

TRAILBLAZERS

GENERAL LITIGATION 2023

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What was the genesis of the idea/path that has made you a trailblazer?

I began litigating tribal cases more than two decades ago as part of a Tribal Supreme Court project led by NCAI and NARF. The project sought to connect tribes to Supreme Court practitioners and to educate Supreme Court practitioners about tribal law. My first Supreme Court argument was a tribal case, and I have done many tribal briefs and arguments along the way. Then, for me, that journey culminated with my arguing successfully *McGirt v. Oklahoma* and *Brackeen v. Haaland*, two cases of tremendous importance to Indian Country.

What sort of change has resulted from the concept?

In *McGirt*, the Supreme Court held that Indian reservations in Eastern Oklahoma had not been disestablished. That ruling changed the status quo in Oklahoma and reaffirmed that, absent congressional action, the United States must honor its treaty promises. In *Brackeen v. Haaland*, the US Supreme Court rejected a series of challenges to the Indian Child Welfare Act, a statute that has improved the lives of countless Indian children, families, and tribes. In each case, we had substantial support from the Tribal Supreme Court project to help educate the Court about the relevant tribal history, law, and facts on the ground.

What bearing will this have on the future?

The rulings in *McGirt* and *Brackeen v. Haaland* reaffirmed both the importance of the rule of law and the core constitutional principles surrounding relationships between Congress and tribal nations. Decisions like these, and the continuing efforts of the Tribal Supreme Court project, will hopefully help to parry the seemingly never-ending efforts to undermine tribal rights and tribal sovereignty.