

PATTY FERGUSON-BOHNEE
Faculty Director, Indian Legal Program
Director, Indian Legal Clinic
Clinical Professor of Law

SANDRA DAY O'CONNOR COLLEGE OF LAW
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ACADEMIC APPOINTMENTS

Sandra Day O'Connor College of Law, Tempe, Arizona

Faculty Director, Indian Legal Program	2011-present
Director, Indian Legal Clinic	2007-present
Clinical Professor	2012-present
Associate Clinical Professor	2008-2012
Visiting Associate Clinical Professor	2007-2008

Courses: Indian Legal Clinic
Indian Law LLM Seminar (co-instructor)
Law and Democracy (co-instructor)
American Trial Skills and American Indian Law at Université de Paris Descartes (Summer 2013)

EDUCATION

Columbia University School of Law, New York, NY. Juris Doctorate 2001.
Attended the **Université de Paris II** in Paris, France for one semester.

Honors: Parker School Certificate of Achievement in Foreign and Comparative Law
Jerome L. Greene Scholar, 1998-99
William S. Beinecke Scholar, 1999-2000
Columbia Human Rights Fellowship, Summer 1999
First Year Moot Court Program, Best Brief

Activities: *Columbia Human Rights Law Review*, Notes Editor
Columbia Law School Mediation Clinic
National Native American Law Students Association, President
Association of the Bar of New York, Alternative Dispute Resolution Committee
New York State Certified Mediator

Université de Paris VII, Paris, France. Fulbright Scholar 1997-1998.
Conducted research on French colonial relations with Louisiana Indians during the seventeenth and eighteenth centuries.

Stanford University, Stanford, CA. A.B. Degree with Honors in Native American Studies with an Emphasis in Policy and Law, 1997.
Also attended the Stanford Campus in Paris, France for one quarter.

Thesis: *Negotiating the Labyrinth of Federal Recognition: A California Case Study*
Honors: James Lyons, The Stanford University Dean's Award for Service, 1997
Undergraduate Research Opportunities: Ford Minority Research Grant Recipient, 1994; Small Grant Recipient, Summer 1994; Major Grant Recipient, Summer 1996 Chappell-Lougee Scholar, 1994-1995
Activities: Associated Students of Stanford University Student Body Senator
Stanford American Indian Organization Co-Chair
Stanford University Varsity Track and Cheerleading Teams
Honors College, Teaching Assistant

JUDICIAL CLERKSHIP

Hon. Betty B. Fletcher, U.S. Court of Appeals, Ninth Circuit, Seattle, WA 2002-2003

OTHER EXPERIENCE

Justice, Hualapai Court of Appeals, Hualapai, AZ 2012-present

Sacks Tierney, Scottsdale, AZ
Of Counsel 2007-present
Associate Jan.-Aug.2002
2003-2007

PRESENTATIONS

Conference Planning Committee and Moderator, Native American Participation in U.S. Elections hosted by the Carter Center's Democracy Program, Atlanta, GA (Dec. 10-11, 2018).

Presentation, Proposed Findings Under the Revised Regulations for Federal Recognition of Indian Tribes: An Analysis of Death Valley Timbi-Shoshone, San Juan Southern Paiute Tribe, Jena Band of Choctaws, and the Mohegan Indian Tribe, Federal Recognition Taskforce Meeting, National Congress of American Indians Annual Conference, Denver, CO (Oct. 21, 2018).

Panelist, Harrison v. Laveen at 70: Progress and Continuing Barriers to Native Voting in Arizona and Beyond, Indian Law Section CLE, Arizona State Bar Convention, Gila River Indian Community, AZ (June 28, 2018).

Presenter, Voter Suppression: What is it, How to recognize it, What to do about it, We the People Summit, Phoenix Convention Center, Phoenix, AZ (March 31, 2018).

Presenter (In French), Contemporary Issues: High Water/High Stakes: Cultural Heritage and Legal Hurdles at Indigenous Spaces-French Expectations: Exploring Exchanges between Native and Non-Native Peoples in Louisiana, Tulane University, New Orleans, LA (March 14, 2018).

