Dear Friends of CILS:

The year 2012 marked a milestone for CILS. The organization celebrated its 45th anniversary in October among long-time supporters, including current and past staff and board and dozens of tribal leaders and advocates for Indian Country. The evening provided an overview of the instrumental role of CILS over the decades and wrapped up with a look at what CILS is doing now and into the future for the California Indian community.

As we reflect back on the last four and one-half decades, we realize the broad impact CILS has had in California. In the 1970’s, CILS fought diminishment of reservations by states in Mattz v. Arnett and upheld the right of California tribes to exercise self-governance in the midst of local government opposition in Santa Rosa Band v. Kings County. In the 1980’s, CILS secured equal access to health services for California Indians in Rincon Band of Mission Indians v. Harris and restored a number of "terminated" tribes to their status as recognized tribal governments in Tillie Hardwick v. U.S. In the 1990’s, CILS guarded against the arbitrary removal of Indian children from their families in In re Kahlen W. and preserved the rights of California Indians whose tribes were not federally recognized in Malone v. Bureau of Indian Affairs. In the 2000’s, CILS continued Indian child welfare advocacy in leading the passage of SB 678 to ensure ICWA compliance in California courts and ensured that state courts favor tribal sovereignty by reinforcing respect for tribal courts in California in In re M.M. v. Michael T.

From 2010 to the present, CILS has:

- protected the taxation rights of individual Indians living and working on their reservations in FTB Case No. 568967388;
- clarified that the BIA cannot deny a 638 contract for law enforcement based on a tribe being located in a PL-280 state in Los Coyotes v. DOI and BIA;
- organized an amicus brief effort including over 50 California tribes in support of reconsideration of a 9th Circuit case, Mushroom Farm Inc. v. Rincon Band of Mission Indians, that sought tribal enforcement of environmental laws on fee land within the boundaries of the Rincon Reservation;
- won a motion to dismiss a suit against the Kumeyaay Cultural Repatriation Committee on grounds of tribal sovereign immunity in Tim White et. al v. University of California et. al and Kumeyaay Cultural Repatriation Committee (KCRC), a case involving the application of the Native American Graves Protection and Repatriation Act (NAGPRA); and
- developed valuable needs assessment tools to assess our clients’ needs for a future re-examination of our priorities and services.
CILS also engages in numerous community based trainings, roundtables, and self-help development on a wide variety of Indian law topics, such as ICWA, the American Indian Probate Reform Act, tribal justice, and Indian education issues to ensure a broader understanding of the many complexities of laws and regulations that apply to tribal peoples. CILS expresses our deep appreciation for the continued support of our vital services to California tribes and native individuals across the state. No matter how large or small, your financial support ensures CILS will be here to fill the gap in services for those that most need it and will be on the forefront of core issues that affect the day-to-day lives of California tribal communities. Please enjoy this year’s “green” Annual Report.

Sincerely,

Devon Lee Lomayesva,
Executive Director

Dear Friends and CILS Supporters:

In our last Annual Report it was stated that we were looking forward to celebrating our 45th Anniversary. At our October 24, 2012 Gala in Sacramento, we reflected on 45 years of service to California Indians and many of our successes were highlighted. We thank the sponsors of the Gala and the many Tribal officials who support CILS. We also express appreciation to former Board Trustees, Staff and Friends of CILS for your continuing interest and support. There were individuals in attendance at the Gala who were with CILS in 1967 and some of Indian Country’s outstanding attorneys who have been associated with CILS. CILS is the first non-profit law group focusing on Indian specific legal issues and we look forward to our next 45 years of protecting and advancing Indian rights. We remain committed to Indian self-determination and will do what we can to support tribal “nation building”.

CILS benefits the California Indian community in ways that go far beyond the cases we win so we can never “relax” our vigilance. We rely on the financial support from many to ensure we continue to provide high quality services to those who rely on our assistance. Thank you for all that you do!

Respectfully yours,

Rachel A. Joseph, Chairwoman
CILS Board of Trustees
A Brief Look into CILS

Mission
The mission of CILS is to protect and advance Indian rights, foster Indian self-determination, and facilitate tribal nation-building. Our priorities serve Indian communities by reflecting those issues most important to advancing our mission. Land-base preservation, self-determination through Indian control of services and benefits, improvement of weakened agency services, family preservation, and bureaucratic accountability top our priorities. Much of our work is driven by the requests for assistance from Indian communities within California.

