

## MICHALYN STEELE

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Marion G. Romney Professor of Law • J. Reuben Clark Law School  
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### ACADEMIC APPOINTMENTS

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*Harvard Law School, Cambridge, MA*

***Oneida Indian Nation Visiting Professor of Law***  
2025

**Winter Term**

*J. Reuben Clark Law School, Brigham Young University, Provo, Utah*

**Professor of Law**  
**Associate Dean for Research and Academic Affairs**  
**Associate Dean for Faculty and Curriculum**  
**Appointed Marion G. Romney Professor of Law**

**Aug. 2014 – Present**  
**Aug. 2021 – July 2022**  
**July 2022 – July 2024**  
**January 2022-Present**

- Courses taught: Federal Indian Law, Structures of the Constitution, Civil Rights, Evidence, Plenary Power Colloquium, Law and Social Change Colloquium, Law and Leadership Colloquium, Sovereignty Seminar
- Scholarly interests center on issues in Federal Indian Law, the Indian Affairs power under the Constitution, and the scope of tribal sovereignty
- Awarded the Francis R. Kirkham Professorship for 2020-2021
- Appointed to BYU's Committee on Race, Equity and Belonging, 2020-2021
- Chair, BYU Law Mission Statement Committee, 2020-2021
- Awarded Brigham Young University's "Early Career Scholarship Award" August 2020
- Invited to join the Editorial Board of *Cohen's Handbook of Federal Indian Law*, January 2021
- Awarded 2L-3L Professor of the Year by the BYU Law Student Bar Association, April 2021
- Appointed to BYU's Vice President of Belonging Search Committee, fall 2021
- Moot Court Judge, International Law & Religion Moot Court (Rome, Italy) March 2025

*J. Reuben Clark Law School, Brigham Young University, Provo, Utah*

**Fellow**

**Aug. 2012 – Aug. 2014**

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**PUBLICATIONS & PAPERS**

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- Nell Jessup Newton, Michalyn Steele et. al. eds., COHEN'S HANDBOOK OF FEDERAL INDIAN LAW (LexisNexis 2024)
  - *Comparative Institutional Competency and Sovereignty in Indian Affairs*, 85 COLO. L. REV. 759 (2014)
  - *Plenary Power, Political Questions, and Sovereignty in Indian Affairs*, 63 UCLA L. REV. 666 (2016).
  - *Congressional Power and Sovereignty in Indian Affairs*, 2018 UTAH L. REV. 307 (2018).
  - *Just Environmentalism*, co-authored with Brigham Daniels and Lisa Grow Sun, 37 YALE L. & POL'Y REV. 1 (2018).
  - *Indigenous Resilience*, 62 ARIZ. L. REV 305 (2020).
  - *Rethinking Protections for Indigenous Sacred Sites*, co-authored with Stephanie Barclay, 134 HARV. L. REV. 1294 (2021)
  - *Revitalizing Indian Sovereignty in Treatymaking*, co-authored with David Moore, 97 NYU L. REV. 137 (2022).
  - *The Native American Graves Protection and Repatriation Act as a Model of Cultural Sovereignty for Protecting Indigenous Sacred Sites*, 94 FORDHAM L. REV. 513 (2025).
  - *Cultivating Professional Identity Formation and Resilience through Federal Indian Law*, 2018 BYU L. REV. 1429 (2018).
  - *Breaking Faith with the Tribal Sovereignty Doctrine*, Federal Lawyer, (April 2017).
  - *Identifying and Reducing Disparities in Mental Health Outcomes among American Indians and Alaskan Natives using Public Health, Mental Healthcare and Legal Perspectives*. Administration and Policy in Mental Health and Mental Health Services Research. In Press (peer reviewed paper addressing policy concerns for funding access to mental health resources on Indian reservations.) Payne H, Steele M, Bingham J and Sloan C. (2016).
  - *Ascending the Mountain: The People of the Great Hill*, CLARK MEMORANDUM, Fall 2017.
  - *Sovereignty and the Corn Soup Social*, in *Essays on American Indian & Mormon History*, P. Jane Hafen and Brenden Rensink, eds. (University of Utah Press, 2019).
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## ACADEMIC PRESENTATIONS

