



**CONCURRENT DEGREE PROGRAM (J.D./M.A.)
IN
LAW AND AMERICAN INDIAN STUDIES**

The concurrent degree program in American Indian Studies and Law allows a student to earn a Master of Arts (M.A.) and a Juris Doctorate degree (J.D.) in four years. The University of Arizona Indigenous Peoples Law and Policy Program offers qualified students the opportunity:

- To learn through specially designed course work, individual research and practical experience;
- To study and consult with leading experts in the fields of Federal Indian Law, Tribal Governance, and International Indigenous Human Rights Law; and
- To graduate into a continuously growing, challenging and dynamic field of law and policy.

The concurrent degree program promotes an interdisciplinary approach as a foundation for focused indigenous legal studies. The curriculum of the American Indian Studies component offers a wide range of interdisciplinary classes in American Indian Law and Policy, American Indian Languages, American Indian Literature, Indigenous Societies and Cultures, and American Indian Education. For examples of specific courses, please see the recommended curriculum.

The Law degree component focuses on indigenous legal issues within specialized and traditional legal curriculum. The specialized indigenous legal curriculum includes Federal Indian Law I and II, International Indigenous Human Rights Law, International Human Rights Advocacy, and Advanced Indian Law Seminars that bring in changing topics such as the Native American Graves and Repatriation Act, Native Land Claims, and Indian Country Environmental Law. In addition, many traditional first-year legal courses, such as Torts, Constitutional Law, and Civil Procedure contain introductions to American Indian legal issues. Advanced legal courses such as Federal Courts, Environmental Justice, Environmental and Water Law, Administrative Law, Constitutional Law II, Employment Law, Civil Rights Law, International Law, and Public Land Law provide further indigenous studies within the traditional law curriculum.

The joint degree program also offers students the opportunity to acquire the practical experiences and skills that are essential for working in the complex and diverse field of Indigenous Peoples Law and Policy. The Indigenous Peoples Law & Policy Clinic affords students the opportunity to work on a range of projects, many of them for local, southern Arizona tribal courts. Through an on-going legal referral program at the Tucson Indian Center, students are also active in providing legal referrals to members of the local Indian community. Students with an interest in national or international indigenous issues may take Human Rights Advocacy, a seminar class taught by S. James Anaya, which provides hands-on experience researching and preparing actual indigenous human rights cases. Students may also attend meetings of regional and international

human rights bodies, such as the United Nations Working Group on Indigenous Populations and other UN treaty and non-treaty bodies in New York or Geneva, Switzerland.

Professors Robert A. Williams, Jr., S. James Anaya, and Robert A. Hershey are the lead law professors in the joint degree program: Professor Williams, E. Thomas Sullivan Professor of Law and American Indian Studies, is the director of the program. His published works include the leading casebook in Federal Indian Law, *Federal Indian Law: Cases and Materials* (4th ed., 1998, with Getches and Wilkinson); *Linking Arms Together: American Indian Treaty Visions of Law and Peace: 1600-1800* (Oxford, 1997); *The American Indian in Western Legal Thought: The Discourses of Conquest* (Oxford, 1990); and over 30 articles on Federal Indian Law and Indigenous Human Rights.

S. James Anaya, a Samuel M. Fegtly Professor of Law, has published the definitive work in Indigenous Human Rights Law, *Indigenous Peoples in International Law* (Oxford University Press, 1996). He has represented indigenous peoples in regards to land, voting, and civil rights. Professor Anaya also serves as special counsel to the Indian Law Resource Center, a U.S.-based non-governmental organization with consultative status at the United Nations.

Professor Hershey is a faculty member of both Law and American Indian Studies, and Director of the Tribal Law Clinic at the University of Arizona College of Law. Professor Hershey has served as counsel for the Fort Defiance Agency of Dinebeiiina Nahilna Be Agaditahe (DNA Legal Services) on the Navajo Indian Reservation, the White Mountain Apache Tribe, and the Pascua Yaqui Tribe. He now serves as Judge Pro Tempore for the Tohono O'odham Tribal Court.

