

SARAH KRAKOFF
Moses Lasky Professor of Law
University of Colorado Law School
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Sarah.Krakoff@colorado.edu

EMPLOYMENT UNIVERSITY OF COLORADO LAW SCHOOL, 1999-present
Moses Lasky Professor of Law, awarded 2018
Raphael J. Moses Professor of Law, 2016-18
Schaden Chair for Experiential Learning, 2013-16
Wolf-Nichol Fellow, 2011-2013
Promoted to full professor in 2009
Awarded tenure in 2006

Administrative Appointments

Interim Executive Director, Getches-Wilkinson Center, 2019-20
Faculty Director, Acequia Assistance Project, 2012-present
Associate Dean for Faculty Affairs, 2018-19
Associate Dean for Research, 2009-11
Acting Director, Natural Resources Law Center, 2004-05

Courses Taught

Civil Procedure, American Indian Law 1 and 2, Foundations of
Natural Resources Law, Public Land Law, Environmental
Philosophy and Law, Advanced Natural Resources Law Field
Seminar, Law of the Colorado River Seminar

Selected Major Law School Service

Appointments Committee, chair (2008-09, 2012-13, 2016-18)
Dean Search Committee, member (2002-03, 2010-11, 2015-16)
Evaluation Committee, chair (2007-08)
Admissions Committee, chair (2005-06)

University Awards

Hazel Barnes Award, 2018 (Largest and most prestigious single
faculty award at the University of Colorado Boulder recognizing
faculty who excel at the enriching interrelationship between
teaching and research)
Chase Public Service Award, 2018 (presented annually to a full-
time CU faculty member who provides exceptional service to the
community)

EMPLOYMENT, CONT.

SAPIENZA UNIVERSITÀ DI ROMA, fall 2018
Visiting Professor, Master's Program in International Human Rights

UNIVERSITY OF COLORADO LAW SCHOOL, 1996-99
Director and Clinical Professor, American Indian Law Clinic
--Secured permanent University funding for the clinic

DNA-PEOPLE'S LEGAL SERVICES, Tuba City, Arizona, 1993-96
Youth Law Project Director
--Recipient of an Equal Justice Works Fellowship to initiate a project representing Navajo, Hopi, and San Juan Southern Paiute youth in school discrimination and related litigation

JUDGE WARREN J. FERGUSON
NINTH CIRCUIT COURT OF APPEALS
Law Clerk, 1992-93

EDUCATION

UNIVERSITY OF CALIFORNIA, BERKELEY, J.D. 1991
Berkeley Women's Law Journal (book review and commentary editor)

YALE COLLEGE, B.A. *Cum Laude* in Literature, 1986
Cross country captain, 1985
Varsity cross country and track, 1982-86

SCHOLARSHIP

BOOKS AND BOOK CHAPTERS

BEYOND ZERO SUM ENVIRONMENTALISM, with M. Powers & J. Rosenbloom, eds. (Environmental Law Inst., 2019)

AMERICAN INDIAN LAW: CASES AND COMMENTARY, 3d ed. and 4th ed. (Thomson/West, 2020, 2015) (with Anderson & Berger)

TRIBES, LAND AND ENVIRONMENT, with Ezra Rosser, eds. (Ashgate Publishing, 2012)

AMERICAN INDIAN LAW: CASES AND COMMENTARY, 1st ed. and 2nd ed.
(Thomson/West, 2010, 2008) (with Anderson, Berger & Frickey)

Public Lands and the Public Good in BEYOND ZERO SUM ENVIRONMENTALISM,
Krakoff, Powers & Rosenbloom, eds. (Env'tl Law Inst., 2019)

Indigenous Peoples and Climate Change, in CLIMATE CHANGE LAW, Farber &
Peeters, eds. (Edward Elgar, 2016)

Sustainability and Justice, in RETHINKING SUSTAINABILITY TO MEET THE
CLIMATE CHANGE CHALLENGE, Owley & Hirokawa, eds. (Env'tl Law Inst.,
2015)

Natural Resource Development and Indigenous Peoples, with J.D. Lavallee, in
CLIMATE CHANGE AND INDIGENOUS PEOPLES: THE SEARCH FOR LEGAL
REMEDIES, Kronk & Abate, eds. (Edward Elgar, 2013)

