

Monte Mills (he/him)

Charles I. Stone Professor of Law

Director, Native American Law Center

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EXPERIENCE

University of Washington School of Law (Seattle, Washington), 2022-Present

Charles I. Stone Professor of Law, 2022-present; Director, Native American Law Center, 2022-Present

Courses Taught:

American Indian and Tribal Law: American Indian Law; Indigenous Economic Development

Other Courses: Water Law (co-taught); Property (required 1L course); Land, American Culture, and the Law

Co-Curricular Activities:

Co-Advisor, Native American Law Student Association (NALSA); Co-Coach, NALSA Moot Court Competition team; Board member, Washington Law Review Association

Alexander Blewett III School of Law at the University of Montana (Missoula, Montana), 2015-2022

Acting Dean, Student Success, 2021-22; Professor with Tenure, 2021-2022; Associate Professor, 2018-2021; Co-

Director/Director, Margery Hunter Brown Indian Law Clinic, 2015-2022; Interim Co-Director, Clinical Program,

2019-2020; Co-Director/Director, Summer Indian Law Program, 2016-2022; Assistant Professor, 2015-2018; Co-

Clinic Director, Summer 2018, 2022

Awards & Honors:

Montana University System (MUS) Teaching Scholar (recognizing faculty whose teaching could serve as an exemplary model for others across the state), 2020-21

Margery Hunter Brown Faculty Merit Award (exemplifying the spirit of professionalism and professorial qualities for which Margery Hunter Brown was so well known), 2016, 2019

Law School Merit Award (for exemplary contributions to the School of Law), 2020

Courses Taught:

American Indian and Tribal Law: Federal Indian Law: American Indian Natural Resources Law;

Economic Development in Indian Country; Advanced Problems in Federal Indian Law; Indigenous

Cultural Preservation; Energy in Indian Country; Tribal Sovereignty, Self-Determination, and

Economic Development in Montana (Field Course); The Law of People and Place (co-taught Field

Course); Tribal-State Relations; Tribal Law Advocacy (co-taught)

Other Courses: Federal Public Lands and Natural Resources Law; Race, Racism & American Law (co-taught); Employment Law

Co-Curricular Activities:

Co-Advisor, Public Lands & Resources Law Review; Co-Advisor/Advisor, Native American Law

Student Association (NALSA); Co-Coach/Coach, NALSA Moot Court Competition teams; Co-

Coach, National Cultural Heritage Moot Court Competition teams

Southern Ute Indian Tribe (Ignacio, Colorado)
Director, Legal Department, 2005-2015

SELECTED PUBLICATIONS

BOOKS

A THIRD WAY: DECOLONIZING THE LAWS OF INDIGENOUS CULTURAL PROTECTION, with Hillary M. Hoffmann (Cambridge University Press, July 2020), <https://www.cambridge.org/core/books/third-way/307B5008C1AC8C0624D0A90DE7EE03FB>.

TREATISES

Contributing Editor, COHEN'S HANDBOOK OF FEDERAL INDIAN LAW (Nell Jessup Newton and Kevin Washburn, eds. forthcoming).

Contributing Author, ALASKA NATIVES AND AMERICAN LAWS (David S. Case and David A. Voluck, 4th ed. forthcoming).

TEXTBOOKS

NATIVE AMERICAN NATURAL RESOURCES LAW, with Michael C. Blumm & Elizabeth Ann Kronk Warner (Carolina Academic Press 5th ed. 2023).

AMERICAN INDIAN LAW: CASES AND COMMENTARY (as of 2021-22 Teacher's Update), with Robert T. Anderson, Sarah A. Krakoff, and Kevin K. Washburn (West Academic 4th ed. 2020).

BOOK CHAPTERS

Preparing Students for the Profession We Have or the Profession We Need? Supporting Students to Further Their Antiracist Professional Identity in Practice, with Andrew King-Ries, in BUILDING AN ANTI-RACIST LAW SCHOOL – VOLUME SEVEN (Danielle Conway, et al. eds. forthcoming).

Developing Antiracist Professional Identity Through Use of Racial Identity Development Models, with Andrew King-Ries, in BUILDING AN ANTI-RACIST LAW SCHOOL – VOLUME FIVE (Danielle Conway, et al. eds. forthcoming).

