

Native Women's Law School Experiences: Reflections, Truth-telling, and Calls for Change
Tuesday, November 10, 2020
11:00 AM CDT
Webinar hosted by Faegre Drinker Biddle & Reath LLP

Reflections on Law School as a Dakota Woman
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When I was eight years old, I first wanted to become a lawyer. At that age, I watched my Auntie and her husband, a Black man, on television emerge from a courtroom in Kansas where he had won a civil judgment against the county sheriff's department for police assault. I grew up in a multi-racial family and understood from a young age that racism was a reality that required constant vigilance to combat. I grew up in households below the poverty line, at times living with my mother and other times living with my father. I saw law as a way to overcome injustices. Through my father's recommendations on books to read, I grew up absorbing our tribal history, the many broken promises of the U.S. government, and the injustices we faced as Dakota people.

My educational path was full of detours and false starts as I bounced between my parents who had divorced when I was six years old. My high school transcript was full of inconsistency and instability. Yet, I loved to learn and did my best to earn the highest grade in all my courses. I spent a post-graduate year at a preparatory high school to prove myself and gain entrance into Stanford University, as the admissions office had recommended my attendance. From my time of moving between my parents, I became adaptable and found my way in new environments. The grades I earned led to acceptance at Stanford which uplifted my life path to new and different experiences.

Throughout my educational journey, I maintained a steady focus on attending law school to enter the legal profession as I believed in justice through the law. When I spoke to my elders on our reservation in South Dakota, they encouraged me and told me to keep on the path. One of my grandpas would give me a hug and a handshake with a ten dollar or twenty dollar bill every time I visited during school breaks. My family was part of a group of families supporting ceremony. During college, I participated in ceremony for four summers and it taught me self-discipline, community, and trust in the Creator.

Yet, when I graduated with my undergraduate degree in political science, I was unsure on whether law school was the right way forward. As an undergraduate, I experienced homesickness which is often familiar to Native students traveling far from their tribal communities for an education. I enjoyed being immersed in my culture, my family, my community. I worked for several years on my reservation and a sister reservation in North Dakota before the calling to law returned stronger than ever. I decided that if I was going to law school, then it would be as close as possible to my reservation.

With this in mind, I applied to and was accepted at the University of North Dakota which at the time had a derogatory mascot targeting my people. It was about two and a half hours from my reservation and that was what mattered the most to me. I had received a very high score on the entrance exam, the Law School Aptitude Test (LSAT), and had a strong grade point average from Stanford. But I was not awarded a diversity scholarship by the law school. I did receive the federal Indian fellowship scholarship for the first two years of law school, but did not realize until too late at the beginning of my third year that the U.S. Congress had failed to appropriate further funding. Financial stress was a factor for me during law school. I was unable to pay tuition in the middle of my third year,

but fortunately received assistance from a donor to the American Indian College Fund to complete the year and graduate.

In my first year of law school, I was the only Native student. There were no Black or Asian-American students in the entering class. I struggled with the lack of diversity in class discussions and the invisibility of racial issues, treaty rights, and the impact of wealth and poverty in the law. As a law student, I was leading demonstrations and small teach-ins on why the University mascot was dehumanizing towards my people and our sister Tribes. I felt isolated among my White peers in law school and spent time at Native undergraduate organization meetings, gatherings, and events to feel connected. At one point, I collaborated to establish a pre-law organization for Native students and gave LSAT exam tips.

My experience in law school was lonely. When I was scheduled for my first oral argument, I invited several Native undergraduate students to be in the audience in the law school's courtroom. Several times, I asked Native friends to sit in the back row with me in upper year law classes. I dropped the federal Indian law course as I felt the professor was disrespectful to tribal perspectives on sovereignty and replaced the course with Native studies courses at the undergraduate level to feel grounded. While I was involved with our Native American Law Student Association (NALSAs) chapter, White law students dominated the organization led by the White law professor advisor.

In the middle of my first year of law school, I filed a grievance based on what I considered racial discrimination at a law school event. In resolution to the grievance, I requested and received appointment as a student representative on the law school's faculty diversity committee. The issues I focused on were the lack of diversity at the law school and the racist mascot of the University. To the faculty's credit, they did vote to retire the University mascot as the law faculty. The mascot would be retired almost 20 years later. I believe my grades were impacted by my advocacy to change the law school while I was a student. My class standing was never entirely clear to me, but I know that I graduated within the top 7 of the class. As I recall, I was the only non-White person in my graduating class.