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- Guest, Broken Law (podcast) on NAGPRA and Federal Indian Law values
- Panelist, An Introduction to Federal Indian Law, University of Mississippi ACS Chapter (November 2025)
- Moderator, Native American Citizenship Panel, Citizenship Symposium, BYU Law Review (November 2025)
- Presenter, “Indian Tribes, Manifest Destiny, and Social Dominance at the Supreme Court,” Southern Methodist University Law (October 2025)
- Speaker, “Our More Perfect Union: The Power of the People and the Responsibilities of Citizenship,” BYU Law Constitution Day Speech (September 2025)
- Presenter, “Indian Tribes, Manifest Destiny, and Social Dominance at the Supreme Court,” University of Buffalo Law Baldy Center (September 2025)
- Presenter, Separation of Powers, Divinely Inspired Principles of the Constitution Seminar, Wheatley Institute (August 2025)
- Presenter, “The Haudenosaunee Peacemaker and the Great Law of Peace: Human Dignity Principles in the Haudenosaunee Constitution” ICLRS Conference on Human Dignity & Religion, Kyoto, Japan (June 2025)
- Panelist, “Gender, Culture, and Law,” Law and Society Annual Meeting, Chicago (May 2025)
- Panelist, Current Issues in Citizenship, American Constitution Society BYU Law Chapter (March 2025)
- Presenter, “Criminal Jurisdiction in Indian Country,” BYU Law Government and Politics Legal Society annual conference on state and local government (March 2025)
- Panelist, “Protecting Sacred Sites in the Wake of Apache Stronghold,” University of Montana Law School (March 2025)
- Work in Progress Presentation, Legal Theory Workshop, University of Maryland Law (February 2025)
- Panelist, “Indigenous Peoples’ Cultural Property: What Is the Next Chapter?”, Remedies for Looted Art and Cultural Property—Civil, Criminal, or Consensual, Fordham Law Review Symposium (February 2025)
- Panelist, Indigenous Sovereignty and the Environment, Tufts University (November 2024)
- Panelist, Red Rising: Cultural Sovereignty in Land and Environment, UCLA Law Review Symposium (February 2024).

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- Guest Speaker, Yale Law School's Contemporary Issues in Indigenous Law (October 2023).
  - Panelist, Notre Dame Law's Religious Liberty Initiative (London), *New Threats to Religious Cultural Heritage and Sacred Sites* (July 2023).
  - Panelist, Law and Society's 2022 Global Meeting (Lisbon), Reader Meets Author Session for Gregory Ablavsky's *Federal Ground: Governing Property and Violence in the First U.S. Territories* (July 2022).
  - Panelist & Moderator, Law and Society's 2022 Global Meeting (Lisbon, Portugal), *Reckoning with Ruin in Indigenous Sacred Spaces* (July 2022).
  - Panelist, Holloran Center Workshop on Professional Identity Formation at St. Thomas School of Law, Minneapolis, MN: *Standard 303(b) and (c) Development of Professional Identity and Building a Culture of Belonging*; Panelist, *Standard 303(c), Building Cross-Cultural Competence, Addressing Bias and Racism*.
  - Speaker, JRCLS & BYU Management Society Conference on Moral and Ethical Leadership, Washington, DC *Enduring Indigenous Principles of Moral and Ethical Leadership* (May 2022).
  - Panelist, University of Washington 34<sup>th</sup> Annual Indian Law Symposium, ALI Restatement of the Law of American Indians, *American Indian Treaty Law in the Restatement* (April 2022)
  - Guest Lecturer, Professor Steven Pevar's Contemporary Issues in Federal Indian Law, Yale Law School (March 2022, October 2022).
  - Speaker, World of Law, BYU Law School, *Becoming Co-Workers with God: Lessons from Birmingham Jail* (February 2022).
  - Speaker, University of Idaho School of Law's Sovereignty Series: Indigenizing the Law School Curriculum (January 2022).
  - Guest lecturer, Professor Paul Kerry's Historian's Craft class, on protecting Indigenous sacred sites and the Oak Flat litigation (January 2022).
  - Speaker, BYU Alumni East Coast Chapter, discussing Dr. King's *Letter from Birmingham Jail* (November 2021).
  - Roundtable Panelist, "Cultural Heritage in Law and Diplomacy," sponsored by the Fletcher School's Initiative on Religion, Law, and Diplomacy, the St. John's Center for Law and Religion, and the Armenian Studies Program at Cal State-Fresno (October 2021).
  - Presentation with David Moore, *Revitalizing Indian Sovereignty in Treaty-making*, BYU Law Works in Progress (September 2021).
  - Speaker, United States Department of Justice, Civil Rights Division Indian Issues Working Group, discussing contemporary issues in protecting sacred sites for Indigenous peoples (July 2021).