Graduates of the Concurrent J.D./M.A. Program in Law and American Indian Studies will be trained to provide legal representation for American Indian tribes, organizations, and individuals, as well as provide advocacy for indigenous peoples around the globe. Specifically, a graduate of the JD/MA program could practice as a lawyer, teacher, government officer, or as a member of public interest and non-governmental organizations. The career opportunities available to a graduate of the Indigenous Peoples Law and Policy Program are increasing daily as the range of advocacy work on behalf of indigenous peoples continues to broaden and expand.

REQUIREMENTS FOR THE LAW AND AMERICAN INDIAN STUDIES CONCURRENT DEGREE

It is recommend that joint degree students begin their first year in American Indian Studies.

AMERICAN INDIAN STUDIES PORTION OF THE CONCURRENT DEGREE

The Masters Degree portion of the joint degree involves a total of 36 units in order to fulfill graduation requirements. 15 of those units are from an interdisciplinary core curriculum. The core courses are Dynamics of Indian Society, Development of Federal Indian Law and Policy, American Indian Law and Policy Seminar, and the student's choice of two courses from Literature, Societies and Cultures, Education or Linguistics.

Secondly, 9 units of Law coursework can be taken during the law school component to fulfill a portion of the Masters requirements. There is also a 6 unit internship requirement that can

be fulfilled through the Indigenous Peoples Law Clinic. 6 more units must be completed, either through thesis units, report units, or additional coursework and a comprehensive exam.

The following is a breakdown of requirements for the Master of Arts in American Indian Studies, thesis option:

15 units – Interdisciplinary Core Curriculum
9 units – Law Course work
6 units – Internship (3 units at AIS, 3 units at Law)
6 units – Thesis (3 units) & Substantial Paper (3 units)
36 Total units

15 Units of Interdisciplinary Core Curriculum

AIS 502 – Dynamics of Indian Society, 3 units: A survey of history, philosophies, and institutions of American Indian societies.

AIS 584 – Development of Federal Indian Law and Policy, 3 units: Examination of the historical background and development of the legal and political relationship between the United States government and American Indian tribes and individual Indians.

AIS 596H – American Indian Law and Policy Seminar, 3 units

And, the students' choice of two courses from two of the following four course areas:

Literature

AIS 577 – Studies in American Indian Literature, 3 units: In-depth study of works by and/or about American Indian writers.

AIS 596M – Oral Traditions, 3 units: A literary seminar on studies in the Oral Tradition.

AIS 646 – Ancient and Contemporary Voices, 3 units: A literary seminar and writing workshop to explore the literatures of various Indian nations.

AIS 696F* – American Indian Literature and Creative Writing Seminar, 3 units

Societies and Cultures

AIS 595A or AIS 696C – Colloquium or Seminar, 3 units: This course rotates on a variety of topics including Cultural Preservation, Sacred Sites, Research Design and Methodology, and Research and the Health of Native Peoples.

Education

AIS 565 – Tribal Colleges, 3 units: This course provides an introduction to the tribal colleges, which includes a discussion of their history, mission, governance, organization, finance, curriculum, and current challenges. It also includes student characteristics and support services, faculty characteristics, support services, roles, responsibilities and evaluation, and an introduction to assessment of learning in the tribal college.

AIS 677 – History of American Indian Education, 3 units: This course is organized around the historical study of early policies, educational practices and the American Indian experience through European missions to the federal establishment of Indian school in the early 1900s.

AIS 678 – Contemporary Research in American Indian Education, 1928–Present, 3 units: Beginning with the Meriam Report, this course is a study in history, policy analysis and contemporary research in American Indian education.

AIS 679 - American Indian Higher Education, 3 units: Development of higher education for American Indians/Alaska natives from the earliest efforts to contemporary times. Emphasis on tribally controlled colleges and universities, and the development of American Indian Studies programs in higher education institutions.

