

## JESSICA A. SHOEMAKER

Assistant Professor  
University of Nebraska College of Law  
Ross McCollum Hall  
P.O. Box 830902  
Lincoln, NE 68583  
(402) 472-0420  
jshoemaker@unl.edu

### **CURRENT POSITION:**

---

**University of Nebraska College of Law, Lincoln, Nebraska**  
*Assistant Professor of Law* 2012-present  
*Faculty Affiliate, Rural Futures Institute*

### **EDUCATION:**

---

**University of Wisconsin Law School, J.D., *summa cum laude*** 2001-2004 (Class Rank: 1/226;  
GPA: 92.08/95.00; highest grade in 13 out of 19 eligible courses)  
*Wisconsin Law Review*, Note and Comment Editor  
William Herbert Page Award (best student writing for year)  
Daniel Grady Award (top student in graduating class)  
Order of the Coif

**Trinity College, Dublin, Ireland** – Graduate Creative Writing Program 2001

**The University of Iowa, B.A. in English (minor in Spanish), *summa cum laude*** 1996-1999  
(GPA: 4.00/4.00; Honors Commendation & Honors Teaching Practicum)  
Collegiate Scholar Award  
Robert C. Byrd Scholar Award  
Phi Beta Kappa

### **PUBLICATIONS:**

---

#### Articles

*Pipelines, Protest, and Property*, GREAT PLAINS RESEARCH vol. 27, no. 2 (forthcoming 2017)  
(invited essay) (peer reviewed).

*Complexity's Shadow: American Indian Property, Sovereignty, and the Future*, 115 MICH. L.  
REV. 487 (2017).

- Reviewed in Ezra Rosser, *Land Tenure Complications and Development Challenges on Indian Reservations*, JOTWELL: THE JOURNAL OF THINGS WE LIKE (LOTS) (March 9, 2017), <http://property.jotwell.com/land-tenure-complications-and-development-challenges-on-indian-reservations/>.

*Emulsified Property*, 43 PEPP. L. REV. 945 (2016).

- Noted in Donald Kochan, *Keeping Current—Property*, 30 PROBATE & PROPERTY 26 (2016).

*No Sticks in My Bundle: Rethinking the Indian Land Tenure Problem*, 63 U. KAN. L. REV. 383 (2015).

*Like Snow in the Spring Time: Allotment, Fractionation, and the Indian Land Tenure Problem*, 2003 WIS. L. REV. 729 (2003) (comment).

#### Other Book-Length Works

FARMERS' GUIDE TO WIND ENERGY: LEGAL ISSUES IN FARMING THE WIND (FLAG 2007).

COMMUNITY WIND: A REVIEW OF SELECT STATE AND FEDERAL POLICY INCENTIVES (FLAG 2007) (co-authored).

#### Other Publications

Book Review, *Called to Justice: The Life of a Federal Trial Judge* by Hon. Warren K. Urbom, in GREAT PLAINS RESEARCH, Vol. 2, No. 2 (Fall 2014) (solicited).

Guest Blogger, Land Use Prof Blog (November 2014) (solicited).

#### Refereed Posters

“Advances in Rural Legal Services,” presented at 2013 Rural Futures Conference Faculty and Partner Poster Session in Lincoln, Nebraska (November 4, 2013) (with Brett Stohs).

#### Significant Amicus Curiae Briefs

Amicus Curiae Brief of Justice at Stake and 19 other legal and civic reform groups and a former state Supreme Court justice in Support of Respondent in *Citizens United v. Federal Election Commission*, U.S. Supreme Court Case No. 08-205 (2009).

- Cited in *Citizens United v. Federal Election Commission*, 558 U.S. 310, 460 (2010) (Stevens, J., dissenting).

Amicus Curiae Brief of National Farmers Union and 41 other organizations in Support of Petitioner in *Gale v. Jones*, U.S. Supreme Court Case No. 06-1045 (2007).

