

Tribes host law students

By Brian Mortensen
Spilyay Tymoo

A group of five law students, studying Indian law, visited Warm Springs recently. They heard talks from Anita Jackson, chief judge of the Tribal Court, and Cynthia Starke, an attorney at Karnopp Petersen, the firm that has represented the tribes for 50 years.

Jackson gave the students an overview of the tribal government and court system. She also recounted work as surveillance supervisor for the tribes' gaming commission. This work included 16-20-hour days monitoring how money is counted, overseeing who has authority to open up the gaming machines, and "protecting the fairness of the games."

The law students gathered at the Museum at Warm Springs for discussion, and the tribes also hosted a dinner for them at Kah-Nee-Ta. The students are part of eight-week summer program at Lewis and Clark Law School in Portland.

Starke has worked for Karnopp Petersen for four and a half years. She said representing the tribes includes working in several areas of the law, including family law, contract law, drafting tribal code provisions, environmental issues and treaty protection issues.

"There's a pretty broad spectrum," she said. "You get to do a lot of different things."

Starke explained that because her firm represents the tribes, she does not appear in tribal court at Warm Springs. "We represent the tribal court, so it would create a conflict situation if we were to do that," she said. "Whenever anybody sues the tribe in tribal court, which occasionally happens, it's usually handled by an attorney chosen by the insurance company, and we work with them. A lot of

times we have to educate them on legal issues they may need to be aware of, but we don't go into tribal court."

Starke said she doesn't spend much time working on gaming, as two other attorneys at the firm are working on the casino project. She said gaming involves dealing with land use issues, political work, "getting through the whole regulatory process to get land placed in trust," public relations work, and financing through bonds.

"Those are huge complex transactions," she said. "They're the same kinds of transactions you would see in any large business enterprise."

Starke said Oregon state court does not impose upon the Warm Springs Reservation, through Public Law 280.

History plays a part in how the current situation operates.

"The Warm Springs Reservation is an area of land that is difficult to raise crops on for agricultural purposes," Jackson told the students. "When the tribes were first put on reservation, the goal was to civilize them, which was to make them into farmers, and this land just wasn't very good for those purposes."

"Umatilla and Yakama have great farmland, so areas were allotted." Because of the Dawes Act, surplus land on those reservations became open to sale to non-Indians, Jackson said. That is why there is a checkerboard of private land in their reservations," she said. "For us, (Warm Springs' land) is full of rocks and the water is too far down to pipe it up very easily, so we were able to keep most of it," she said.

In addition, the tribal government bought back reservation land non-tribal members once had.

Starke said she worked on

the rather unique case where a fuel tanker truck wrecked and spilled thousands of gallons of gasoline into Beaver Creek in 1999.

Along with the Environmental Protection Agency, the National Marine Fisheries, and the Confederated Tribes sued the oil company. The EPA sued on Clean Water Act violations, and the tribes sued for tribal water quality violations.

"The EPA sued in federal court, and we were suing for penalties under the tribes' water quality regulations under tribal law," Starke said. "Normally, that claim would go in tribal court, but because the EPA had already sued in federal court, we worked with EPA in advance to try and work this out. What we did was join their lawsuit as claimants in order to bring our bring our tribal law claim into federal court."

Starke said she could not find any other cases where this occurred.

Starke happens to be a member of the Cherokee Nation but did not grow up in a tribal community. "I'm one degree separated from it," she said. "So I really have to pay attention (when working with the tribes and tribal members.) I just try to listen, and you learn as you go."

Jackson earned her legal degree from Arizona State University in 1993. She worked for the Karnopp Petersen firm for six months, and has been a manager of public safety for the Confederated Tribes, as well as a juvenile judge. This week she started work as the new chief judge of the Tribal Court.

Some of the students in the Lewis and Clark program who visited Warm Springs attend Lewis and Clark, but others go to school in Ohio and Texas.

Casino: local government in favor

(Continued from page 1)

"Overall, based on information currently known and based on the agreements contained in the compact (including resolu-

tion of the Hood River issue), I believe that the tribes' Cascade Locks proposal is in the best interests of the entire Columbia River Gorge, as well as the local community, and not detrimental to the environment of the Gorge," the governor said.

He also said issues such as local infrastructure, traffic,

housing and other social impacts have been examined by the city of Cascade Locks, which is supportive of the tribes' proposal.

