



SALT RIVER

PIMA-MARICOPA INDIAN COMMUNITY

10005 East Osborn Road / Scottsdale, Arizona 85256-9722 / Phone (480) 362-7400 / Fax (480) 362-7593

May 18, 2009

Honorable Ruth V. McGregor
Supreme Court, State of Arizona
Room 402, Arizona State Courts Building
1501 W. Washington
Phoenix, Arizona 85007-3329

Re: Letter of Support for Inclusion of Indian Law on the Arizona State Bar Examination

Dear Chief Justice McGregor:

I respectfully submit this letter in support of the Arizona State Bar Association's petition to amend Supreme Court Rule 35 (b) to include Indian Law as a subject for the Arizona State Bar Examination. In my experiences as both a practicing attorney and an elected official charged with representing the Salt River Pima-Maricopa Indian Community, I have seen first-hand the importance of Indian Law and policy within the legal and political structure of the State of Arizona, and also understand the importance of having a state bar that knows the basics of Indian law, even among practitioners who don't regularly practice in this area.

Because Indian tribes are some of the largest employers in the State of Arizona and more non-Indian businesses are locating on Indian lands, Indian law is no longer confined to disputes between tribal members in a tribal court setting. Instead, non-Indians in a variety of professions and walks of life now frequently encounter tribal jurisdiction. Among other examples, family law judges now often hear adoption and foster care placement matters involving Indian children, non-Indians more regularly drive across tribal lands to reach their jobs, and commercial and retail businesses more frequently decide to locate within tribal communities. Without testing Indian Law on the Arizona State Bar Examination, attorneys representing clients who have engaged in activities over which Indian tribes have jurisdiction are less likely to understand the complexities of civil and/or criminal jurisdiction within Indian Country, including what is the proper forum for resolving such disputes.

In 1999, Arizona Supreme Court adopted the Rules of Procedure for the Recognition of Tribal Court Civil Judgments. This was an important step in recognizing the necessary interplay and coordination between the judicial systems of the State of Arizona and Indian tribal governments, but more must be done.

By including Indian Law on this important examination, the State of Arizona will be taking affirmative steps to: (1) increase lawyer competency; (2) improve the quality of legal services received by clients of Arizona attorneys; (3) reduce the burden on state and tribal courts imposed by lawyers who do not understand tribal sovereignty and who fail to properly identify the applicable jurisdiction and laws; and (4) provide for a meaningful and effective partnership between all Arizona Jurisdictions and judicial systems, including those in Indian Country. I urge your serious consideration and approval of including Indian Law on the Arizona State Bar Examination.

Respectfully,



Diane G. Enos
President
Salt River Pima-Maricopa Indian Community