

NAPOLS Serves As Tribal Attorney

The Native American Program, Oregon Legal Services (NAPOLS) is funded by the Legal Services Corporation in Washington, D.C., to serve the recognized and terminated tribes of Oregon. At present, we are assisting the Confederated Tribes of Grand Ronde, the Confederated Tribes of Umatilla, the Burns Paiute Tribe and the Klamath Tribe on a variety of matters, ranging from a reservation plan to the Indian Child Welfare Act. In the past, we have also worked with the Cow Creek Band of Umpquas, the Coos, Lower Umpqua and Siuslaw, the Coquille, the Siletz, and other tribes on a wide range of legal matters.

At present, we have only two lawyers to meet these legal needs - Gary Forrester and Sande Schmidt. Our office manager is Stephanie Richards, and our restoration coordinator is Elizabeth Furse. We expect to hire a third attorney and a part-time secretary in early 1985.

Because of our small staff and large clientele, our Indian Advisory Board has placed limitations on the kind of work we do. In a nutshell, this amounts to not representing individual Indians unless the case is likely to have a major impact on Indians throughout Oregon or the nation.

Our current retainer agreement with the Confederated Tribes of Grand Ronde pertains to the Tribe's governmental functions and its reservation plan. Under this agreement, we have assisted the Tribe with restoration; various contracts; archeological concerns; the Tribe's tax status; the tribal constitution; workshops on Indian law; drafts of tribal ordinances; and the Tribe's seat on the Commission on Indian Services. We have also successfully defended the Tribe in state and federal lawsuits which challenged the Tribe's governmental immunity, and we have participated as legal advisers at many tribal council and general council meetings. Our estimated time commitment to the Confederated Tribes of Grand Ronde has been 10 to 12 hours per week, although the work has usually required a much larger commitment than that.

NAPOLS receives no tribal funding for these services. The Bureau of Indian Affairs has approved a tribal-attorney contract between NAPOLS and the Tribe under which we could better serve the Tribe in the future. The contract is expected to be underway in 1985, and one possibility is for the Tribe and NAPOLS to jointly hire an attorney who could be stationed at Grand Ronde for part of each week. The exact details of this arrangement will be worked out between NAPOLS and the Tribe in the coming months as the contract materializes.