PILF FELLOWSHIP

by Elizabeth Johnson '04

I felt like Lewis and Clark as I crossed the Missouri River and drove through South Dakota to the Rosebud Sioux Indian Reservation, my new home for the summer, to begin my adventure as a legal intern for Dakota Plains Legal Services.

I quickly discovered that Indian tribal law was in many ways different from the system we practice, and much of my work served as a sort of "crash course" in the Native American legal structure. Fortunately, I had the opportunity to study the system on a case-by-case basis while updating a digest of decisions made by the Rosebud Sioux Tribal Supreme Court (a tribal appeals court). Before I knew it, I was stepping into the courtroom and applying that knowledge to real-life situations.

Unlike the Rosebud Sioux Tribe, the neighboring Yankton Sioux Tribe did not have its own public defenders and paid Dakota Plains to work in that capacity. I was assigned to represent clients in misdemeanor criminal arraignments and pre-trial plea-bargaining, and, having just completed my first year of law school, I felt thoroughly unprepared for the courtroom.

Yankton Sioux Tribe court convened about once each week, and I typically met my clients for the first time an hour or two before court started. In that short space of time, I would generally interview about fifteen to twenty people, learn their stories, meet with the prosecutor, and advise the clients regarding any plea-bargains.

Sometimes, I was with one of the attorneys from the office; at other times I was completely on my own, without someone to give me help or advice. Talk about on-the-job training! It all of a sudden made sense to me how law functions in the real world, and I understood what the professors were trying to teach us in school.

I was terrified the first time I appeared in court, but, after representing fifteen to twenty clients each week for ten weeks, I've gained a new sense of security and confidence. My court experience has made me a much more assertive individual, and I find myself speaking up a lot more than I used to.

I spent my time concerned with real people and immediate problems. Certainly, my location was slightly unusual, but it was far from glamorous. There are unique problems associated with life on the reservation, many of which are a result of tremendous poverty and drug and alcohol abuse. (I lived in the second poorest county in the United States.) In addition, politics permeate almost all aspects of the reservation, especially law, where three competing sovereigns are at work: federal, state, and tribal governments. The tribal members fight among themselves, individual tribes fight with each other, and the tribes fight with the state. I honestly felt that our work was like applying band-aids; it just wasn't a permanent solution to underlying problems.

My internship gave me the opportunity to see and experience a completely different way of life from anything I was used to. It was invaluable in teaching me many lessons about the practice of law and about my own life. I never would have imagined that this city girl would have been comfortable isolated on the vast, empty prairie, walking into tribal court ready for anything that came my way.

I don't know that I'll make a career out of public interest law, but it will always be a part of my career. After experiencing this, I can't just walk away from it in my practice of law.