MESSAGE FROM THE
EXECUTIVE DIRECTOR

DOROTHYALTHER, EXECUTIVE DIRECTOR
CALIFORNIA INDIAN LEGAL SERVICES

Dear Friends of CILS:

It is my great pleasure to present California Indian Legal Services’ (“CILS”) 2012-2013 Annual Report. I would like to begin by introducing myself as the new Executive Director of CILS effective July 1, 2013. I joined CILS as a Staff Attorney in the CILS Bishop office in 1989 and after a short sabbatical returned permanently in 1993. In 1995 I became Directing Attorney of the Bishop office and later relocated to the Escondido office with my family in 2003 where I remained the Directing Attorney for Bishop and also earned the title of Senior Staff Attorney.

Coming from Martin, South Dakota, I am a member of the Oglala Sioux Tribe. I graduated from the University of South Dakota with a Bachelor of Arts degree in Criminal Justice and earned my JD at Northeastern University in Boston in 1985. My legal practice has been exclusively Indian law since graduating from law school including work at DNA Legal Services in New Mexico and as in-house counsel for the Suquamish Tribe in Washington. I feel honored and privileged to serve as the Executive Director of CILS which has been my home for over 20 years.

The last year has been challenging but extremely rewarding for CILS. Our staff engaged in several major federal impact cases, advocated on behalf of tribal members and tribes in state court and before administrative agencies, canvassed the state making presentations and provided community education on a wide variety of topics and issues affecting California tribal communities, and continued to build tribal justice systems to ensure safer tribal communities.

A major highlight of the year was celebrating CILS 45th Anniversary with a Gala that brought together tribal leaders, tribal members, current and former staff, distinguished Indian law practitioners and friends of CILS.

The following pages provide more detail of CILS work over the last year and an introduction to our advocates and client communities. Our dedicated staff and your support and contributions allow CILS to continue its work for tribes and tribal members throughout the state.

Thank you on behalf of myself, staff and the Board of Trustees.

Dorothy Alther
Executive Director
California Indian Legal Services
DEAR COMMUNITY MEMBERS AND SUPPORTERS OF CILS:

It has been over a year since our 45th Anniversary Celebration when we reflected on the many major accomplishments and contributions CILS has made. Again, I reflect on the great work of the Board and Staff this past year; and, recognize that there is still a lot of important work to be done for California Tribes and the many individuals we serve.

Among our activities this past year were the planning and facilitating of a successful Tribal and State Justice summit; follow-up on the recently released Indian Law and Order Commission’s Report; responding to the California State Franchise Tax Board efforts to tax tribal members, and Court arguments related to ICWA and NAGPRA issues. Also, staff provided several community presentations concerning the Tribal Law and Order Act (TLOA), Violence Against Women Act (VAWA), Tribal court development, and P.L. 280. While it is not possible to enumerate all of the CILS accomplishments in this message, I acknowledge that it is still necessary to address discrimination and treatment of Native American students.

We are currently in the process of finalizing our Strategic Plan to ensure we are effective in protecting and advancing Tribal and individual Indian rights. We look forward to working with you to advance the goals of a finalized Strategic Plan. And, as always, we rely on your continuing support and assistance as we address the needs of California’s large Indian population.

RACHEL JOSEPH, CHAIRWOMAN
CILS BOARD OF TRUSTEES
MISSION STATEMENT

THE MISSION OF CILS IS TO PROTECT AND ADVANCE INDIAN RIGHTS, FOSTER INDIAN SELF-DETERMINATION, AND FACILITATE TRIBAL NATION-BUILDING.

SIERRA NATIVE ALLIANCE YOUTH MURAL PROJECT 2013
CILS FINANCIALS

INCOME

- Contributions, $98,215
- Other Income, $101,870
- Program Service Revenues, $558,323
- Government Contracts, $1,008,719
- Grants, $225,206

EXPENSES

- Support Services, $263,470
- Client Funded Program Services, $504,592
- CILS Funded Program Services, $125,420
- Federal & State Grant Funded Program Services, $986,482
- Bishop Office Senior Program Services, $47,712

PROGRAM CASE & SERVICE STATISTICS

(CILS SERVED 9,245 INDIVIDUALS IN THE 2012-2013 YEAR)

