Cayetano (2000)

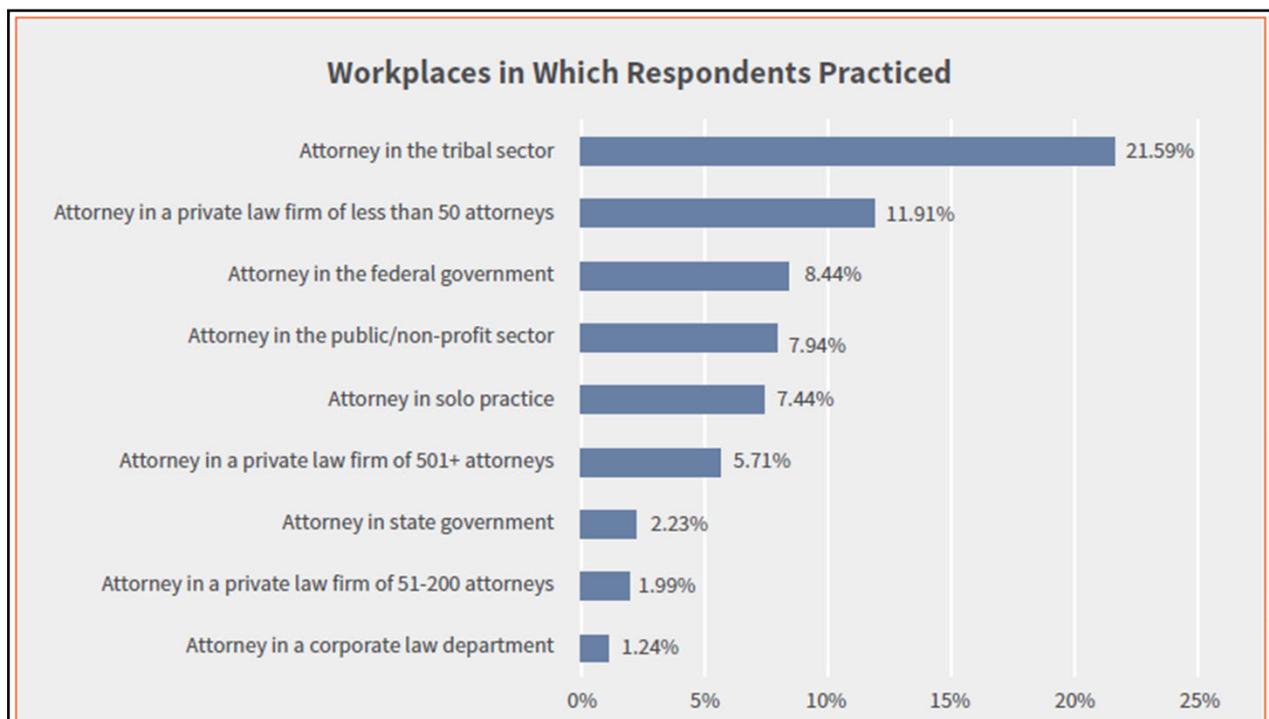
11

11

# WHY ARE WE HERE?



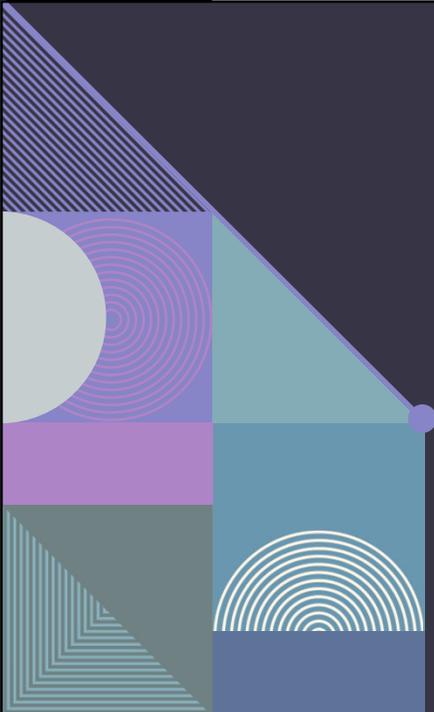
12



13

