

DENNIS G. CHAPPABITTY
P.O. Box 292122
Sacramento, CA 95829
(916) 682-0575(voice/fax)
email: chaplaw@earthlink.net

Brief Summary of Qualifications/Experience

Oklahoma Bar licensee in good standing since December of 1982 with a Juris Doctor (1981) from the University of New Mexico School of Law, and a B.S. in Geography (1972) from Oklahoma State University.

Admitted to practice as a full member in the United States District Courts for the Western District of OK, Northern District of CA, District of Arizona, the Federal Circuit, the 9th and 10th Circuit Courts of Appeal and the United States Supreme Court.

Representation in general practice as a sole practitioner emphasizing Federal Indian Law and Traditional Tribal Law, federal civil litigation, federal administrative, federal criminal practice. Practiced/advocated before Tribal Courts/administrative forums, Court of Indian Offenses; Interior Board of Indian Appeals. Experienced as lead trial counsel in the preparation and conduct of both jury and non-jury trials in federal, state and tribal courts.

Emphasis in practice of administrative law within federal administrative boards, federal EEO complaints and Merit Systems Protection Board of Appeals process.

Experience includes conduct of criminal defense in state and high profile federal jury trials. Tribal enrollment/Indian blood quantum representation. Presented oral argument before 9th Circuit Court of Appeals Panel in Seattle, WA in 1993 on 25 USC §81 contract involving Crow tribal trust assets and in San Francisco, CA in 2002 on unlawful arrest on Indian reservation filed under FTCA.

Prepared and delivered testimony before committees; media and other public appearances on legislative issues to include research and analysis of regulations and public policies. Developed and administrated Tribal Courts and Tribal Foster Care Review Boards; Tribal land management and economic development; Tribal employee rights.

Currently, Special Counsel for the Tax Commission, Apache Tribe of Oklahoma responsible for asserting any valid tax claims for unpaid or underpaid oil & gas royalties within the taxing jurisdiction of the Tribe.

Special Counsel for the Kiowa Indian Tribe of Oklahoma Tax Commission September '99 to June1, 2001 responsible for asserting any valid tax claims through appropriate demand or legal proceedings and assisting in negotiation, preparation, and execution of any settlement agreement with business entities within the tax jurisdiction of the Kiowa Indian Tribe.

Litigated Indian gaming contract disputes in federal district courts. Handled complex business litigation matters involving disputes occurring on Indian reservations. Provided representation to Indian tribal governments in the area of gaming contract negotiation and economic/business development project negotiations.

Served as the Comanche Indian Nation appointee to the Kiowa, Comanche & Apache Development Authority as Secretary-Treasurer. The Authority was charged with the commercial development of 1200 prime acres of jointly held Indian trust lands in Oklahoma and the management of a bingo hall operating on federal trust property. Experienced in business law as it relates to issues involving tribal trust properties and long term leasing requirements.

Legal consultant services to consortium member tribes in the area of training and technical assistance on the Indian Child Welfare Act (ICWA) and tribal responsibilities in area of Domestic Violence. Tribal capacity building and court advocacy training and representation. Advice to Director and Board of Directors on federal and state policy on ICWA issues and assumption of law enforcement authority by California Tribes.

Served as Staff Attorney for the Comanche Indian Tribe of Oklahoma from December 1982 to February 1985. Provided in-house advice to the Tribal Business Committee on various legal matters, conducted legal research in areas of law relating to operation and administration of tribal governments, Tribal land management, federal trust responsibility, federal and state policies, legislation and regulations. Monitored activities involving high stakes gaming and reviewed gaming management contracts for Tribes.

Served as Judge of the Comanche Indian Nation Children's Court from 1983 to 1985, a Court of limited jurisdiction handling cases of neglect, abuse, dependency and delinquency involving tribal juveniles. Developed and implemented state-tribal court cooperative agreements in areas relating to Indian Child Welfare/services. Directed the judicial review of the Comanche Foster Care Review Board. Advised the Tribal Business Committee on court policy and implementation of tribal judicial policies and directives through court staff. Provided training to staff and Review Board in coordination with State Court Judges.

