

REPORT OF THE CHAIRPERSON  
JOHN J. LEMIRE

The American Indian Law Section began the 2003-2004 year with the Business meeting held in conjunction with the Annual meeting of the State Bar, September 12, 2003. Outgoing Chairperson Melissa Pope gave a Council update after which annual elections were held and several by-law amendments were passed. Another decision made by our members was to continue its contribution to the Access to Justice Fund. This Fund's Development Campaign benefits civil legal services for Michigan's low-income families. Because of our Section's commitment to such activities and following our Native tradition, the contribution was designated for Michigan Indian Legal Services. As a result of this and other donors, Michigan Indian Legal Services received a grant to help disseminate material on the Michigan Indian Child Welfare Act. Finally, the 2003 Tecumseh Peacekeeping Award was presented to Kathryn Tierney, Bay Mills Indian Community Attorney, for her significant service to the Native community.

After the business meeting, the American Indian Law Section presented a program by Kathryn Tierney, "Taxation Issues in Indian Country". Along with her presentation and personal observations and anecdotes, Ms. Tierney provided a detailed outline with applicable federal, state, and case law. Everyone agreed that the presentation was informative and helpful and demonstrated the complexity of the relationship of Indian Country and the various governments.

Upon taking the gavel, I indicated my desire to shift the focus of the Section for this term. In the recent past, the Section was responsible for efforts on disseminating and clarifying information on the Indian Child Welfare Act to Courts, Social Workers, and other interested persons and groups. The Section is still a repository for such knowledge, and through its various members in their daily professional occupations dispenses advice as needed. The Section will continue its commitment to all aspects of the integrity of the Native family, keeping in mind the uniqueness of its place in the law. The Section further is prepared to continue its involvement in cultural activities as requested. This being said, I desired to look at perhaps more mundane aspects of our roles as lawyers. In many instances in our practices, we are presented with clients who may be Native and wish to start or maintain businesses, or those who would like to connect with Native businesses. The Native American Business Alliance, as well as the Michigan Minority Business Development Council were contacted for possible presentations, and have indicated a willingness to share their expertise. Arrangements for their participation are in progress.

Shortly after taking office, I had the distinct pleasure of attending the President's Dinner hosted by the State Bar of Michigan's Access to Justice Development Campaign. This dinner is generally held to honor the outgoing President of the State Bar, as well as introduce the incoming President. This function was well attended by all the luminaries of the Bar, including Governor Granholm, and served to emphasize the commitment to assist legal services.

About the same time, I received an inquiry from a staff attorney of Michigan Indian Legal Services, requesting comment and discussion on a proposed Court rule change affecting MICWA. As I thought about the process, I was struck by the difficulty in putting such a labor into practice. The time, effort, and potential expense could be great, and whether successful would depend on numerous factors. In the past, I had the experience of perusing our Section as well as other Section's web pages on the State Bar of Michigan's web site. Many of the larger Sections had comprehensive web pages, including recent developments in the law etc., but also something referred to as "listserv". As I came to find out, the listserv was a service of the Bar allowing members of a group to discuss issues through the use of their e-mail function on their computers. The method was as immediate as e-mail, and the Bar was willing to assist in setting it up through their Information Technology department. Indeed, as it turned out, the State Bar was extremely helpful in initiating this service. Our first project was to place its availability on the Section's web page. This can be seen by going to the State Bar's web site and clicking "Sections" along the bottom. However, the process, like many other aspects of our computer age, had a "learning curve" that is still being mastered. This Chairperson has probably become a stone in the moccasin of the Bar personnel because of the necessity of "passwords" and "administrators", and other such verbiage. But the effort is worthwhile, if only because it is the communication resource of the 21<sup>st</sup> Century. If this method is not perfected in my term, I hope to continue the effort until its is a functional part of our Section. This also applies to our Section web page also, where recent developments in the law, or announcements can be posted. The potential of the computer cannot be ignored, and was recently acknowledge by the Michigan Supreme Court, which, when soliciting official comment on a proposed Administrative Order, would allow same by e-mail response. In addition, the State Bar has recently announced the addition to the Bar Journal of a service called "Section Briefs" wherein each Section can give latest news in 75 words or less. This Brief can be forwarded to the Bar by e-mail for inclusion in the hard copy Journal.

All of the above represents a concerted effort by the Bar and Sections to improve communication among their respective members. The observations of the Bar (and myself) are that the Sections with effective communication resources can only benefit everyone including the public we serve. However, in our busy professional lives, it is often difficult to contact other members, particularly *en masse*. I can personally attest that the State bar of Michigan has given it a very high priority.

Tom Myers, Council member, attended a Bar meeting on creating more Specialty designations. I am sure he will provide an update at the annual meeting. Angela Sherigan, Chair-elect, attended the Bar leadership Conference in June. The Section was invited to contribute to the Bar Journal articles of interest on Native American issues. This newsletter includes case summaries as well as legislative updates for our professional consumption. As Chairperson I have received calls from assorted parties and was able to refer them to appropriate resources. I am extremely grateful to all that have assisted in carrying out the duties of our Section.

Our annual meeting is scheduled for Thursday, September 30, 2004 at the Lansing Center from 2 to 5 PM. The Bar has informed Section chairs that they will again have an exhibit hall for good and services useful to Attorneys and their offices. I will also have the honor of presenting the Tecumseh Peacekeeping Award to Jim Keedy, of Michigan Indian Legal Services. I have known Jim for many years, and am familiar with his efforts on behalf of Native Americans. I look forward to seeing our Section members in the fall.