## INDIAN LAW, TRIBAL LAW, AND....

14

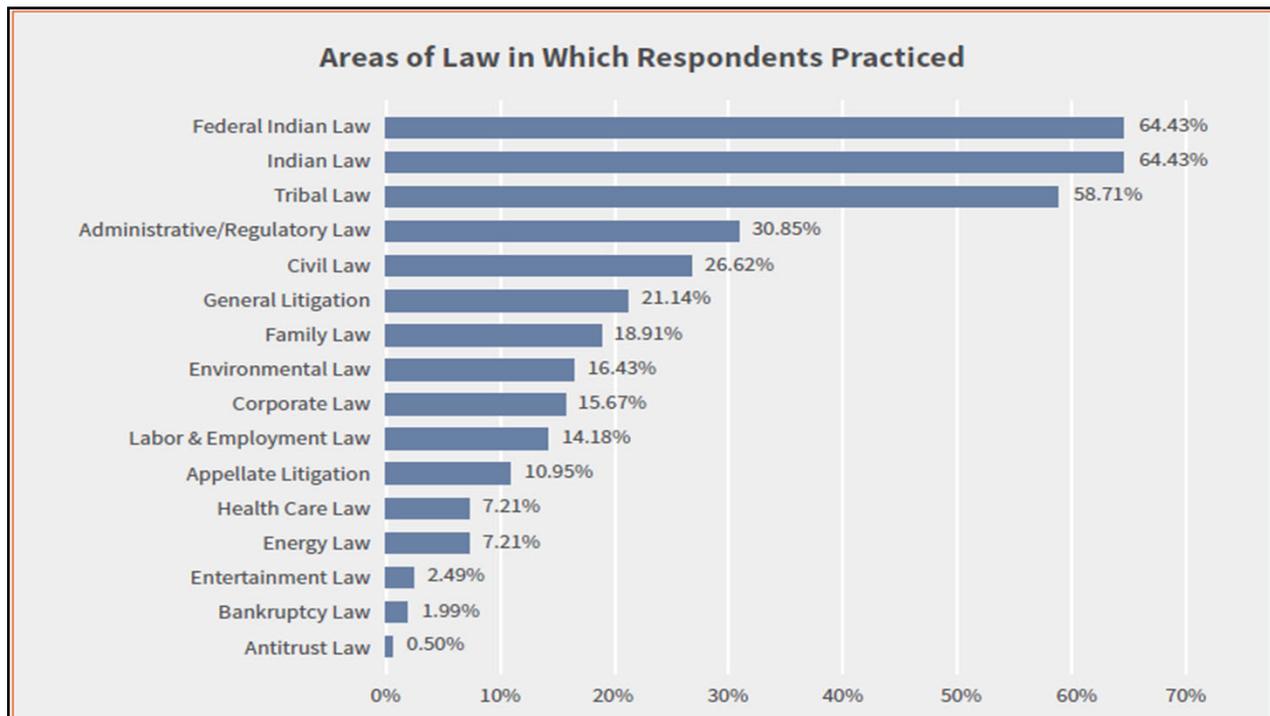


**ANY AREA OF LAW !**

Law students can and should be every kind of attorney/advocate!