## **FUNDED GRANTS:**

---

*Maximizing the Impact of Games as Effective Participative Tools: The Rufopoly Resource Kit*, Economic Social Resource Council (United Kingdom), Knowledge Exchange Opportunities Grant No. ES/M006522/1 (2014 – 2016)

- Shortlisted by Royal Town Planning Institute for Sir Peter Hall Award for Wider Engagement
- Full online resource kit available at: <http://www.participology.com/index.php>
- Sample individual contributions at: <http://www.bcu.ac.uk/research/-centres-of-excellence/centre-for-environment-and-society/projects/rufopoly/project-resources>

## **EDITORIAL DUTIES:**

---

Inaugural Editorial Board Member, GREAT PLAINS RESEARCH (2016 – present)

## **PRESENTATIONS:**

---

“Transforming Property: Pipelines, Protest, and Community-Driven Change,” presented at Association for Law, Property, and Society Annual Meeting at University of Michigan in Ann Arbor, Michigan (May 20, 2017).

“The Public Parts of Private Property,” presentation at the Midwest Fish & Wildlife Conference in Lincoln, Nebraska (February 6, 2017) (invited).

“Economic Justice and American Indian Property Law,” presentation at inaugural Shaping Justice Conference at University of Virginia School of Law in Charlottesville, Virginia (February 3, 2017) (invited).

“Farm Land Tenure: Development Challenges and Opportunities in Indian Country,” presentation at the Association of American Law Schools Agriculture and Food Law Section meeting in San Francisco, California (January 6, 2017) (invited).

“Property, Community, & Justice,” presented as S.T.I.R. Talk at University of Nebraska College of Law in Lincoln, Nebraska (October 4, 2016).

“Native Lands and the Law,” presented at the Pawnee Art Center in Dannebrog, Nebraska (September 18, 2016) (public lecture, invited).

“Creating Sustainable Futures Through Tribal Food and Agriculture,” presented at the Indian Land Working Group Symposium at Oneida Nation, Green Bay, Wisconsin (August 15-16, 2016) (with Janie Simms Hipp) (invited).

“Transformational Property,” presented at Association for Law, Property, and Society Annual Meeting at Queen’s University in Belfast, Northern Ireland (May 21, 2016).

“Complexity’s Shadow: American Indian Property, Sovereignty, and the Future,” presented at the American Society of International Law’s Rights of Indigenous Peoples Interest Group

Works-In-Progress Workshop at Princeton University in Princeton, New Jersey (May 12, 2016) (invited).

“American Indian Land Tenure and the Path Ahead,” presented at Just Food? Forum on Land Use, Rights, and Ecology at Harvard Law School in Cambridge, Massachusetts (March 26, 2016) (selected after proposal submission).

“Beyond Consolidation: Rethinking Property and Sovereignty in Indian Country,” presented at Indigenous Peoples Law and Policy Center and University of Arizona’s 4<sup>th</sup> Annual Tribal Lands Conference in Tucson, Arizona (January 15, 2016) (invited keynote).

“The Complexity Problem in American Indian Land Tenure,” presented at the Association of American Law Schools Property Section Breakfast in New York City, New York (January 7, 2016) (one of four competitively selected junior property scholars’ papers selected for presentation and discussion).

“The Complexity Problem in American Indian Land Tenure,” faculty colloquium presented at the University of South Dakota College of Law in Vermillion, South Dakota (November 18, 2015).

“Private Property, Access, and Justice,” presented at Sheldon Art Museum Law + Social Justice Event in Lincoln, Nebraska (October 27, 2015) (invited).

Panelist and Session Co-Organizer, “Discovering the Future: Charting the Rural Research Path,” presented at Rural Futures Conference in Lincoln, Nebraska (October 23, 2015).

“The Public Parts of Private Property: Community Engagement and Rural Design,” presented as Envision Rural Talk at Rural Futures Conference in Lincoln, Nebraska (October 22, 2015) (competitively selected).

Moderator and Discussant for “Returning Lands for Repatriation and Cultural Empowerment” program at 2015 Great Plains Symposium: Standing Bear and the Trail Ahead, co-hosted by the Center for Great Plains Studies and the Nebraska Indian Affairs Commission (May 15, 2015) (invited).

“In the Shadow of Complexity: American Indian Property and Justice,” presented at Association for Law, Property, and Society Annual Meeting in Athens, Georgia (May 1, 2015).

“Reflections on Transdisciplinary Research,” presented at Transdisciplinary Conversation co-hosted by University of Nebraska Rural Futures Institute and Robert B. Daugherty Water for Food Institute at UNL Morrill Hall in Lincoln, Nebraska (April 22, 2015) (invited).

