



National Native American Bar Association

RESOLUTION # 2011-4

TITLE:

WHEREAS, we as directors of the National Native American Bar Association (“NNABA”) NNABA work to promote issues important to the Native American community and to improve professional opportunities for Native American lawyers, we do hereby establish and submit the following resolution; and

WHEREAS, NNABA was founded in 1973 and serves as the national association for Native American attorneys, judges, law professors and law students, and NNABA strives to be a leader on social, cultural, political and legal issues affecting American Indians, Alaska Natives, and Native Hawaiians; and

WHEREAS, several states have passed or are in the process of passing laws, whether via initiative or legislation, which outlaws the consideration of Islamic or Sharia law in state courts; and

WHEREAS, such state laws generally forbid state courts to consider international law or the law of any foreign nation, or to honor the laws or decisions of other states in which courts consider international law or the law of any foreign nation; and

WHEREAS, general references in such state laws to “international law” or “the law of any foreign nation” could be construed by courts to forbid consideration of the laws of federally-recognized tribal governments, and thereby greatly disturb federal Indian and tribal law and jurisprudence as applied in federal, state and tribal courts and tribunals; and

WHEREAS, preventing a state court from considering the laws of other states which consider international law or the law of any foreign nation could operate to greatly disturb legal notions of full faith and credit and comity amongst and between state, federal and tribal courts and tribunals.

NOW THEREFORE BE IT RESOLVED, NNABA hereby denounces any state law or effort to outlaw the consideration of Islamic or Sharia law, international law or the law of any foreign nation, or to forbid a state court from honoring the laws or decisions of other states in which courts consider international law or the law of any foreign nation.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NNABA until it is withdrawn or modified by subsequent resolution.

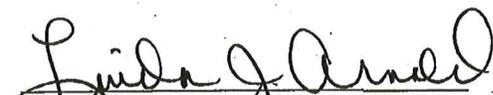
CERTIFICATION

The foregoing resolution was adopted by the Board of Directors at Regular Meeting of the Executive Board of the National Native American Bar Association, on June 3, 2011, with a quorum present.



Patty Ferguson-Bohnee, President

ATTEST:



Linda J. Arnold, Recording Secretary