

Ann E. Tweedy
Associate Professor
Hamline University School of Law
1536 Hewitt Street
Saint Paul, MN 55104
(w) 651-523-2076
atweedy01@hamline.edu

EDUCATION

- ◆ **University of California, Berkeley - School of Law (Boalt Hall):** J.D., 1999, *Order of the Coif*.
 - **Awards:** Jurisprudence Award in Indian Law;
Second Place Prize in *American Indian Law Review*'s 1998-99 Writing Competition.
 - **Activities:** BERKELEY WOMEN'S LAW JOURNAL (now called BERKELEY JOURNAL OF GENDER, LAW & JUSTICE);
Community Advocates for Police Review;
AFRICAN-AMERICAN LAW & POLICY REPORT;
East Bay Workers' Rights Clinic.
- ◆ **Bryn Mawr College:** A.B., *cum laude*, English and Philosophy, 1993.

TEACHING EXPERIENCE

- ◆ **Associate Professor**, Hamline University School of Law. (effective August 1, 2014)
Assistant Professor, Hamline University School of Law. (July 2011-July 2013)
 - Teach Property.
 - Teach Water Law.
 - Teach Federal Indian Law.
 - Teach Gender, Sexuality, & Law.
 - Teach Conflict of Laws.
 - Serve on law school committees.
 - Participate in, and present at, faculty colloquia.
- ◆ **Visiting Assistant Professor**, Michigan State University College of Law. (2010-2011)
 - Taught two sections of Property with approximately seventy-five students each.
 - Co-taught Federal Law & Indian Tribes and the Indigenous Law & Policy Center Course with Professor Matthew Fletcher.
 - Participated in, and presented at, faculty colloquia.
- ◆ **Teaching Fellow**, California Western School of Law. (2008-2010)
 - Taught Federal Indian Law and Conflict of Laws.
 - Supervised students undertaking independent writing projects.
 - Participated in faculty colloquia.
 - Received mentoring from senior faculty on scholarly writing projects and teaching methods.
 - Presented works-in-progress to the faculty.

PUBLICATIONS

- **Law Review and Journal Articles**
- ◆ **Tribal Laws & Same-Sex Marriage: Theory, Process, & Content**, forthcoming COLUMBIA HUMAN RIGHTS LAW REVIEW (2015).

- ◆ *Employment Discrimination against Bisexuals: An Empirical Study* (with Dr. Karen Yescavage), forthcoming WILLIAM & MARY JOURNAL OF WOMEN & THE LAW (2015).
- ◆ *How Allotment-Era Literature Can Inform Current Controversies About Tribal Jurisdiction and Reservation Diminishment*, 82 U. TORONTO Q. 924 (2013) (invited contribution) (peer reviewed).
- ◆ *Unjustifiable Expectations: Laying to Rest the Ghosts of Allotment-Era Settlers*, 36 SEATTLE U.L. REV. 129 (2012).
- ◆ *Polyamory as a Sexual Orientation*, 79 U. CIN. L. REV. 1461 (2011).
 - Cited in the United States as well as in Sweden, Canada, and Australia.
 - Cited in an amicus brief to the United States Supreme Court in *Hollingsworth v. Perry*.
 - To be excerpted in RUBENSTEIN ET AL., CASES AND MATERIALS ON SEXUAL ORIENTATION AND THE LAW (5th ed. 2014).
- ◆ "Hostile Indian Tribes . . . Outlaws, Wolves, . . . Bears . . . Grizzlies and Things like That?" *How the Second Amendment and Supreme Court Precedent Target Tribal Self-Defense*, 13 U. PA. J. CONST. L. 687 (2011).
 - § Reprinted in 4 THE CRIT: CRITICAL STUD. J. 1 (2011).
- ◆ *Sex Discrimination Under Tribal Law*, 36 WM. MITCHELL L. REV. 392 (2010).
- ◆ *Connecting the Dots Between the Constitution, the Marshall Trilogy, and United States v. Lara: Notes Toward a Blueprint for the Next Legislative Restoration of Tribal Sovereignty*, 42 U. MICH. J.L. REFORM 651 (2009).
 - Cited in an amicus brief to the United States Supreme Court in *Michigan v. Bay Mills Indian Community*.
 - Cited in *Cohen's Handbook of Federal Indian Law* § 4.03 (Nell Jessup Newton ed., 2012).
- ◆ *Using Plenary Power as a Sword: Tribal Civil Regulatory Jurisdiction Under the Clean Water Act After United States v. Lara*, 35 ENVTL. L. 471 (2005).
 - Selected as one of the year's best articles on pollution and the law by RUTGERS COMPUTERS AND TECHNOLOGY LAW JOURNAL, 32 RUTGERS COMPUTER & TECH. L.J. 367, 453 (2006).
 - Cited in an amicus brief to the United States Supreme Court in *S.D. Warren Company v. Maine Department of Environmental Protection*.
- ◆ *The Liberal Forces Driving the Supreme Court's Divestment and Debasement of Tribal Sovereignty*, 18 BUFF. PUB. INTEREST L.J. 147 (2000).
 - Earned Second Place Prize in *American Indian Law Review's* 1998-99 Writing Competition.
- **Book Chapters**
 - ◆ *Sex Discrimination Under Tribal Law in THE INDIAN CIVIL RIGHTS ACT AT FORTY* (Kristen A. Carpenter et al., eds., UCLA American Indian Studies Center, 2012) (peer reviewed).
 - ◆ *Sex Discrimination Under Tribal Law in TRACY A. THOMAS, WOMEN AND THE LAW* (Thomson Reuters 2011 ed.).
- **Works in Progress**
 - ◆ *How Settler Justifications Justify an Oliphant Fix*, to be included in BEYOND THE TRIBAL LAW AND ORDER ACT (Matthew Fletcher et al., eds., forthcoming from Michigan State University Press).
- **Blogging**
 - ◆ Guest Blogger on Faculty Lounge, <http://www.thefacultylounge.org/>, Summer and Fall 2013.