Funding Key

BJA = Bureau of Justice Sub-Grant
IMSLP = Inyo Mono Senior Legal Program
ESLAP = Eastern Sierra Legal Assistance Program
LSC/CA State Bar = Legal Services Corporation/CA State Bar
OLS = Other Legal Service

The selected financial data was derived from California Indian Legal Services, Inc.’s financial statements. The financial statements of California Indian Legal Services, Inc., are audited annually and are available upon request.
TRIBAL IMPACT

CASE SUMMARIES & STORIES

1 Rincon Mushroom Corporation of America v. Bo Mazzetti, John Currier, Vernon Wright, Gilbert Parada, Stephanie Spencer, Charles Kolb and Dick Waterpaugh. In 2012 CILS and Stephen Quesenberry, a partner with Hobbs Straus Dean & Walker, on behalf of the Pala Band of Mission Indians, numerous California tribes and the California Tribal Chairmen’s Association submitted an amicus (friend of the court) brief asking the Ninth Circuit Court of Appeals to reconsider its decision finding that the plaintiff was not required to exhaust its tribal court remedies before advancing its case in federal court. The Ninth Circuit Court granted our request to file the amicus brief and in an unprecedented move reconsidered its earlier holding. At the heart of the case was a tribe's right to regulate non-Indians on the Rincon Band Reservation who threaten the tribal environment and the authority of the tribal court to hear the case in the first instance.

2 Adoptive Parents v. Baby Girl (Veronica). The United States Supreme Court heard an Indian Child Welfare Act Case (“ICWA”) that caught national attention. CILS and Maureen Geary, a partner with Maier Pfiffer Kim & Geary, filed an amicus brief on behalf of 63 California tribes in support of the Native American father’s right to have custody of his biological daughter, Veronica, under the provisions of the ICWA. The Court’s ruling struck a blow to the application of the ICWA but the decision was limited to the facts of the case before the Court. CILS and other ICWA advocates, through presentations and tribal alerts on the decision, reassured tribes and state agencies that the decision would not impact California tribes in light of strong California state laws that provide heightened standards beyond those under the ICWA.

3 White et al. v. California Board of Regents et al. and the Kumeyaay Cultural Repatriation Committee (“KCRC”). Three University of California professors sued the California Board of Regents to stop University of California San Diego from repatriating 2 sets of human remains determined to be over 8,000 years old. The remains have been in the possession of the University since 1975. Under new 2010 amendments to the Native American Grave Protection and Repatriation Act (“NAGPRA”) the remains are to be repatriated to the tribe from whose aboriginal lands the remains were removed. KCRA made a request for repatriation since the remains were removed from Kumeyaay lands. KCRC was added as a defendant to the professors’ lawsuit but was successful in having the case dismissed because of tribal sovereign immunity. The professors appealed and the case was heard before the Ninth Circuit Court of Appeals on December 3, 2013. No decision has been issued as of this writing.
Taxation Case. The Franchise Tax Board developed a “tribal source” policy which subjected tribal members to state income tax if their income was not from a “tribal source.” The policy was clearly contrary to federal case law which exempts tribal member income if the member lives and works on his or her reservation, regardless of the source of the income. Working with the Hoopa Valley Tribe’s legal counsel, CILS brought this “tribal source” policy to the attention of the Tribal Advisor to the Governor’s Office and further explained that it violated established federal law. The Governor’s Office contacted the Franchise Tax Board and worked with their legal department to reverse the policy and issue refunds to those tribal members whose income was improperly accessed.

Cobell Settlement. The Cobell case involved a challenge to the Bureau of Indian Affairs mismanagement of tribal and individual trust assets. After years of litigation the case settled and funds were appropriated to make payment to those with trust assets.
PRESENTATIONS & EDUCATION

CILS ON THE ROAD

July 24, 2012 - PL280 presentation to the California Tribal Police Chief’s Association.

August 23, 2012 - Presentation on Policing in a PL280 state to the Bishop Tribal community.

September 12, 2012 - PL280 presentation to Owens Valley tribal community and local officials. Presentation to local and tribal law enforcement on “Policing in Indian Country.”

