

Overview

StepToe & Johnson's Tribal and Federal Indian Law Team provides counsel to tribal nations, businesses, and individuals regarding a range of activities and issues arising in Indian Country. Our team has experience assisting clients with tribal sovereignty recognition and assertion, tribal governance and infrastructure, tribal code development, tribal government ordinance and resolution drafting, economic development, contract negotiations, gaming development and regulation, dispute resolution, administrative and regulatory representation, litigation, property rights, cultural resources protection laws, and intergovernmental relations.

Our lawyers work closely with tribal leaders, government representatives, tribal and non-tribal businesses, and individuals to help them navigate federal and tribal laws applicable in tribal jurisdictions. StepToe & Johnson provides legal support for the development and operation of hotel, casino, retail, infrastructure, and energy projects on tribal lands. The Team has extensive experience in dispute resolution forums and negotiations to resolve disputes prior to litigation. However, when a situation calls for litigation, the Team has experience acting as zealous advocates for the rights of clients in tribal, federal, and state litigation forums across the country.

The Tribal and Federal Indian Law Team also often works with the firm's multi-disciplinary lawyers across the country to leverage their capabilities in the areas of litigation, finance, tax, labor and employment, real estate, energy, public utility, regulatory, environmental, and land administration in their respective jurisdictions.

Representative Experience

- Drafted tribal codes and ordinances for various tribal governments on topics ranging from election procedures to hunting and fishing activities in tribal jurisdictions
- Drafted tribal resolutions for use and discussion at tribal legislative sessions
- Drafted tribal agency policies and procedures

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- Negotiated contracts between tribal governmental entities and vendors for gaming services
 - Conducted evidentiary hearings before tribal administrative bodies
 - Conducted evidentiary hearings before federal administrative bodies on matters relating to the probate of property held in trust by the federal government for individual tribal citizens
 - Represented clients in negotiations and applications for rights-of-way and easements across land held in trust by the federal government for tribal nations or individual tribal citizens
 - Enforced tribal criminal codes through tribal court proceedings as a tribal prosecutor
 - Represented individual tribal citizens in negotiations with a tribal government regarding the lease of tribal trust lands for a gaming facility
 - Represented various tribal nations in litigation proceedings across multiple tribal and federal forums
 - Represented a tribal nation in litigation going through its tort claim procedures
 - Advised clients on topics of tribal sovereignty, jurisdiction, and regulatory authority for projects involving energy, gaming, banking, and finance activities in Indian Country
 - Advised clients regarding available gaming in various jurisdictions based on federal and state laws
 - Represented tribal entities in spacing unit vacation and establishment, flaring exemption, exception location, pooling and other proceedings before the North Dakota Industrial Commission, Colorado Oil and Gas Conservation Commission, Wyoming Oil and Gas Conservation Commission, Utah Board of Oil, Gas and Mining, and Montana Board of Oil and Gas, including contested, multi-party proceedings
 - Advised clients on surface and mineral ownership related to tribal lands in a variety of oil and gas basins

Highlights

- Experience analyzing tribal sovereignty and jurisdictional matters for a range of activities in tribal jurisdictions
- Team members frequently advise clients concerning different aspects of business transactions in Indian Country
- A team member has served as assistant attorney general/assistant general counsel for several tribal nations in Oklahoma
- Experience litigating in tribal, federal, state, administrative, and dispute resolution forums

- The team includes a tribal citizen from the Citizen Potawatomi Nation
- A team member serves as an Associate Justice on a tribal nation's Supreme Court
- Team members collaborate with firm lawyers that practice in environmental, regulatory, securities, energy, tax, finance, real estate, and land administration matters in multiple jurisdictions across the country



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