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Tribal Court Authority Upheld

A groundbreaking opinion is handed down by the Kansas Court of Appeals affirming the authority of the tribal court of the Kickapoo Nation of Kansas.

The ruling holds that the tribal court is the proper venue to resolve disputes between Indians regarding business performed on the reservation and land located on the reservation.

Ultimately, Bradley vs Bear determines that a State District Court's decision to exercise jurisdiction was in error.

Brian Johnson is the attorney for Nancy Bear, the prevailing party in the lawsuit(Play Audio :06 seconds)

Johnson explains his hesitation to celebrate(Play Audio 34 seconds)

The case arose from a family farming partnership, on reservation land, that came to an end(Play Audio :36 seconds)

Johnson says still unsettled in the matter is another test of tribal sovereignty to come(Play Audio :34 seconds)

The Court of Appeals on January 20th reversed Brown County District Judge Patton's decision to exercise jurisdiction over the ending of the partnership, and the sale of property, remanding the case to the district court with directions to dismiss the prior proceedings.