Beyond Current Boundaries: Disrupting Historical Legacies to Re-Indigenize the Crown of the Continent, with Kekek Stark, in TOMORROW'S FUTURE OF THE AMERICAN WEST (Robert Frodeman, Luther Propst, and Evelyn Brister, eds., Univ. of Utah Press forthcoming).

Administrative Sovereignty and Tribal Governance, with Kekek Stark, in UNTOLD CASE STUDIES IN PUBLIC ADMINISTRATION: DOCUMENTING THE VOICES OF PUBLIC SERVICE (Sara Rinfret, ed., Routledge 2023).

Starting at the Start: Integrating Race and Reflection for an Antiracist Approach to Professional Identity Development in the First Year Curriculum, with Eduardo R.C. Capulong and Andrew King-Ries, in INTEGRATING

DOCTRINE AND DIVERSITY: INCLUSION AND EQUITY IN THE LAW SCHOOL CLASSROOM (Nicole P. Dyszlewski, et al., eds. Carolina Academic Press 2021).

LAW REVIEW ARTICLES

(Some) Landback, Sort of: The Transfer of Federal Public Lands to Indian Tribes since 1970, with Audrey Glendenning and Dr. Martin Nie, 63 NAT. RES. J. 200 (2023),
<https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=4142&context=nri>.

Re-Indigenizing Yellowstone, with Kekek Stark, Autumn Bernhardt, and Jason Robison, 22 WYO. L. REV. 397 (2022), <https://scholarship.law.uwyo.edu/wlr/vol22/iss2/7/>.

Bridges to a New Era Part 2: A Report on the Past, Present, and Potential Future of Tribal Co-Management on Federal Lands in Alaska, with Dr. Martin Nie, Professor of Natural Resources Policy and Director, Bolle Center for People and Forests in the W.A Franke College of Forestry and Conservation, University of Montana, 46 COLUM. J. ENVTL. L. 176 (2022),
<https://journals.library.columbia.edu/index.php/cjel/article/view/9477/4841>.

Bridges to a New Era: A Report on the Past, Present, and Potential Future of Tribal Co-Management on Federal Public Lands, with Dr. Martin Nie, Professor of Natural Resources Policy and Director, Bolle Center for People and Forests in the W.A Franke College of Forestry and Conservation, University of Montana, 44 PUB. LAND & RES. L. REV. 49 (2021),
<https://scholarworks.umt.edu/plrlr/vol44/iss1/2/>.

Antiracism, Reflection, and Professional Identity, with Eduardo R.C. Capulong and Andrew King-Ries, 18 HASTINGS RACE AND POVERTY L. J. 3 (Winter 2021),
https://repository.uchastings.edu/hastings_race_poverty_law_journal/vol18/iss1/3/.

Beyond The Belloni Decision: Sohappy v. Smith and the Modern Era of Tribal Treaty Rights, 50 ENVTL. LAW 387 (2020), https://law.lclark.edu/law_reviews/environmental_law/past_issues/volume_50/50-2/.

'Race, Racism, and American Law': A Seminar from the Indigenous, Black, and Immigrant Legal Perspectives, with Eduardo R.C. Capulong and Andrew King-Ries, 21 SCHOLAR 1 (2019),
<https://commons.stmarytx.edu/thescholar/vol21/iss1/1/>.

Current Developments in Indian Water Law and Treaty Rights: Old Promises, Recent Challenges, and the Potential for a New Future, 64 ROCKY MT. MIN. L. INST. 9-1 (2018).

Beyond a Zero-Sum Federal Trust Responsibility: Lessons from Federal Indian Energy Policy, AM. IND. L. J., VOL. 6, ISS. 1, ART. 2 (2017), <https://digitalcommons.law.seattleu.edu/ailj/vol6/iss1/2/>.

Foreword: A 'Coyote Warrior' and the 'Great Paradoxes,' The Scholarship of Professor Raymond Cross, PUB. LAND & RES. L. REV. SPECIAL ISSUE 1 (2017),
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3092292.

