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Indian Legal Clinic

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The Indian Legal Clinic (ILC) provides law students with an opportunity to participate in real cases dealing with native peoples and Indian issues. ILC serves both Indian country and the nation's urban Indian populations by providing high-quality legal services, with attention to the special legal and cultural needs of native peoples. The ILC works with tribal courts handling criminal prosecutions and defense actions, undertakes tribal legal development projects, such as drafting tribal code provisions and court rules for Indian tribes, represents individuals in civil actions, and works on federal policy issues affecting native people, such as federal recognition.

Highlights include:

- Amicus briefs to the U.S. Supreme Court and a federal court of appeals
- 2008 ASU President's Medal for Social Embeddedness Award for the Native Vote – Election Protection Project
- Testimony on the Federal Acknowledgment Process for the Senate Committee on Indian Affairs and traveling to Washington, D.C., to observe the hearing
- Comments on proposed federal acknowledgment regulation and the proposed process rule on behalf of tribes
- Indian Child Welfare Act proceedings for Indian children, parents, and tribes



Native Vote

Native Americans were not allowed to vote in Arizona until 1948, when the Arizona Supreme Court overturned a long standing ban on Indian voting. The Native Vote Election Protection Project was designed to provide a resource to Arizona's tribal communities and tribal members in order to ensure access to the polls and to prevent voter disenfranchisement. [Learn more about Native Vote.](#)

Federal Recognition

The U.S. Government officially recognizes Native American tribes. Under Federal Indian Law, these communities are afforded certain legal, regulatory and financial rights and privileges to which non-recognized tribes do not have legal rights. In the past, federal recognition of a Tribe was granted in one of three ways: 1) through the Federal Acknowledgment Process ("FAP" or "recognition process") established in 1978, 2) through legislative (Congressional) authority, or 3) through court action. Historically, the recognition process has been controversial, slow and inconsistent.

In 2005 and 2009, [Professor Patty Ferguson-Bohnee](#), Director of the Indian Legal Clinic (ILC), testified at oversight hearings, before the U.S. Senate Committee on Indian Affairs, on the Federal Acknowledgment Process (FAP). The testimony stressed that the FAP suffered from lack of transparency, inconsistent standards, a lack of resources and untimely response. Indeed, it sometimes took decades for a tribe to receive a response from the Office of Federal Acknowledgment. In addition, the extensive economic resources needed to hire legal and historical experts to meet the standards being used to review the applications were often outside the reach of tribes.

In 2012, the ILC determined that to get a better understanding of the challenges and impact the FAP had on tribes, it was necessary to undertake a study. To that end, the ILC developed and conducted the most recent comprehensive survey of unrecognized tribes to-date. The survey asked for information on membership, state and federal recognition status and challenges faced in obtaining recognition, and financial resources and needs. The survey was sent to 350 tribes across the nation.

In 2014, The ILC hosted a (first of its kind) two-day conference focusing solely on non-recognized tribes. With 160 speakers and attendees present, the conference brought together tribal leadership and members, consultants who have assisted unrecognized tribes in establishing and exercising rights, and other interested people to discuss challenges faced by unrecognized tribes. Attendees also participated in sessions that focused on identifying obstacles and proposing solutions to the then-current recognition framework. To learn more about the conference, view a list of speakers and to access the materials provided, [click here to visit the conference page.](#)

At the same time, the U.S. Department of the Interior announced its proposal for new regulations in an effort to improve the federal recognition process. On July 1, 2015, new regulations were issued by the [Department \(25 CFR 83.21-22\)](#). [To learn more about the Office of Federal Acknowledgment, including a list of currently pending petitions and decisions, click here.](#)

[School to Prison Pipeline Conference](#)

[American Bar Association \(ABA\) website](#)

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