September 22, 2012 - Community Indian Education presentation at Bishop Tribe on: Individualized Education Programs, 504 Discrimination, discipline of children with special needs.

October 6, 2012 - Tribal Justice presentation at the 27th Annual California Indian Conference at San Marcos.

October 12, 2012 - Presentation on the Los Coyotes Band of Cahuilla & Cupeno Indians v. DOI at the annual California Indian Lawyers Association conference.

October 17, 2012 - AIPRA Presentation to the 16th Annual Indian Land Consolidation Symposium.

December 7, 2012 - PL280 and the Tribal Law and Order Act presentation to the Judicial Committee comprised of Chief Judge of the California Supreme Court, Judges from the 9th Circuit Court of Appeals, Federal District Courts, California Superior Courts and Tribal Court.

January 10, 2013 - PL280 presentation to the La Jolla Band of Mission Indians tribal community.

February 6, 2013 - AIPRA presentation to the La Jolla Band of Mission Indians tribal community.

February 7, 2013 - SLEC training to the California Tribal Police Chief’s Association.

February 26, 2013 - Co-presentation with the Disability Rights of California organization to parents of children from Berry Creek, Mechoopda, and Mooretown community regarding student Special Education and Individualized Education Program rights and processes.

February 27, 2013 - PL280 presentation to the Quechan Tribe and local service providers sponsored by the Cross Cultural Court Exchange.

February 28, 2013 - ICWA training to the Humboldt County Department of Health and Human Services.

March 19, 2013 - Landlord/Tenant Rights training to the community members of Owens Valley sponsored by Owens Valley Career Development Center.

March 29, 2013 - PL280 presentation to the Tachi Yokut Tribe of Santa Rosa Rancheria community.
PRESENTATIONS & EDUCATION

CILS ON THE ROAD

April 12, 2013 - Community income tax training for Native Americans at the Hoopa Valley Tribe Reservation.

April 12, 2013 - AIPRA Wills and Trust training cosponsored by the California Indian Manpower Consortium to the local community and members of Mooretown Rancheria Tribal at Feather Falls Casino.

May 15, 2013 - Presentation to the San Diego Tribal/District Attorney/Sheriff Quarterly meeting on “Expanded Tribal Jurisdiction Under the Violence Against Women Act.”

June 11, 2013 - Debt and Credit training to the community members of Owens Valley sponsored by Owens Valley Career Development Center.

June 25, 2013 - ICWA Delinquency presentation at the statewide ICWA conference hosted at the Pechanga Resort and Casino.

June 26, 2013 - Presentation at the Statewide ICWA Conference on “Expanded Tribal Jurisdiction Under the Tribal Law and Order Act and the Violence Against Women Act.”

SIERRA NATIVE ALLIANCE YOUTH MURAL PROJECT 2013
EVENTS

45TH ANNIVERSARY GALA FOR CILS

The CILS 45th Anniversary Gala was a resounding success. The Gala was held on October 24, 2012, at the Sheraton Grande Sacramento in conjunction with the NCAI Annual Convention. CILS was joined by tribal leaders, tribal members, distinguished Indian law practitioners, former CILS directors and staff, past and current Board members and supporters.

CILS has its roots in California Rural Legal Assistance (CRLA), a nonprofit established in 1964. With the increasing number of Indian cases and the complexity of the law, in 1967 the Director of the CRLA Indian Services Division and other supporters decided to incorporate and form CILS, a separate corporation dedicated to Indian law. CILS started with one office and over time began opening branch offices throughout the state. CILS currently has offices in Eureka, Sacramento, Bishop and Escondido.

Reaching back to these early years, the Gala brought former CILS attorney John Echohawk, Executive Director of the Native American Rights Fund (NARF), to speak about how NARF was an outgrowth of CILS. Additionally, former CILS attorney Bob Pelcyger, spoke about how he has been active in representing tribes in water rights litigation for over forty years.

Other guest speakers included Susan Masten, Vice Chairperson from the Yurok Tribe and Barbara Murphy, Council member from the Redding Rancheria, who spoke of their personal connection with CILS. Bo Mazzeotti, Chairman from the Rincon Band of Luiseño Mission Indians, talked about the role his late father played in helping to launch CILS.

