



AMERICAN INDIAN / NATIVE AMERICAN

With knowledge and an understanding of history and culture, and with broad legal experience, we represent Indian tribes and other clients in the dynamic and complex fields of federal Indian law and tribal law. Our Indian law practice draws on the overall resources of Conner & Winters and the talents of our attorneys in other disciplines, including corporate and securities, energy, labor and employment, real estate, and tax.

Our attorneys who practice in the field of Indian law have experience in:

- Major business transactions in Indian country, including financing, securities, Indian lands, regulatory, and other aspects of such transactions
- Tribal representation and tribal law, including sovereignty matters, Indian property rights, business law, employment law, self-governance, tribal taxation, economic development, housing, and other areas
- Environmental law and litigation, including actions involving CERCLA and natural resources damages recovery
- Tribal trust matters, including litigation to enforce the federal trust responsibility to tribes and individual Indians relating to federal management of their trust assets
- Cultural properties law, including the protection of cultural and historic sites and cultural artifacts under statutes such as the National Historic Preservation Act (Section 106) and the Native American Graves Protection and Repatriation Act
- Major construction projects in Indian country
- Energy law and Indian country minerals development
- Indian land title matters and realty transactions, including areas such as fee-to-trust, Indian land consolidation, and others

ATTORNEYS

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RELATED PRACTICES

Corporate and Securities
Energy
Real Estate
Tax

INDUSTRIES

Indian Country Business
and Finance

American Indian / Native American

- Indian Country litigation and appeals

The following summarizes some of the key areas in which we offer legal services to our Indian law and tribal clients.

Indian Country Business and Finance

Conner & Winters has extensive experience in handling all aspects of Indian Country business and financial transactions. We help with all aspects of getting the deal done and the project finished, from the development, financing, and construction, to the operation of projects in Indian Country.

We have assisted tribal and other clients with obtaining financing for Indian Country projects large and small, including through conventional lending and through multimillion dollar high-yield bond financings on Wall Street. Such projects have included tribal governmental buildings, cultural centers, casinos, and large resorts, major retail projects in Indian Country, and golf clubs.

We have well-established and experienced practice groups that support Indian Country business transactions. These include our corporate and securities, real estate and tax practice groups. Our attorneys who practice in the areas of labor and employment and employee benefits also have experience in Indian Country business matters. Because of the breadth of our firm's work, we can provide one-stop legal services for Indian Country transactions. At the same time, we also have worked extensively with law firms around the nation on large and complex deals. Click [here](#) to read more about the Indian Country Business and Finance Industry.

Tribal Government Representation

Our Indian law team has extensive experience in representing tribal governments and in handling matters involving tribal law. We have comprehensive experience in:

- Tribal sovereignty and sovereign immunity matters
- Tribal trust issues
- Cultural and historical preservation matters
- Defense of tort claims against tribes
- Contract negotiation and administration
- Housing
- Transportation
- Gaming

We have assisted tribes with a wide range of business and financial transactions and in economic development as well as with self-governance, realty matters (including fee-to-trust acquisitions, acquisitions under the Indian Land Consolidation Act, and the preparation of Indian gaming lands opinions), and other matters.

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We have also provided counsel in the area of tribal-state relations, including tribal-state compact negotiations, as well as in the area of tribal-federal relations, including the negotiation and implementation of numerous types of intergovernmental agreements and MOUs.

In general, our Indian law team has the depth and actual experience necessary to assist tribal clients with the many and varied legal issues that arise on a daily basis and that must be addressed quickly and properly.

Tribal Law

Our experience also includes comprehensive capabilities in one of the discrete fields of Indian law — tribal law. We have assisted tribes with code development, including the codification of existing tribal laws and the preparation of new tribal statutes, ordinances, and administrative regulations. We have experience serving as tribal general counsel, and we also have an experienced Indian law paralegal who provides legal support to tribes.

Tribal Labor and Employment Law and Benefits

In conjunction with our labor and employment and employee benefits practice groups, we also offer guidance in the area of tribal employment law and benefits. Our employment attorneys have assisted in the development of policies and procedures for tribes and tribal enterprises and in the clarification of jurisdictional issues relating to the application of federal employment laws. Conner & Winters labor lawyers practice nationwide and include a former counsel for the National Labor Relations Board. Our employee benefits practice regularly assists tribal clients with the implementation of federal and other benefits laws applicable in Indian Country.

Environmental Law

Our firm has a broad range of experience in environmental matters, including experience in handling environmental matters in Indian Country. Our attorneys regularly handle environmental litigation involving CERCLA, RCRA, the Clean Water Act, and other statutes. Among other cases, we have represented a tribe in litigation involving one of the largest Superfund sites in the nation. We also handle a variety of matters involving tribal regulatory compliance and permitting.

Aside from litigation, our team has assisted tribes in successful negotiations and mediations involving environmental issues. We regularly assist with tribal-state initiatives designed to foster better intergovernmental cooperation relating to the environment.

Trust & Trust Asset Management

We work extensively in the field of tribal and Indian trust law—one of the most dynamic and important areas of Indian law today. Our team has experience in major matters involving federal management of tribal and individual Indian assets. We have handled major litigation in this area, including litigation involving a tribal government's request for a historical accounting of the fund and nonfund management of its trust assets. In

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that case, our team assisted with a successful mediation that resulted in a unique settlement under which the tribe is conducting its own historical accounting pursuant to a federal contract.

In addition to tribal trust counseling, we assist with a number of projects to help individual tribal members gain more of an active role in the management and oversight of their trust assets.