Parenting the Planet, in THE ETHICS OF GLOBAL CLIMATE CHANGE, Denis G.
Arnold, ed. (Cambridge U. Press, 2011)

*Oliphant v. Suquamish Indian Tribe: Mark the Plumber v. Tribal Empire, or
Non-Indian Anxiety v. Tribal Sovereignty?*, in AMERICAN INDIAN LAW STORIES
261, Goldberg, Frickey & Washburn, eds. (Foundation Press, 2010)

*Ethical Perspectives on Resources Law and Policy: Global Warming and Our
Common Future*, in THE EVOLUTION OF NATURAL RESOURCES LAW AND
POLICY, MacDonnell & Bates eds. (ABA Publishing, 2010)

*Healing the West with Taxes: The Navajo Nation and the Enactment of
Sovereignty*, in REMEDIES FOR A NEW WEST: HEALING LANDSCAPES,
HISTORIES AND CULTURES, Limerick, Cowell & Collinge, eds. (U. of A.
Press, 2009)

Repairing Reparations in the American Indian Nation Context, with Kristen
Carpenter, in REPARATIONS FOR INDIGENOUS PEOPLES, Federico Lenzerini,
ed. (Oxford U. Press, 2008)

Taxation in FELIX COHEN'S HANDBOOK OF FEDERAL INDIAN LAW, Nell
Newton, et al., Eds. (Lexis-Nexus 2005)

LAW REVIEW ARTICLES AND ESSAYS

Not Yet America's Best Idea: Law, Inequality, and Grand Canyon National Park,
92 University of Colorado Law Review 561 (2020)

Public Lands, Conservation, and the Possibility of Justice, 53 Harvard Civil Rights-Civil Liberties Law Review 213 (2018)

They Were Here First: American Indian Tribes, Race, and the Constitutional Minimum, 69 Stanford Law Review 491 (2017)

Law, Violence, and the Neurotic Structure of American Indian Law, 49 Wake Forest Law Review 743 (2014)

Race, Membership, and Constitutional Concern, 9 Florida International Law Review 295 (2014)

Settler Colonialism and Reclamation: Where American Indian Law and Natural Resources Law Meet, 24 Colo. Nat. Resources, Energy & Env'tl. Law Review 261 (2013)

Inextricably Political: Race, Membership and Tribal Sovereignty, 87 Washington Law Review 1041 (2012)

Planetary Identity Formation and the Relocalization of Environmental Law, 64 Florida Law Review 87 (2012)

Tribal Civil Jurisdiction over Nonmembers: A Practical Guide for Judges, 81 Colorado Law Review 1187 (2010)

The Last Indian Raid in Kansas, 98 California Law Review 1253 (2010)

American Indian Tribes, Climate Change, and Ethics for a Warming World, 85 Denver Law Review 865 (2008)

The Virtues and Vices of Sovereignty, 38 Connecticut Law Review 797 (2006)

City of Sherrill v. Oneida Indian Nation of New York: A Regretful Postscript to the Taxation Chapter in Cohen's Handbook of Federal Indian Law, 41 Tulsa Law Review 5 (2005)

Arnold Schwarzenegger and Our Common Future, 53 Buffalo Law Review 925 (2005)

A Narrative of Sovereignty: Illuminating the Paradox of the Domestic Dependent Nation, 83 Oregon Law Review 1109 (2005)

Settling the Wilderness, 75 Colorado Law Review 1159 (2004)

Mountains Without Handrails . . . Wilderness Without Cell Phones, 27 Harvard Environmental Law Review 417 (2003)

Undoing Indian Law One Case at a Time: Judicial Minimalism and Tribal Sovereignty, 50 American University Law Review 1177 (2001)

Does "Law and Literature" Survive Lawyerland? 101 Columbia Law Review 1742 (2001)

Media Masala: Why Women's Control Matters, 7 Berkeley Women's Law Journal 194 (1992)

OTHER PUBLICATIONS

Environmental Justice and Environmental Sustainability: Beyond Environment and Beyond Law (with Shannon Roesler), ELI 49 ELR 10050 (2019)