During my summers in law school, I had the elite experience of working in a well-known D.C. law firm specializing in federal Indian law and tribal law. It was during my first summer in D.C. that I met Native women lawyers for the first time. I spent every summer at the same law firm where I felt a sense of belonging. Being one of the Native law students in D.C. for the summer was exciting as there were law events at firms, federal government departments, museums, and organization offices centered on Native issues and policy. To this day, I recommend law students spend at least one summer in D.C. to gain perspective on lawmaking and policy development at the heart of the federal government.

When I reflect on my law school experience, I remember drawing on my hope to make a difference for my people and all Indigenous peoples. There were times when I would leave a classroom angry with the professor's teaching and my classmates' comments about people of color. Between classes I would try to explain to other law students the concept of cultural appropriation, or why the mascot was dehumanizing, or provide insight into tribal perspectives on legal issues. Once I was called into a professor's office so she could discredit the historical account behind the 1830 Indian Removal Act by suggesting I read a certain law review article. I remember another law professor showing me the front page of the local newspaper with students wearing mock headdresses and face paint. She then said that when she saw the newspaper that she thought of me and how upset I would be. I didn't think at the time to tell her that the better response would be for her to use her position of power and call out the racial mockery, rather than leave it on my shoulders as a Native law student.

There were also positive experiences when I engaged in writing law review articles and had two published as I graduated. In encouraging other Natives to consider law school at a joint recruitment event by the University of North Dakota and the University of South Dakota, I was selected to be featured in a video by the representative from the Law School Admissions Council. I felt proud to be a

role model and honored to have my journey commemorated. My love for the rule of law and strong desire to straighten out the tangle of Indian law led me on through the difficult times. I received my J.D. degree with distinction.

After practicing law for five years, I found myself divorced with a newborn son and the need to find a stable path in the law for our little family. I had been a regular attendee at the annual Federal Bar Association (FBA) Indian Law conference and had enjoyed conversations with Professor Bill Rice on changing the trajectory of Indian law and policy. He had encouraged me to consider attaining a master's of law degree at the University of Tulsa College of Law where he taught. At a crossroads, I reached out and was accepted into the program. When my son was seventeen days old, I packed us up and drove from South Dakota to Oklahoma for a new start.

In the LLM program, I thoroughly enjoyed the courses and was introduced to international Indigenous legal principles. I wrote a paper that was then published as a law review article discussing issues impacting my reservation. I also explored topics in international family law, environmental protection and domestic violence law. One of the best features of the Indian law program was the Muscogee (Creek) Legal Aid Clinic. I was able to step in as a lawyer with prior litigation experience and handle a variety of cases in tribal court. I also worked part-time with two local law firms after passing the Oklahoma bar exam and gained more depth in litigation.

In terms of community, the NALSA was active and lively with several members who were parents of young children. We attended stomp dances, traded babysitting for each other's evening classes, and took a community bus to the annual FBA Indian law conference. Because of our common interest in Indian law, we saw each other often inside and outside of classes. Many of my lifelong friends were made during my time in Oklahoma.

The faculty in the Indian law program coached me through the process of becoming a law professor. They listened to my mock "job talk" and provided feedback. I had never dreamed of becoming a law professor and they helped me to see that I could live that dream. I attained my L.L.M. with honors and started the application process. I was provided support and encouragement. It was difficult leaving my young son with a family friend for the interviews at law schools around the country. I was relieved and thrilled when the hard work paid off and I was offered a tenure-track position in the Dakota homelands at Hamline University School of Law in the Twin Cities.

In my two law school experiences as a student, I can reflect on both the academic aspects and the sense of belonging that was so important to me. I am thankful for the first experience where I learned the intricate details and processes of the law with the ability to go home to my reservation on weekends. From the second experience, I gained a new path as a law professor on the inside of the law school experience. Other meaningful experiences include establishing the Native American Law Emphasis program at the University of Idaho College of Law and serving as the first Indigenous dean of a law school in Canada.

In a full circle, I am a law professor and co-director of the Native American Law and Sovereignty Institute at the Mitchell Hamline School of Law in the Twin Cities. There are very few Natives, and fewer Native women, who attain the rank of tenured law professor in the two hundred plus law schools in the United States. There are under twenty Native law programs in those law schools. Through my example and advocacy, I hope to ensure that the doors of law schools stay open to Native women and men students and that there are resources of community, financial assistance, and cultural understanding for these same students to succeed. The rule of law is well-known in tribal communities and a law degree can make a positive difference in seeking justice.

