

# RESUME OF ROBERT ALAN HERSHEY

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## **PROFESSIONAL EXPERIENCE**

UNIVERSITY OF ARIZONA  
COLLEGE OF LAW

Professor of Practice, Native American & Indigenous Peoples Law & Policy, Globalization and Transformation of Culture

Director of Clinical Education, Indigenous Peoples Law & Policy Program 1992 – Present  
Supervising Attorney, Tribal Law Clinic  
1991 – 1992

Established a Court Appointed Guardian Ad Litem program for the Tohono O'odham Indian Reservation Representation of abused and neglected Indian children and incapacitated adults before their tribal courts in dependency proceedings. Supervision of law students in such areas as Native Hawaiian sovereignty, tribal environmental law, peacemaking, tribal probate, criminal code, cultural protection, and rules of court legislation, legal research for tribal judges, including the Navajo Supreme Court, international intellectual property and human rights advocacy, reorganization of tribal criminal justice systems, foreign trade zone and tribal economic development, tribal tort claims legislation, litigation based support for federal court cases involving treaty and other tribal rights, consultant to O'odham in Mexico land claims and immigration, legal resource to Tarahumara and Tepehuan Indians in Mexico, development of *pro se* representation manuals and resource and information referral program for urban Indian population, cultural and sacred sites protection legislation, and clinical internships. Established Pascua Yaqui criminal defense assistance program. Conduct evaluations of tribal courts. Certification of students to practice before tribal courts. Development of Tribal Bar Associations and College curricula for tribal court advocates. Exchange Program with British Columbia Tribal Chiefs of the Carrier Sekani Council. The Clinical program has also supported S. James Anaya and the Indian Law Resource Center in International Indigenous human rights litigation in cases before the Inter-American Commission and Court of Human Rights, such as Awas Tingni (Nicaragua), Toledo Maya Cultural Council (Belize), and Western Shoshone. The Clinic supports the First Nations British Columbia Summit and the Hul' qumi' num Treaty Group.

A detailed synopsis of the projects of the University of Arizona College of Law Indigenous Peoples Law and Policy Program can be furnished upon request.

Co-creator (with Robert Williams, Jr., S. James Anaya, and James Hopkins) of a Masters of Law Program in Indigenous Peoples Law & Policy (2000-Present)

Native American Law Students Association – Faculty Advisor

ROBERT ALAN HERSHEY

Private Practice  
Tucson, Arizona  
1973-1997

Indian law, criminal law, and complex litigation

Lecturer in Law, Legal Research and Writing  
Tucson, Arizona  
Fall Semesters 1972 and 1973

UNIVERSITY OF ARIZONA  
OFFICE OF INDIAN PROGRAMS  
Indian Specialist & Coordinator of Special Projects  
1991  
Adjunct Professor of American Indian Studies  
1996 – Present

Legal skills training workshops, state and tribal court judicial conferences, law related education curriculum, U.S./Mexico Yaqui agricultural project, tribal community development, Indigenous Claims Conference, Tribal Leaders Conference, Indian Town Hall Economic Development Conference, etc.

UNIVERSITY OF DEUSTO

Institute of Human Rights  
Bilbao, Spain  
Visiting Professor  
March 2006

UNIVERSITY OF VICTORIA

Faculty of Law  
British Columbia  
Visiting Professor  
Summer 2005

**YAVAPAI-PRESCOTT INDIAN TRIBE**

Associate Justice  
Court of Appeals  
2003-Present

**GILA RIVER INDIAN COMMUNITY**

Special Litigation Counsel  
Tucson and Sacaton, Arizona  
1998 – 2002

**UNIVERSITY OF PUERTO RICO  
ESCUELA DE DERECHO**

Visiting Professor of Law  
Winter Term, 1997

**WHITE MOUNTAIN APACHE TRIBE**

Special Litigation Counsel  
Tucson and Whiteriver, Arizona  
September, 1983 – 1999

Representation of tribal government in the United States District Court, Ninth Circuit Court of Appeals, United States Bankruptcy Court, Arizona State Court, White Mountain Apache Tribal Court; litigation of tribal jurisdiction, Federal/Tribal/State relations, tribal game & fish claims, civil rights litigation, drafting and recodification of tribal criminal codes and ordinances and intergovernmental agreements.

Law Enforcement Legal Advisor  
White Mountain Apache Tribe  
Tucson and Whiteriver, Arizona  
September 1983 – 1999

Conduct seminars for all tribal law enforcement agencies in matters such as tribal jurisdiction, evidence, search & seizure, stress management, civil rights investigations and liability, Indian child sexual abuse, game & fish legislation; preparation of general orders and departmental policies for firearms use, arrests and the use of force, motor vehicle operations, off duty responsibilities of officers and rangers, and disciplinary standards for police personnel; development of juvenile diversion program and heightened standards for jail management; victim-witness program proposal.

**FEDERAL LAW ENFORCEMENT TRAINING  
CENTER (FLETC)**

Conduct seminars for federal law enforcement officers on issues including the intersections of tribal, state, and federal jurisdictions.