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- Invited Participant, Annual Law and Religion Roundtable (June 2021).
  - Panelist, Notre Dame Law School's Religious Liberty Initiative, *Protecting Oak Flat and Other Indigenous Sacred Places* (April 2021).
  - Panelist, University of Dayton's Oscar Romero Human Rights Prize Speaker Series: *Law, Popular Democracy, and Environmental Sovereignty in the Americas* (April 2021).
  - Presenter, Yale Law's Law and Political Economy Project (LPE) Conference Series: *Intersectional Environmentalism and the Biden Administration* (April 2021).
  - Interviewed on NPR's *All Things Considered* to discuss BYU Committee on Race, Equity, and Belonging Report (March 2021).
  - Panelist, Fair Housing for Our Future Law & Litigation Conference, on Federal Indian Law and Fair Housing Issues (February 2021)
  - Panelist, AALS Discussion Group, "Race, Racism, and the Language of Law School" (January 2021)
  - Presentation with Stephanie Barclay, *Rethinking Protections for Indigenous Sacred Sites*, Stanford Center for Constitutional Law (October 2020).
  - Presentation with Stephanie Barclay, *Rethinking Protections for Indigenous Sacred Sites*, Notre Dame Faculty Work-in-Progress (October 2020)
  - Address to University Honors Students, *Becoming Co-Workers with God: Lessons from Dr. King's Letter from Birmingham Jail* (September 2020)
  - Panelist, 68<sup>th</sup> Annual Utah History State History Association, *Native American Voting Rights Issues* (September 2020)
  - Lecturer, BYU International Cinema *Race and Film* series, on mass incarceration and systemic injustice in the prison system (September 2020)
  - Presentation with Stephanie Barclay, *Rethinking Free Exercise and Sacred Site Protection*, University of Utah Law Faculty Workshop (Salt Lake City, UT January 2020).
  - Presentation with Stephanie Barclay, *Rethinking Free Exercise and Sacred Site Protection*, BYU Law Faculty Workshop (Provo, UT January 2020).
  - Speaker, BYU Faculty Women's Association (Provo, October 2019).
  - Panelist, *Native American Perspectives on Columbus*, BYU History Department (Provo, October 2019).
  - Presentation, *Indigenous Resilience*, University of Colorado Law Intersectional Environmentalism Conference (Boulder, CO June 2019).
  - Keynote Address, Mormon Women for Ethical Government Annual Spring Conference (March 30, 2019).
  - Panelist, Native American Education, BYU History Department (March 28, 2019)

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- Panelist, *Indian Law and the Constitution*, Cornell Law, Native American Law Student Symposium (March 8, 2019).
  - Presentation, *Learning from Indigenous Resilience*, Annual Conference of Western Law Professors of Color, (Las Vegas, NV October 20, 2018).
  - Presentation, *Learning from Indigenous Resilience*, BYU Law Faculty Workshop (Provo, August 16, 2018).
  - Panelist and Moderator, 2018 Annual Meeting of Law and Society Association, *Native Nations Caught in a Federal System* (Toronto, June 7, 2018).
  - Speaker, *Legal Issues Surrounding the Bears Ears National Monument Designation*, Utah Academy of Sciences, Arts & Letters (Blanding, UT June 1, 2018).
  - Speaker, *Leadership and the Arc of the Moral Universe*, The Summit Leadership Conference (Provo, February 3, 2018).
  - Presentation, *Learning from Indigenous Resilience*, UC Irvine Law School Faculty Workshop (Irvine, CA, January 17, 2018).
  - Panelist, 2018 Annual Meeting of the Section on Indian Nations and Indigenous Peoples, AALS (San Diego, January 3, 2018), *150 Years Later: the 1868 Treaties and Modern Sovereignty*.
  - Presentation, *Just Environmentalism*, International Environmental Justice Conference, Sydney Institute for Environmental Justice, University of Sydney, Australia (Sydney, AUS, November 6, 2017).
  - Presentation, BYU Law Annual Supreme Court Review, *Justice Gorsuch's Indian Law Jurisprudence*, (Provo, September 2017).
  - Presenter/Moderator, *Implications of the Dakota Access Protest Movement*, Annual Meeting of the Association for the Study of Law, Culture, and Humanities, Stanford University (Palo Alto, CA, April 1, 2017).
  - Moderator, 2017 Annual Meeting of the Section on Indian Nations and Indigenous Peoples, AALS, *The Supreme Court's Recent Indian Law Jurisprudence*. (San Francisco, January 2017)
  - Panelist, *New Challenges in Disaster Law and Climate Change Adaptation*, "Environmental Externalities and Indigenous Peoples" Law and Society Annual Meeting (New Orleans, June 2016).
  - Panelist, BYU Law's Annual Supreme Court Review, *Equally Divided Decisions of the 2015 Term: Dollar General v. Mississippi Band of Choctaw Indians*, (Provo, September 16, 2016).
  - Moderator/Discussant, *Indigenous In/Justice: From Natural Resources to Marriage Equality*, a Panel for the Association for the Study of Law, Culture, and Humanities, Annual Meeting (Hartford, April 2016).
  - Presentation, University of Utah Faculty Workshop, *The Sovereign Powers of Indian Tribes*, (Salt Lake City, March 2016).