Reflection Paper
by Leah R. Sixkiller
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Red Lake Band of Chippewa Indians

I attended the University of Arizona College of Law (UA) and received my J.D. and Certificate of Indigenous Peoples Law and Policy therefrom in 2010. As a college student at Harvard University (A.B. 2007), I decided that I wanted to attend law school specifically to learn federal Indian law because that was when I first learned how law and policy impact tribal nations and individual citizens. Based on my own personal knowledge and the advice of mentors and professors, the UA undoubtedly had the best program for Indian law in the country. I considered only three other top tier law schools, but each of them failed to woo me to attend due to their lacking Indian law programs and inability to provide enough financial assistance. The UA did an incredible job of recruiting me and my then-boyfriend/now-husband from our respective Ivy League colleges: personal contact from world-renowned Indian law professors and full-tuition scholarships included. Because of the UA's robust Indigenous Peoples Law and Policy Program (IPLP) and ability to recruit American Indian and other indigenous students, there is a relatively large and strong community of American Indian students and support therefore.

For the first time in my entire life, I was not part of the unheard ultra-minority in an institutional setting, but rather of the outstanding and celebrated minority. The IPLP provided a solid platform for American Indian students' visibility, and I will always remember when the UA Dean referred to the IPLP as "the crown jewel at the College of Law." Many UA students took IPLP courses, regardless of their intent to practice law in Indian Country. This fact alone had the profound impact of ensuring that all UA students knew of and understood the importance of Indian law and issues affecting Indian tribal nations. I met J.D., L.L.M., and S.J.D. IPLP students from all over the country and around the world, most of whom were indigenous to their respective countries of origin. Our Native American Law Students Association (NALSA) chapter was large (mostly including American Indian members), active, and thriving. I served as both Secretary and President of NALSA, during which time my leadership earned me the title of National Native American Law Students Association (NNALSA) 2L of the Year and earned our chapter the title of NNALSA Chapter of the Year. I found my calling as a leader during this experience, and I achieved notoriety within the law school, locally in Arizona, and nationally. A national bar magazine featured me in an issue, a local news station conducted a short segment on me (interviewing and following me for a day), I was asked to narrate a documentary that the University was producing regarding tribal nation governance, I received achievement awards from the UA, and my classmates voted to have me as our commencement speaker.

I know that my law school experience is exceptional and perhaps unbelievable to some. I imagine that most law schools do not provide adequate support and celebration of American Indian women law students, let alone foster and encourage the level of achievement and prosperity that I experienced. All law schools should actively recruit American Indian students and ensure that incoming 1L classes include at least as many American Indian students as is comparable to the percentage thereof in the general population. On the application, each law school should require applicants who indicate that their race/ethnicity is "American Indian" to provide their tribal citizenship information. All law schools should similarly actively recruit and retain at least one American Indian professor. Finally, each law school should have the goal to ensure that every student feels acceptance, validation, understanding, and celebration. I have never understood why professors do not require a quarterly/semesterly check-in with each student, even for five minutes just to meet each other. For

some students, it may not be in their nature or even understanding that they bear the burden of reaching out to an untouchable and unreachable professor.

Although my law school experience was generally quite positive, I certainly had negative experiences as well. Like many law students, my first year felt horrific. Despite my rigorous academic background, I did not expect the grueling challenge and emotional rollercoaster of the first year of law school. I could not yet take my desired IPLP classes because all 1L students must take the same basic classes, I could not actively participate in NALSA or other extracurricular activities because there was no time to do so, and I was away from my family in a very foreign desert. Honestly, after the first semester I wanted to quit. I am a generally gritty and resilient person, so this part of my story often surprises people who know me. But I stuck it out, and I am so glad that I did because I ended up thriving and leaving a big piece of my heart in the Southwest when I graduated and returned home. A few unfortunate life events also upset my otherwise apparently charmed situation. All within a short timeframe, my cousin, my grandmother, and my auntie (who helped to raise us and was like another mother to me) died. I felt so guilty in these moments because I was enjoying school and thriving far from home while my family was suffering. It was important for me to return home for the funerals, and the only way I could afford to do so was that I had the privilege to work as a summer associate at elite law firms during the summers. One of my non-Indian professors commented to me in a very compassionate manner that it appeared to him that the only students that experience such disproportionate loss are his American Indian students. In my experience, I agree.