Panelist, American Voter Project: The Problem of Voter Suppression, hosted by the Eric H. Holder Initiative for Civil and Political Rights at Columbia University, New York, NY (Feb. 19, 2018).

Moderator and Organizer, Cultures under Water: Climate Impacts on Tribal Cultural Heritage, Tempe, AZ (Dec. 6-8, 2017).

Keynote Presentation, Bayou Blues: The Struggle for Self-Determination on the Louisiana Gulf Coast, Native Waters in Arid Lands Third Annual Tribal Summit, Sparks, NV (Nov. 16, 2017).

Panelist, Enhancing Justice and Reducing Implicit Bias in the Legal Profession, Strategies that Work, ABA Annual Meeting Showcase Program, New York, NY (Aug. 12, 2017).

Guest Speaker, Indian Voting Rights in Arizona, Heard Museum Guild, Phoenix, AZ (Feb. 15, 2017).

Co-Chair and Presenter, School-to-Prison Pipeline in Indian Country: Mapping Out Solutions, Phoenix, AZ (Dec. 2016).

Panelist, Election Dissection: Lessons Learned from the 2016 Election, American Bar Association Section of State and Local Government Law Conference, Phoenix, AZ (Nov. 2016).

Presenter, The Need to Safeguard the Right to Vote, Democracy in Action Lecture Series, Maricopa County Community College Honor's Forum, Phoenix, AZ (Nov. 2016).

Panelist, "Are We Losing Our Humanity? Politics and Politicians," ASU Project Humanities, Phoenix, AZ (Nov. 2016).

Presenter, Political Buy-In: A Look at the Barriers to Participation of Native Americans in Tribal, State and Federal Elections, State Bar of Arizona CLE, Phoenix, AZ (Oct. 2016).

Presenter, "Voter Rights and Election Protection," Let's Get Out the Native Vote!, Second General Session, National Congress of American Indians, 73rd Annual Convention, Phoenix, AZ (Oct. 2016).

Presenter, "Native Vote Election Protection," Making the Native Vote Count: Countdown to Election Day, National Congress of American Indians, 73rd Annual Convention, Phoenix, AZ (Oct. 2016).

Presenter, "Voting Rights: How to Remove Barriers to Equal Access to the Polls," Protecting the Right to Vote on Election Day, National Congress of American Indians, 73rd Annual Convention, Phoenix, AZ (Oct. 2016).

Presenter, "Evaluating the Revised Regulations for Federal Acknowledgment," Federal Recognition

Taskforce Meeting, National Congress of American Indians, 73rd Annual Convention, Phoenix, AZ (Oct. 2016).

Presenter, “Protecting the Native Vote,” Native Vote Get Out the Vote Training, Scottsdale, AZ (Aug. 2016).

Presenter, “High Water and High Stakes: The Impacts of Coastal Erosion on Tribal Cultural Heritage,” Indigenous Peoples Law and Policy Program Colloquium, Tucson, AZ (April 2016).

Presenter, “The Impact of the Court’s NonIndian Law Decisions on Indian Country,” The First Ten Years of the Roberts Court: Changing the Direction of Indian Law Panel, Federal Bar Association 41st Annual Indian Law Conference, Scottsdale, AZ (April 2016)

Presenter, “Improving Native American Voting Access in Arizona,” Voting Rights Act Panel, Election Law – Today and Beyond Symposium, Washburn University School of Law, Topeka, KS (Feb. 2016).

Presenter/Responder, TrustLive:preservationVoices, 2015 PastForward, hosted by the National Trust for Historic Preservation, Washington, D.C. (Nov. 2015).

Presenter, “The Revised Regulations for Federal Recognition of Indian Tribes: An Analysis under the Tunica-Biloxi Precedent,” Federal Recognition Task Force, NCAI Annual Convention, San Diego, CA (Oct. 2015).

Panelist, “Women of Color Attorneys on Success and Authentic Selves,” presented by the ABA Commission Women, webinar (Sept. 2015).

Presenter, “Revisions to the Part 83 Federal Acknowledgement Regulations,” presented by NCAI, webinar (Aug. 2015).

Panelist, “The School-to-Prison Pipeline: Mapping Out Solutions,” ABA Annual Meeting, Chicago, IL (July 2015).

