

Instructions: Attorneys must research the law in order to advocate for their clients. This may require an attorney to research “case law.” For this exercise, you will interpret the case law to formulate a legal “test.” This legal test will serve as the basis for your legal briefing and oral argument. After you have formulated the test, you will apply the facts of your case.

CASE LAW

“Tribal sovereignty extends only to self-government and the control of internal relations. The inherent authority of a Tribe does not extend to the activities of non-members on the reservation unless the non-member consents to jurisdiction, or the non-member’s conduct has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe.”
Montana v. United States, 450 U.S. 544 (1981).

The 8th Circuit Court of Appeals found that the Fox River Tribe had jurisdiction over non-members when they raided the tribal government offices with machine guns and stole documents related to the operation of the casino. *API v. Sac Fox Tribe*, 609 F.3d 927 (2010).

A Washington State case held that a non-member consents to jurisdiction of a tribe if he is employed by the tribe and has established permanent residence on the reservation. *Meredith v. Leinala* (2010).

A California State case held that a non-member only consents to jurisdiction if he does so explicitly and in writing. *Heilman v. Shrooder* (2001).

TEST	FACTS
<p>Basic Rule:</p> <p>Tribal sovereignty gives tribes power over:</p> <p>(1)</p> <p>(2)</p> <p>The inherent authority of a Tribe does not extend to:</p> <p>(1)</p> <p>(2)</p>	
<p>Exceptions:</p> <p>(1)</p> <p>(2)</p>	