

TRIBAL COURTS IN NEW YORK: Case Study of the Oneida Indian Nation

Tuesday, November 20, 2018

Faculty Biographies

Honorable Albert M. Rosenblatt served as an Associate Judge on the New York Court of Appeals for seven years, from 2000-2007. Prior to his appointment by then Governor Pataki to the Court of Appeals, Judge Rosenblatt served as a Justice of the Appellate Division of the New York State Supreme Court; as New York State's Chief Administrative Judge; as a Justice of the New York State Supreme Court; as a County Judge for Dutchess County; and as the District Attorney for Dutchess County. Judge Rosenblatt is presently of counsel to McCabe & Mack LLP, in Poughkeepsie, New York, and holds an appointment as a Judicial Fellow at the New York University School of Law. He received his B.A. from the University of Pennsylvania and his J.D. from Harvard Law School.

Nation Representative Ray Halbritter is the Representative of the Oneida Indian Nation and the Chief Executive Officer of its enterprises, which employ nearly 5,000 people in upstate New York. Mr. Halbritter earned his law degree from Harvard Law School and his Bachelors of Science degree from Syracuse University. He is the founder and former publisher of the multi-award winning Indian Country Today Media Network, the leading media outlet serving Indian country. He serves on the boards of directors of the Environmental Media Association, Harvard Native American Law Board, Upstate New York Empowerment Fund, Mohawk Valley EDGE and the Museum of the American Revolution. He has been an influential national leader of the Change the Mascot campaign (changethemascot.org), a grassroots campaign that works to educate the public about the damage effects on Native Americans arising from the continued use of stigma-inducing racial stereotypes in high profile sports mascots. He is executive producer of several films relating to Native American history and culture and is a member of the Recording Academy; the National Advisory Council for the American Indian Program at Cornell University; the National Congress of American Indians; and United South and Eastern Tribes. In 2012 Halbritter received the Mohawk Valley EDGE Leading Edge Award in recognition of the Oneida Indian Nation's economic investment in central New York and his vision and leadership in developing one of largest employers in update New York. In 2018 he received the prestigious Native Voice Award from the National Congress of American Indians, recognizing him as one of the nation's most distinguished leaders in Indian Country. He also received an Environmental Media Association Lifetime Achievement Award for his work in tribal advancement.

Michael R. Smith is a partner in the Washington, D.C. office of Zuckerman Spaeder. He leads the firm's Native American law practice, which involves nationally significant litigation and political disputes with regard to land claims, trust land, gaming, governance, tax, and sovereignty issues. Mr. Smith is a member of Zuckerman Spaeder's Executive Committee and is the firm's General Counsel. Mr. Smith previously served as a law clerk to the Hon. William Wayne Justice of the U.S. District Court for the Eastern District of Texas and to the Hon. Albert Tate, Jr. of the U.S. Court of

Appeals for the Fifth Circuit. He is admitted to practice law in the District of Columbia, Maryland, and Louisiana. Mike received his B.A. from Tulane University, and his J.D. from Stanford Law School.

Pete Carmen is the Chief Operating Officer of the Oneida Indian Nation and each of its enterprises and administrative departments. He previously served as the Nation's General Counsel and, before that, as outside counsel for the Nation. Mr. Carmen also was the first Nation Prosecutor for the Oneida Indian Nation Court. He graduated with honors from Brandeis University and earned his law degree from Syracuse University College of Law, where he was Editor-in-Chief of the Syracuse Law Review. He clerked for Chief Judge Neal P. McCurn of the U.S. District Court for the Northern District of New York, and then joined the law firm Mackenzie Hughes LLP, where he was a litigation partner and a member of the firm's executive committee.