What Should Tribes Expect from Federal Regulations? The Bureau of Land Management's Fracking Rule and the Problems with Treating Indian and Federal Lands Identically, 37 PUB. LAND & RES. L. REV. 1 (2016),
<http://scholarship.law.umt.edu/plrlr/vol37/iss1/5/>.

AMICUS BRIEFS

Brief of Tribal Nations and Indian Organizations as *Amici Curiae* in Support of the Navajo Nation (with Professors Heather Whiteman Runs Him and Dylan Hedden-Nicely), *State of Arizona, et al. v. Navajo Nation, et al.*, and *U.S. Dep't. of the Interior, et al. v. Navajo Nation*, et al., Nos. 21-1484 & 22-51, (U.S. Supreme Court Feb. 8, 2023).

Brief of *Amicus Curiae* Law Professors in Support of Plaintiff/Appellant and Reversal of the District Court's Order, *Navajo Nation v. United States Dept. of the Interior, et al.*, No. 19-17088 (9th Cir. March 4, 2020).

Brief of *Amici Curiae* Indian Law Professors in Support of Petitioner, *Herrera v. Wyoming*, No. 17-532, (U.S. Supreme Court Sept. 11, 2018), *reprinted in* 40 PUB. LAND & RESOURCES L. REV. 15 (2019).

Brief of *Amicus Curiae* Law Professors in Support of Plaintiff/Appellee and Affirmance of the District Court's Order, *Agua Caliente Band of Cabuilla Indians and United States v. Coachella Valley Water District, et al.*, No. 15-55896 (9th Cir. Dec. 18, 2016).

ADDITIONAL PUBLICATIONS

Briefing Paper on Regulation of the Environment and Natural Resources, McGirt and the Work of Rebuilding of Tribal Nations; A Tribal Nation Building Colloquium sponsored by Harvard Project on Indian Economic Development and the University of Oklahoma Native Nations Center, <https://sites.google.com/g.harvard.edu/mcgirt-rebuilding-nations/mcgirt-issue-areas/mcgirt-regulation-of-environment-natural-resources>

Briefing Paper on Cultural Resources, McGirt and the Work of Rebuilding of Tribal Nations; A Tribal Nation Building Colloquium sponsored by Harvard Project on Indian Economic Development and the University of Oklahoma Native Nations Center, <https://sites.google.com/g.harvard.edu/mcgirt-rebuilding-nations/mcgirt-issue-areas/mcgirt-cultural-resources>

The Legacy of Federal Control in Indian Country, Regulatory Review (U.Penn. Program on Regulation), March 16, 2021, <https://www.theregreview.org/2021/03/16/mills-legacy-federal-control-indian-country/>

The Civil Jurisdictional Landscape in Eastern Oklahoma Post McGirt v. Oklahoma (with Prof. Dylan R. Hedden-Nicely, University of Idaho School of Law), Natural Resources Law Insights, Rocky Mtn. Min. Law Found. (Aug. 2020), <https://www.rmmlf.org/-/media/Files/natural-resources-law-network/august-2020/the-civil-jurisdiction-landscape-in-eastern-oklahoma.pdf?la=en>

Beyond Constitutional Frontiers: Tribal Rights, Resources, and Reform, Proceedings of the 27th Fall Conference of the American Bar Association's Section on the Environment and Energy Resources, https://scholarship.law.umt.edu/faculty_barjournals/149/

Herrera v. Wyoming: A New Trend for Indian Law?, GEO. WASH. L. REV. ON THE DOCKET (June 11, 2019), <https://www.gwlr.org/herrera-v-wyoming-a-new-trend-for-indian-law>

Bigotry, Ignorance, and High School Basketball in Montana, HIGH COUNTRY NEWS (March 27, 2019), <https://www.hcn.org/articles/opinion-bigotry-ignorance-and-high-school-basketball-in-montana>

Report from the Royalty Policy Committee: The Past, Present, and Future of the Royalty Policy Committee, in FEDERAL AND INDIAN OIL & GAS ROYALTY VALUATION AND MANAGEMENT 7-1 (Rocky Mt. Min. L. Fdn. 2018)