Co-Chair and Presenter, “School-to-Prison Pipeline in Indian Country Symposium and Town Hall: What are the Problems? What are the Solutions?” Tempe, AZ (March 2015).

Presenter, “Reflections on Recognition and the Native American Experience,” From the Ashes: Perspectives on Post-Genocide Culture Panel, at 100 Years Later: ASU Armenian Genocide Conference, Tempe, AZ (March 2015).

Presenter, “Recognition and the Declaration on the Rights of Indigenous Peoples, Federal Recognition Panel, at MidYear Federal Bar Association Indian Law Conference, Washington, DC. (Nov. 2014).

Presenter, “Religious Freedoms of Native Americans Following the Supreme Court's Hobby Lobby Decision” sponsored by the DC Bar and NABA-DC, Washington, DC (Nov. 2014).

Presenter, “Federal and State Recognition of Indigenous Governments in the United States,” Kāmau a Ea

Hawaiian Governance Symposium, Honolulu, Hawaii (Nov. 2014).

Panelist, Voting Rights and Getting Prepared for the Department of Justice Tribal Consultation, webinar (Aug. 2014).

Presenter, *Native American Children—Cultural and Jurisdictional Considerations*, Southwest Regional Clinical Workshop “Empowering Future Generations,” Tempe, AZ (April 2014).

Presenter, *Relocation Strategies and Obstacles*, Building Resiliency Workshop, New Orleans, LA (March 2014).

Organizer and Presenter, Who Decides You’re Real: Fixing the Federal Recognition Process, Tempe, AZ (January 2014).

Co-Chair, Tribal Renewable Energy Conference, Tempe, AZ (November 2013).

Presenter, “Native Voting Issues,” at Forum on Native American Issues, 2013 ABA Annual Convention, San Francisco, CA (Aug. 2013).

Poster Presentation, *Arizona Native Vote—Election Protection Project*, 2013 AALS Conference on Clinical Legal Education, San Juan, Puerto Rico (April 2013).

Organizer and Panelist, Understanding the Impact and Meaning of U.S. Government Support for the Declaration on the Rights of Indigenous Peoples at ILP Conference on Can International Law Support Changes to Federal Indian Policy: Implementing the Declaration on the Rights of Indigenous Peoples, Tempe, AZ (April 2013).

Panelist, *Undue Burden: Navigating the Federal Recognition Process*, on *The Problem with Federal Recognition* Panel at the American Indian Studies Conference, Tempe, AZ (Feb. 2013).

Panelist, *Oil and Water: Louisiana’s Endangered Coastal Native American Communities*, 2012 American Folklore Society Annual Meeting, New Orleans, LA (Oct. 2012).

Panelist, *Native Vote*, at National Conference of American Indians Mid-Year Meeting, Lincoln, Nebraska (June 2012).

Presenter, *Election Protection*, National Conference of American Indians-Inter-Tribal Council of Arizona, Native Vote Training, Scottsdale, AZ (Summer 2012).

Moderator, “Indian Child Welfare Act Revisited: Purpose and Practice,” State Bar of Arizona’s Annual Convention, Indian Law Section Program, Tucson, Arizona (June 2011).

Panelist, *Canadian/American perspectives, common or distinct? Forming relationships, collaborating in Indigenous Legal Clinics*, at the Fifth Annual Indian Law Clinics & Externship Programs Symposium, “Knowing, Thinking, Doing: A discussion on doctrine, theory and practice of Indigenous Law and education and the Clinical Experience,” Vancouver, British Columbia (May 2011).

Federal and State Redistricting Requirements, “Redistricting Workshop for Tribes,” Inter Tribal Council of Arizona, Phoenix, Arizona (May 2011).

Ethical Responsibilities of Practicing in Indian Country, 2011 Minority Bar Convention, Phoenix, Arizona (April 2011).

United Nations Declaration on the Rights of Indigenous Peoples, for the Center of Global Affairs Spring 2011 Colloquium Series, Tempe, Arizona (April 2011).

Planning for 2011 Redistricting in Arizona, Navajo Nation Human Rights Commission, Window Rock, Arizona (March 2011).

