

## JESSICA A. SHOEMAKER

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### ACADEMIC APPOINTMENTS:

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| <b>University of Nebraska College of Law, Lincoln, Nebraska</b>                        |                |
| <i>Associate Professor of Law</i>  | 2017 – present |
| <i>Assistant Professor of Law</i>  | 2012 – 2017    |
| <br>   |                |
| <b>University of Alberta Faculty of Law, Edmonton, Canada</b>                          |                |
| <i>Fulbright Canada Research Chair in<br/>    Aboriginal Legal and Resource Rights</i> | 2018 – 2019    |

### EDUCATION:

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**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:

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#### Articles & Essays

*Pipelines, Protest, and Property*, GREAT PLAINS RESEARCH vol. 27, no. 2, pp. 69-81 (2017) (Lead Article, Invited Essay).

*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/>.

- Reviewed in Shelby D. Green, *Teaching Property Through Indian Land Law*, JOTWELL: THE JOURNAL OF THINGS WE LIKE (LOTS) (January 22, 2018), <https://property.jotwell.com/teaching-property-indian-land-law/>.

*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).

- Cited more than 10 times, including in CONFERENCE OF WESTERN ATTORNEYS GENERAL, AMERICAN INDIAN LAW DESKBOOK §§ 3:8, 3:10, & 3:15 (2016).

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

- Cited more than 84 times, including in DAVID H. GETCHES, ET AL., FEDERAL INDIAN LAW 174-75 (6th ed. 2011); CONFERENCE OF WESTERN ATTORNEYS GENERAL, AMERICAN INDIAN LAW DESKBOOK §3:15 (2016); *Shawnee Tribe vs. United States*, 423 F.3d 1203, 1209 & n.2 (10th Cir. 2005); and *Miami Tribe of Oklahoma v. United States*, 656 F.3d 1129, 1148 (10th Cir. 2011).

### Book Chapters

*Land Tenure and the Entrepreneurial Ecosystem, in PRIVATE SECTOR ECONOMIES FOR NATIVE AMERICA: ENTREPRENEURSHIP FOR THE SEVENTH GENERATION* (Cambridge University Press) (Robert Miller, Miriam R. Jorgensen, and Daniel G. Stewart eds., forthcoming 2019) (work in progress)

### 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:**

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*Indigenous Land Tenure Reform: Creating Models for Property Pluralism, Innovation, and Reconciliation*, Fulbright Canada, Research Chair in Aboriginal Legal and Resource Rights (University of Alberta Faculty of Law, Edmonton, CA) (2018 – 2019)

*Indigenous Land Tenure Reform: Creating Models for Legal Innovation and Rural Responses to Social and Economic Change*, Rural Futures Institute at the University of Nebraska (Lincoln, NE) (2018 – 2020)

*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:**

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

## **PRESENTATIONS:**

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“Transformational Property: Reclaiming a Modern Indigenous Land Tenure,” Real Property Law Schmooze: Bridging the Urban Versus Rural Divide Invitation-Only Faculty Workshop, Texas A&M University School of Law, Fort Worth, Texas (February 3, 2018) (invited).

“Transformational Property: Consistency vs. Flexibility in American Indian Land Tenure,” Legal Reforms for Indigenous Economic Growth Workshop, University of Saskatoon College of Law, Saskatoon, Saskatchewan (October 20, 2017) (invited).

“Pipelines, Protest, and Property” and 2017 Supreme Court Property Law Developments panel discussion at Southeastern Association of Law Schools Annual Conference, Boca Raton, Florida (August 1, 2017).

“Transforming Property: Pipelines, Protest, and Community-Driven Change,” 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,” Midwest Fish & Wildlife Conference in Lincoln, Nebraska (February 6, 2017) (invited).

“Economic Justice and American Indian Property Law,” 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,” Association of American Law Schools Agriculture and Food Law Section meeting in San Francisco, California (January 6, 2017) (invited).

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

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

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

“Transformational Property,” 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,” 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,” 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,” 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,” 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,” University of South Dakota College of Law faculty colloquium in Vermillion, South Dakota (November 18, 2015).

“Private Property, Access, and Justice,” 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,” Rural Futures Conference in Lincoln, Nebraska (October 23, 2015).

“The Public Parts of Private Property: Community Engagement and Rural Design,” 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” 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,” Association for Law, Property, and Society Annual Meeting in Athens, Georgia (May 1, 2015).

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

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

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

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

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

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

“The Land Tenure We Inhabit,” 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,” 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,” 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,” This is Not Your Grandpa’s Farm Law, continuing legal education seminar in Saint Paul, Minnesota, (June 2006) (invited).

“Preventing Heir Property Loss,” Arkansas Land and Farm Development Corporation Annual Meeting in Brinkley, Arkansas (November 2006) (invited).

“AIPRA Consolidation Options,” 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,” 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,” Who Owns America? VI, national conference at the University of Wisconsin in Madison, Wisconsin (May 2004) (invited).

#### **TEACHING ASSIGNMENTS:**

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Property I  
Property II

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

**AWARDS AND HONORS:**

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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:**

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UNL College of Law Diversity and Inclusion Committee (2017 – present)  
UNL College of Law Pro Bono Committee (2017 – present)  
UNL College of Law Appointments Committee (2016 – 2017)  
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:**

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Underserved Legal Opportunities Program Faculty Advisor (2017 – present)  
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:**

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Association for Law, Property, and Society (2012 – present) (Elected Board Member, 2018 – 2021; Program Committee Chair, 2018 – present)  
Food Law Professors (informal association) (2012 – present)  
Federal Bar Association, Indian Law Section (2013 – 2014)

**PREVIOUS LEGAL PROFESSIONAL EXPERIENCE:**

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

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| 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:**

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| 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, <i>earthwords</i>   |
| 1996-1997   | Editorial Writer, <i>The Daily Iowan</i>  |

**ADMITTED TO PRACTICE:**

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Colorado Supreme Court (June 2005)  
 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

**SAMPLE MEDIA MENTIONS:**

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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 July 12, 2018.*