AIS 696E* – Seminar on American Indian Education, 3 units.

Linguistics

LING 500 – Linguistics for Non-Majors, 3 units: Linguistic foundations, methodology and frameworks.

LING 612 – Investigating Native American Languages, 3 units: Offered during the summer for the American Indian Language Development Institute (AILDI).

AIS 597A – Descriptive Linguistics for Native American Languages, 3 units: This workshop includes methods and techniques on how to describe a language in the four basic sub-areas of linguistics including phonology, morphology, syntax, and semantics.

AIS 599 – Independent Study, 3 units: Students have a choice of taking AIS 210, AIS 489 or LING 102 through graduate level independent study. Extra coursework for graduate credit will be required and permission from the course instructor must be obtained prior to registration.

*Course syllabus must be reviewed and approved by the AIS Curriculum Committee.

9 Units of Law Coursework

AIS/LAW 631A – Federal Indian Law I, 3 units: This course will explore the foundational principles and doctrines governing the legal and political relationship between the United States and Indian tribes. The history of federal Indian law and policy, tribal property rights, congressional plenary power, the trust doctrine, tribal sovereignty, jurisdiction in Indian Country, and tribal government are the major topics covered in the this course.

AIS/LAW 631B – Tribal Courts and Tribal Law, 3 units.

AIS/LAW 697B – Globalization & Preservation of Culture, 3 units: This seminar examines the economic, social, cultural, religious and political consequences of globalization. This course focuses on humanity and inhumanity in an accelerated world, the Building of Empires, the Poetics of Culture, the Role of the Judiciary in American Expansionism, the Logic of Global Capitalism, consequences of Technologies, New Measurements of Progress, Economic Development, Land Use, Agriculture, and the Environment.

6 Units of Internship

AIS/LAW 696D – Indigenous Peoples Law and Policy Clinic, 6 units: Provides domestic and international legal assistance to the indigenous peoples around the world.

6 Units of Thesis, Non-Thesis or Report Options

The 6 Thesis units are fulfilled by taking 3 AIS Thesis units and 3 Law Substantial Paper units. The Substantial Paper units are usually taken during the Spring of the second year of law school (3rd

year of the program). Then, the 3 AIS Thesis units may be taken during the Fall of the third year of law school (4th year of the program). The student would defend the thesis before April of the final year of the program.

There are non-thesis or research project options available for students who choose not to write a thesis. A Non-Thesis Option requires satisfactory completion of course work and satisfactory completion of a comprehensive written examination. The unit breakdown includes 15 units of Interdisciplinary Core Curriculum, 15 units of Law Course work, and 6 units Internship (3 units at AIS, 3 units at Law).

A Research Project requires submission of the research report and satisfactory completion of a comprehensive written examination. The unit breakdown includes 15 units of Interdisciplinary Core Curriculum, 9 units of Law Course work, 6 units Internship (3 units at AIS, 3 units at Law), and 6 units – Masters Report (3 units) & Substantial Paper (3 units).

LAW REQUIREMENTS FOR THE CONCURRENT DEGREE

The Juris Doctorate portion of the joint degree requires a total of 85 units for graduation. 30 of those units are mandatory first year law requirements. In addition, there are 9 other units, Evidence, the Legal Profession and Substantial Paper, which are required for graduation.

Next, the student has their choice of a total of 34 units of electives to take. Finally, 15 more units are taken during the law school portion that will count towards the American Indian Studies portion of the joint degree. Those 15 units can include Federal Indian Law I, Federal Indian Law II, Advanced Writing Seminar, Indigenous Peoples Law Clinic and the Substantial Paper. The Substantial Paper is a mandatory requirement of the Law School.