“Indigenous Land Tenure and Emulsified Property,” faculty colloquium presented at Birmingham City University in Birmingham, England (April 15, 2015) (invited).

“Lessons on Public Engagement in U.S. Land Use Planning and Applications of the Plainsopoly Simulation Tool,” presented at two international, transdisciplinary workshops in Birmingham, England, and Aberystwyth, Wales) (invited, funded grant project).

“Emulsified Property,” presented at Tulane Law School and Tulane University Murphy Institute Property Roundtable: Regulating Private and Public Property in New Orleans, Louisiana (March 27, 2014) (invited as one of eight participating scholars).

“Emulsified Property,” presented at Washington University School of Law Junior Faculty Workshop in Saint Louis, Missouri (December 12, 2014).

Panel Moderator and Session Organizer, “Urban Growth – Rural Resilience,” presented at 2014 Lower Platte River Corridor Alliance Summit in Ashland, Nebraska (November 6, 2014).

“Emulsified Property,” presented at Central States Law School Association Annual Meeting in Baton Rouge, Louisiana (October 11, 2014).

“The Land Tenure We Inhabit,” presented at Association for Law, Property, and Society Annual Meeting in Vancouver, British Columbia (May 1, 2014).

Panel Moderator and Session Organizer, “Governing the Land: Maximizing Rural Places Locally and Globally,” presented at 2013 Rural Futures Conference in Lincoln, Nebraska (November 5, 2013).

“No Sticks in My Bundle: Rethinking the Indian Land Tenure Problem,” Junior Faculty Works-in-Progress Workshop, University of Marquette College of Law in Milwaukee, Wisconsin (September 21, 2013) (invited).

“No Sticks in My Bundle: The Indian Law Tenure Problem,” presented as S.T.I.R. Talk at University of Nebraska College of Law in Lincoln, Nebraska (March 12, 2013).

Panelist, Diversity Leadership Symposium, University of Nebraska College of Law in Lincoln, Nebraska (November 5, 2012) (panel discussion on tribal sovereignty issues following keynote lecture by Chad Smith, former Principal Chief of the Cherokee Nation).

“Farm and Ranch Issues in Indian Country,” presented at This is Not Your Grandpa’s Farm Law, continuing legal education seminar in Saint Paul, Minnesota, (June 2006) (invited).

“Preventing Heir Property Loss,” presented at annual meeting of Arkansas Land and Farm Development Corporation in Brinkley, Arkansas (November 2006) (invited).

“AIPRA Consolidation Options,” presented at Indian Land Working Group’s 16th Annual Indian Land Consolidation Symposium in Cabazon, California (October 2006) (invited).

“Native Strategic Land Planning: Update on Indian Land Consolidation Act Amendments of 2000 and the American Indian Probate Reform Act of 2004,” presented at Indian Land Working

Group's 16th Annual Indian Land Consolidation Symposium in Cabazon, California (October 2006) (invited).

Multiple Presentations on Federal Disaster Assistance for Farmers and Rural Landowners following Hurricanes Katrina and Rita, presented at grassroots meetings coordinated by Federation of Southern Cooperatives, Rural Advancement Foundation International, and Farm Aid throughout Mississippi, Alabama, and Louisiana (October 2005 to February 2006) (invited).

"Probate Reform and the Problem of Indian Land Ownership," presented at Who Owns America? VI, national conference at the University of Wisconsin in Madison, Wisconsin (May 2004) (invited).

#### **TEACHING ASSIGNMENTS:**

---

Native American Law  
Property I  
Property II  
Rural Development and Energy Law Seminar  
Wills and Trusts  
Multiple Externships and Independent Study Supervisions

#### **AWARDS AND HONORS:**

---

Governor (elected), Center for Great Plains Studies (2016-present)  
Founding Fellow, Rural Futures Institute at the University of Nebraska (2016-present)  
Fellow, Center for Great Plains Studies (2012-present)

#### **UNIVERSITY ADMINISTRATIVE COMMITTEES:**

---

UNL College of Law Appointments Committee (2016 – present)  
UNL College of Law ABA Standards Committee (2015 – 2016)  
UNL College of Law Faculty Planning Committee (2014 – 2015)  
Rural Futures Institute National Conference Planning Committee (2014 – 2015)  
Rural Futures Institute Research and Engagement Final Grant Reviewer (2014)  
UNL College of Law Lecture Committee (2012 – 2014)  
Rural Futures Institute Founding Executive Director Search Committee (2012 – 2013)