15

15



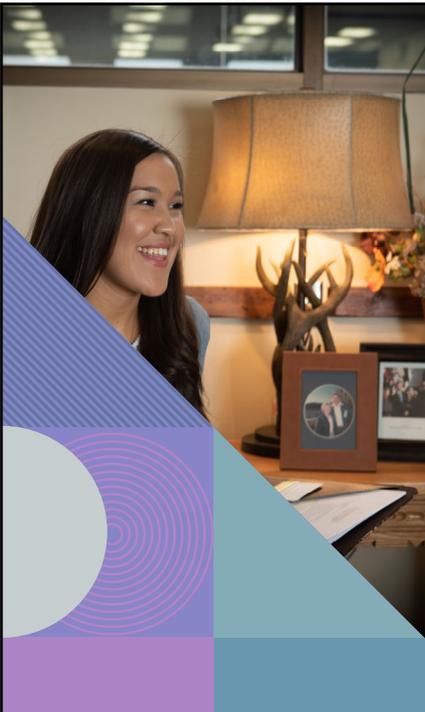
16



# ISSUES FACING INDIGENOUS STUDENTS AND ATTORNEYS

Rodina, Sherri, Bonnie

17



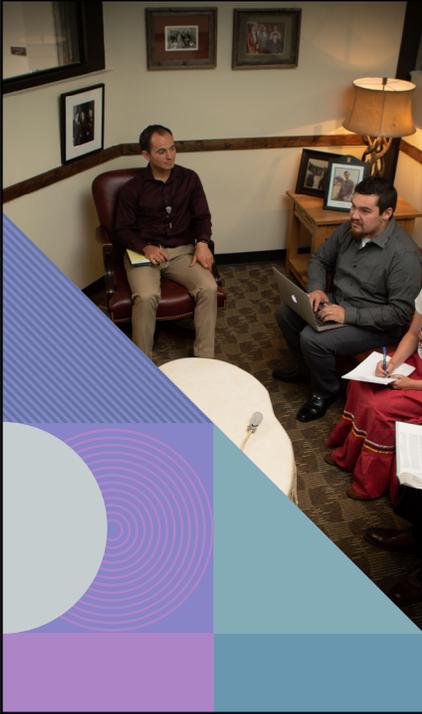
# OTHERNESS

18

## OTHERNESS AND EXPECTATIONS

- “Otherness”; Being considered the voice for the entirety of the indigenous population
- Higher expectations (professionally, culturally, from community)
- Different Expectations; Responsibilities of being “the first”, the only, or the few (expectations for growth, excellence all the time, projecting what more introverted behavior means)
- Undervalued work (mentorship, perceived as a social network etc.)

19



## ISOLATION AND THE MYTH OF SAFE SPACES

20



## ISOLATION

- "The Voice" for a population
- "Going Home" is different
- Picking battles
- Balancing inclusion
- Perceived identities
- Tokenism

21



## THE MYTH OF "SAFE SPACES"

- Institutions and communities can only create "safer spaces," and these can only be built around an established track record of activity and trust.

22



## RECOGNIZING OPPORTUNITIES

23

## EXPERIENCES DICTATE PERCEPTION

Expanding horizons without infantilizing

Example:

