

CURRICULUM VITAE

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Status: U.S. Citizen
Tribal Affiliation: Squaxin Island Tribe

EDUCATION

- 1991 Bachelor of Arts
Evergreen State College
Olympia, WA
Major – American Indian Studies
- 1994 Juris Doctor
University of Washington
Seattle, WA

PROFESSIONAL ACTIVITIES/EMPLOYMENT

- 1994-2000 *Legal Counsel*
Squaxin Island Tribe
Shelton, Washington
- 1998-2000 *Interim Director, Native American Law Center*
University of Washington School of Law
Seattle, Washington
- 1999-2003 *Attorney/Director, Indian Law Clinic*
Northwest Justice Project/University of Washington
Seattle, Washington
- 2003-Present *Assistant Professor*
Assistant Director, Native American Law Center
Director, Tribal Court Public Defense Clinic
University of Washington School of Law
Seattle, Washington
- 2006-Present *Associate Justice*
Northwest Intertribal Court of Appeals
Mountlake Terrace, Washington

2007-Present *Of Counsel*
Foster Pepper PLLC
Seattle, Washington

2007-Present *Chief Judge*
Confederated Tribes of the Chehalis Reservation
Oakville, Washington

MAJOR RESEARCH INTERESTS

Jurisdictional and ethical issues of public defense in courts of American Indian and Alaska Native tribal courts.

Legal, ethical and societal implications of research among American Indian and Alaska Native communities

The effect of fetal alcohol syndrome/effect, post traumatic stress disorder, traumatic brain injury and mental illness on American Indians/Alaska Natives compliance with probationary requirements in tribal, state and federal criminal systems.

Jurisdictional authority of federally recognized tribes and villages to regulate and control data collected by outside researchers and institutions.

SCHOLARSHIP

Published Works

Ron J. Whitener, *The Personal Impact of the Boldt Case: A Tribute to Professor William H. Rodgers, Jr.*, 82 Wash. L. Rev. 497 (2007)

Shore J., Bloom J, Manson, S, **Whitener RJ**. Telepsychiatry with rural American Indians: Issues in civil commitments, *Behav. Sci. Law*, 26:1-14 (2008)

Ron J. Whitener, *Research in Native American Communities in the Genetics Age: Can the Federal Data Sharing Statute of General Applicability and Tribal Control of Research be Reconciled*, University of Florida Journal of Technology Law and Policy, (Accepted for Fall 2010)

Whitener RJ, Hartness C, Kuerschner S. Fetal Alcohol Spectrum Disorder and the Lack of Right to Counsel in Tribal Court Criminal Proceedings, *J. Psychiatry and the Law* (Accepted for Winter 2011).

Forthcoming

Whitener, RJ, Edwards K, Noonan C, Burke W, Spicer P. Attitudes toward research among American Indian/Alaska Native members of a science and engineering organization

Lin CP, Black RA, LaPlante J, Keppel GA, Tuzzio L, Berg AO, **Whitener RJ**, Buchwald DS, Baldwin LM, Fishman PA, Greene SM, Gennari JH, Tarczy-Hornoch P, Stephens KA. Facilitating Health Data Sharing Across Diverse Practices and Communities. 2010 AMIA Summit on Clinical Research Informatics; 2010 March 12-13; San Francisco, CA. Forthcoming 2010.

Boyer B, Dillard D, Woodahl E, **Whitener RJ**, Burke W. Ethical Issues in Pharmacogenetic Research with Indigenous Communities (Submitted to Clinical Pharmacology & Therapeutics).

Scholarly Presentations

Ethical Legal and Societal Implications of Research in United States Indigenous Communities. *International Network of Health Knowledge and Development Annual Conference*, October 1-3, 2005, Vancouver, British Columbia (Invited presentation)

Genetic Samples and Native Americans: Can Federal Data Sharing Mandates and Tribal Authority be Reconciled? *Emerging Indian Law Scholars Roundtable*, July 2007, Lewis and Clark Law School, Portland, Oregon.

