

# Fredericks dedicates lifetime to Indian law

By KATE JOHNSON

**T**homas W. Fredericks, son of John Sr. and Catherine Fredericks, was born into a family of nine siblings who were put to work on their ranch alongside the little Missouri, located on the Fort Berthold Reservation. Fredericks, a member of the Three Affiliated Tribes, said his young days were spent in the fields, working, moving cattle, cutting hay; leading the typical ranch life. When it came time to take part in pow-wows, Fredericks said later on his father didn't allow them to go because there was always work to be done on the ranch.

"It was a tough life on the ranch. We worked hard and we are a lot better off for it today," said Fredericks, who is now a decorated Attorney in Colorado.

The family ranch, came to a screeching halt when the Garrison Dam flooded it out. Fredericks said he remembered riding his horse back to the ranch realizing that was the last time he would see his home. The place that many referred to as a "cow's paradise" was gone, which pushed the Fredericks family to move to Twin Buttes.

Growing up on a ranch, the Frederickses were cowboys. In the eighth grade, Fredericks took first in the bareback rodeo in Beulah. However, his mother told him there were enough cowboys and they needed more professionals. Dropping the rodeo portion of his young life, Fredericks stuck with sports, taking part in football, basketball, and track and excelling in all of them. His athleticism took him through Minot State University on a football and basketball scholarship. He lettered all four of his years at Minot.

"Most of my work was in math and science, I was going to be an engineer," said Fredericks.

However, Bowbells waved a contract in his direction and Fredericks went for it – he became a teacher and coach at the elementary school. Later he moved on to work at Standing Rock and was going to be a remedial math teacher for the summer.

However, while at the Standing Rock Reservation, they hired him to be the Community Action program director. This program was funded to take on the war on poverty and create community programs and projects that intended to bring people out of poverty.

"I spent three years at Standing Rock doing that job, and in those three years I had a lot of interaction with the tribe and their attorney," said Fredericks.

It was his interaction with that attorney that changed

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**Thomas W. Fredericks**

his focus.

"He was settling land claims for the tribe and never had an interest in making the tribe a better government or making the tribe a government at all," explained Fredericks. "The tribe needed to have legal counsel that had the best interest of the tribe at heart, not some preconceived ideas from Washington that didn't care about the people out there," said Fredericks, "So I decided to go to law school."

In 1969 Fredericks entered into law school, heading to the University of Colorado Law School. During his time at law school Fredericks had a conversation with his constitutional law professor and talked him into teaching an Indian Law class. Fredericks said there had never been an Indian Law class.

"So, I took the class and helped him teach it, and now they have one of the best Indian Law programs in the country and I feel pretty good about that," said Fredericks.

Graduating from law school in 1972, Fredericks became a staff attorney at the Native American Rights Fund (NARF). He then worked his way up to become director, and said the focus was on hiring Indian attorneys and their goal was to put Indians in positions of power.

"We tried to empower tribal government, tried to empower institutions that would make Indians better," said Fredericks.

Over the course of '70s and '80s, Fredericks said he and his team litigated their tails off during that time and won a lot of influential cases for Indians.

Fredericks has dedicated his career to issues such as water rights, land rights, utility development, oil and gas and other mineral development trust issues, casino and economic development, inter-governmental affairs, tribal sovereignty and self-determination, land-into-trust, tribal government, natural resources, energy and environmental law, business and corporate law, commercial transactions, housing, and taxation.

Fredericks said one of their biggest accomplishments was winning a case

for a tribe in the Northwest granting them 50 percent of the salmon fisheries, which is worth billions of dollars he said.

In 1977 the Carter Administration called him and asked him to be an associate for Indian Affairs. Fredericks said no Indian had ever had that job. After three years of doing that job, he was then asked to be assistant secretary for Indian Affairs.

"So I had the top policy job and I had the top legal job for Indian Affairs in the Carter Administration," said Fredericks.

While there he said he developed a water policy, a policy that still stands today.

Through the Nixon Administration and bill was then passed called the Economic Development and Education Assistance Act. This was the foundation of self-determination.

Once Fredericks left the Carter Administration, he said he felt it was time to open his own law firm: he desired to continue in Indian Affairs.