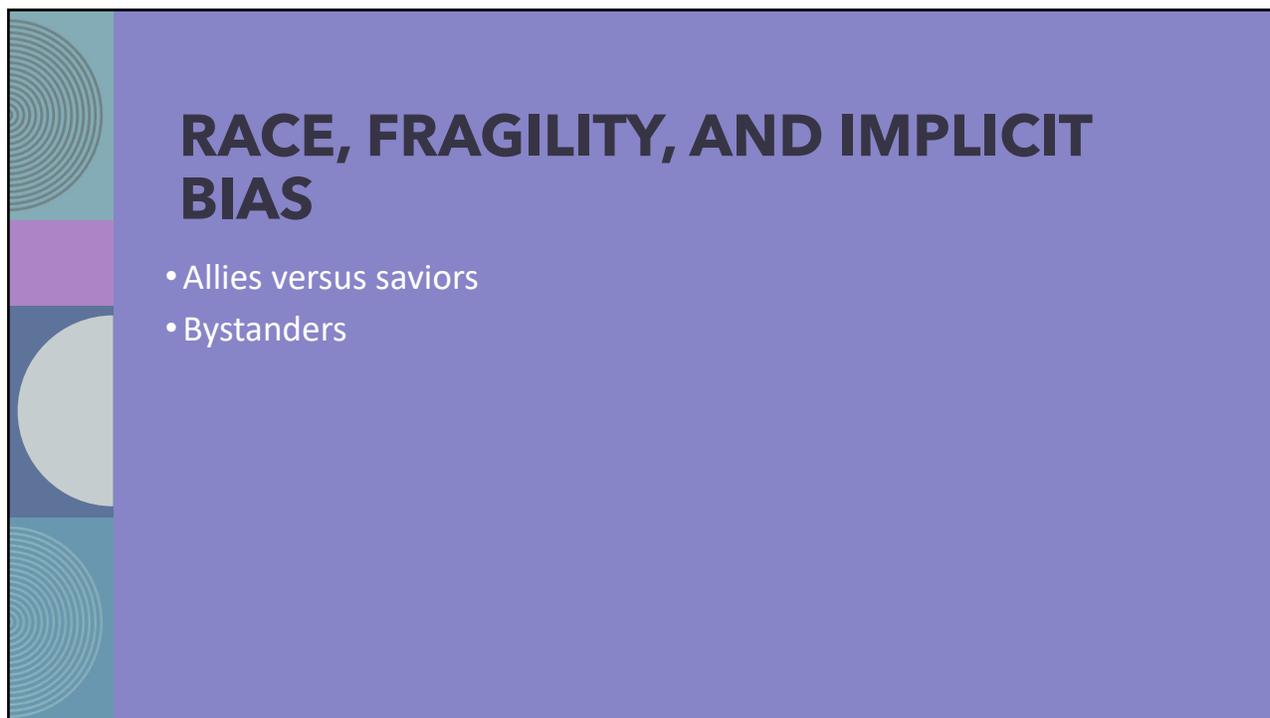
- Getting a job after graduation versus seeking a judicial clerkship

24

24



25



26

# IDENTIFYING PROFESSIONAL NETWORKS



27

# LOOKING LOCALLY/REGIONALLY

- Mentorship within and outside of the organization
- Tribal Bar Associations
- State Bar Associations and Subcommittees
- Local attorneys and judges that are indigenous or BIPOC
- Local Conference/Meeting Attendance
- Local Opportunities to Present
- Law Schools

28



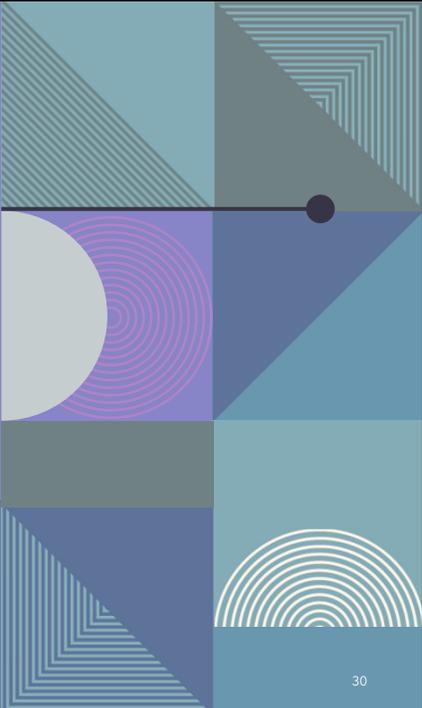
# LOOKING NATIONALLY

- Federal Indian Bar Association
- National Native American Bar Association
- Tribal In-House Counsel Association - There is a place for firms!
- National Conference/Meeting Attendance
- National Opportunities to Present
- Sign up for the Turtle Talk blog