Environmental Recovery for Louisiana’s Tribes – One Year After the BP Oil Spill, “A Tale of Two Sites: Tribal Experiences at the Portland Harbor and Deepwater Horizon Sites” Department of the Interior’s Natural Resources Damage Assessment and Restoration Program, Phoenix, Arizona (March 2011).

Environmental Justice for Louisiana Indians, Gulf Oil Spill: One Year Later, ABA 40th Annual Conference on Environmental Law (March 2011).

Panelist, *The Legal and Social Construction of Vulnerability*, UCLA Critical Race Studies’ Oil and Water Conference, Los Angeles, California (Oct. 2010).

The Federal Acknowledgement Process, Federal Indian Law class (Oct. 2010).

Moderator and Conference Chair, “Navajo Nation Law CLE,” Sandra Day O’Connor College of Law, Tempe, Arizona (Sept. 2010).

Panelist, *Creation Stories of Indian Law Clinics*, Fourth Annual Indian Law Clinics Symposium, Albuquerque, New Mexico (June 2010).

Co-Chair and Moderator, State Bar of Arizona Indian Law Section Seminar, Expanding Tribal Court Criminal Jurisdiction, Glendale, Arizona (June 2010).

Faculty, Presenter, Judge, Event Chair, Tribal Court Trial Skills College, Tempe, Arizona (May 2010).

Panelist, *Partnerships for Purpose: Innovation, Cultural Capital, and Resilience*, Arizona State University Design Consortium Symposium, Tempe, Arizona (Oct. 2009).

Presenter, Diversity Training regarding Native Americans, Gust Rosenfeld (Sept. 2009).

Presenter, *Basic Principles of Federal Indian Law and Louisiana’s Indian Tribes*, South Terrebonne High School Legal Studies Class, Houma, LA (Aug. 2009).

Presenter, *Legal Thinking Exercises*, The Indian Legal Program and the State Bar of Arizona’s Summer Law Camp, Tempe, Arizona (June 2009).

Presenter, *Charting Your Course: There are Many Paths to Success*, State Bar Leadership Institute Program, Phoenix, Arizona (April 2009).

Enforcing Tribal Court Judgments, Louisiana Law Institute (Feb. 2009 and Nov. 2009).

Presenter, *The History of Federal Indian Law*, National American Indian Heritage Month Celebration, Housing and Urban Development Southwest Office of Native American Programs, Phoenix, AZ (Nov. 2008).

Presentation/Training Session, 2008 Native Vote – Election Protection Project (Nov. 2008).

Presenter, *Legislative Redistricting—The Impact on Tribal Communities*, Arizona State Bar Convention, Committee on Minorities and Women in the Law Seminar (June 2008).

Presenter, *2007-2008 Indian Law Litigation Update*, Arizona State Bar Convention, Indian Law Section Program (June 2008).

Presenter, *Eagle Feathers and Religious Rights for Nonfederally Recognized Indians*, Second Annual Indian Law Clinics and Externship Programs, Albuquerque, New Mexico (June 2008).

Presenter, *Federal Court Litigation Update*, Navajo Nation Bar Conference (June 2008).

Presenter, *What's New in Indian Law*, Arizona Legal Services Statewide Conference on Bridging the Justice Gap for All Arizonans (May 2008).

Faculty, Judge, Event Chair, Tribal Court Trial Skills College, Tempe, Arizona (March 2008).

Presenter, *Protecting Native American Voting Rights*, Arizona Indian Law Section Education Program (Oct. 2006)

Presenter, *2005-2006 Litigation and Case Law Update*, Arizona State Bar Convention, Indian Law Section Program (June 2006).

Presenter, *Social Justice for Louisiana's Bayou Indians*, UC Hastings Race and Poverty Law Journal's Symposium on Racism in the 21st Century (April 2006).

Presenter, *After the Storm: Impacts on Louisiana's Native Nations*, UCLA School of Law's Critical Race Studies Program on Hurricane Katrina: *Bringing the People and the Issues Home*, Los Angeles, California (Nov. 2005).

Presenter, *Tribal Courts and Tribal Law*, Scottsdale Bar Association, Continuing Legal Education Program on *Doing Business in Indian Country* (April 2005).

