

Heritage Month Speaker Gives Lesson on Native American Realities and Myths

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Winston & Strawn was privileged to welcome Mary Smith to the firm on November 14 for an awareness-raising talk about American Indians and Alaska Natives in the United States.

With her Cherokee family heritage and professional background as an attorney and former chief executive of the Indian Health Service (IHS), Mary is uniquely positioned to teach others about Native American history and law. “My family’s history is so tied to the history of our country,” she explained, and “Indian law really is about history.”

The 300+ firm members, alumni, and clients who attended the teleconference heard a brief history of Mary’s family, which was part of a Cherokee tribe in Oklahoma. She said many of her grandmother’s siblings died in childhood due to a lack of health care, and described the health disparities that Native Americans continue to experience. “I thought about what my ancestors might have accomplished in their life had they been able to live above the age of three, and that was in large part why I decided to take the role as head of IHS.”

Mary summarized the evolution of Native American policies implemented by the U.S. government since the early 1800s, from the Removal, Reservation & Treaty period that resulted in the concentration of reservations in the Western United States to the Self-Determination period that recognized tribes as sovereign nations. She also noted key court decisions that recognized Cherokee nations as distinct communities and Native Americans as human beings.

Mary continues to build on efforts to raise the visibility of Native Americans, conducting the first-ever study of Native American attorneys in her prior role as president of the National Native American Bar Association. The study found that most Native American attorneys practice Indian Law, but Mary “would love to see them have a more diverse practice.”

Mary Smith with friend and Winston Partner Michael Melbinger, who gave the program introduction.

Attendees at the program learned that Native Americans do not mind being called Indians, but do take offense when tribal garments are referred to as costumes. Native Americans are U.S. citizens, they do pay income taxes, and they do not get special perks from the government. Other myths that Mary dispelled are that all Native Americans live on reservations (80 percent do not) and get rich off of gaming (28 of the 200 tribes with gaming operations generate 40 percent of the revenues).

“I’m so grateful to all of you for learning more about Native American heritage,” Mary told attendees, and she provided other ways to learn more, from looking at current Supreme Court cases involving Indian Law to mentoring Native American students. Of note, Winston has been working with Mary on a pro bono basis in connection with her creation of a foundation to promote, sponsor, support, and train Native American girls in STEM fields.

This Heritage Month program was part of Winston’s annual series that celebrates the diversity that exists at the firm and helps foster an inclusive work environment. Visit our [Diversity & Inclusion](#) page for more information.

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