Prior to attending the UA, I had no idea that such a supportive and visible American Indian community existed in an educational institution. I had attended private school my entire life up until that point, due to the fact that my parents sacrificed everything for my and my siblings' education to ensure that we had access to worlds that most of our family could never imagine. Though my private school and college had only a few American Indian students, I do think that they provided early opportunities to learn about and engage with individuals who might serve as examples for me. The first time I met an American Indian woman attorney was as a college student at Harvard University. She was on a guest panel of women who had been flown in from across the country. But my most striking memory of meeting someone like me who later became a mentor and role model was when I met an American Indian woman who was a student at Harvard Law School. She came across as remarkably brave and well-spoken, asking pointed and seemingly controversial questions at an American Indian studies faculty presentation. For the first time, I thought, "I want to be her when I grow up!" I had never met or even seen someone like me in that type of setting, and with such power and grace to top it off. I often think of her extraordinary demeanor when I need a reminder of my own strength, aptitude, and ability.

Because of my private school upbringing and elite private college experience, I had always been the only tribal citizen in my class. To all of a sudden be a part of a sizable and vibrant American Indian educational community at UA both floored me and added to my self-confidence and sense of self-worth, thus propelling me to work toward excellence and seek the most competitive opportunities. During my first law school summer I worked at the law firm at which I now work, which was and is the largest firm in Minnesota. I recall showing my parents my private office on one of the top floors of the tallest buildings in downtown Minneapolis, and my dad pointed out that from my window we could see the housing project in which he grew up in North Minneapolis. My second law school summer I worked at a mid-size law firm in Minnesota because its only American Indian attorney, who was a woman, recruited me. I had gained another mentor and role model. At the end of law school, I chose to return to my first and current firm for many reasons, including its national Indian law practice and reputation. I know that

to have had a choice is a sort of privilege, but I also know that my hard work and resilience are the driving reasons behind such opportunities.

I am now an attorney practicing law in Indian Country at Faegre Drinker Biddle & Reath LLP in my hometown of Minneapolis, Minnesota, where I live with my husband and our three young children. Everything I did and do in my life is only to make my family proud. I am standing on their and my ancestors' shoulders, and I have a duty to do and be the best. One of my simultaneously proudest, saddest, and most poignant moments was when I recently learned at my uncle's funeral that he always talked about me to everyone on our reservation because he was so proud of me. Behave like your family and ancestors are watching you, and you cannot misstep.

First Year Reflections of Law School
by Kari James
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Someone once told me to escape the Navajo Reservation. Get an education, they said. *You will struggle all your life if you stay here.* I grew up in a secluded rural community of Navajo Mountain in Southern Utah. My mother was a single mother raising three children on a teacher's salary. We lived in poor quality, overcrowded housing. I shared a bed with her for most of my life. We did not have much, but we had running water and adequate plumbing. In a community overrun by poverty, we were rich.

For years, I struggled to identify with my Native American identity in the outside world. I struggled to see the beauty in it. When people would ask what it was like, I would remember the times we had run out of food and had to drive two hours to the nearest grocery store hungry. We would return home late at night because we were too afraid to pass the drunk drivers on the road. I would remember watching my neighbor drag his daughter out of the house by her hair and beat her on the street. I remember the kids I grew up with dropping out of high school. Some went on to financially support their parents and others went missing. I know more people that have gone to prison than have gone on to get a higher education. There are people I have known since kindergarten committing suicide because it is all too much. My experiences of social injustice while living on the reservation is the reason why I am in law school. I knew at a young age that I would leave the reservation, get an education, and return to help my people.

My path to law school was full of barriers. I wanted to go to law school, but I convinced myself I did not belong there. I struggled academically as an undergraduate. My grades fluctuated as I struggled to financially support myself and my brother. The thought of attending law school seemed like an unattainable goal. I often spoke to my family and elders on the reservation about my goals. They encouraged my goals and persuaded me to follow my dreams. After years of contemplating it, I finally gathered the courage to apply. I worked two jobs to pay for the LSAT and law school applications. My first major blow was the LSAT. I did terribly on my first and second try. I was ready to give up, but my family's encouragement pushed me on. I started applying to law schools with a low GPA and a low LSAT score. The odds were impossible. I applied to ten different law schools. With every denial, I applied to another until I got a conditional admission to the University of Idaho. The offer was contingent on participating and successfully completing the Pre-Law Summer Institute (PLSI).