- ◆ Contributing Editor for *Jotwell: Equality – The Journal of Things We Like Lots*, <http://equality.jotwell.com/>, to begin in March 2014.
- ◆ Regular Blogger on Turtle Talk, the preeminent federal Indian law and tribal law blog, <http://turtletalk.wordpress.com/>, Summer 2010-present.

SELECTED PRESENTATIONS

• *Invited Presentations*

- ◆ *Tribal Laws & Same-Sex Marriage*, presented at the 28th Annual Coming Together of the Peoples Conference, University of Wisconsin, Madison on April 5, 2014.
- ◆ *Employment Discrimination Against Bisexuals and Others with Fluid Identities*, presented at St. Louis University School of Law Faculty Colloquium, St. Louis, MO on January 15, 2014.
- ◆ *Tribal Same-Sex Marriage Laws*, presented at the Federal Bar Association's 15th Annual DC Indian Law Conference, Washington D.C. on November 15, 2013.
- ◆ *Same-Sex Marriage & Indian Tribes*, presented at the Thirty-Eighth Annual Federal Bar Association Indian Law Conference in Santa Fe, NM in April 2013.
- ◆ *Employment Discrimination Against Bisexuals*, presented at Minnesota Lavender Bar Association's 12th Annual Conference in St. Paul, MN in January 2013.
- ◆ *Unjustifiable Expectations*, presented at Michigan State University's Eighth Annual Indigenous Law Conference in East Lansing, MI in October 2011.
- ◆ Commentator, *Charles Wilkinson's The People Are Dancing Again: A History of the Siletz Tribe*, Michigan State University College of Law Indigenous Law & Policy Center's 2011 Spring Speakers Series, East Lansing, MI in April 2011.
- ◆ Panelist, Race and Equal Protection, Michigan State University's Seventh Annual Indigenous Law Conference in East Lansing, MI in October 2010.
- ◆ *Connecting the Dots Between the Constitution, the Marshall Trilogy, and United States v. Lara: Notes Toward a Blueprint for the Next Legislative Restoration of Tribal Sovereignty*, presented at the Federal Bar Association's Thirty-Fourth Annual Indian Law Conference in Buffalo Thunder, NM in April 2009.

