



FAWL's Outstanding Member Program Award Nomination Form Deadline March 3, 2014

FAWL is a statewide voluntary bar association comprised of thirty (30) chapters throughout the state. A major purpose of FAWL is to provide a network among the chapters to exchange ideas and information to aid the chapters in providing service to their members. This award is presented to the chapter that has presented the most outstanding program during this past year.

Criteria for Selection:

This award is presented annually to the FAWL chapter that has presented an outstanding program to its members that is (1) educational, in an area of substantive or procedural law, and/or benefits women lawyers in updating, marketing, diversifying and/or improving their business and practice; teaches leadership skills or provides a pathway to obtaining positions of leadership and/or reminds and teaches lawyers about their ethical and professional responsibilities; (2) reflective of FAWL's mission, (3) easily recreated by other chapters, and (4) has quality supporting materials.

Chapter Nomination Eligibility:

Each chapter in good standing is eligible and encouraged to nominate a program. The nominated program must have occurred during the 2013-2014 FAWL year. Each chapter is limited to one nomination for this award.

Award Recipient:

The award recipient will receive a two hundred and fifty dollars (\$250.00) cash award.

Nomination Documentation:

Please provide the chapter Information on this nomination form in the space provided. Please attach a statement of nomination and the supporting materials to the nomination form.

I. Chapter Information:

Nominating Chapter: Broward County Women Lawyers' Association

Nominating Chapter's Contact Person's Name: Jennifer Erdelyi **Telephone:** 954-492-4010

Nominating Chapter's Address: BCWLA c/o Jennifer Erdelyi, Esq., Colodny Fass Talenfeld, 100 SE 3rd Ave., 23rd Floor,
Fort Lauderdale, FL 33394

Nominated Program: Maze Of Injustice – Issues and Concerns Involving Native American Women and Children In the Courts

Date of Program: November 12, 2013 **Location of Program:** Seminole Hard Rock Hotel & Casino, Hollywood, FL

Number of People Involved in Planning/Executing Program: 10 **Number of People Attending Program:** Approx. 40

Outcome of Program: 1 hour of General CLE credit was obtained from The Florida Bar. The event was well-attended and feedback from attendees and sponsors was very positive.

Tools Used to Measure Success of Program: The Florida Bar's approval of CLE credit and feedback from program attendees.

List Any Other Awards Given for Program: None - first time presented by BCWLA. We recently applied for a program award from the National Conference of Women's Bar Associations, but award recipients have not yet been determined.

II. Statement of Nomination:

Succinctly describe and explain the reasons for the nomination, namely, a brief summary of why this program deserves the award. Limit is 100 words.

III. Supporting Material:

Please attach the supporting materials. Supporting materials are limited to a total of five (5) pages.

Please double check to make sure you have included:

I. Nomination Form *II. Statement of Nomination (100 word limit)* *III. Supporting Materials (5 page limit)*

PLEASE NOTE: The information provided on this nomination form and in the statement of nomination may be used for publication. The only information that will be considered for this award is the nomination form, the statement of nomination, and the supporting materials. If the nomination documentation rules are not followed the nominee will be immediately disqualified.

FAWL's Outstanding Programming Award will be announced at FAWL's Annual Meeting held in June 2014 at The Florida Bar Annual Meeting. **Nominations must be submitted as one (1) pdf document via e-mail to admin@fawl.org or faxed to 866-830-5536 by 5:00 p.m. EST March 3, 2014.**

Broward County Women Lawyers' Association ("BCWLA")

Maze of Indifference – Issues and Concerns Involving Native American Women and Children In the Courts

Statement of Nomination for Outstanding Member Program Award

Consistent with FAWL's mission, BCWLA regularly presents continuing legal education programs that focus on women's and children's issues. Native American women and children have unique cultural and legal needs that are unfamiliar to most attorneys. Historically, Native American women and children have gone unrepresented and largely unnoticed in the broader community in which they live. This unique program, presented in partnership with the Seminole Tribe of Florida, provided insight on cultural and legal differences in approaching Native American issues, including domestic violence, crime, child welfare and support, family, and general law. Proceeds benefitted a Native American women's and children's shelter.