**PASCUA YAQUI TRIBE**

Special Counsel, 1995 - 1997  
Tucson, Arizona

International economic and community development projects with the Rio Yaqui in Mexico, consequences of N.A.F.T.A. & G.A.T.T., Mexican land and water law; Revision of Tribal Constitution; General Litigation

1998 – 2000 Organize and present attorney certification classes.

**FOUR WINDS NATIVE RESOURCE GROUP**  
Independent Consulting

Sole source contractor to the Bureau of Indian Affairs Law Enforcement Services. Wrote the BIA Law Enforcement Policies and Procedures.

Sole source contractor to the Gila River Indian Community / Conducted legal training seminars for the Tribal Council and Judicial branches of government.

**JUDGE PRO TEMPORE**

Tohono O'odham Indian Judiciary  
Sells, Arizona  
Appointed 1989 – Present

Trial of cases involving separation of powers, landsite assignments, sovereign immunity under new Constitution, and expulsion of Bingo management company. Appellate Court decisions rendered of constitutional significance, e.g., apportionment of votes, separation of powers.

**DEPUTY JUDGE (PRO TEMPORE)**

Colorado River Indian Tribe  
Appointed 1995  
Term expired

**SPECIAL MAGISTRATE**

Tucson City Court  
Tucson, Arizona, 1985 – 1987

**DINEBEIINA NAHILNA BE AGADITAHE, INC.**  
(D.N.A. Legal Services)

Staff Attorney, Navajo Tribe, 1972 – 1973  
Window Rock, Arizona  
State, tribal and appellate litigation, consumer affairs, personal injury, and general legal aid responsibilities.

## ADMISSION TO PRACTICE

Arizona State Supreme Court 1972  
Montana State Supreme Court 1990  
United States District Court,  
District of Arizona 1972  
Ninth Circuit Court of Appeals 1985  
United States Supreme Court 1982  
Tribal Court of the White Mountain  
Apache Tribe 1983  
Tribal Court of the Hopi Tribe 1981  
Tribal Court of the Pascua Yaqui Tribe 1995

## EDUCATION

University of Arizona College of Law  
Tucson, Arizona  
Juris Doctor, 1972

University of California at Irvine  
Irvine, California  
Bachelor of Science, Biology/Chemistry, 1969

Spanish Speaker

## OTHER EXPERIENCE

THE ARIZONA LAW REVIEW  
University of Arizona College of Law  
First Year Staff Writer 1969 – 1970  
Second Year Staff Writer 1970 – 1971  
Third Year Staff Writer 1971 – 1972

Third Year Graduate Teaching Assistant  
Legal Research and Writing  
University of Arizona College of Law  
Fall Semester 1971  
Tucson, Arizona

## PUBLICATIONS AND SPEAKING ENGAGEMENTS

Mapping Intergenerational Memories (forthcoming)

Globalization and the Special and Significant Impacts to Indigenous Peoples (forthcoming)

Symposium Organizer/Moderator/Speaker  
THE FUTURE OF LIFE ON PLANET EARTH  
Rogers College of Law  
University of Arizona  
October, 2011

Keynote Speaker  
THE NATURE CONSERVANCY  
Global Indigenous and Communal Lands Conference  
Loveland, Colorado  
July, 2011

Globalization and the Transformation of Cultures and Humanity: A Curriculum and Toolkit for the Efflorescence of Ecological Literacy in Legal and Business School Education, [www.ecoliteratelaw.com](http://www.ecoliteratelaw.com) (2010)

Speaker, Animal Law in Indian Country  
State Bar of Arizona  
February, 2010

Conference Chair, Moderator, and Commentator,  
“Protection of Indigenous Peoples Customary and Legal Rights: United States, International and Comparative Law Perspectives.”  
Tribal, State, and Federal Judges Conference,  
University of Arizona College of Law,  
March, 2002

Speaker, “Globalization”  
“Conflict and Accord in the Postglobal Age”  
Society for Applied Anthropology  
Annual Convention  
Merida, Yucatan  
March, 2001

Crafting Contemporary Business Agreements With American Indian Societies (Book Chapter), in UNITED STATES LAW FOR FOREIGN INVESTORS, Instituto Para Investigaciones Juridicas  
Also published in English as Chapter entitled “Native America Indian Law” in Four Volume Compilation,

UNITED STATES LAW OF TRADE AND INVESTMENT (Kozolchyk & Molloy, Eds. 2001)

Speaker, Indian Law Section,  
State Bar of Arizona, Annual Convention  
“Litigation Update”  
Tucson, Arizona  
June, 2000

Conference Organizer, Chair, and Speaker  
“What Role Has the Judiciary Played in the  
Preservation and Transformation of Culture”  
Tribal, State, and Federal Judges Conference at  
the Arizona Judicial Conference  
Tucson, Arizona  
June, 2000

