

# Joel West Williams

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## Education

**VERMONT LAW SCHOOL**  
South Royalton, Vermont

LL.M. ENVIRONMENTAL LAW, OCTOBER 2016  
*summa cum laude*

**WIDENER UNIVERSITY - DELAWARE LAW SCHOOL**  
Wilmington, Delaware

J.D., MAY 2003

Awards: Widener Two-Year Full Tuition Scholarship  
American Indian Graduate Center Fellow

Honors: Dean's List Spring 2003  
Certificate of Achievement: Legislative Drafting  
Certificate of Achievement: Selected Topics in Constitutional Law (Awarded by Joseph R. Biden)

High Grades: Environmental Law (A-); Energy Law (A-); Legislative Drafting (A+); Selected Topics in Constitutional Law (A); Legal Methods II (A-); Wills and Trust (A-)

Activities: Intensive Trial Advocacy Program  
Treasurer, Environmental Law Society (2000-01)  
Alternative Dispute Resolution Society

**NAROPA UNIVERSITY**  
Boulder, Colorado

B.A., MAY 1999

Major: B.A. Psychology and Religious Studies  
Minor: Traditional Eastern Arts  
GPA: 3.51  
Honors: President's Leadership Scholar 1997-98

## Employment

**NATIVE AMERICAN RIGHTS FUND**  
Managing Attorney – Washington, DC

JANUARY 2013 TO PRESENT

- Tribal Supreme Court Project
- Judicial Selection Project
- Indian Education
- Voting Rights
- Religious Liberty
- Tribal Water Rights Settlements

**VERMONT LAW SCHOOL**  
Adjunct Professor

DECEMBER 2018 TO PRESENT

- Teaching Native Americans and the Law, 3 credit course taught online each spring semester
- Restorative Justice in Indigenous Communities, 3 credit course taught online one fall semester

**CHEROKEE NATION**  
Senior Legislative Officer

JULY 2011 TO DECEMBER 2012

- Supervise Washington, D.C. office
- Responsible for government-to-government relationship between the country's largest Indian tribe and the federal government
- Analyze federal law and policy, provide legal interpretations, and determine tribal impact
- Formulate advocacy strategy and tactics
- Advocate for specific legislation, agency rules, and policy
- Represented the tribe at the 2011 White House Tribal Nations Summit
- Tribe's alternate delegate to the National Congress of American Indians
- Organized White House Rural Round Table Native Food and Agriculture Summit
- Prominent issue areas include:
  - PL-477/Self-Governance
  - NAHASDA
  - Law Enforcement
  - TANF
  - Native 8(a)
  - Budget and Appropriations
  - Agriculture and Food Policy
  - Education
  - Health
  - Transportation
  - Renewable Energy Development
  - Gaming

**COMMONWEALTH OF PENNSYLVANIA,**  
**GOVERNOR'S OFFICE OF GENERAL COUNSEL**

Assistant Counsel

MAY 2002 TO JULY 2011

Litigation attorney assigned to Department of Transportation. Litigated 200 trials, appeals, and administrative hearings per year. Also appointed as an OGC mediator in 2004 and Governor's Office Election Liaison in 2008.

Practice areas:

- Eminent Domain and Takings
- Environmental Law
- Historic Preservation
- Employment
- Tort
- Motor Vehicle Enforcement
- Land Use and Zoning
- Constitutional Law
- Administrative Law
- Real Property

**MID-ATLANTIC ENVIRONMENTAL LAW CLINIC**

Delaware Law School

Student Attorney

AUGUST 2002 TO MAY 2003

- Certified in U.S. District Court for the Eastern District of Pennsylvania.
- Represented local residents in suit against municipal sewer authority under the Clean Water Act and obtained favorable settlement.
- Brought accountability actions under federal environmental statutes and the Administrative Procedures Act.
- Represented citizen environmental groups in regional transportation planning process and obtained several changes to the Regional Transportation Plan aimed at reducing automobile emissions.
- Analyzed Discharge Monitoring reports for violations.
- Utilized Freedom of Information Act to obtain information on corporate polluters.
- Submitted comments on proposed regulations on behalf of citizen environmental groups.

## Pro Bono

Advisor to Board of Directors, International Association of Clinical Research Nurses  
Oral Argument Judge, Delaware Law School  
Pro bono wills and trusts attorney for Philadelphia Volunteers for Indigent People  
Pro bono tax attorney for Philadelphia Legal Assistance  
Recognized for outstanding pro bono service by the IRS in 2004

## Publications

*An “Unfulfilled, Hollow Promise”: Lyng, Navajo Nation, and the Substantial Burden on Native American Religious Practice* (with Emily deLisle) (forthcoming, *Ecology Law Quarterly* 2021).

*The Far End of the Trail of Tears: McGirt v. Oklahoma*, 68.1 *Federal Lawyer* 12 (January/February 2021)

*Landmark Indian Law Cases* (editor) (forthcoming AALL Publications 2021)

*The Five Civilized Tribes’ Treaty Rights to Water Quality and Mechanisms of Enforcement*, 25 *N.Y.U. Envtl. L.J.* 269 (2017).