29

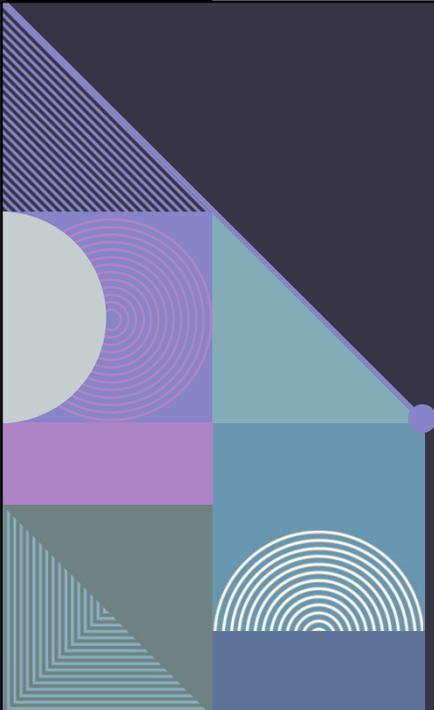
# BREAKOUT BRAINSTORMING SESSION!

**Based on this presentation, discuss potential programs/activities that you could implement that would improve the life of indigenous students/attorneys in your institutions.**



30

30

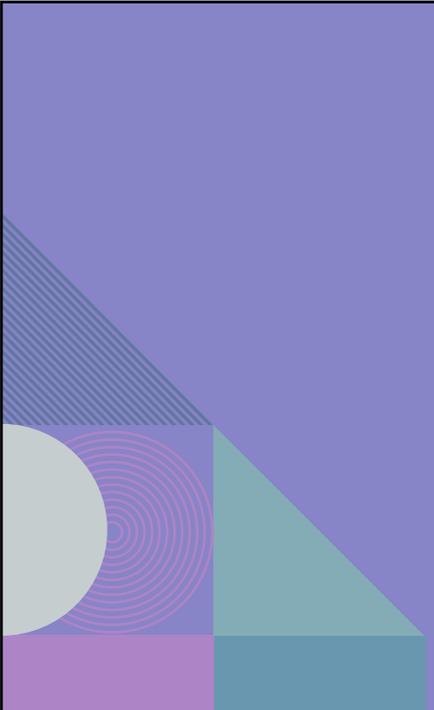


# REPORTING BACK!

**What can law schools do?**  
**What can firms do?**  
**Anything to add that is not in these categories?**

31

31



# PROGRAMMING STRATEGIES

32

## ADDRESSING THE ISSUES

- 
 Change the structure of conversations regarding diversity and inclusion
- 
 Expand the definition of what the institution values
- 
 Evaluate the differences between policy and practice

- Representation in discussion of diversity outside of race and black/white issues.
- Bringing in experts/attorneys that are indigenous to present on topics both Indian law and non-Indian law related.
- Recruitment, hiring, onboarding, support during interview process/employment, exit interview, post-academic/employment relationship

33

33

## COMMUNICATION AND RESPECT

- Evaluate who you are talking to and understand their goals.
- Honesty can hurt and help a relationship.
- Respect for cultural and community obligations.

34



## ADDRESSING THE ISSUES

- Creating teams versus designating individuals.
- Employ Machiavellian tactics!
- Motivational Interviewing
- Create more seats at the table for Tribes.

35

## QUESTIONS TO HELP YOU EVALUATE YOUR PROGRAMS/ACTIVITIES

Can you name the tribes both state and federally recognized in your area?

If you had to do a land acknowledgement in your office, who would you acknowledge?

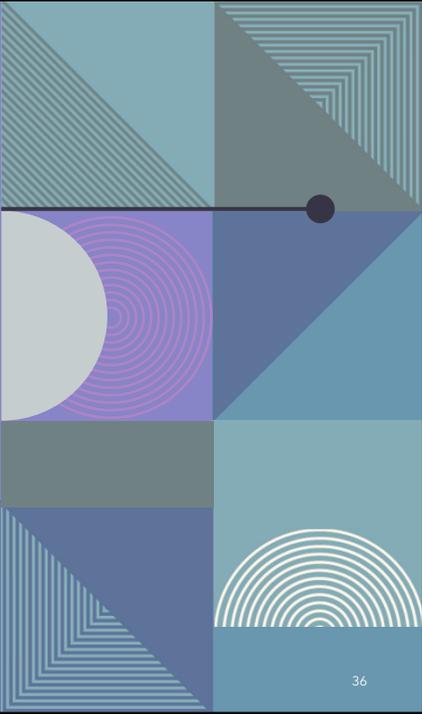
What are the legal issues of those tribal/indigenous communities? What are they trying to do for their respective communities?