Served as Judicial Planner for the Comanche Indian Nation from November 1981 to December 1982. Developed tribal law and order code and child welfare code; prepared grant proposal for tribal court funding; provided technical assistance on court operations; provided policy input to the tribal government in areas of judicial planning; conducted needs assessments in the form of public meetings with tribal constituents for child welfare and judicial planning; governmental liaison with state and federal programs crucial to tribal children's court operation; negotiated tribal-state agreement with the State of Oklahoma, Department of Human Services to provide both financial and service assistance in the area of child welfare; member of the Oklahoma Indian Child Welfare Association as a tribal advocate on national issues affecting Indian children; youth and families.

Presenter in August 2002 at Native American Family and Domestic Violence Conference held in Sacramento on Tribal Disenrollments. Presenter in October 2001 at "16th Annual California Indian Conference and Gathering" held at California State University Sacramento on "Tribal Enrollment Problems in California". Panelist on "Small Indian Business Legal Issues" at National Indian Business Association Annual Conference in Arlington, VA in April '97. Facilitator at '95 National Native American Conference on Holistic Rehabilitation in Albuquerque, New Mexico sponsored by the University of Arizona; Presenter at American Indian Vocational Rehabilitation Conference on "Entrepreneurial Approaches for Native American Vocational Rehabilitation Programs" in August '94, Seattle, WA.

Panelist on "Developing a Tribal Gaming Control Agency" at California-Nevada Indian Nevada Gaming Association, Annual Conference, '91, Reno, NV. Panelist on "Starting a New Business; The Legal, Insurance and Tax Issues" at the "RES' 93" Reservation Economic Summit and American Indian Business Trade Fair sponsored by The National Center for American Indian Enterprise Development in Phoenix, AZ, June '93. Panelist at Oklahoma City University Law School on Indian Reservation Economic Development, February '86.

Appointed in October 1997 by the Fallon Paiute-Shoshone Tribal Council as directors on the "Fox Peak Economic Development Corporation Board". The Corporation was established by the Tribe as a public entity to engage in any lawful business for promoting the economic development, health safety and general welfare of the people of the Fallon Paiute-Shoshone Tribe, Fallon, Nevada. Served as the CEO/President of the Corporation from July 1999 to June 2000.

Featured in article titled "Casino Cash and Tribal Discord" in February 2003 Edition of "Comstock's Business" Magazine which reports on responsible business practices and quality of life in California's Capital Region.

Speaker at functions held by tribal organizations in Oklahoma and California to encourage development of personal initiative, educational goal setting and interest of Native American youth in careers in the legal profession. Frequent guest speaker in 1995 - 2002 on national public broadcasting radio show "Native America Calling", Albuquerque, NM participating in discussions on Indian Civil Rights/Justice in Indian Country and other topics of general interest to Native Americans. Most recent radio appearance was broadcast from Albuquerque, NM on November 14, 2003 to discuss the EEOC administrative class action, Crazythunder v. DHHS, against the Indian Health Service filed on behalf of American Indian and Alaskan Native women in GS-8 and above. Chappabitty is class counsel. Other appearances were on November 14, 2000 at the National Congress of American Indians Annual Conference in St. Paul, MN on topics of "Tribal Enrollment/membership Issues" and January 2002 on "Tribal Law Enforcement Liability Problems in California - Failure of Agreement to Certify Tribal Police as State Officers."

Tribal Membership/Affiliation

Member, Comanche Indian Nation of Oklahoma and affiliated by Chiricahua Apache (Warm Springs) blood with Ft. Sill Apache Tribe of Oklahoma.

Military Experience

Commissioned as reserve officer, 2d Lieutenant, May 1972 in US Army, Armor Corps. Served as Brigade Race Relations Officer with 1st Brigade, 2D Infantry Division, Camp Casey, Korea from September 1974 to November 1975. Completed U.S. Army Reserve obligation as a Captain in Armor Corps in 1986. Received Army Commendation Medal for outstanding service while stationed in Republic of Korea. Staff/administrative level officer experienced and rated in top percentile upon exit from active duty commitment in 1975.

Organizations

Federal Bar Association, Indian Law Section. Oklahoma Bar Association, Indian Law Section. Comanche Little Pony Gourd Society.

References: (Available on request.)

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