#### **SERVICE AND OUTREACH:**

---

Equal Justice Society Faculty Advisor (2014 – present)  
Lower Platte River Corridor Alliance, Summit Planning Committee (2014)  
Chair, Nebraska Public Interest Law Foundation (2013 – present)  
Public Interest Fellowships Faculty Advisor (2012 – present)  
Faculty Advisor for Group of First Year Students (2012 – present)  
Rural Practice Initiative Planning Committee, Nebraska Bar Association (2012 – 2014)

**PROFESSIONAL ORGANIZATIONS:**

---

Association for Law, Property, and Society (2012 – present)  
Food Law Professors (informal association) (2012 – present)  
Federal Bar Association, Indian Law Section (2013 – 2014)

**PREVIOUS LEGAL PROFESSIONAL EXPERIENCE:**

---

2007-2012 Associate, Arnold & Porter, LP (litigator with stand-up trial experience in federal Indian law matters; consulting work on renewable energy development issues)

2005-2007 Skadden Fellow and Staff Attorney, Farmers' Legal Action Group, Inc. (litigated USDA National Organic Program dispute in federal court; advocacy work on a range of issues involving wind energy, federal Indian law, agriculture, and rural economic development)

2004-2005 Law Clerk, Hon. David M. Ebel, United States Court of Appeals for the Tenth Circuit

Summer 2003 Summer Associate, Faegre & Benson, LLP (assisted primarily with environmental and federal Indian law litigation)

Spring 2003 Judicial Intern, Chief Judge Donald E. Laverdure, Crow Nation Court of Appeals

Summer 2002 Judicial Extern, Indian Probate Judge George Tah-bone, United States Department of Interior Office of Hearings and Appeals (participant in the University of Wisconsin's interdisciplinary Land Tenure Center's national rural lands externship program; also completed related seminar course regarding domestic land tenure concerns in Indian and non-Indian contexts)

**OTHER RELEVANT PROFESSIONAL EXPERIENCE:**

---

2000-2001 Outreach Youth Coordinator, Wisconsin Coulee Region Community Action Program, Inc.

1999-2000 AmeriCorps\*VISTA Volunteer, Boys & Girls Clubs of Central Wyoming (received National Boys and Girls Clubs of America Program of the Year Award, 2000)

1999-2001 Writer, Iowa State University Agronomy Department

Summer 1999 Teaching Assistant, Johns Hopkins University, Center for Talented Youth – Exploring the Expository Essay

Spring 1999                    Teaching Assistant, University of Iowa, Honors Practicum – Nonfiction Writing Workshop

1997-1999                    Editor and Contributing Writer, *earthwords*

1996-1997                    Editorial Writer, *The Daily Iowan*

**ADMITTED TO PRACTICE:**

---

Colorado Supreme Court (June 2005) (inactive)  
Minnesota Supreme Court (February 2006) (inactive)  
Wisconsin Supreme Court (June 2004) (resigned 2012)  
United States Court of Appeals for the Tenth Circuit  
United States Court of Appeals for the Eighth Circuit  
United States District Court for the District of Colorado

**MEDIA MENTIONS:**

---

Rosalie Murphy, “Trapped in Outdated System, Cobell Settlement Offers Opportunity for Indian Land,” THE DESERT SUN (September 22, 2016)

Todd von Kampen, “Preserving and Sharing the Pawnee History,” OMAHA WORLD HERALD (September 11, 2016)

Paul Hammel, “Supreme Court: Pender is Within Omaha Indian Reservation Boundaries; Legality Of Tribe’s Liquor Tax Unclear,” OMAHA WORLD HERALD (March 23, 2016)

Bill Kelly, “Century-Old Boundary Dispute Brings Omaha Tribe Before US Supreme Court,” NET Radio (NPR) (aired January 18, 2016), also available at <http://www.netnebraska.org/article/news/1005047/century-old-boundary-dispute-brings-omaha-tribe-us-supreme-court>

“Playing Around with Rural Futures in Birmingham, Nebraska,” SCIENCE DAILY (December 10, 2013).

*Updated as of June 27, 2017.*