



YUROK TRIBE - LEGAL DEPARTMENT

Overview:

The Office of the Tribal Attorney primarily provides support and acts as legal counsel to the Yurok Tribal Council. The OTA represents the Tribal Council and the Yurok Tribe as a governmental entity. It is this department's responsibility to give input to the Council in regard to Tribal business. The OTA also provides support and legal counsel to the various Tribal departments and often acts as a liaison between the Tribal Government and outside State and Federal agencies. Examples of work with the Tribal departments include contract review and drafting, ordinance review and drafting, issuance of legal opinions, and other legal matters. Examples of work with outside State and Federal Agencies include participation and representation on local transportation committees, and participation in negotiations on behalf of the Yurok Tribal Council.

It has been another exciting and extremely busy year for the OTA. While we work hard to do our part, we want to express that much of our work on important tasks could not be done without the **team effort** involved. We have the pleasure of working with extremely knowledgeable Yurok Tribal Fisheries Department staff, talented Tribal consultants, an assortment of outside attorneys, lobbyists, Tribal staff, and of course our Tribal Council.

Highlights:

The Hoopa-Yurok Settlement Act

In January of 2008, settlement checks were distributed to tribal members. The OTA continues to assist the Enrollment Department in its efforts to release checks held at the tribal office. The OTA reviews Power of Attorney and other legal documents to ensure that all tribal members receive their distribution.

The Senior Attorney and Staff Attorney accompanied the Tribal Council and Executive Director to Washington DC to assist in talks with Congressional staff related to the HYSAs. There are portions of the Act that have not been implemented that significantly impact the Yurok Tribe. Our office is working diligently with the Tribe's policy analyst and our legislative team in Washington DC on seeing the remainder of the Act through.

Klamath Dam Removal

The OTA continues to be actively involved in efforts to remove hydroelectric dams on the Klamath and protect Tribal fisheries. Our office participated along with other Tribal staff in drafting the Klamath Basin Restoration Agreement. At this time, and due completely to the effectiveness of our negotiating team, the Tribe has not been allowed to participate in current negotiations with PacifiCorp. Our work is now largely focused on gathering support for the Agreement from state and federal representatives, county governments, and among the diverse group of stakeholders. We continue to work around the edges of these important negotiations to ensure our position is heard by PacifiCorp.

Quest for Right of Way (ROW's)

The OTA is happy to report that a Memorandum of Understanding (MOU) was signed by our Chairperson and Green Diamond Resource Company that gives the Tribe easements for phone and electrical utility expansion on the Upper Reservation. The Tribe will now be able to pass through private lands held by Green Diamond in order to complete the phone and power line extension project.

Tribal Court

OTA staff has been working diligently with Tribal Court staff and the Chief Judge on the development of tribal codes and ordinances that will establish the Yurok Tribal Court and its jurisdiction. These include the Children's Code and a Judicial Branch Ordinance. The Children's Code and the Judicial Branch Ordinance have been recently adopted and are important for the Tribe in expansion of our tribal sovereignty.

OTA Staff is actively participating in Tribal Court representing Yurok Social Service (YSS) caseworkers and ICWA (Indian Child Welfare Act) Advocates. We continue to work with YSS on Title IV-E negotiations with the State. Title IV-E monies would allow the Tribe to fund a foster care and other social service programs. A new experimental partnership has been formed with Humboldt County on concurrent jurisdiction matters related to ICWA. Our staff is also working with the Klamath River Early College to establishing a Teen Court program as well as an Indian law curriculum for the school.





Legislative Efforts

We continue to push an Assembly Bill that would authorize the Yurok Tribe to enter into joint powers agreements (JPA's) with public agencies. We have had a difficult time garnering any response from the Governor's Office on Policy and Research, but have the support of our local CA state representative's office. A JPA such as this one would give us more ability to protect and manage our natural resources.

We look forward to another year of hard and rewarding work!

Staff:

John Corbett, Senior Attorney

Robert Bohrer, Law Clerk/Tribal Prosecutor

Beorn Zepp, Paralegal