FUNDED GRANTS AND TRAINING

- 2005 *Co-Investigator, University of Washington School of Law*
Center for Genomics and Health Care Equality, University of Washington
School of Medicine, NHGRI, 5P50HG003374-02
- 2006-2007 *Fellow, University of Colorado, Health Sciences Center*
Native Elder Research Center, Denver, CO
NIA Research Center for Minority Aging Research, 2 P30 AG15292-09
- 2007 -2008 *Co-Investigator, University of Washington, School of Medicine*
Native People for Cancer Control Telehealth Network
DHHS Health Resources and Services Administration
- 2007-2012 *Co-Investigator, University of Washington, School of Medicine*
Institute for Translational Health Science
National Center for Research Resources, 1UL1RR025014-01
- 2009-2010 *Principal Investigator, University of Washington, School of Law*
Washington State Tribal Juvenile Justice Gathering
MacArthur Foundation, 92650
- 2009-2011 *Principal Investigator, University of Washington, School of Law*
Engag.Tribal Particip. in Research: thru Priority Setting and Regulation
National Human Genome Research Institute, 1RC1HG004788-0110

TEACHING EXPERIENCE

University of Washington Law School

- 1999 Indian Law Clinic (Fall/Winter/Spring)
- 2000 Federal Indian Law (Winter)
- 2001 Indian Law Clinic (Fall/Winter/Spring)
- 2002 Indian Law Clinic (Fall/Winter/Spring)
- 2003 Tribal Court Criminal Defense Clinic (Fall/Winter/Spring)
- 2004 Tribal Court Criminal Defense Clinic(Fall/Winter/Spring)
- 2005 Indian Natural Resources Law Seminar (Spring)
- 2006 Tribal Court Criminal Defense Clinic (Fall/Winter/Spring)
- 2006 Federal Indian Law (Summer)
- 2006 Tribal Court Criminal Defense Clinic (Fall/Winter/Spring)
- 2007 Tribal Court Criminal Defense Clinic (Fall/Winter/Spring)
- 2008 Tribal Court Public Defense Clinic (Fall/Winter/Spring)
- 2009 Mental Health Law (Winter)
- 2010 Criminal Law (Spring)
- 2010 Tribal Court Public Defense Clinic (Fall/Winter/Spring)
- 2010 Federal Indian Law (Fall)
- 2011 Mental Health Law (Spring)

CONSULTANCIES (via Native American Law Center)

- 2003 Suquamish Indian Tribe, *Lay Advocate Trial Advocacy Training*
- 2004 Makah Indian Nation, *Lay Advocate Trial Advocacy Training*
- 2005 Squaxin Island Tribe, *Training in Indian Law and Indian Civil Rights Act*
- 2006 Pennsylvania Coalition against Domestic Violence, *Review of Policy Paper*
- 2006 Washington State Coalition of Sexual Assault Programs, *Resource Assessment*
- 2006 The Tulalip Tribes, *Attorney/Lay Advocate Trial Advocacy Training*
- 2006 Makah Indian Nation, *Lay Advocate Trial Advocacy Training*
- 2006 National Congress of American Indians, *Indian Justice Assessment Project*
- 2007 Navajo Indian Nation, *Attorney/Lay Advocate Trial Advocacy Training*
- 2007 Makah Indian Nation, *Criminal Procedure and Evidence for Law Enforcement*

APPOINTMENTS AND ELECTIONS

- 1989 Governing Board - Northwest Intertribal Court System
- 1994 Executive Board Member, Northwest Indian Bar Association
- 1994 Commissioner, Squaxin Island Constitutional Commission
- 1995 Board Member, WSBA, Indian Law Section (Chair 1996/1997)
- 1995 Board Member, Puget Sound Water Quality Authority, (Gubernatorial Appointment)
- 1997 Council Member, Puget Sound Council (Gubernatorial Appointment)
- 2000 Commissioner of Business Affairs, Squaxin Island Corporate Administration Board
- 2005 Board Member, People for Puget Sound Board of Directors
- 2006 Institutional Review Board Member, Northwest Indian College
- 2008 Board Member, WSBA, Indian Law Section (Chair-Elect)
- 2009 Board Member, WSBA, Indian Law Section (Chair)

HONORS

- 2003 Order of the Coif – University of Washington School of Law
- 2009 Shanara Gilbert Emerging Clinician Award – Association of American Law Schools