The following supporting materials are attached:

- Event flyer sent to all Florida Bar members in Broward County by email
- Florida Bar Certificate of Accreditation for Continuing Legal Education
- "Maze of Injustice" Program Description



NATIONAL NATIVE AMERICAN HERITAGE MONTH



MAZE OF INJUSTICE – ISSUES AND CONCERNS IN THE REPRESENTATION OF NATIVE AMERICAN WOMEN AND CHILDREN IN THE COURTS

Discussion and analysis of recent changes and cases involving the Indian Child Welfare Act and Violence Against Women Act of concern to attorneys practicing in the areas of Family Law and Criminal Defense. Additional discussion of the varied and complex nature of the laws and cross jurisdictional practice of law in Indian Country

Presenter: Robert O. Saunooke, Esq. enrolled member of the Eastern Band of Cherokee Indians
Gigi Christopher, Esq. Holland and Knight Indian Law Practice

SPONSORED BY



*Cocktail reception and Tapas immediately following CLE presentation
With proceeds to benefit Native American Women's and Children Shelter*



**Seminole Hard Rock Casino
Convention and Banquet Hall
Tuesday November 12, 2013
5:30pm – 8:30pm**



BCWLA member price: \$50.00
Non-member: \$60.00
Night of Reception \$70.00
Registration available online at www.blacktie-southflorida.com

Reception sponsored by NACSF, Inc. and featuring internationally acclaimed wines from Tuscany and the only vineyard owned by a Native American Tribe.



THE FLORIDA BAR

651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

850/561-5600
WWW.FLORIDABAR.ORG

Certificate of Accreditation for Continuing Legal Education

932051
Broward County Women Lawyers' Assn.
Robert Saunooke
200 E. Las Olas Blvd. Ste. 1900
Ft. Lauderdale, FL 33301

November 12, 2013

Reference Number: 1307727N
Title: Concerns While Practicing Law Involving Native Ame
Level: Basic
Approval Period: 11/13/2013 - 05/13/2015

CLE Credits

General 1.0

Certification Credits

Please provide the attendees the above reference number so they may go online to www.floridabar.org to report their completion of this program.

Maze of Injustice - Issues and Concerns Involving Native America Women and Children in the Courts

Program Description

Introduction and Background

Within Broward County, there are two federally recognized tribes; the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida. In recent years, due to the economic success of its gaming operations, both tribes have seen an increase in domestic violence, crime, child welfare and support, divorce, and general litigation issues. Although a huge presence in South Florida, there has been little effort from any entity to educate and prepare the legal community to serve the unique cultural and legal needs of the members of these tribes. In essence, most legal issues are approached in the same manner as any non-Indian case and often, the end result is not in the best interest of any party.

Historically, Native American women and children have gone unrepresented and largely unnoticed in the social and legal community. The statistics regarding abuses and lack of attention given Native American women and children are alarming. One in three will be raped, abused, beaten or murdered in their lifetime; high school graduation rates for Native American children are only 49% compared to 76% of white students; and Native American teens have the highest suicide rate of any group.

Native American students are three times more likely to be suspended in school and ten times more likely to be referred to law enforcement than their white counterparts. The school to prison pipeline, lack of funding, and extreme poverty levels of most reservations all contribute to the mistreatment and issues faced daily by Native American women and children. Over 40% of Native Americans live below the poverty level compared to the U.S. national average of 20%. Twenty percent of those in poverty on reservations live on less than \$5,000 per year. There are 562 federally recognized tribes in the United States. Over 40 States have at least a state recognized tribe, as well as a federally recognized tribe. Twelve states have over 100,000 Native Americans residing within their borders. Programs for Native American tribes are federally funded with little, if any, assistance from state agencies. Often Native American programs are the last to be funded and the first to be cut as evidenced by the recent Affordable Care Act which exempted Native Americans from coverage but failed to fund Indian Health Services to provide adequate coverage. As a result only 30% of Native Americans have health coverage.

Add to these alarming statistics the fact that states lack the authority and jurisdiction to intervene in criminal and civil matters occurring within tribal lands, commonly referred to as "Indian Country," along with the lack of federal authority and personnel to police reservations, the criminal and civil injustices pile on to the already overwhelming social failures. Rapes go unprosecuted and unreported. Sex offenders seek out and reside within reservation boundaries. Police officers and investigators refuse to work within Indian Country. In the end an entire group of women and children are lost and forgotten.

Few states offer any training or requirement for familiarity with Native American issues on bar exams or within law schools. Still, a number of attorneys represent and work with Native American women and children absent any formal understanding, preparation or consideration for the unique culture and sensitive issues that exist in Indian Country. Many continue to work and operate under the same misperceptions and stereotypes perpetrated by Hollywood movies and sports team mascots.

In recent years there have been a number of changes in federal and state laws affecting Indian Country and providing assistance with domestic violence as well as other issues facing the Native American Community. Recent reauthorization of the Violence Against Women's Act ("VAWA"); expansion of Tribal Court jurisdiction over non-

Indian perpetrators of domestic violence; amendments to the Indian Major Crimes Act; and recent Supreme Court decisions involving the Indian Child Welfare Act, among others, have created an entirely new body of law that impacts members of the community in which our organization serves.