Moderator  
“Protecting Indigenous Intellectual Property Rights:  
Culture Up Against the Law”  
Society for Applied Anthropology  
Annual Convention  
Tucson, Arizona  
April, 1999

Visiting Speaker, University of British Columbia  
School of Law  
“Mechanics of Practice in Tribal Courts”  
May, 1998

Visiting Speaker, University of Victoria Faculty of  
Law  
“Native American Tribal Courts”  
1997

Commentator & Moderator  
Indian Gaming  
Arizona State University College of Law  
October, 1996

Conference Organizer and Chair  
Comparative Issues in Domestic Violence  
State, Tribal and Federal Judges Conference  
University of Arizona College of Law  
May, 1996

Conference Chair and Moderator  
American Indians in the Courtroom: Language and  
Metaphor  
University of Arizona College of Law  
March, 1995

Editor  
Arrow, Volumes 1,2,& 3  
State Bar of Arizona Indian Law Section

Newsletter 1993, 1994, 1995

Project Coordinator & Contributor  
(Intellectual Property Rights and American Indian  
Tribes – with Richard Guest)  
Arizona Town Hall  
American Indian Relationships in a Modern Arizona  
Economy  
Grand Canyon, Arizona  
October/November 1994

Organizer, American State Bar Association  
Indian Law Seminar  
Taxation on Indian Reservations  
Phoenix, Arizona  
October, 1993

Sole Writer & Presenter, Seminar  
San Carlos Apache Indian Reservation  
Mechanics of Criminal Law & Practice in the San  
Carlos Apache Tribal Courts  
San Carlos, Arizona  
September, 1993

Co-Chair  
Indian Law Section Program  
Arizona State Bar Association, Annual Convention  
June, 1993

Writer-Presenter  
Arizona State Bar Association Seminar  
Environmental Law on Indian Reservations  
Phoenix, Arizona  
April, 1993

Speaker, Arizona State Bar Association  
Annual Convention, Indian Law Seminar  
Modern Practice in Tribal Courts  
Tucson, Arizona  
June, 1992

Conference Organizer / Moderator/ Ad Hoc  
Committee Member  
State & Tribal Court Judges Conference  
University of Arizona College of Law  
Arizona State University College of Law  
1992, 1993, 1994, 1995, 1996, 1998

Sole Source Contractor (Four Winds Native Resource  
Group)  
Revision of Bureau of Indian Affairs Law  
Enforcement Officer Standards & Procedures Manual  
Washington, D.C.  
November, 1991-1993

Materials on Representing Neglected & Abused

Children in Indian Tribal Courts. The working draft has been prepared for use by second & third year law students in tribal clinical practice. 1991 and Revised 1994

Presenter, Seminar / Workshop  
University of Arizona Office of Indian Programs  
Principles of Criminal Probation in Tribal Courts  
Tucson, Arizona  
September, 1991

Co-Presenter, Seminar / Workshop  
University of Arizona Office of Indian Programs  
Tribal Court Clerk Training in Civil & Criminal Procedure  
Tucson, Arizona  
September, 1991

Panel Chair, 1991 State & Tribal Judges Conference,  
Arizona State University College of Law  
Judicial Authority: Tribal, State & Federal Jurisdiction  
Tempe, Arizona  
April, 1991

Co-Presenter & Writer, Seminar / Workshop  
University of Arizona College of Law  
Principles & Theories of Tribal Sovereignty & Tribal Court Jurisdiction  
Tucson, Arizona  
December, 1990

Sole Writer & Presenter, Seminar  
White Mountain Apache Indian Reservation  
Mechanics of Criminal Law & Practice in the White Mountain Apache Tribal Courts  
Whiteriver, Arizona  
November, 1990

Speaker, First Annual Western Regional Indian Law Symposium  
University of Washington  
Mechanics of Practice in Tribal Courts  
Seattle, Washington  
November, 1987

Speaker, Native American Fish & Wildlife Conference,  
Tribal Game & Fish Law Enforcement  
Warm Springs Reservation, Oregon  
April, 1984

Robert Alan Hershey & Bruce D. Sales,  
“Psychologists in the Processing of Sex Offenders.”  
This work was prepared on behalf of the American Psychological Association ad hoc Committee on Legal Issues. 1983

Robert Alan Hershey & Daniel W. Shuman,  
Materials on Representing Mental Patients in Pima County, Arizona. This work was prepared as a primer for use by third year law students in clinical practice. 1972

David B. Wexler & Robert A. Hershey,  
Criminal Detainers in a Nutshell,  
7 Criminal Law Bulletin 753 1971

Research and analytical assistance acknowledged in Cases and Materials on Prison Inmate Legal Assistance by David B. Wexler 1971

Contributor, Special Project—  
The Administration of Psychiatric Justice: Theory and Practice in Arizona, 13 Arizona Law Review 1 1971  
The Arizona Supreme Court 1969-1970,  
Criminal Law & Procedure: Searches and Seizures, Informants,  
12 Arizona Law Review 127 1970