The breakdown of requirements for the Juris Doctorate degree:

36 units – First Year Law Requirements

9 units – Other Law Requirements (Evidence, the Legal Profession, and Substantial Paper)

15 units – Law units applied to American Indian Studies degree (Federal Indian Law, Tribal Courts and Tribal Law, Advanced Writing Seminar, Indigenous Peoples Law Clinic, and Substantial Paper)

34 units – Other Electives (Student's Choice)

85 units total

The Law School offers other courses that will complement the AIS/LAW Joint Degree. Those courses include, but are not limited to: International Indigenous Human Rights, International Human Rights, Public International Law, Negotiation, Mediation, Advanced Topics in Indian Law, Globalization and the Preservation of Culture, Indian Country Environmental Law, Environmental Law, Environmental Justice, International Environmental Law, Mining and Public Land Law, Land Use Planning, Water Law, Federal Courts, Civil Rights Law, Groups and the Constitution, Administrative Law, Statutory Interpretation, Asylum and Refugee Rights Law, and Immigration Law.

FULL PROGRAM RECOMMENDED CURRICULUM

NOTE: Students should always consult an advisor prior to registering for classes. Curriculum recommendations may change depending on class availability and a student's particular interests. Some requirements may be met by courses not listed in the recommended curriculum.

Under the recommended curriculum, a student may complete degree requirements as follows:

First Year – American Indian Studies

The first year of the concurrent degree may start with American Indian Studies. The fall semester can include 9 units of the interdisciplinary core curriculum. In the spring, the student can continue to fulfill the final 6 units of the interdisciplinary core curriculum, along with 3 units of the Indigenous Peoples Law Clinic.

Fall Semester– 9 Units

COURSE NUMBER	COURSE NAME	UNITS
AIS 502	Dynamics of Indian Societies	3
AIS 584	Development of Federal Indian Policy	3
AIS	Literature, Societies and Cultures, Language or Education	3

Spring Semester– 9 Units

AIS 596H	American Indian Law and Policy Seminar	3
AIS/LAW 696D	Indigenous Peoples Law Clinic	3
AIS	Literature, Societies and Cultures, Language or Education	3

Second Year – Law (1L)

The second year of the program would be the first year of law school. The courses required in the first year law school curriculum are mandatory.

Fall Semester– 15 Units

COURSE NUMBER	COURSE NAME	UNITS
Law 600	Contracts	5
Law 601A	Civil Procedure	3
Law 603	Research and Writing	2
Law 604A	Torts	2
Law 606	Constitutional Law	3

Spring Semester – 15 Units

Law 601B	Civil Procedure	2
Law 602	Criminal Procedure	4
Law 604B	Torts	3
Law 605	Property	5
Law 607	Moot Court	1

Third Year – Law (2L)

The third year of the program is a continuation of the law school curriculum. Evidence and the Legal Profession are required. Federal Indian Law I and II should be taken during this year. Indigenous Peoples Law Clinic may be taken during the spring semester, after completion of Federal Indian Law I. The Substantial Paper can also begin in the spring semester.

Fall Semester – 15 units

COURSE NUMBER	COURSE NAME	UNITS
LAW 608	Evidence	4
LAW 609	Legal Profession	2
LAW 631	Federal Indian Law I	3
LAW	Various Law Electives	6

Spring Semester – 15 units

LAW 631B	Tribal Courts and Tribal Law	3
LAW 696N	Substantial Paper	3
LAW/AIS 696D	Indigenous Peoples Law Clinic	3
LAW	Various Law Electives	6

Fourth Year – Law (3L)

During the final year, thesis or report units should be taken during the fall to complete the AIS requirements.

Fall Semester – 14 units

COURSE NUMBER	COURSE NAME	UNITS
AIS 910	Thesis	3
AIS/LAW 697B	Globalization & Preservation of Culture	3
LAW	Various Law Electives	8

Spring Semester – 14 units

LAW	Various Law Electives	14
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Please note: Requirements are subject to change. Exceptions to these requirements require department approval.