Topics in Indian Law

Spring 2018, Room 350

Tuesday, 1:00 PM

Course #6936, 2 Credits

Professor Tanner Amdur-Clark

Room 343

Email: [Namdurclark@law.ufl.edu](mailto:Namdurclark@law.ufl.edu)

Office Hours: Wednesdays, 1:00 – 4:00 PM, and by appointment

Welcome to Topics in Indian Law. In this seminar, students will explore certain topics in Federal Indian Law more deeply than time and circumstances allowed in the introductory Federal Indian Law course. Indian Law is a vast, complicated, and fascinating network of federal case law, statutes, treaties, and regulations that define the legal relationships that exist between Federally Recognized Indian Tribes (and their citizens) and the other branches of the American federalist system. Throughout the semester, we will be focusing on topics that are of particular interest to the students and the instructor, including (but not limited to), the Indian Gaming Regulatory Act, the Indian Child Welfare Act, Tribal contracting and compacting under the Indian Self Determination and Educational Assistance Act, Tribal Law, and the unique circumstances of Alaska Natives and Native Hawaiians.

At the conclusion of the course, it is intended that students will understand more thoroughly how general Indian Law concepts are applied – and modified – in practice, through in-depth reading and discussion of these topics.

**Reading and Texts:**

There is no required text for this seminar. Readings will be posted on the class website or assigned in class, and will depend on the topics chosen by the class during the first week. However, frequent reference will be made to the text from the introductory Federal Indian Law class: Getches et al., Cases and Materials on Federal Indian Law, 7th ed. 2017, which is available in the library. In addition, readings will be assigned from Newton et al., Cohen’s Handbook of Federal Indian Law, 2012 ed. (Cohen’s), which is on reserve in the library and also available on Lexis, as well as various publically-available sources as noted herein. I also suggest Matthew L.M. Fletcher, Federal Indian Law, (2016) from West’s Hornbook Series, as well as William C. Canby, American Indian Law in a Nutshell, 6th ed. 2015. Readings will, in general, consist of case law and articles available on Westlaw or Lexis.

In accordance with ABA Standard 310, students should expect to spend approximately two hours, on average, of out-of-class reading and preparation for each of the two in-class hours each week. This schedule is subject to change, based on the pace of class and student interest.

**Grading and Final Exam:** Grades in this course shall be based on a final paper on a topic chosen by the student in consultation with the instructor. This paper shall be due at the completion of the exam period, and will satisfy the Levin College of Law Advanced Writing Requirement.

Grade distribution shall be in accordance with Levin College of Law’s posted mean and mandatory grade distribution policy, with the following letter grade and point equivalence table.

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| --- | --- |
| **Letter Grade** | **Point Equivalent** |
| A (Excellent) | 4.0 |
| A- | 3.67 |
| B+ | 3.33 |
| B | 3.0 |
| B- | 2.67 |
| C+ | 2.33 |
| C (Satisfactory) | 2.0 |
| C- | 1.67 |
| D+ | 1.33 |
| D (Poor) | 1.0 |
| D- | 0.67 |
| E (Failure) | 0.0 |

**Attendance:** Students are expected to attend class and participate in in-class discussions. If you will not be in class for a particular day, please let me know by email. Similarly, if you are not going to be prepared for a particular class’ discussion (because of not having done the reading, for example), please also let me know before class.

**Accommodations:** Students requesting accommodation for disabilities must first register with the Dean of Students Office (http://www.dso.ufl.edu/drc/). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the Office of Student Affairs when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the exam. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

**Academic Misconduct**: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at http://www.dso.ufl.edu/students.php.

**Use of Laptops:** Using personal electronic devices (laptops, electronic tablets, cell phones or any other similar gizmos) in the classroom setting can hinder instruction and learning, not only for the student using the device but also for other students in the class. However, laptops will be helpful for accessing readings in electronic format – and will be allowed – but limited *strictly* to class-related uses.