Who are the attorneys representing the people and the tribes? Is it a national firm or a local firm? Do they have in-house counsel?

Are the questions you are asking your students for placement purposes open ended or are they laced with implicit bias?

For All: What could the institution do to help you feel supported as a native attorney/student?

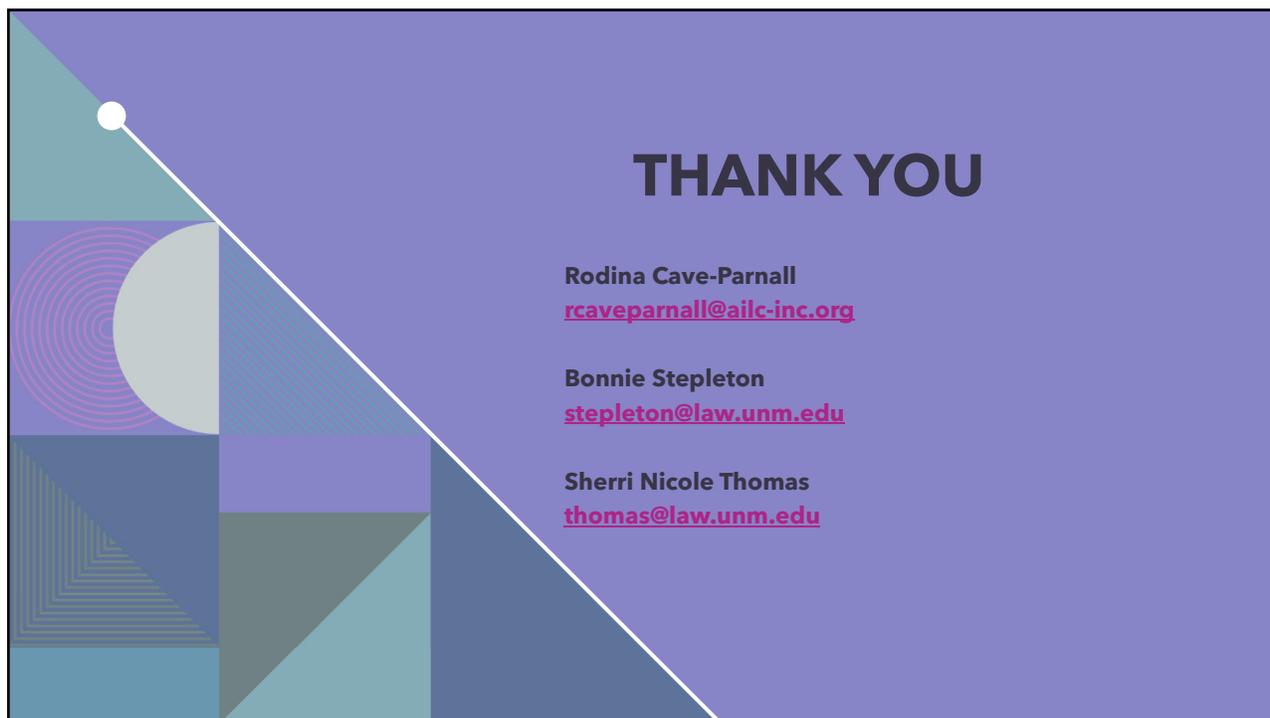
For Students: Do you intend to practice primarily in Indian Law?



36



37



38