*Walking the Red Road in the Iron House*, 28.2 *Am. Jails* 8 (May/June 2014).

## Representative Briefs and Cases

*Village of Hobart v. Oneida Indian Nation*, U.S. Court of Appeals for the Seventh Circuit, counsel for amici National Congress of American Indians and Indian Land Tenure Foundation (reservation disestablishment)

*Upper Skagit v. Lundgren*, Supreme Court of the United States, counsel for amici National Congress of American Indians et al. (tribal sovereign immunity)

*Mylan Pharmaceuticals v. St. Regis Mohawk Tribe*, United States Patent and Trial Appeal Board, counsel for amici National Congress of American Indians et al. (tribal sovereign immunity)

*Shinnecock Indian Nation v. State of New York, et al.*, Supreme Court of the United States, co-counsel for Petitioner, Shinnecock Indian Nation (Petition for a Writ of Certiorari) (Indian Non-Intercourse Act, Indian land claims, Fifth Amendment Due Process and Takings)

*Holt v. Hobbs*, Supreme Court of the United States, counsel of record for amici National Congress of American Indians and Huy (Native American prisoners and religious liberty)

*Knight v. Thompson*, counsel of record for amici National Congress of American Indians and Huy (Native American prisoners and religious liberty)

*Rape v. Poarch Band of Creek Indians*, Alabama Supreme Court, counsel for amici National Congress of American Indians (tribal sovereign immunity)

*Standing Rock Sioux Tribe v. U.S. Corps of Engineers*, U.S. District Court for the District of Columbia, counsel for amici Great Plains Tribal Chairman’s Association and National Congress of American Indians (National Environmental Policy Act, tribal treaty rights, religious liberty)

*Swift v. Commonwealth of Pa., Dep’t of Transp.*, 937 A.2d 1162, 1164 (Pa. Commw. Ct. 2007). Counsel for Commonwealth of Pennsylvania (public nuisance, water law, state sovereign immunity)

*Adams Outdoor Advert., Ltd. v. Dep’t of Transp.*, 860 A.2d 600, 602 (Pa. Commw. Ct. 2004). Counsel for Commonwealth of Pennsylvania (administrative law, evidence)

## Representative Presentations

American Bar Association International Law Conference (2012). Panel presenter on U.N. Declaration on the Rights of Indigenous Peoples.

Western States Water Council Symposium on the Settlement of Indian Water Rights Claims (2013). Panel moderator on discussion of passing federal legislation.

Yale Law School, Rebel Law Conference (2014). Presentation on *Adoptive Couple v. Baby Girl*.

Muscogee (Creek) Nation Judicial Conference (2014). Presentation on legislation in the 113<sup>th</sup> Congress.

DC Bar Association, Current Issues in Native American Religious Freedom (2014). Presentation on the Religious Freedom Restoration Act.

Federal Bar Association, D.C. Indian Law Conference (2015). Co-Chair.

Federal Bar Association, "Federal Indian Law 101," Instructor.

American Agricultural Law Association, 37<sup>th</sup> Annual Agricultural Law Symposium (2016). Presentation on tribal sovereignty and agriculture policy.

Arkansas Bar Association, Annual Meeting (2017). Presentation on the Dakota Access Pipeline litigation.

Federal Bar Association, D.C. Indian Law Conference (2020). Panel presentation on *McGirt v. Oklahoma*.

## Boards, Commissions and Advisory Councils

Arkansas-Oklahoma Arkansas River Compact Commission, Federal Alternate Commissioner (Appointed by President Obama 2015)

University of Arkansas School of Law, Indigenous Food and Agriculture Initiative, Model Tribal Food Code Advisory Committee

Newseum Institute, Religious Freedom Center, Advisory Council

National Native American Bar Association, President-Elect (2017-2018) President (2018-2019); Immediate Past-President (2019-2020)

American Bar Association, Section of Environment, Energy, and Resources – Native American Resources Committee, Vice Chair (membership) (2017-2018)

Native American Bar Association of D.C., President (2016), Treasurer (2012-2015)

Capitol City Cherokee Community, Leadership Council (2014-2016).

## Bar Admissions

Supreme Court of the United States  
District of Columbia  
Pennsylvania  
U.S. Court of Appeals for District of Columbia Circuit  
U.S. Court of Appeals for the Eighth Circuit  
U.S. District Court for the District of North Dakota  
U.S. District Court for the District of Columbia  
Cherokee Nation

## **Memberships**

American Bar Association

American Bar Foundation Fellow

Federal Bar Association

National Native American Bar Association (Past President)

Native American Bar Association of D.C. (Past President)

National Congress of American Indians (2011 Alternate Tribal Delegate and Current Individual Member)

## **Awards**

Native American Bar Association of DC, Member of the Year Award (2013)

Native American Bar Association of DC, Significant Contribution to Indian Law Award (2017)