Bringing the Gala to present day, was the current Chair of the CILS Board of Directors, Rachel Joseph, who gave opening remarks and a warm welcome to attendees. Then Executive Director Devon Lee Lomayesva spoke on the many recent achievements of CILS followed by then-Senior Staff Attorney Dorothy Alther who gave an overview of her twenty years at CILS and acknowledged former Executive Director Mike Pfeffer. Closing remarks were made by CILS Board member Victorio Shaw.

Gala attendees dined on a delicious dinner and enjoyed a live auction with auctioneer Earl Naconie, a member of the Kiowa Tribe of Oklahoma. The evening ended with entertainment and dancing to Mike Hammar and the Nails.

CILS looks forward to its next anniversary and hopes that you will be there to help us celebrate over 45 years of service.

Gala Gold Sponsor ($25,000)
Pechanga Band of Luiseño Indians

Gala Silver Sponsor ($10,000)
Edison International (Southern California)

Gala Bronze Sponsors ($4,500)
Morongo Band of Mission Indians
Redding Rancheria
Rincon Band of Luiseño Mission Indians
San Manuel Band of Mission Indians
San Pasqual Band of Mission Indians
Sycuan Band of the Kumeyaay Nation
Southern California Tribal Chairmen’s Assoc.
Native American Rights Fund (NARF)

Gala Other Sponsors (Under $4,500)
Pala Band of Mission Indians
Colusa Cachil Dehe Band of Wintun Indians
Patti Dixon (Pauma Band of Mission Indians and CILS Board of Trustee member)
Stidham Law Firm
MACT Health Board (serving Mariposa, Amador, Calaveras, and Tuolumne counties)
Toiyabe Indian Health Project
Union Bank
Law Firm of Maier Pfeffer Kim and Geary, LLC
Law Firm of Frederick Peebles & Morgan
The Harrington Group
“CILS carries its heart on its sleeve: to protect, to enhance and to strengthen tribal governance, cultural practices and land bases. It does it with dedication, commitment, and limited funds. When no one else had the time, money or interest young idealistic lawyers offered their energy, their innocence and willingness to listen and to learn from people they serve – young and old alike. Some tribes who exist today, would not be here without CILS, and some of us would not have the resources we have today without them.”

(Board Member Patti Dixon)

“I have been involved with many public service projects and non-profit organizations, but my work with CILS is among the most interesting and rewarding that I have experienced.”

(Board Member Cary Lowe)

“I want to be a part of the CILS legacy of empowering tribal governance and bringing our issues to the forefront. I know that CILS will continue to secure fundamental rights for future generations of California Indians. I’m excited to see what comes next.”

(Board Member Hillary Renick)

“Since its inception forty five (45) years ago, CILS has effectively served California’s Indian population. It is an honor to be associated with CILS, as we continue to advocate and defend Indian and Tribal Government rights. Thanks to all of you who have been a part of CILS through the years and I express appreciation for the contributions you have made.”

(Board Chairwoman Rachel Joseph)

“By honoring our past we can learn how to secure and protect our future. We must think of all tribes not just our own, because we all will survive together or we will all be lost together.”

(Bo Mazzetti, Chairman for the Rincon Band of Luiseño Mission Indians)

“Indians deserve justice and CILS is helping them obtain it. As a Board member serving with extraordinary Indian colleagues, I am extremely proud and privileged to play a small role in this process.”

(Board Member Tom Bliss)

“At a critical juncture in the Santa Margarita River water rights Fallbrook case Pechanga became an intervenor. This would not have happened without CILS’ presence and expertise. While a settlement in the case is pending yet, CILS’ advocacy at that time was absolutely critical to preserving Pechanga’s water rights in Fallbrook.”

(Chairman Macarro from Pechanga Band of Luiseño Indians)

“As many Tribes in California become successful, it is sometimes easy to forget the past and the sacrifices of our ancestors, loss of languages, ceremonies and homelands. We cannot forget that our Tribes have an obligation to those who continue to struggle to survive.”

(Barbara Murphy, Council Member Redding Rancheria)

“Congratulations to CILS on 45 years of service to the Native American community. May it continue to serve the community for many years to come.”