Goodbye Abbey, Hello Intersectional Environmentalism, Environmental Law Professors Blog,
https://lawprofessors.typepad.com/environmental_law/2018/08/goodbye-abbey-hello-intersectional-environmentalism.html (Aug. 7, 2018)

Just Transitions, Law & Political Economy Blog,
<https://lpeblog.org/2018/01/29/just-transitions/> (Jan. 29, 2018)

Deconstructing Zero-Sum Environmental Games: Bears Ears National Monument as Reparations and Reconciliation, 47 Environmental Law Reporter 10348 (2017) (peer reviewed)

Environmental Impacts of the Border Wall, 47 Environmental Law Reporter 10477 (2017) (Edited transcript of discussion about impacts of border wall) (peer reviewed)

Just Transitions? Law & Political Economy Blog, Jan. 29, 2018,
<https://lpeblog.org/2018/01/29/just-transitions/>

Radical Adaptation, Justice and American Indian Nations, Environmental Justice 207, Volume 4, no. 4, (2011) (peer reviewed)

When And How to Analyze Climate Change Under the National Environmental Policy Act, Rocky Mountain Mineral Law Foundation Special Institute on NEPA and Climate Change Manual, October, 2010 (with Stuart C. Gillespie)

Indian Child Welfare Act: Keeping Families Together and Minimizing Litigation,
30 Colorado Lawyer 81(February 2001)

HONORS, GRANTS, AND FUNDING

Kellogg Foundation, Principal Investigator on a grant to establish “Four Corners Economic and Environmental Justice,” a non-profit to assist community members during the transition to a zero-carbon economy, May, 2020-21

Distinguished Visitor, Lewis & Clark Law School, September, 12-14, 2018.
(Invited to deliver the Distinguished Lecture and visit the law school for three days to guest lecture in classes and meet with faculty and students)

Outreach Grant, University of Colorado, to fund the Acequia Assistance Project, which provides free legal assistance to low-income farmers in the San Luis Valley (\$7,000-\$9,000 awarded annually from 2013-2017 and 2018-2020).

Rocky Mountain Mineral Law Foundation Research Grant, 2013-2014, to fund the Acequia Project’s Handbook for low-income farmers in the San Luis Valley

Renewable and Sustainable Energy Institute, Seed Grant Recipient, Principal Investigator for “American Indian Tribes, Climate Change, and Energy: Law and Policy Analysis and Solutions,” 2009-2010

Jules Millstein Faculty Writing Award, University of Colorado Law School, 2006
(for *A Narrative of Sovereignty*)

Faculty Fellow, Center for Humanities and the Arts, University of Colorado, 2005-2006 (includes stipend, teaching relief, and participation in interdisciplinary seminar; selected from University-wide competition)

Impart Award, University of Colorado, 2003-2004 (grant awarded to conduct field research on the Navajo Nation)

Co-recipient of the Women’s Law Caucus Teaching Award, 2000-2001
National Association of Public Interest Law, Fellow for Equal Justice, 1992-1993
(nationally competitive fellowship awarded to recent law graduates)

SELECTED RECENT CONFERENCES, SYMPOSIA, AND PRESENTATIONS

Organizer, Annual Climate Change Law & Policy Works-in -Progress Symposium, Boulder, CO; Co-sponsored by UCLA Law School, Columbia Law School (with colleagues Jim Salzman, UCSB/UCLA, Jedediah Britton-Purdy, Columbia Law School, and William Boyd, UCLA Law School) (2009-present)

"National Monument Litigation and the History of Bears Ears," Indian Law Symposium, University of Washington Law School, Seattle, WA, Sept. 6, 2019

Keynote Speaker, Elisabeth Haub School of Law at Pace University, Future Environmental Law Teachers Conference, September 13, 2019

Distinguished Lecture, "Environmental Justice and the Limits of Environmental Law," Lewis & Clark Law School, September 13, 2018

"Climate Migration and Indigenous Peoples," Key Note Lecture, Conference on Climate Migration, Sapienza University, Rome, IT, Nov. 5, 2018

"Who is the Public in Federal Public Lands?" Mini Law School Lecture, University of Colorado Law School, Nov. 20, 2018

"Public Lands, Conservation, and the Possibility of Justice," Invited Presenter to Social Justice and Law Seminar, Brigham Young University Law School, Provo, UT, November 20, 2017