"The support of the local governments was critical to my decision to negotiate and execute a compact to allow gaming in Cascade Locks," the governor said.

Judges: Council used candidate rating system

(Continued from page 1)

At that point there were various options: Council could allow the situation to continue, they

could try again to convene the committee, appoint new members to the committee, or Council could go ahead and appoint new judges. Lack of action would leave the Tribal Court with only two judges indefinitely.

In the end the Council decided to exercise its authority as

the final decision-maker, and made the appointments based upon the Constitution and Tribal Code, said Calica. The decision was based on a candidate rating system that was applied to each of the tribal members candidates who applied for the positions.

Athletes: fund-raising was successful

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Moody said being cooped up in a flying tube for more than half of a day was a good bonding experience for her and her new friends. It was also a great chance to catch up on the latest cinematic releases.

Moody and Begay each had

to raise \$3,900, along with an additional \$800 for spending money, to participate in the Down Under Games. "We sold little tickets. We did powwows. My dad helped me do that," she said. "We had a raffle for a golf bag. We had a movie night."

At a blanket dance during the Lincoln's Pow Wow in February, participants offered money by placing it on a blanket. There was also a benefit golf scramble organized by Butch David,

school liaison at Jefferson County Middle School and a Simnasho resident.

Moody starts college in Eugene September 23. Among her classes will be a weight training class, as required of all track and field athletes. Practice in her throwing events begins winter term, at least two days a week, followed by the spring season.

Moody said she's excited to start college, but plans to come back home when she can.

Sap-Si-Kwat: means teaching, learning

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"And each one paired up with a Japanese student, so that Indian kids were teaching them how to make a dream catcher."

It was interesting and a chal-

lenge, she said, because "they didn't speak English, and we didn't speak Japanese."

A group of tribal drummers came to the camp and sang for the Japanese students, and the students, in turn, invited their hosts to come to a Japanese dinner at the Agency Longhouse, where they were shown origami

and watched Japanese dances.

The name of the camp is in the Ichiski language. "Camp Sap-Si-Kwat, it means to teach, and also to learn," Herkshan said. "I might be teaching you something, but as I'm teaching you something I'm also learning something from you, so it goes both ways."

Youth: media work can be fun, challenging

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Caldera and Polk's contributions have made it an exciting experience for the KWSO staff. "We try to give the youth workers a hands-on experience," said KWSO's Will "The Willman" Robbins.

KWSO is not the only source of information for the community. The Spilyay Tymoo has been around for 29 years.

Since about the early 1990s, the Spilyay has been hiring youth workers who are interested in journalism and helping get the paper out. Deece Suppah was one of the first youth workers at the Spilyay. She worked as a writer and photographer. Romelle Speakthunder worked in the darkroom, developing film and taught other youth workers how to use the darkroom.

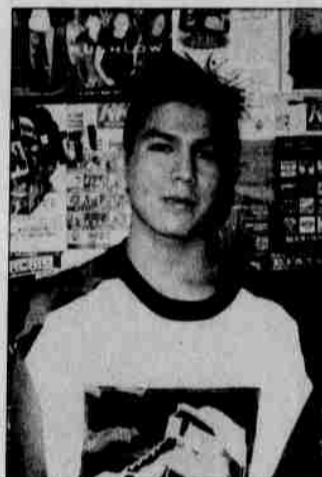
Bernie Jackson was another student who worked for the Spilyay. Jackson used to write for her high school paper when she decided to write articles for the Spilyay.

Jerry Bruno had an interest in the paper and worked there one summer. After that



Ashley Aguilar photos

KWSO summer youth workers Sally Polk-Adams and Brandon Caldera are enjoying their work at the station.



sparked my interest in journalism was working at Madras High School paper, the White Buffalo.

Working at the Spilyay is the best job I've ever had. I love the job and the people are easy to get along with.

Throughout the years Selena Boise, management successor at the Spilyay, has seen many kinds of youth workers, from the ones who go out and get the stories to others who don't find it so interesting.

"Sometimes it seems like they're just passing time," she said. "And then sometimes we get our hopes up about someone, but then they go in another direction with their lives, which is fine."

he went forward with his education and decided to pursue a career in journalism.

This summer I'm writing articles and doing some photography for the paper. I've worked in the Summer Youth Program for three summers. What

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