PLSI is sponsored by the American Indian Law Center, Inc in Albuquerque, New Mexico. It is an eight-week program of intensive study designed to prepare Native American Law students for law school. My PLSI experience was honestly harder than actual law school. My cohort and I had to complete midterm and final exams, write a legal memorandum and an appellate brief. Additionally, we had to deliver an oral argument before a three-judge panel. The connections I made through this program proved invaluable. PLSI allowed me to meet recruiters from various law schools. I met a fellow Native American Dean of the University of Utah, Elizabeth Kronk-Warner. Within fifteen minutes, she convinced me to apply to the University of Utah. She was making big changes at the University of Utah and I wanted to be part of it. Based on my outstanding performance at PLSI, I was admitted into the University of Utah. It was a top 50 school. I was in astonishment; I could not believe it. After all my hard work and tribulations, I was finally going to law school.

My first day of law school will always live in my memory. I was still dressed in my ceremonial clothes from a recent Blessingway ceremony. As I walked up the steps of the law school, I checked my phone to find messages of support from my people back home. I could not stop smiling. I climbed up those steps remembering the people I grew up with. My stomach growled in unison with those suffering in poverty. I carried my neighbor's daughter up those steps. I remembered my friends that never had

the opportunity to pursue a higher education. I heard my grandmother's spirit cheering me on with every step. I could not believe how lucky and fortunate I was.

When I got inside, I learned that I was the only Native American student at the University of Utah, S.J. Quinney College of Law. I was crushed. The feeling of loneliness settled in immediately. Later, I learned that the college of law was a predominantly white male institution. The administration has been actively working on increasing the diversity of the student body, but we were a small margin. There was not a Native American Law Students Association (NALSA) at the University of Utah. There had been a NALSA chapter at S.J. Quinney in the past and it quickly died because of its lack of support. Many national minority organizations had failed in the past. The Minority Law Caucus (MLC) was the answer to this ongoing problem. Instead of having various minority organizations, the student body created an umbrella organization to present all minority students. I found a community of friends in the MLC. I connected with their mission of creating a supportive and inclusive for minority students to promote diversity. I became a 1L representative during my first year and continue to serve on the MLC board. It was not enough for me.

I struggled with the lack of conversation of Indian Law at the law school. I felt like an outsider among my peers in law school. I had become the walking mascot of Native American Rights during each class. I often asked my professors how certain aspects of the law applied to Indian Law. Each time, I was turned down because the faculty had little to no knowledge of Indian Law. Most students did not even know Indian Law as a thing. I spent my time talking to Dean Kronk-Warner and the Native faculty about my feelings. I wanted more discussion of Indian Law implications in the classroom. I wanted students to be aware of the legal issues affecting Native American communities throughout the nation. I stayed connected with other Native American law students that I met through PLSI. Their perspectives and support helped me through my first year of law school. They often advised me to start a chapter of the National Native American Law Student Association (NNALSA).

Starting a NALSA chapter was initially disapproved by the Administration. The College of Law voiced concern about the lack of a Native American student body to ensure the continuance of the organization. It was Dean Kronk-Warner and the Native American faculty that finally pushed me to begin the process of starting a NALSA chapter. They understood my feelings of isolation and need to advocate for Indigenous students at S.J. Quinney. In February of 2020, I established a chapter to advocate for Indigenous students. I wanted to promote unity and cooperation among the law students and the local Native American population. I began by advocating for a more comprehensive American Indian Law curriculum to the Administration and providing a forum for discussing legal problems relating to law affecting Native Americans. My work at the University of Utah received National recognition by NNALSA. I was named 2019-2020 1L of the year for advancing the Native American Legal Scholarship.

Currently, I have been working with Dean Kronk-Warner to think through ways that NALSA can give back to our local Salt Lake City urban Indian community and the numerous tribes located within Utah. We are getting ready to help with the Utah Tribal COVID-19 Relief and Backcountry Santos. We have reached out to leading Indian Law attorneys to speak about legal problems affecting Indian Country during Native American Heritage Month. We hope to bring the Ute Indian Tribe Uintah and Ouray Reservation tribal court to S.J. Quinney so that students may get a first-hand glimpse of tribal law.

My involvement with NALSA has energized me. The highly competitive and adversarial nature of law school often makes you forget why you are in law school. My work with NALSA has been a kind reminder of my passion for advocacy. My first year of law school was fueled with loneliness and invisibility. Now, I find myself surrounded by a small group of allies. By creating a new student organization, I created my own community of support and comradery. We have the full support of the administration and the Dean of Law. I found myself in a leadership role that I never thought was possible. I want to be an advocate for my people. If I can make a small difference at the University of Utah by bringing Indian Law to the forum, then I have done what I set out to do.