• *Other Presentations*

- ◆ *Same-Sex Marriage & Indian Tribes*, presented at the 2014 Law & Society Annual Meeting in Minneapolis, MN on May 29, 2014.
- ◆ *Same-Sex Marriage & Indian Tribes*, presented at the American Association of Law Schools Annual Meeting, Sexual Orientation and Gender Identity Section, New York, NY, January 5, 2014.
- ◆ *Employment Discrimination Against Bisexuals and Others with Fluid Identities*, presented at the 8th Annual Colloquium on Current Scholarship in Labor and Employment Law, Las Vegas, NV on September 27, 2013.
- ◆ Discussant for panel entitled "Challenges Facing Indian Country: New Problems and Old" at the 2013 Law & Society Association Annual Meeting in Boston, MA on June 1, 2013.

- ◆ *Employment Discrimination Against Bisexuals*, presented at the 2013 Law & Society Association Annual Meeting in Boston, MA on May 31, 2013.
- ◆ *Unjustifiable Expectations: Laying to Rest the Ghosts of Allotment-Era Settlers*, presented at the Association for Law, Property, & Society Annual Meeting in Minneapolis, MN in April 2013.
- ◆ *Preliminary Results of Survey on Employment Discrimination Against Bisexuals*, presented at the Junior Scholars Forum of the National LGBT Bar Association's 2012 Lavender Law Conference and Career Fair in Washington, D.C. in August 2012.
- ◆ *Unjustifiable Expectations: Laying to Rest the Ghosts of Allotment-Era Settlers*, presented at the Forty-Fourth Annual Dakota Conference at Augustana College in Sioux Falls, SD in April 2012.
- ◆ *Unjustifiable Expectations: Laying to Rest the Ghosts of Allotment-Era Settlers*, presented at the Fifteenth Annual Conference of the Association for the Study of Law, Culture, & Humanities in Fort Worth, TX in March 2012.
- ◆ *Unjustifiable Expectations*, presented as work-in-progress at the Sixteenth Annual LatCrit Conference, in San Diego, CA in October 2011.
- ◆ *"Hostile Indian Tribes . . . Outlaws, Wolves, . . . Bears . . . Grizzlies and Things like That?" How the Second Amendment and Supreme Court Precedent Target Tribal Self-Defense*, presented at the 2011 Law & Society Association Annual Meeting in San Francisco, CA in June 2011.
- ◆ *"Hostile Indian Tribes . . . Outlaws, Wolves, . . . Bears . . . Grizzlies and Things like That?" How the Second Amendment and Supreme Court Precedent Target Tribal Self-Defense*, presented at International Conference on Narrative in St. Louis, MO in April 2011.
- ◆ *Polyamory as a Sexual Orientation*, presented at the Fourteenth Annual Conference of the Association for the Study of Law, Culture, and the Humanities, Las Vegas, NV in March 2011.
- ◆ *How America's Racialized History Eviscerates Indian Tribes' Right to Self-Defense*, presented at University of Idaho's Fall 2010 Critical Legal Studies Conference in Moscow, ID in September 2010.
- ◆ *Sexual Orientation as a Holistic Concept: An Examination of Whether Polyamory Should be Considered a Sexual Orientation*, presented at the 2010 Law & Society Annual Meeting in Chicago, IL in May 2010.
- ◆ Commentator, Author Meets Reader: *Facing the Future: The Indian Child Welfare Act at 30* (Matthew L.M. Fletcher *et al.*, eds.), at the 2010 Law & Society Annual Meeting in Chicago, IL in May 2010.
- ◆ *Sex Discrimination Under Tribal Law*, presented at the 4th Annual Critical Race Studies Symposium at UCLA School of Law in March 2010.
- ◆ *Sexual Orientation as a Holistic Concept: An Examination of Whether Polyamory Should be Considered a Sexual Orientation*, presented at the Lavender Law Conference and Career Fair in Brooklyn, NY in September 2009.
- ◆ *Do Indian Tribes Have a Right to Self-Defense? An Examination of the History and Caselaw that Suggests that They Do Not*, presented at the 2009 Law & Society Association Annual Meeting in Denver, CO in May 2009.
- ◆ *Sex-Based Equal Protection Under Tribal Law: From Broad-Based, Absolute Proscriptions of Discrimination to Context-Specific Protections*, presented at Michigan State University's Fifth Annual Indigenous Law Conference in East Lansing, MI in October 2008.

