I knew. One day I walked into my office and there were law school were no lawyers in my family, extended family, or who I personally be accepted. But lo and behold, a few months later, I was! I then had to fill these out.” I did what I was told, but I never thought that I would embark on this new educational path, of which I knew nothing. I graduating from law school, and about a year into my first job as a federal level affected Indian Country and peoples nationally—from native people. In doing that work, I saw how policymaking at the federal agencies with a more diverse pool of lawyers who can serve as mentors. When you see successful lawyers with whom you share a common culture or life challenge, that, in and of itself, can build self-confidence.

HM: During your time in law school, did you have an idea that you would want to one day be on the bench, or is that something that came later?

Judge Humetewa: Not at all. When I had the opportunity to be the U.S. Attorney for Arizona, my husband told me I should take the U.S. Attorney position if it would help me become a federal judge. Frankly, until then I had never thought about being a federal judge. It never dawned on me because I did not see people with my background appointed to federal judge positions. As a former victim advocate and AUSA, working in the very federal court in which I sit, I was familiar with the entire federal bench. All the judges were male, all of them were Anglo, and most were from generations of lawyers, or they had political influence in Arizona. But hearing my husband voice the idea, and say it with confidence, made me think for the first time that maybe it is possible. And it was. In our Sandra Day O’Connor Courthouse, there’s a portrait gallery of all of the district judges appointed chronologically. I often tell law students, especially those that come from diverse backgrounds, to walk that portrait wall and observe the changes in diversity of these positions. You see when the first female district court judge was appointed, then the first Latina judge, and so on. They are encouraged by that.
HM: How has your time as a victim advocate before law school shaped how you view the justice system today?

Judge Humetewa: It gave me a real-world view of how the federal courts actually work, and particularly how the federal courts interface with Indian Country and its populations. I saw the disconnect that is built into the system of justice for Native Americans, and how far removed the process is from their communities. Victims and witnesses would ask why their case was in federal court and not tribal court. I had a desire to learn more about that. So, I took federal Indian law and tribal courts classes in law school, and then sought the externship in the U.S. Senate Indian Affairs Committee.

I continue to see that for many Native Americans, our federal justice system is still too far removed. They do not necessarily feel included in the process. As a prosecutor, my early experiences with victims and witnesses would ask why their case was in federal court and not tribal court. I had a desire to learn more about that. So, I took federal Indian law and tribal courts classes in law school, and then sought the externship in the U.S. Senate Indian Affairs Committee.

HM: Did your time as an appellate judge for the Hopi Tribe help inform how you view judicial process or provide any perspective on judicial process that can be applied more generally?

Judge Humetewa: It taught me how to develop case law based on Hopi custom and practice when there is no written law. I was fortunate to be mentored by the late chief justice at the time, Emory Sekaquaptewa, the first Hopi law school graduate. He recruited several federal judges who were his classmates, the late District Judges Robert C. Broomfield and Paul G. Rosenblatt, to help develop the Hopi tribal court. It was his vision to infuse Hopi custom, practice, and tradition into the law whenever possible.

At the Hopi Appellate court, we did what our earliest Supreme Court justices did: develop common law in the absence of written law. This enabled me to understand the tensions that arise when you have a constitution, like the Hopi Constitution which was drafted by federal agents, that conflicts with Hopi custom and practice. Those experiences emphasized the importance of each written word in writing the common law as precedent, and how to write so our reasoning could be understood by the people. It also prepared me for my eventual sittings with the Ninth Circuit Appellate Court, which is similar to our Hopi Appellate Court process. I learned the nuances of collaboration.

HM: Do you have any advice for diverse law students and newer lawyers?

Judge Humetewa: Embrace your time in law school. I treated law school like an obstacle to overcome. The law school process intimidated me, so I did not appreciate the journey, and it wasn’t as enjoyable as it could have been. My advice is to participate in the organizations and do not box yourself into an area of law or career path just because others expect it of you. Be mindful that your current classmates may be your future colleagues or adversary in law, so get to know them. Visit state, tribal and federal courts, especially if you want to be a litigator. And consider that your first job as a lawyer is part of your ongoing legal education. We learn many subjects in law school, but mastering the practice of law takes time.

HM: How did you get involved in the Federal Bar Association? What drove your involvement in the Federal Bar Association’s diversity and inclusion efforts?

Judge Humetewa: As a law student, I had the opportunity to attend the Indian Law Section of the Federal Bar Association’s annual conference. It was the first time I met Indian lawyers who were also members of the FBA. They were welcoming and encouraging. I met Lawrence Baca, a renowned U.S. Department of Justice lawyer, Walter Echo-Hawk, who worked at the Native American Rights Fund, and others. That was my first real exposure to the FBA, and I learned why it was relevant to Native practitioners and Indian Country. The federal courts are directly involved in the lives of my community and federal lawyers represent tribes and tribal people. The work I sought to pursue was predominantly federal, so it made sense to observe these practitioners and to pay attention to what the FBA was doing.

I became involved with many of the diversity efforts by invitation. We judges are isolated. So, the FBA provides a meaningful way to stay connected with what’s going on with federal court practitioners, and to contribute to the federal bar. My involvement also tends to focus on diversity and the challenges of underrepresented populations in the law profession, many of whom are interested in public service, with federal agencies or Indian tribal governments. But because the FBA consists of people who practice in the federal courts, they have a genuine interest in evaluating its processes and procedures, as well as addressing ways to improve the practice of law in the federal courts for everyone.

HM: Are there specific diversity and inclusion efforts that you would like to see in the future from the Federal Bar Association?

Judge Humetewa: A challenge for every federal bar chapter is how to develop opportunities to appear in federal court. There are few opportunities for novice lawyers, and fewer still if you are not a federal prosecutor or defender. Additionally, it is rare to have Native lawyers appear in federal court. This makes it more difficult when it comes time to serve as an officer of the FBA, as a Representative of the Circuit, or to be considered for future judicial positions. So, developing paths to federal practice is key. Cultivating mentors from federal practice would help. In Arizona, we also have opportunities for pro bono work for self-represented individuals, including incarcerated persons. So, I would like to see newer lawyers and those with diverse backgrounds provided with opportunities to appear in federal courts.

I tell those whom I swear in to practice in our district court to consider joining the local FBA and to make efforts to attend the monthly luncheons. It will give them an idea of what’s going on in our federal courts and what’s happening among the federal bar members. Participation in the FBA can make the practice of law in federal courts less intimidating. And I believe that personal participation helps to build a better legal community.

![Harpreet Mahal](image)

Harpreet Mahal is an associate at Carlson Caspers, an intellectual property boutique law firm in Minneapolis, MN. He attended the University of Minnesota Law School, where he gained experience through the Intellectual Property Mock Court, the Intellectual Property and Entrepreneurship Clinic, and the Clemency Project Practicum (now the Clemency Project Clinic). Prior to law school, he received an MS from Wayne State University School of Medicine, where he was in a neuroscience lab focused on traumatic brain injury and spinal cord injury research. Harpreet is active in several professional organizations including the Minnesota State Bar Association, the Minnesota Asian Pacific American Bar Association, and the Federal Bar Association.