Additionally, as part of BCWLA's mentoring and scholarship programs, there is a push for continued diversity in not only the practice of law, but also within the judiciary. As such, we are aware of the need for more inclusion within the federal and state judiciary which currently has no Native Americans seated as Article III federal judges anywhere in the United States. As a group, Native Americans appear more often than any other group in federal court, and yet not one judge on the federal bench is of Native American heritage or descent.

In 2010 BCWLA welcomed to its Board of Directors a male board member, Robert O. Saunooke, who is also Native American. In 2011, during Native American Heritage month, BCWLA began what has now become an annual program on Native American issues. The goal of this program is to dispel the misperceptions about Native Americans, create understanding of sensitive and complex issues in representing Native American women and children in divorce, school settings, criminal proceedings and other venues, and to begin a dialogue and annual presentation of topics of concern in diversity training and Native American culture, where previously there has been none.

In 2011, the first program centered on "Myths and Rumors of Native American Legal Practice," and was one of the largest attended meetings held by BCWLA that year. In 2012 our program highlighted "Mediation from a Native American Perspective" highlighting additional methods for mediating disputes using Native American culture and teachings. Again it was one of the highest attended seminars put on by BCWLA. In 2013 we provided the program that is the subject of this Award Nomination, to detail the "Maze of Injustice" and its impact on women and children in the Native American Community.

2013 Program

Violence against women and children is one of the most pervasive human rights abuses. It is also one of the most hidden. It takes place in intimate relationships, at the hands of strangers, within the family and it affects women in every country of the world. In the Native American Community the unique jurisdictional and legal arenas have done little to prevent the abuses, punish the perpetrators, and represent the women and children impacted by these acts. Recently reauthorization of VAWA, along with expansion of Tribal Court jurisdiction over non-Indians, and developments in Indian Child Welfare have opened new doors and opportunities for protecting and assisting victims not only of domestic violence, but women and children in Native American communities.

Additionally, the Seminole Tribe of Florida has created its first "Family Court" to deal with issues that typically were handled outside of the reservation by state and federal courts. The purpose of the program was to highlight the changes in Native American law and create a forum for discussion between local state judges, attorneys and the Seminole Tribe to assist in dealing with these new issues and new court.

Maze of Injustice was held in November 2013 and was attended by local judges, attorneys and legal counsel from the Seminole Tribe of Florida. The panel for the presentation consisted of Gigi Christopher of Holland and Knight Washington, D.C.'s Native American practice and an enrolled member of the Jicarilla Apache Nation; Stan Wolfe, Director of the Seminole Tribe of Florida's Judicial Court; Kristie Richardson, Director of the Seminole Tribe of Florida's Family Services program; and the moderator, BCWLA Board Member, Robert O. Saunooke.

The event was a fundraiser as well as an educational presentation. Proceeds from the program were sent to the "Strong Hearted Native Women's Coalition" an organization that houses victims of domestic violence.

Format of Program

The program followed a brief introduction and opening statements from the panel and then background and general information on Native American law along the following outline:

Introduction into Indian Law

- A. Legal Analysis of Jurisdictional Issues
 - 1. Sovereign Immunity of Tribes
- B. Unique issues in cases involving Native American parties
 - 1. Family law
 - a. Indian Child Welfare Act
 - b. Tribal Customs and Traditions
 - c. Venue and jurisdiction
 - d. enforcement and child support
 - 2. Business relationships
 - 3. Criminal defense and prosecution
 - a. Indian Major Crimes Act
 - b. Assimilated Crimes Act
 - c. P.L. 280 concurrent Tribal and State jurisdiction issues
 - 4. Domestic Violence
 - a. Violence against Women Act
- C. Update on Baby Veronica case and the Supreme Court with Sensitivity to Tribal Culture
- D. Conclusion and Questions and Answers

Following the panel presentation, a lively discussion began, led by many of the local judges who regularly deal with issues involving Native American women and children. It was noted that this program, and the prior programs offered by BCWLA, were the only local programs that presented Native American legal discussion and training. Of particular note was the ability for BCWLA to obtain participation from the Seminole Tribe of Florida, by way of its judicial and family services director.

After the program, BCWLA received very positive feedback and more importantly, requests from the local bar and judiciary for further programs and education of this nature. In addition the Seminole Tribe, based in large part on the post panel discussion, has begun a dialogue with the local judges for cross training and jurisdictional cooperation to assist in handling the complex issues involving the Tribe and jurisdictional limitations.

BCWLA continues to be the only voluntary bar in Broward County, and based on our information, the only voluntary bar in Florida, that focuses on this very unique cultural and legal issue involving Native Americans. The program will continue to be offered annually to commemorate Native American Heritage month in November and will be expanding to include other voluntary bars to highlight more developed topic-specific issues to provide additional training in helping Native American women and children.