Cultural Properties

We provide counseling in a variety of areas of the law relating to cultural and historical resources in Indian Country. We have provided assistance to clients on matters involving the Native American Graves Protection and Repatriation Act and other cultural protection laws. We also have experience with issues under Section 106 of the National Historic Preservation Act. Our Indian law team recently helped implement a program enabling telecommunications companies to satisfy the requirements of Section 106 in Indian Country in a speedy and efficient manner.

In all of our legal work in Indian Country, we recognize that each tribe is unique. We strive to develop detailed knowledge of the history and customs of each of the tribes we represent.

Indian Country Construction

Our [construction industry group] provides a critical component in development projects in Indian Country — providing construction law know-how to project design, planning, contract negotiation, and overall development that addresses the unique legal and jurisdictional issues in Indian Country. In addition to contract development and administration, our team has experience in the development and implementation of Indian Country building and inspection codes.

Indian Country Energy & Natural Resources

The Conner & Winters energy practice group has particular experience with energy and oil and gas matters in Indian Country and on public lands. This knowledge base includes counseling concerning oil and gas leases on Indian lands and other public lands.

We have experience in practicing before the Bureau of Indian Affairs, the Bureau of Land Management, the Minerals Management Service, and the tribunals of the U.S. Department of the Interior that hear energy and oil and gas matters, including the Interior Board of Land Appeals and the Interior Board of Indian Appeals.

Indian Land Title and Realty

Our Indian law team and our real estate practice group collectively provide our clients with in-depth knowledge in the area of Indian land title and real estate matters. We have experience in assisting with fee-to-trust conveyances, trust-to-trust conveyances, the Indian Nonintercourse Act, and other realty matters. In addition, we have experience in assisting tribes in a variety of matters relating to the elimination of fractional

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shares in Indian lands. We have extensive experience in counseling tribes on the Indian Land Consolidation Act, including in preparing ILCA plans and in acquiring interests in trust lands through the act. In addition, our team has experience in matters involving leasing and permitting in Indian Country, and with related negotiations and contracting.

We regularly assist with real estate acquisitions for tribes and tribal entities, including with the acquisition of fee and restricted lands. We also assist tribes in making unusable, highly fractionated lands usable. Among other recent projects, we assisted with the acquisition and quieting title to highly fractionated undivided fee interests in trust land, which required locating and negotiating with interest holders across the nation. Ultimately, this effort made it possible for the land to be used for tribal development.

Litigation

In the field of litigation, including appellate litigation, we have the experience and resources of a large law firm. The attorneys in our trial department litigate in federal and state courts and in administrative tribunals around the nation.

We regularly handle litigation in a variety of Indian law matters. Recently, we have handled significant cases involving, among other issues:

- Tribal sovereign immunity
- Tribal jurisdiction
- Indian Country business transactions
- Indian gaming and casino accounting
- Tribal trust
- Indian Child Welfare Act

Our Indian law team has practice experience in a number of federal courts across the Southwest, in tribal courts, in federal agency tribunals, including the Interior Board of Indian Appeals, and in the Courts of Indian Offenses and Appeals.

In addition, our firm has extensive experience in appellate litigation in the field of Indian law. Among other recent Indian law appeals, we have represented tribal governments in cases involving tribal sovereign immunity, federal program jurisdiction over tribes, and environmental matters. Our Indian law practice group attorneys have appeared in a number of the United States Courts of Appeals across the nation, and we have assisted with cases before the United States Supreme Court. In addition, our team has administrative law experience, and we frequently practice before agency tribunals that handle Indian Country matters, including the Interior Board of Indian Appeals and the Civilian Board of Contract Appeals.

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Our Commitment to Indian Country

We have a commitment to all of our clients and to Indian Country that goes beyond business. We regularly purchase powwow ads and sponsor dances, tribal golf tournaments, and other client activities in Indian Country. Recently, it has been our privilege to sponsor events of the National Congress of American Indians, and to contribute to the NCAI's Supreme Court project. We sponsor an award for the American Indian LLM program at the University of Tulsa College of Law. We provide legal assistance to an American Indian theater group. We have hosted roundtables for tribal and business leaders.

Conner & Winters strives not only to represent, but to be a part of Indian Country.

Publications & Events

The Supreme Court Has Held the U.S. Bankruptcy Code Waives Tribal Sovereign Immunity — What This Means for Tribes and Tribal Business Enterprises

06.21.2023

American Indian Law Trends: Unprecedented Changes Are Underway in the Legal Profession — Including in Indian Country

07.21.2021

CLIENT ALERT: AS ALMOST GENERATIONAL TRUST LITIGATION ENDS, THE QUAPAW FINALLY GET A SETTLEMENT

11.20.2019

C&W Providing Legal Counsel to Downstream Development for the Saracen Casino Resort Project

06.14.2019

Joy in Latta after Oklahoma school board changes graduation policy to accommodate Native Americans

05.21.2019

New Article by C&W Attorney Daniel Gomez Surveys Insurance and Risk Management Considerations in Indian Country

THE OKLAHOMA BAR JOURNAL, 10.29.2017

News

30th Edition of Best Lawyers® Recognizes 67 Attorneys from Conner & Winters

08.18.2023

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Conner & Winters Attorneys Honored by Chambers USA 2021
05.26.2021

Seminole Alliance With Disney Ends Over Florida Gaming Compact
VIXIO Gambling Compliance, 05.05.2021

Conner & Winters Recognized by Chambers USA 2018
05.03.2018

Conner & Winters Sponsors "Turning the Spend" Economic Symposium
Miami News Record, 01.24.2018