History
Our advocacy was born in 1967 at a time of great civil change when a roundtable of lawyers came together to create CILS. As Indians in California emerged from struggles with termination, relocation and diminished services, they voiced their need for specialized lawyers to support their legal causes. As the first non-profit law firm focusing specifically on Indian legal issues, CILS became a blueprint for other groups like the Native American Rights Fund. Over time the need for such specialized legal advocacy has grown, and today, most of the 109 federally-recognized California tribes have at some point received CILS assistance.

Funding Sources
CILS gets its primary funding from Congress in the form of Legal Services Corporation funds, as well as the State Bar of California, and other government funds such as, BJA grants from the Department of Justice. However, those funds are not enough to keep up with the mission of CILS. Other sources of funding include: foundations, endowments, Cy Pres funds from law firms, tribal and organizational contracts, and various tribal, organizational, and individual donors.

Noteworthy Facts about CILS

- CILS works with law schools to provide training for law students interested in Indian law through fellowship and internships.
- CILS trains non-attorneys to advocate in tribal courts and on the intricacies of Public Law 280.
- CILS is actively working on ways to make the probate process easier for Indian individuals with trust assets.
- CILS organizes a Tribal Courts Conference each year to bring together tribal leaders and members, law enforcement, court and other community representatives to talk about the issues they face every day in Indian Country.
- CILS participates in ICWA roundtables statewide to ensure compliance with the Act at every opportunity.
- CILS has a website full of self-help materials and news updates. Check it out at www.calindian.org

Good Stories

Tribal Rights Victory in NAGPRA Case
In the ongoing struggle for repatriation of human remains uncovered in 1975 in the aboriginal lands of the Kumeyaay Nation, in April of 2012, three University of California professors sued the University of California barring its transfer of the remains to the La Posta Band of Mission Indians, a tribe that is a member of the Kumeyaay Cultural Repatriation Committee ("KCRC"). The University of California answered the complaint by arguing it must be dismissed because KCRC, a consortium of 12 Kumeyaay Tribes, is an indispensable party that cannot be joined because of tribal sovereign immunity. The professors amended their complaint and added KCRC as a defendant in the case. CILS, on behalf of KCRC, filed a motion to dismiss arguing that KCRC is a tribal entity and cannot be sued because it has tribal sovereign immunity. The University of California filed a similar motion to dismiss. Oral argument was held on August 23, 2012 in the Federal
District Court of Northern California and on October 9, 2012 the court granted both motions to dismiss the professors' case. On November 6, 2012, the professors filed a notice of appeal to the 9th Circuit Court of Appeals. While this case represents a victory for tribal sovereignty, the ultimate goal for return of their Kumeyaay ancestors remains ahead for KCRC and the Kumeyaay Tribes.

CILS Successful in Protecting Home on Tribal Lands
Tribal member client contacted the Bishop office in August 2011. The tribal member lived in her mobile home on the reservation. The client was being sued in the local Superior Court for approximately $30,000 by an attorney in Washington State. The attorney had assisted a family member in a Washington case in 2007. At that time the attorney had asked repeatedly if our client's family could help pay him for the family member's legal fees. Finally the attorney had convinced our client over the phone to purchase and execute a Deed of Trust form and promissory note. The attorney did not explain to our client in any way what these two forms meant, or that her home could be taken if she did not pay. This act by the attorney was in addition to other potential violations of the Rules of Professional Conduct. By the time the client contacted CILS, the Washington attorney had already sued our client in Washington over a period of almost four years trying to collect on the promissory note and Deed of Trust. The Washington case eventually made its way to the Washington Supreme Court which held the state did not have jurisdiction over our client, and the attorney was ordered to pay our client's Washington attorney's fees. Fortunately, another Washington attorney, referred to client by CILS, had assisted our client free of charge over the four year litigation period in Washington. The attorney then filed a writ of cert in the United States Supreme Court which was denied June 2011. After intense research, discovery, and after CILS served articulated Interrogatories and Requests for Production of Documents, and Requests for Admission on the Washington attorney in March of 2012, the attorney decided to drop his lawsuit against our client in the same month. Our client is now living contently, without the threat of her home being taken away.