JUDICIAL CLERKSHIPS

- ◆ **Clerk, Chambers of the Honorable Ronald M. Gould**, 9th Circuit Court of Appeals. (2001-2002)
 - Researched legal issues and drafted bench memoranda.
 - Drafted memorandum dispositions, orders, and appellate opinions.
 - Discussed legal issues and the outcome of pending cases with judge and co-clerks.
- ◆ **Clerk, Chambers of the Honorable Rex Armstrong**, Oregon Court of Appeals. (1999-2001)
 - Researched legal issues and drafted appellate opinions.
 - Discussed legal issues and the outcome of pending cases with judges and staff attorneys.
 - Proofread draft opinions written by judges, staff attorneys, and other clerks.

LEGAL EMPLOYMENT

- ◆ **Associate Attorney, Kanji & Katzen, PLLC**, Seattle, WA. (2006-2008)
 - Researched, wrote, and argued briefs, motions, supporting memoranda, and responses to motions in federal and tribal courts.
 - Reviewed orders, reports, plans, and correspondence to evaluate utility's compliance with license conditions in Federal Energy Regulatory Commission proceeding.
 - Cases addressed enforcement of federal subsistence fishing rights, environmental protection, and protection of tribal corporations from malfeasance, among other issues.
- ◆ **Tribal Attorney, Swinomish Indian Tribal Community**, near La Conner, WA. (2002-2006)
 - Wrote and argued trial briefs, motions, supporting memoranda, responses to motions and other pleadings in state, federal, and tribal courts and before administrative hearings boards.
 - Conducted depositions, drafted interrogatories, and engaged in other types of discovery.
 - Negotiated settlements of lawsuits.
 - Cases included natural resource, environmental, land-use, and treaty rights issues.
 - Provided legal support to Planning, Fisheries, the G^wχd^zadad (Cultural) Committee, and other departments.
 - Facilitated transactions such as land purchases.
 - Drafted revisions to tribal enrollment and fisheries codes.
- ◆ **Law Clerk, California Indian Legal Services**, Oakland, CA. (Spring 1998 and Spring 1999)
- ◆ **Law Clerk, American Civil Liberties Union**, San Francisco, CA. (Summer 1998)
- ◆ **Law Clerk, Contra Costa County Office of the Public Defender**, Richmond, CA. (Summer 1997)

OTHER EMPLOYMENT

- ◆ **Marketing Editor, Energy Investment, Inc.**, Boston, MA. (1994-1996)
- ◆ **Production Assistant, New England Law Review**, Boston, MA. (1993-1994)

BAR MEMBERSHIPS

United States Supreme Court; United States Court of Appeals for the District of Columbia Circuit; District Court for the Western District of Washington; Washington; California (inactive); Swinomish Indian Tribal Community.

SELECTED SERVICE ACTIVITIES

- ◆ Treasurer, Indian Law Section of the Federal Bar Association;
- ◆ Chair-Elect, American Association of Law Schools Section on Indian Nations & Indigenous Peoples;
- ◆ Member at Large, American Association of Law Schools Section on Sexual Orientation & Gender Identity Issues;
- ◆ Faculty Advisor for HAMLIN JOURNAL OF PUBLIC LAW & POLICY;
- ◆ Contributing Editor for the Federal Bar Association's *Indian Law Section Newsletter*;
- ◆ Social Committee Chair, Minnesota American Indian Bar Association;
- ◆ Peer Reviewer for JOURNAL OF HOMOSEXUALITY;
- ◆ Dissertation Committee Member for a Hamline University Ph.D. candidate in Public Administration;
- ◆ Faculty Representative for Hamline University School of Law to the Society of American Law Teachers;
- ◆ Moot court coach for National Native American Law Students Association Moot Court;
- ◆ Continuing Legal Education presentations;
- ◆ Pro bono representation of asylum clients;
- ◆ Volunteer Judge for moot court competitions;
- ◆ Co-Advisor for Hamline's Native American Law Student Association's chapter.

INTERESTS AND HOBBIES

Poetry (author of two poetry chapbooks); Birdwatching; Travel; Hiking; Beading.