Presenter, *C'est le battement du cœur d'un peuple oublié: les Indiens qui habitent dans le sud de la Louisiane*, at le Congrès Mondial for the Conseil International d'Etudes Francophones, Lafayette,

Louisiana (May 1999).

Panelist, Substance and Alcohol Abuse, United National Indian Tribal Youth Conference, Washington, D.C. (1998).

Series of 20 Presentations on *Les Indiens de Louisiane et leur droit d'être un peuple reconnu par le gouvernement Américain* throughout France in conjunction with L' Association France-Louisiane, (1997-1998).

Presenter, *California Indian Recognition*, Bay Area American Indian Research Forum (Spring 1997).

Presenter, *Recognition and the Lower Bayou Indian Communities in Louisiana*, Bay Area American Indian Research Forum (Spring 1996).

Presenter, *An Analysis of the United Houma Nation's Petition for Federal Acknowledgment*, Bay Area American Indian Research Forum (Spring 1994).

PUBLICATIONS

The History of Indian Voting Rights in Arizona: Overcoming Decades of Voter Suppression, 47 Ariz. St. L.J. 1099 (2015).

SHORT PUBLICATIONS

The Impacts of Coastal Erosion on Tribal Cultural Heritage, FORUM JOURNAL (Summer 2015).

The Struggle for Equal Voting Rights: 45 years of the Voting Rights Act, ARIZONA ATTORNEY (November 2010).

Amistad Collection Assists Federal Recognition Efforts, Amistad Research Center, e-Amistad Reports (May 2010).

Ninth Circuit En Banc Decision on Tribal Court Jurisdiction Over Nonmembers: Case Summary of Smith v. Salish Kootenai College, THE ARROW (Spring 2006).

Wrote the section on Unrecognized and Terminated California Indian Tribes in *A Second Century of Dishonor* published by the UCLA American Indian Program, (1996).

TESTIMONY

Testimony before the United States Senate Committee on Indian Affairs, Oversight Hearing on *Fixing the Federal Acknowledgment Process*, November 4, 2009.

Testimony before the House Subcommittee on Elections, Committee on House Administration, Hearing on *The 2008 Election: A Look Back on What Went Right and Wrong*, March 26, 2009.

Testimony before the United States Senate Committee on Indian Affairs, Oversight Hearing on *Recommendations for Improving the Federal Acknowledgment Process*, April 24, 2008.

Testimony before the Louisiana House Committee on the Administration of Criminal Justice in support of House Concurrent Resolution No. 182 to recognize the Pointe-au-Chien Indian Tribe and the Biloxi-Chitimacha Tribes, Spring 2004.

Testimony before the Louisiana Senate Committee on Government Affairs in support of Senate Concurrent Resolution No. 105 to recognize the Pointe-au-Chien Indian Tribe and the Biloxi-Chitimacha Tribes, Spring 2004.

REPORTED CASES

Arizona Minority Coalition for Fair Redistricting v. Arizona Indep. Redistricting Comm'n, 121 F.3d 843 (Ariz. App. 2005).

AMICUS BRIEFS

Harris v. Arizona Independent Redistricting Commission, No. 14-232 (U.S. 2015) (drafted *amicus* brief on behalf of the Navajo Nation and Leonard Gorman regarding the constitutionality of legislative districts in Arizona).

Adoptive Couple v. Baby Girl, No. 12-399 (U.S. 2013) (drafted *amicus* brief on behalf of the National Native American Bar Association regarding the Indian Child Welfare Act).

Wandering Medicine v. McCulloch, No. 12-35926 (9th Cir. 2013) (drafted *amicus* brief on behalf of the National Congress of American Indians regarding disenfranchisement of Native American voters).

Shelby County v. Holder, No. 12-96 (U.S. 2013) (drafted *amicus* brief on behalf of the Navajo Nation and South Dakota Native American voters regarding the continuing need for Section 5 coverage).

A.A. v. Needville Indp't School District, No. 09-20091 (5th Cir. 2009) (drafted *amicus* brief on behalf of the Lipan Apache Tribe regarding religious freedom).

Northwest Austin Municipal Utility District No. One v. Holder, No. 08-322 (U.S. 2009) (drafted *amicus* brief on behalf of the Navajo Nation and South Dakota voters regarding the impact of Section 5 on Native American voters in covered jurisdictions).