CILS & Procopio Celebrate Settlement Against Museum
A Native family loaned a California museum several valuable regalia & sentimental cultural items for display for a Native American exhibit. When the family returned to collect their items, the museum had damaged or lost the majority of them, including a very old and important structure entrusted and passed down to the family by generations of tribal members. CILS and Procopio favorably negotiated both a cash settlement and an apology for the family, as well as a change in the museum's future exhibit policies, that is expected to create a more awareness and sensitivity of the handling of tribal cultural items in the future.

CILS on the Road
7/27/11 - PL280 Presentation, Hopland Band of Pomo Indians
9/27/11 - ICWA Presentation, AOC San Francisco
9/30/11 - Indian Law Day, Santa Rosa Rancheria
9/30/11 - PL 280 Presentation, Southern Indian Health Council
11/29/11 - TLOA Presentation, San Diego City Attorney's Office
12/5/11 - Washoe Lay Advocate Training, Washoe Tribe
Financials

**INCOME**
- Grants: $243,688
- Program Service Revenues: $518,777
- Contributions: $74,963

**EXPENSES**
- Support Services: $148,043
- Client Funded Program Services: $278,029
- CILS Funded Program Services: $87,020
- Federal & State Grant Funded Program Services: $1,265,378
- Bishop Office Senior Program Services: $129,407

**Board of Trustees**

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Lone Pine Paiute-Shoshone

**Patricia Dixon**, Vice-Chair
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**Cheyanna Jaffke**, State Bar Appointee
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Donations & Acknowledgements

CILS receives major funding through grants from the Legal Services Corporation (LSC) and the State Bar of California. CILS also receives grants such as the Bureau of Justice Assistance Grant designed to assist tribes with developing tribal justice systems. Smaller grants subsidize overall legal aid services and allow our Bishop Office to service that area's senior population. Also important to CILS is contract work in the fields of economic development, fee-to-trust applications and child dependency cases, all which help CILS fulfill its mission.

Invest in CA Indian Communities & CILS

- Visit our website and click on “Donate Now”
- Designate CILS as a beneficiary of life insurance policies, gift annuities or charitable remainder trusts
- make a cash gift in your name or in memory of a loved one by mailing a check or money order or to CILS

Tribal Support
Morongo Band of Mission Indians
Pechanga Band of Luiseño Indians
Redding Rancheria
Rincon Band of Luiseño Indians
San Manuel Band of Mission Indians
San Pasqual Band of Diegueno Mission Indians
Sycuan Band of the Kumeyaay Nation
Utu Utu Gwaitu Pauite Tribe

Institutional Support
City of Bishop
Department of Justice-BJA
Grants in Support- Inyo County
Harrington Group
Inyo-Mono Area Agency of Aging
Legal Services Corporation
Leisure Capital Management
Monguia & Monguia
Pansky, Markle & Ham
San Luis Rey Mission Indian Foundation
Strike Entertainment
State Bar of California
Sunset Foundation

Individual Support
Jasmine Andreas
Leland Baldwin
Patsy Baldwin
Tom Bliss
Bill & Beverly Brown
Glen & Teresa Bryson
Susan & Gerald Carr
Manuel Ceballos
Alex Cleghorn
Fern Cleghorn
Carolyn Cook
Wanda Daugherty
Patricia Dixon
Joetta Fleak
Robert & Kathryn Gillis
25 Reasons to Support CILS


2. **CILS organized and submit** amicus brief on behalf of over 50 California tribes in support of reconsideration of the 9th Circuit Court of Appeals ruling that plaintiff did not have to exhaust tribal court remedies. Case involved the Tribe's enforcement of tribal environmental laws on owner of non-Indian fee lands within the boundaries of the Rincon Reservation. 9th Circuit reserved itself and remanded to trial court to order exhaustion of tribal court remedies. *Mushroom Farm Inc. v. Rincon Band of Mission Indians*. (2012).

3. **CILS clarified** that the BIA cannot deny a 638 contract for tribal law enforcement on the ground the tribe is located in a Public Law 280 state. *Los Coyotes v. DOI and BIA* (2012).


6. **CILS opposed** the Franchise Tax Board's attempts to create a "tribal source" rule and to tax the income of a tribal member living and working on her own reservation. *FTB Case No. 568967388* (2010).


12. **CILS guided** the courts to better understand the purpose and intentions


14. CILS **worked** with tribes to protect the natural environment within their reservations and strengthened tribal sovereignty. *Pinoleville Indian Community v. Mendocino County* (1988).


17. CILS **defended** the rights of California Tribes to regulate hunting and fishing within their reservations. *People v. McCovey* (1984).