Meghan Murphy Beakman is the General Counsel for the Oneida Indian Nation and its enterprises, including Turning Stone Resort Casino, where she leads the Nation's legal department and directs all of the Nation's outside counsel. Ms. Beakman also oversees several Nation regulatory functions, including Code Enforcement, Environmental Management and Fire Marshal, and she is counsel to the Oneida Indian Nation Gaming Commission. Additionally, she directs the Nation's insurance and grant programs. Before joining the Nation, Ms. Beakman was a litigator at White & Case LLP in New York and Bond, Schoeneck & King, PLLC in Syracuse. Ms. Beakman graduated magna cum laude from the Syracuse University College of Law and received her Master's Degree in Public Administration from The Maxwell School of Citizenship and Public Affairs at Syracuse University.

Honorable Marcy L. Kahn is an Associate Justice of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department. She was elected a Justice of the New York State Supreme Court in 1994 and reelected to that office in 2008. She served by mayoral appointment as a Judge of the New York City Criminal Court commencing in 1987. Prior to becoming a judge, she was a partner and associate, respectively, in two major law firms in New York City, and served as a Special Assistant Attorney General of the State of New York. Justice Kahn currently chairs the New York Unified Court System's Tribal Courts Committee and has been privileged to serve as the Convener of the New York Federal-State-Tribal Courts and Indian Nations Justice Forum since its inception in 2003. She has been a delegate to the United Nations Commission of the Status of Women for the International Association of Women Judges, and has written and lectured for the bench and bar locally and nationally for the past 30 years. Justice Kahn received her B.A. from Stanford University and her J.D. from New York University School of Law.

Honorable Robert G. Hurlbutt is a graduate of Union College and Albany Law School. After 12 years in the private practice of law in Oswego, New York, he served as the Oswego County District Attorney and Coroner for five years. In 1982, he was appointed by then Governor Carey to fill a vacancy in Oswego County Court, then elected to that position, serving until 1987, when he was elected a Supreme Court Justice for the Fifth Judicial District, serving the counties of Herkimer,

Jefferson, Lewis, Oneida, Onondaga, and Oswego. In 1999, he was appointed by then Governor Pataki to a seat on the Supreme Court, Appellate Division, Fourth Department in Rochester, where he served until his retirement, as Senior Associate Justice, in 2009. At present, he serves as Chief Trial Judge of the Oneida Nation Court. In addition, he is Chair of the Fifth Judicial District Independent Judicial Election Qualifications Committee and a retired member of the board of editors of the New York Pattern Jury Instructions. Judge Hurlbutt is member of the NY State Bar Association and member and past president of the Oswego County Bar Association. He and his wife Mary are the proud parents of four children and 11 grandchildren.

Honorable Mark A. Montour is a New York State Supreme Court Justice. He was elected to the position in 2013. Presently Justice Montour presides over a civil calendar and handles 25% of the Integrated Domestic Violence cases in Erie County.

Prior to assuming his responsibilities on the Supreme Court, Justice Montour was a sole practitioner for 30 years concentrating in areas of real estate law, probate and estate law, family law and criminal law. Additionally, Justice Montour was a town justice for the Town of Lancaster. As a town justice the responsibilities included a criminal/civil calendar involving matters ranging from misdemeanor offenses, traffic infractions, small claims cases and housing violations. Justice Montour also initiated the first Drug Diversion Court in Lancaster to address the addiction problem in the community.

Justice Montour is a member of the Mohawk Indian Nation and was the first Native American to be elected to a state level judicial position. Justice Montour earned his B.A. from Canisius College and his J.D. from the State University of New York at Buffalo School of Law.

PROFESSIONAL AFFILIATIONS: Erie County Bar Association; New York State Bar Association; Minority Bar Association of Western New York; Women's Bar Association of New York State; Florida Bar Association; New York State Supreme Court Justices Association.

ADVISORY COMMITTEES: Advisory Committee on Judicial Ethics, member (October, 2017-present); Supervising Judge for Genesee and Wyoming County Town and Village Justice Courts; New York State Tribal Courts Committee, Vice Chairman (2014-present).