Crawford v. Marion County, Nos. 07-21, 07-25 (U.S. 2008) (drafted *amicus* brief for the Navajo Nation and Agnes Laughter).

COURT AND BAR ADMISSIONS

Supreme Court of the United States, 2009
Hopi Tribal Court, 2008

Fort McDowell Yavapai Nation Tribal Court, 2007
Gila River Indian Community Court, 2007
Ak-Chin Tribal Court, 2007
Tohono O'odham Justice Court, 2004
United States Court of Appeals for the Ninth Circuit, 2003
United States District Court for the District of Arizona, 2002
State of Arizona, 2001

PROFESSIONAL AFFILIATIONS

Advisory Committee, American Bar Association Center for Human Rights (2016-2019)

Member, State Advisory Committee, U.S. Commission on Civil Rights (2017-present)

National Commissioner, National Commission on Voting Rights, Lawyers Committee for Civil Rights under Law (appointed 2014)

Commission on Minorities in the Law, Arizona Supreme Court (2011-present)

National Native American Bar Association, President-Elect (2009-2011), President (2011-2013), Immediate Past President (2013-2015), Treasurer (2015-2016)

American Bar Association, Individual Rights and Responsibilities Section, Vice Chair Native American Concerns Committee (2013-Present)

American Bar Association Criminal Justice Section, Tribal Lands Committee, Co-Chair (2014-2016)

American Bar Association, Coalition on Racial and Ethnic Justice (2013-2016)

Native American Bar Association of Arizona, Founding Member, Board Member (2007-present), Vice-President (2008-2009), President (2009-2011)

Southwest Editor, Federal Bar Association Indian Law Section Newsletter (2009-2015)

Miss Indian Arizona Association Scholarship Program Board Member (2001-present), President (2008-2013)

State Bar of Arizona, Indian Law Section Executive Council, Board Member (2007-2012), Chair-Elect (2009-2010), Chair (2010-2011)

Federal Bar Association, Indian Law and Appellate Law Sections

Stanford Native American Alumni Association of Arizona, Co-President (2006-2012)

AWARDS

- 2015 Woman of the Year, American Indian Excellence in Leadership Awards, Phoenix Indian Center
- 2011 Judge Learned Hand Emerging Leadership Award, Arizona Chapter of American Jewish Committee
- 2010 Frank Harrison & Harry Austin Citizenship Award, Inter Tribal Council of Arizona and the Arizona Indian Gaming Association
- 2009 Member of the Year Award, Native American Bar Association of Arizona
- 2009 President's Medal for Social Embeddedness, Arizona State University
- 2009 Outstanding Law School Faculty Award, Equal Justice Works

UNIVERSITY SERVICE

Member, Arizona State University Tribal Liaison Advisory Committee (TLC) (2011-present)

Member, Provost's Native American Advisory Council (NAAC) (2011-present)

Member, Sandra Day O'Connor College of Law Self Study Committee (2011-2012)

Member, Sandra Day O'Connor College of Law Appointments Committee (2012-2013)

Member, Sandra Day O'Connor College of Law Externship Committee (2007-2008)

Coach, ASU Native American Law Students Association Moot Court (2008-present)

Faculty Advisor, Native American Law Students Association (2011-present)

Faculty Director, Indian Legal Program (2011-present)

COMMUNITY SERVICE

Election Protection Coordinator, Native Vote – Arizona, National Congress of American Indian (2008-present)

Special Master, *Wells Fargo Bank v. Boone et al* (No. CV08-08014, D. Ariz.) (2011-2012)

Co-Author; *Redistricting: A Strategic Guide for Arizona Tribes*, prepared on behalf of the Inter Tribal Council of Arizona (2011)

Member, NABA-AZ and Indian Law Section Joint Task Force on Admission on Motion, (2010-2012)

Volunteer, Voting Rights Restoration, ACLU of Arizona Voting Rights Restoration Fair (Sept. 2008)

LANGUAGES

Fluent in French and knowledgeable of Indian French.

TRIBAL AFFILIATION

Pointe-au-Chien Indian Tribe