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- Presentation, Rocky Mountain Junior Scholars Forum, *The Sovereign Powers of Indian Tribes*, (Salt Lake City, September 2015).
  - Presentation, BYU Law Faculty Discussion of pending U.S. Supreme Court Case, *Texas Department of Housing and Community Development v. Inclusive Communities Project*, (June 2015)
  - Presentation, *Sovereignty and Tribes*, BYU Law Faculty WIP (Provo, December 18, 2014).
  - Presentation, *Relations Between the United States and Indian Tribes*, International Visitor Leadership Program, hosting Lawyers and Judges from South America, U.S. Department of State Bureau of Educational and Cultural Affairs; Utah Council for Citizen Diplomacy (Provo, December 12, 2014)
  - Presentation, *Plenary Power, Political Questions, and Sovereignty in Indian Affairs*, Rocky Mountain Junior Scholars Forum, (Salt Lake City, November 13, 2014).
  - Presentation, *Plenary Power, Political Questions, and Sovereignty in Indian Affairs*, BYU Law Faculty WIP (Provo, June 2014).
  - Presentation, “Comparative Institutional Competency and Sovereignty in Indian Affairs,” 50<sup>th</sup> Anniversary Law and Society Association Annual Meeting, (Minneapolis, MN) (May 2014).
  - Presentation, *The Governing Powers of Indian Tribal Governments*, hosting Lawyers and Judges from Africa, U.S. Department of State Bureau of Educational and Cultural Affairs; Utah Council for Citizen Diplomacy (Provo, September 23, 2013).
  - Panelist, BYU Law’s Fifth Annual Supreme Court Review, *Adoptive Couple v. Baby Girl* (Provo, September 20, 2013).
  - Presentation, *Comparative Institutional Competency and Sovereignty in Indian Affairs*, UCLA Indian Law Scholarship Workshop (Los Angeles, June 24, 2013).
  - Presentation, “Comparative Institutional Competency and Sovereignty in Indian Affairs,” J. Reuben Clark Society Scholarship Conference (New Orleans, LA) January 2013.
  - Presentation, “Comparative Institutional Competency and Sovereignty in Indian Affairs,” (BYU Law) Faculty WIP, March 22, 2012.

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## EDUCATION

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*Georgetown University Law Center*  
**Juris Doctor**

**May 2001**

*Brigham Young University, Provo, Utah*

**Master of Arts, Humanities**

**April 1994**

**Bachelor of Arts, Humanities**

**April 1992**

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**OTHER PROFESSIONAL & COMMUNITY ACTIVITIES**

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- Appointed to the Board of Directors, American Indian Services, 2022.
- Appointed to the University's Search Committee for new Vice President of Belonging, 2021.
- Chair, Committee appointed to redraft BYU Law Mission Statement and Educational Objectives, 2020-2021.
- Awarded BYU Law 2L-3L Professor of the Year, 2020-2021.
- Appointed to University's Committee on Race, Equity, and Belonging, 2020-present.
- Faculty Advisor for student volunteer group advising asylum-seeking clients of the CARA Pro Bono in family detention center at Dilley, Texas, 2019.
- Member, Planning Committee for the Federal Bar Association's Indian Law Section Annual Conference, 2020.
- Member, Supreme Court of Utah Advisory Committee on the Rules of Evidence, Appointed for 2016-2021 Term.
- Executive Committee, Association of American Law Schools, Section on Indian Nations and Indigenous Peoples, 2018
- Board, Association of American Law Schools, Section on Indian Nations and Indigenous Peoples, 2017
- Chair, Association of American Law Schools, Section on Indian Nations and Indigenous Peoples, 2016
- Chair-Elect, Association of American Law Schools, Section on Indian Nations and Indigenous Peoples, 2015
- Instructor, Evidence, Course for Utah State Justice Court Judges, Utah Judicial Institute, Administrative Office of the Courts, January 23-24; February 27-28, 2015.

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**PROFESSIONAL EXPERIENCE**

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*U.S. Department of Interior, Washington, DC*  
**Counselor to the Assistant Secretary for Indian Affairs**

**Oct. 2010 – June 2012**

*U.S. Department of Justice, Washington, DC*

**Trial Attorney, Civil Rights Division, Housing and Civil  
Enforcement Section**

**June 2004 – Oct. 2010**

*Sonosky, Chambers, Sachse, Endreson, & Perry*  
**Associate Attorney**

**May 2001 – June 2004**