Family Relations in Indian Country Spring 2019 Syllabus

Tuesday and Thursday 3:30-4:45 Pacific /2:30-3:45 Mountain

Professor Cynthia Jordan

Office Hours: By appointment. Please feel free to contact me by email @ cjordanlawoffice@aol.com or by telephone (509)270-8274

Required Texts:

United Voices Awakening Cultural Understanding (Will be distributed in class on the first class) by a collection of individuals from each of the Idaho Tribes.

Children, Tribes, and States by Barbara Ann Atwood

Credit Hours for Coursework

In accordance with ABA standard 310, the College of Law awards one credit hour for experiences that are reasonably designed to involve 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week, or at least the equivalent amount of work for academic activities including simulation, field placement, clinical, and other academic work leading to the award of credit hours.

The Course requirements outlined above and below with respect to materials and assignments, in my professional judgment are complex enough in nature that it is expected that the amount of out-of-class time it will take students to complete the assignments will meet the rule.

Attendance and Tardiness: entering the classroom late disrupts the classroom so do not be tardy to class. For those entering the legal profession, arriving late to a courtroom will place your client in jeopardy and may result in a default judgment against them for your failure to be present at the correct time. Attendance will be taken as the beginning of class by a sign in sheet.

You may miss one class for every credit hour which equals three classes for this course. You do not need to contact me for those three absences. However, you will need to contact me if you have any absences over those three. If you miss more than
five classes, your grade will be lowered one letter grade at the conclusion of the course if you have not met with me on the reasons for the excessive absences.

Professionalism:

All students are expected to exhibit appropriate behavior in the classroom including respect for those in the classroom environment. Our classroom is a learning community where we allow open discussion and observe courtesy for one another during such discussion.

Class Preparation and participation:

You are expected to be prepared and ready to participate in every class during the semester. Please feel free to email me with questions regarding the assigned materials after we have had a classroom discussion on those materials. Class participation may account for an adjustment in upward or downward (e.g. B to a B+ or B-). Included in the class participation grade will be speaking during class discussions, participation in in-class exercises, and the professionalism you show to other and their ideas in class.

Learning Outcomes:

This course is intended to provide opportunities for discussion on legal principles involving Native Americans. Any paper assignments are meant to engage students with historical visual materials and provide an opportunity to apply course legal concepts to those visualizations. At the end of the semester, students will write a paper on a topic relating to this class. The paper should be 10 pages at a minimum and a maximum of 15 pages unless you have cleared it with the instructor to do more.

Grading and Final Examination:

The course grade will be based upon the following: Paper Assignment 100%. Class participation will be factored into the final grade and may result in lowering or raising that grade one level as discussed above.

Those attending the class as AIS students will write the same final paper and the grade will be determined in the same manner. They will be graded each on their own merit and not in competition with the others.
Disability Support Services Reasonable Accommodations Statement:

Center for Disability Access and Resources (CDAR) Reasonable Accommodations Statement

Reasonable accommodations are available for student who have documented temporary or permanent disabilities. Ideally students in Moscow and Boise should meet with CDR by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by CDAR to Dean Dodge for final approval. CDAR serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without CDAR first submitting a recommendation. You may contact CDAR by:

* Calling 208-885-6307
* Emailing cdar@uidaho.edu

It is ultimately the student’s responsibility to seek disability accommodations, and until an accommodation is approved by CDAR and Dean Dodge, no student will be entitled to receive any accommodations. To learn more about CDAR visit its website at http://www.uidaho.edu/current-students/cdar Moscow students may also visit CDAR in suite127 of the Pitman Center. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.

Recording Class Sessions:

Students may not electronically record classes unless they have the express consent of the instructor, except where the Dean of Students has allowed recording as a disability accommodation pursuant to a recommendation by CDAR. Recording classes without the instructor’s express consent violates the Honor Code. Students recording classes as a disability accommodation must follow procedures set down by CDAR. Students who are unable to attend class for reasons of illness or other exigencies must receive permission from the instructor before classes are recorded on their behalf. Contact the law library for recording equipment and information on recording procedures.

Civility:
In any environment in which people gather to learn, it is essential that all members feel as free and safe as possible in their participation. To this end, it is expected that everyone in this course will be treated with mutual respect and civility, with an understanding that all of us (students, instructors, professors, guests, and teaching assistants) will be respectful and civil to one another in discussion, in action, in teaching, and in learning. Should you feel our classroom interactions do not reflect an environment of civility and respect you are encouraged to meet with me during office hours to discuss your concern.

Should you feel our classroom interactions do not reflect an environment of civility and respect, you are encouraged to meet with your instructor during office hours to discuss your concern. Additional resources for expression of concern or requesting support include the College of Law Dean of Students (jdodge@uidaho.edu), the University Dean of Students office and staff (208-885-8757), the UI Counseling & Testing Center’s confidential services (208-885-8716) or the UI Office of Civil Rights & Investigations (208-885-4285)

**Remember:**

**The Assignments may change due to unforeseen circumstances. You will be notified of any changes as soon as practicable through your University of Idaho email account.** New reading assignment will be handed out each class for the next class each week until we begin the study of family law in tribal court.

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**Assignments**

Week 1 January 8th and 10th

Basics of the Indian Child Welfare Act and intro to the class

The book United Voices will be distributed on Tuesday and will be discussed on Thursday.

Week 2 January 15th and 18th

History of the various era’s in Indian Law that led to ICWA.
Film “Our Spirits Don’t Speak English”

Week 3 January 22\textsuperscript{th} and 24\textsuperscript{th}
ICWA assigned reading

Week 4 January 29\textsuperscript{th}
ICWA (class on the 31\textsuperscript{st} is cancelled)

Week 5 February 5\textsuperscript{th} and 7\textsuperscript{th}
ICWA

Week 6 February 12\textsuperscript{th} and 14\textsuperscript{th}
ICWA

Week 7 February 19\textsuperscript{th} and 21\textsuperscript{st}
ICWA

Week 8 February 26\textsuperscript{th} and 28\textsuperscript{th}
Chapter 1 and 2

Week 9 March 5\textsuperscript{th} and 7\textsuperscript{th}
Chapter 3 and 4

Week 10 March 12\textsuperscript{th} and 14\textsuperscript{th}
Spring Break No Class
Week 11 March 19th and 21st
Chapter 5 and 6

Week 12 March 26th and 28th
Chapter 7
Video “Rape on the Reservation”

Week 13 April 2nd and 4th
VAWA and TLOA

Week 14 April 9th and 11th
VAWA TLOA

Week 15 April 16th and 18th
AIPRA

Week 16 April 23rd and 25th
AIPRA
PAPER DUE ON THE 30TH OF APRIL by 4:00 p.m.
May be emailed to me or hard copy turned in to the main office in person.