Supreme Court Tests Weight of Old Native American Treaties in 21st Century, THE CONVERSATION (April 13, 2018), <https://theconversation.com/supreme-court-case-tests-weight-of-old-native-american-treaties-in-21st-century-93194>

Monumental Battles - - Protecting Sacred Tribal Lands, BILLINGS GAZETTE (March 19, 2018), http://billingsgazette.com/opinion/columnists/guest-view-monumental-battles---protecting-sacred-tribal/article_9c3134b5-f244-510b-8fc8-66ad9b6f9737.html

Finding the 'Founding Fathers' at Bears Ears and Beyond, Berkley Forum (Feb. 20, 2018), <https://berkeleycenter.georgetown.edu/forum/using-a-religious-freedom-framework-to-protect-the-rights-of-native-americans/responses/finding-the-founding-fathers-at-bears-ears-and-beyond>

Why Indian Country? An Introduction to the Indian Law Landscape, in INDIAN LAW AND NATURAL RESOURCES: THE BASICS AND BEYOND 1-1 (Rocky Mt. Min. L. Fdn. 2017)

Trump's Plan to Dismantle National Monuments Comes with Steep Cultural and Ecological Costs (with Profs. Sandi Zellmer and Michelle Bryan), The Conversation (May 3, 2017), <https://theconversation.com/trumps-plan-to-dismantle-national-monuments-comes-with-steep-cultural-and-ecological-costs-77075>

Serving the National Interest? Tribal Rights and Federal Obligations from Dakota Access to Keystone XL, The Jurist (Apr. 12, 2017), <http://www.jurist.org/forum/2017/04/Monte-Mills-keystone-xl.php>

How Will Native Tribes Fight the Dakota Access Pipeline in Court, The Conversation (Feb. 14, 2017), <http://theconversation.com/how-will-native-tribes-fight-the-dakota-access-pipeline-in-court-72839>

New Approaches to Energy Development in Indian Country: The Trust Relationship and Tribal Self-Determination at (Yet Another) Crossroads, 63 Fed. Law., April 2016, at 50, http://scholarship.law.umt.edu/faculty_barjournals/114/

SELECTED PRESENTATIONS AND PANELS

Tribes, Treaties, and Water, Whatcom County Water Law Adjudication CLE, January 9, 2024

Tribal Treaty Rights, Washington State Riparian Working Group Series 2: Meeting #4, December 1, 2023

Tribes, Treaties, Water, and the Challenges of Managing Shared Resources, State of Washington Office of the Attorney General Annual CLE, November 7, 2023

The Current State of Tribal Water Law: Ensuring a Future of Tribal Engagement, Tribal Water Law Conference, Santa Fe, New Mexico, November 6, 2023

The Four Corners of Indian Water Rights; Tribes, Treaties, and the Adjudication of Reserved Rights, American Water Resources Association 2023 Annual State Conference, Seattle, Washington, September 28, 2023

Federal Indian Law and Policy, Yale School of the Environment: Tribal Resources and Sovereignty Clinic, September 13, 2023

Arizona v. Navajo Nation, ABA Section of Environment, Energy, and Resources: Important Developments in Water Law, July 27, 2023

Critical Concerns in Indian Country: Arizona v. Navajo Nation, Montana State Bar Indian Law Section Annual CLE, April 21, 2023

Combating Climate Change and Increasing Tribal Co-Management, Federal Bar Association Indian Law Section Annual Conference, April 18, 2023

Stewart Udall and the Politics of Beauty, University of Washington School of Law, April 7, 2023

Tribal Co-Management of Federal Public Lands, Arizona Journal of Environmental Law and Policy Spring Symposium, April 7, 2023

Advancing and Expanding an American 30 by 30, 2023 J.B. & Maurice C. Shapiro Environmental Law Symposium, George Washington University, April 6, 2023

Restoring our Nation's Legacy: Native Nations, Co-Management, and the Future of Federal Public Lands, Case Western Reserve University School of Law, March 22, 2023

Foundations of Federal Indian law, Treaties, and Natural Resources, Washington State Courts Appellate Conference, March 27, 2023

From Aspiration to Implementation for Energy and Environmental Justice, 2023 Annual Meeting, Association of American Law Schools, January 4, 2023