(Board Member Jim Ham)
June 7th and 8th CILS staff and the Board of Trustees held a retreat to discuss strategic planning, including revisiting CILS’ mission statement and discussing the recently completed community needs assessment regarding CILS case priorities. The retreat also provided an opportunity for Board members and staff to interact and get to know one another better. The event was invaluable and assisted Board members and staff in charting the course for long-term strategic planning for CILS.
A TRIBUTE TO OUTGOING BOARD MEMBER: PATTI DIXON

CILS would like to pay a tribute to Patti Dixon who has served on the Board of Trustees from 1995 to 2013, as the Chairwoman for over ten years. Patti is a member of the Pauma Band of Mission Indians and Chair of the American Indian Studies program at Palomar Community College. Patti’s hard work and dedication to CILS cannot be measured by words. She has been one of our strongest advocates and was always willing to step up and do more when needed. Although she is no longer a member of our Board of Trustees, she remains a “Friend of CILS” and will continue to promote the CILS mission and has agreed to lend her support when needed. Thank you Patti. We all appreciate you and your commitment to CILS.
CILS would like to thank the following contributors whose donations allow the organization to continue moving forward in advocating for the needs of California Native Americans and Indian Tribes.

**CONTRIBUTORS**

Nathan Vogeli  
Edison International  
Fredericks Peebles & Morgan, LLP  
Hoopa Valley Indian Tribe  
Native American Rights Fund  
MACT Health Board, Inc.  
Maier Pfeffer Kim & Geary, LLP  
Morongo Band of Mission Indians  
Pala Band of Mission Indians  
Pauma Band of Luiseño Indians  
Pechanga Band of Luiseño Indians  
Redding Rancheria  
Rincon Band of Luiseño Mission Indians  
San Manuel Band of Mission Indians  
San Pasqual Band of Mission Indians  
Soboba Band of Luiseño Indians  
So. California Tribal Chairmen’s Association  
Stidham Law Office  
Sycuan Band of the Kumeyaay Nation  
Trinidad Rancheria  
Toiyabe Indian Health Project

Additionally, CILS would like to thank the 2013 Sierra Native Alliance Youth Mural Project for their generous contribution of artwork displayed on the cover and throughout the report. Sierra Native Alliance is dedicated to the preservation of Native families, cultures, and environments. For additional information regarding their programs, please contact them directly at (530) 888-8767 or visit their website at www.sierranativealliance.org.
CILS would like to thank its board members and staff for their ongoing daily dedication to meeting the needs, goals, and organizational mission advocating for the rights of California Native Americans and Indian Tribes.

**CILS BOARD MEMBERS & STAFF**

**BOARD OF TRUSTEES**

- **Northern Region**
  - Victorio Shaw, Trustee 2012 - 2013
  - Hillary Renick, Trustee 2012 - 2013

- **Southern Region**
  - Rachel Joseph, Chair 2012 – current
  - Mark Romero, Vice-Chair 2012 – current
  - Patricia Dixon, 2012 - 2013

- **CA State Bar Appointments**
  - James Ham, Trustee 2012 - current
  - Cary Lowe, Trustee 2012 - current
  - Tom Bliss, Trustee 2012 - 2013
  - Cheyânna Jaffke, Trustee 2012 - 2013
  - Steve Otto, Trustee 2013 - current
  - Sheila Quinlan, Trustee 2013 - current

**STAFF**

- **Principal Office**
  - Dorothy Alther, Executive Director
  - Patricia De La Cruz-Lynas, Director of Administration
  - Robert Glen Bryson, Controller
  - Tara Edmiston, Executive Assistant/Billing Manager

- **Bishop Office**
  - Dorothy Alther, Directing Attorney
  - Jasmine Andreas, Staff Attorney
  - Linda Pedro, Legal/Administrative Assistant

- **Escondido Office**
  - Mark Vezzola, Directing Attorney
  - Mark Radoff, Senior Staff Attorney
  - Summer Morales, Legal/Administrative Assistant

- **Eureka Office**
  - Delia Parr, Directing Attorney
  - Jedd Parr, Staff Attorney
  - Laura Svoboda, Legal Secretary

- **Sacramento Office**
  - Nicholas Mazanec, Directing Attorney
  - Sonia Montero, Advocate
  - Karen Graham, Legal/Administrative Assistant