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“How does the general counsel role differ in an Indian tribe?”

“You must view all issues through the prism of self-determination.”

Well, contrary to popular perception, serving as general counsel to an Indian tribe is not like being general counsel to a business. My client is a government—a sovereign entity. My counterpart is not the general counsel of a corporate enterprise, but the attorney general of a state or nation.

Why does this matter? It matters because the general counsel of an Indian tribe must view all issues, large and small, through the prism of the enhancement of self-government and self-determination and the minimization of outside influences.

Consider this reality in the context of the different types of legal issues that have crossed my desk in recent times—banking regulation, securities, finance, insurance, personal injury, gaming, landlord-tenant, entertainment, intellectual property, tax, criminal, municipal, healthcare, environmental, federal Indian law, commercial transactions, immigration, sacred sites preservation, sex offender, aviation, intergovernmental, and alcohol licensing and regulation. Of course, we cannot forget those matters relating to the primary law on the reservation—tribal law.

And this lengthy list doesn't include the enormously consequential issues that arise in Washington and can profoundly affect the independence of Indian tribes. Those issues land on the desk of the general counsel as well.

Every general counsel presides over a busy intersection of legal issues and interests. Tribal general counsel balances those issues with the sovereignty of a tribal nation as well.

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