Past and Future of Indian Law: Recent Supreme Court Decisions, Co-Management, and Off-Reservation Rights, Washington State Attorney General's Office CLE Seminar, Nov. 30, 2022

Integrating American Indian Law and Indigenous Identities, Integrating Doctrine and Diversity Speaker Series, Zoom webinar, October 19, 2022, https://youtu.be/GHZEN_O6JU4

Native Nations in a Time of Energy Transition, Seventh Annual SRP Sustainability Conference of American Legal Educators, Sandra Day O'Connor College of Law, Arizona State University, Phoenix, Arizona, May 13, 2022

Management of Sovereign Lands in the Era of Climate Change (moderator), ABA Section on Environment and Energy Resources (SEER) 51st Spring Conference, San Francisco, California, April 7, 2022

Recognizing and Honoring Tribal Leadership in Public Land Management, 75th Anniversary of the Bureau of Land Management (BLM), Sept. 23, 2021

The Future of Self-Governance: Tribal Co-Management of Public Lands, 2021 Tribal Self-Governance Conference, Self-Governance Communication and Education Tribal Consortium, Sept. 16, 2021

Race, Lawyering, and the Experiential Curriculum, Co-Organizer and Discussant, Association of American Law Schools (AALS), 2021 Annual Clinical Conference, April 28, 2021

Sovereignty and the Sacred: Past, Present, and Future, UCLA Emmet Institute Spring Symposium: Environmental Justice in the United States: Taking Stock under President Biden, April 26, 2021

Healthcare Sovereignty: The History, Context, and Challenges of Tribal Self-Determination, Healthcare Issues and Negotiating 638 Contracts, Indian Law Section, Montana State Bar, April 23, 2021

Powerful and Practical: The Emerging Meanings of McGirt, University of Oklahoma School of Law 2021 Oil and Gas, Natural Resources, and Energy Law Journal (ONE-J) Symposium: *McGirt* and Emerging Indian Country, April 2, 2021

Race, Sovereignty, and Native American Voting Rights in Montana, Montana Advisory Committee, U.S. Commission on Civil Rights, February 11, 2021

Race, Racism & the Language of Law School: Power of Words in Shaping Professional Identity, Co-organizer and Discussant, 2021 Annual Meeting of the Association of American Law Schools (AALS), January 8, 2021

Race, Federal Indian Policy and Access to Water, Dividing the Waters, National Judicial College, November 19, 2020

Developing Anti-Racist Professional Identities: Infusing Reflective Practice with Critical Race Consciousness, Northwest Clinical Law Conference, November 6, 2020

Briefing on Tribal Co-Management on Public Lands, webinar sponsored by Audubon and Center for American Progress, October 13, 2020

How Climate Change is Challenging Established Doctrine and What Tribes Can Do to Adapt, Ninth Annual Tribal Water Law Conference, September 14, 2020

Indian Law and Jurisdiction (in 45 Minutes), Montana Law Seminar for July 2020 Bar Examinees, July 30, 2020

Ending Erasure: Indigenous People and the Decolonization of our Legal System, Embedded Racism in the Law Panel Discussion Series, Vermont Law School, July 9, 2020, https://youtu.be/g2z0OI_aWRM

MEMBERSHIP & SERVICE

Planning Co-Chair, 46th Annual Indian Law Conference, Indian Law Section, Federal Bar Association (2021)

Chair, Association of American Law Schools Section on Indian Nations and Indigenous Peoples (2019)

Primary Member, Royalty Policy Committee, United States Department of the Interior (2017-2019)

Member, State bars of Washington, Colorado, and Montana, Federal bars of the U.S. Supreme Court, Ninth and Tenth Circuit Courts of Appeal, District Court of Colorado, Southern Ute Indian Tribal bar (inactive)

Professional Fellow, United States State Department, Young Southeast Asian Leadership Initiative Exchange Program (Cambodia 2017-18)

Board Member, Clark Fork Coalition, Missoula, Montana (2017-2022)

EDUCATION

University of Colorado School of Law (Boulder, Colorado)
J.D., 2003

Lewis & Clark College (Portland, Oregon)
B.A. Political Science, 1998