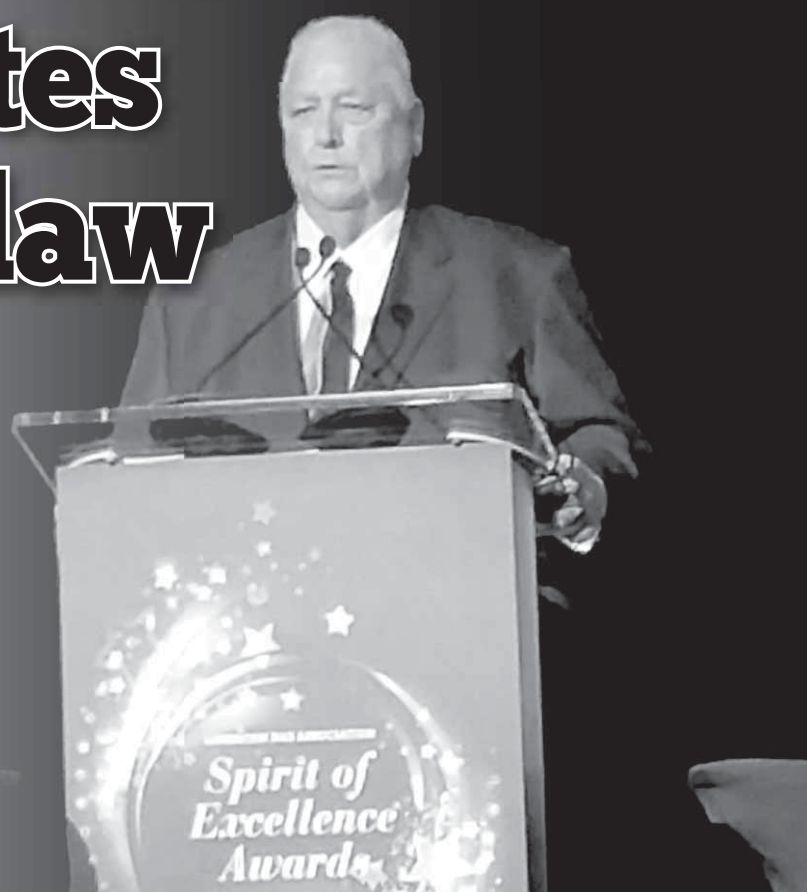
"I kind of wanted to do it my way, rather than getting into a big firm and getting into bureaucracy and politics," explained Fredericks, "So I had my own firm and it's the largest Indian law firm in the country, and it's strictly Indian Law."

Fredericks is coming up on the age of 74 and he said he is still doing what he loves, although he may need a cane. He said there is still a need for what he does.

"I always saw a need, and there was always a need for more and there's still a need," said Fredericks, "There are still people who pick on Indians and single them out."

Being an athlete and going to school in Halliday and Killdeer, Fredericks said his classmates never discriminated against him, but it was the faculty who would.

Over the course of his time as an attorney, Fredericks has been given lifetime achievement awards and countless others. Recently



Thomas W. Fredericks giving his acceptance speech after receiving the Spirit of Excellence Award this year.



he received the Spirit of Excellence Award. The award is given out to an individual who promotes minorities in law, opening doors to people in the profession.

Fredericks said the award came as a surprise. He said his career has been a real journey for him.

"If you want Indian law to thrive you gotta be an Indian and you gotta be a lawyer," said Fredericks.

Fredericks still has a home in Twin Buttes and family in the area. However, work brings him back to the area as well, when visiting with the Three Affiliated Tribes.

"My experience is that our cases are not viewed the same by the majority, as they are to Indians, so we've got to work hard and get all the facts," said Fredericks, "and digest them right. You can make a pretty good showing that Indians didn't

get a fair shake in the deal." Fredericks said over the course of his life, he and his family had to make many sacrifices in order for him to continue on with his job, sometimes spending 22 days out of the month on an airplane.

"I think I had opportunity and I took advantage of them. I was a very young guy when I had these advantages and was able to do that. So it's kind of amazing to me when I look back at it," said Fredericks.

He continues to practice law with his firm, Fredericks Pebble and Morgan LLP, and days are busy and always to a schedule. Fredericks said what he does is fun, and practicing law has been good to him. Fredericks said he is focused on teaching the young attorneys all he knows and his experiences in order to keep Indian law thriving.

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