INVITED PRESENTATIONS

- 1998 “Status of the Treaty Right to Hunt in Washington State”
Washington State Bar Association - Indian Law Section Annual CLE, Seattle, Washington
- 2000 “Barriers to the Delivery of Legal Services to Low-Income Native Clients”
Statewide Legal Services Conference, Leavenworth, Washington
- 2001 “Status of the Treaty Right to Hunt in Washington State”
University of Washington - Western Regional Indian Law Symposium, Seattle, Washington
- 2001 “Indian Criminal and Civil Jurisdiction in the Domestic Violence Arena”
Northwest Women’s Law Center - Domestic Violence Conference, Puyallup, Washington
- 2002 “Tribal Assumption Of Non-Department Of Interior Federal Duties Under Self-Governance Compacting Laws And Regulations”, University of Washington Law School Western Regional Indian Law Symposium, Seattle, Washington
- 2002 “Cultural Competency in the Representation of Indian Criminal Defendants”.
Washington Defender Association – Annual Conference, Ocean Shores, Washington
- 2002 “Indian Criminal and Civil Jurisdiction over Non-Indians”
Washington State Supreme Court - Access to Justice Conference, Yakima, Washington
- 2002 “Cultural Competency in the Representation of Low-Income Indian Clients”
Statewide Legal Services Conference, Wenatchee, Washington
- 2002 “Cultural Competency in the Representation of Low-Income Indian Clients”
Spokane County Volunteer Lawyers Program - Native American Pro Bono Panel, Spokane, Washington
- 2002 “Cultural Competency in the Representation of Low-Income Indian Clients”
King County Volunteer Lawyers Program - Native American Pro Bono Panel Training, Seattle, Washington
- 2003 “The Clash between Non-Indian and Native cultures following the Lewis and Clark Expedition”, American Association of Law Libraries – Annual Meeting, Seattle, Washington

- 2003 “Indian Criminal and Civil Jurisdiction in the Context of Enforcement of Tribal Laws on Domestic Violence Perpetrators”, Washington Coalition of Sexual Assault Programs, Seattle, Washington
- 2004 “Breach of Trust, Legal and Ethical Issues in Genetic Testing of Indigenous Populations”, National Association of Women Judges, Pilot Conference on Genome Justice, Seattle, Washington
- 2004 “Current Issues in Tribal Court Practice” – Eastern Washington Indian Law Symposium, Spokane, Washington
- 2004 “Ethical Issues in the Genetics Age” – Western Regional Indian Law Symposium. Seattle, Washington
- 2005 “Ethics in Estate Planning for Native Americans”, Seattle University Law School, Seattle, Washington
- 2005 “Modern Native American Views of Conservation”, University of Washington Conservation Colloquium, Seattle, Washington
- 2005 “Application of State Ethics Rules to Practice in Indian Country”, Western Regional Indian Law Symposium, Seattle, Washington
- 2005 “Cultural Issues in the Prosecution and Probation of Indian Defendants in the Federal Justice System”, 9th Circuit Pretrial Services Staff Annual Conference, Seattle, Washington
- 2005 “Cultural Issues in the Prosecution and Probation of Indian Defendants in the Federal Justice System”, Western District of Washington Judges and Staff - Lunch Symposium, Seattle, Washington
- 2006 “Tribal Authority to Regulate Research”, Center for Genomics and Healthcare Equality, University of Washington School of Law, Seattle, Washington
- 2006 “Mental Health Issues in the Representation of Native American Clients”, Washington Defender Association, Seattle, Washington
- 2007 “Cultural Issues in Criminal Defense of Native American Clients”, Administrative Offices of the United States Courts, Office of Defender Services, Albuquerque, New Mexico
- 2007 “The Status of Tribal Public Defense in Washington State”, Washington State Bar Leaders Conference, Wenatchee, Washington
- 2008 “What Do We Know About Tribal Courts”, American University Washington College of Law, Washington, D.C.
- 2008 “Sovereign Immunity of Tribes”, American Bar Association Dispute Resolution Section Annual Conference, Seattle, Washington

- 2008 “Race Gender and Genetics: Challenges for Native Americans in the Genetics Revolution”, Genetic Alliance Annual Meeting, Bethesda, MD (July 13, 2008)
- 2009 “The Collision of Tribal Sovereignty, Tribal Property and Genetic Data”, Intellectual Property and Benefit-Sharing in Genomic Research with Indigenous Communities, Duke University Institute for Genome Sciences Policy, Durham, North Carolina
- 2010 “Transformative Advocacy”, American Association of Law Schools 2010 Annual Meeting Presidential Program
New Orleans, Louisiana
- 2010 “Is Genetic Research Relevant to Indigenous People”
Healing Our Spirit Worldwide Annual Conference
Honolulu, Hawaii
- 2010 “Federal Requirements for Creation of Tribal Institutional Review Boards”
8th Annual National Changing Patterns of Cancer in Native Communities
Seattle, Washington

NOTABLE CASES

Confederated Tribes of the Chehalis Reservation, et. al. v. Johnson, 135 Wash.2d 734, 958 P.2d 260 (1998) (argued)

United States v. Washington, 135 F.3d 618, (9th Cir.(Wash.) Jan 28, 1998)

United States v. Washington, 909 F.Supp. 707 (W.D. Wash. 1995)