"Public Lands, Conservation, and the Possibility of Justice," Invited Speaker, Harvard law School, Cambridge, MA, November 17, 2017

Participant and Moderator, "The Past and Future of American Indian Law," Harvard Law School, Cambridge, MA, November 17, 2017

"The Acequia Project: Outreach at Colorado Law," CU Foundation Board of Trustees, Invited Presenter, November 10, 2017

"US/Canada Relations in Changing Times: Environment Panel," Invited Lecturer, Palmer Conference, University of Prince Edward Island, Canada, August 30, 2017

"They Were Here First: American Indian Tribes, Race, and the Constitutional Minimum," Colloquium Speaker, Stanford Law Review, Stanford Law School, April 6, 2017

"Border Wall Webinar," Panelist on Tribal Border Issues, Environmental Law Institute, Feb. 16, 2017

PRO BONO LEGAL WORK

DIRECTOR AND SUPERVISING ATTORNEY, ACEQUIA ASSISTANCE PROJECT, University of Colorado Law School 2012-present (supervise law students representing low-income farmers in the San Luis Valley on a variety of water-related matters; to date the Project has represented more than 200 clients, published three editions of a Colorado Acequia Handbook, and produced one law review article and one white paper.)

AUTHOR OR CO-AUTHOR of *amicus curiae* briefs in various public lands and American Indian law cases in the U.S. Supreme Court and the Sixth, Ninth and Tenth Circuits, including:

Brackeen v. Zinke, No. 18-11479 (Federal Court of Appeals, 5th Cir.) (Brief of Indian Law Scholars)

Hopi Tribe v. Trump, Case No. 1:17-cv-02590 (D.D.C) (Brief on behalf of Law Professors)

Grand Canyon Trust v. Provencio, Case No. 15-15857 (Federal Court of Appeals, 9th Cir.) (not counsel of record but contributed substantially to the drafting)

Dollar General Corp. v. Mississippi Band of Choctaw Indians, Case No. 13-1496 (U.S. Supreme Court) (Brief on behalf of Tribes and Tribal Courts)

Stifel, Nicolaus & Co. v. Lac du Flambeau Band of Lake Superior Chippewa Indians, Case No. 14-2150 (Federal Court of Appeals, 7th Cir.)

Little River Band of Ottawa Indians v. National Labor Relations Board, Case No. 13-1464/13-1583 (Federal Court of Appeals, 6th Cir.)

Saginaw Chippewa Indian Tribe of Michigan v. National Labor Relations Board, Case No.13-1569/13-1629 (Federal Court of Appeals, 6th Cir.)

Chickasaw Nation v. National Labor Relations Board, Case No. Nos. 13-9578, 13-9588 (Federal Court of Appeals, 10th Circuit);

EXC, Inc. v. Jensen, Case No. 12-16958 (Federal Court of Appeals, 9th Circuit)

CONGRESSIONAL TESTIMONY

Testimony on Feb. 26, 2020 before the House Subcommittee on Indigenous Peoples of the United States, Hearing on *Destroying Sacred Sites and Erasing Tribal Culture: The Trump Administration's Construction of the Border Wall*, available at: <https://naturalresources.house.gov/hearings/destroying-sacred-sites-and-erasing-tribal-culture-the-trump-administrations-construction-of-the-border-wall>

ACADEMIC AND COMMUNITY SERVICE

Editorial Board, Cohen's Handbook of Federal Indian Law, 2014-present

Board of Trustees, The Grand Canyon Trust, 2012-present

Advisory Board, The Anthropocene Review, 2014-present

Academic Futures Committee member, University of Colorado, 2018-19

Board member, Western Resource Advocates (2000-2010, board chair 2008-2010)

Board member, Sinapu, (now merged with WildEarth Guardians), 1999-2003

Chair, Section on Law and Interpretation, AALS, 2002; Executive Committee Member, 2002-08

Colorado Indian Bar Association, President, 2004-06

BAR MEMBERSHIPS

Colorado (active), California (inactive), Navajo Nation (inactive)

United States Supreme Court

Sixth, Ninth, and Tenth Circuit Federal Courts of Appeals

LANGUAGES

French and Italian (conversational); Russian (largely forgotten)