



Kaighn Smith

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PRACTICE AREAS

Employment & Labor

Environmental & Natural
Resources

Litigation

Appellate

Business & Commercial
Litigation

Tribal Nations Practice Group

Tribal Nations Labor &
Employment

Kaighn Smith, Jr. leads Drummond Woodsum's nationwide Tribal Nations Practice Group and is a member of the firm's Trial Services Group. He is a seasoned civil litigator in the field of federal Indian law and in civil rights, labor and employment, and contractual disputes. Kaighn fights for tribal nations in the federal, state, and tribal courts and before federal administrative agencies across the country. He has won cases in a wide range of areas, including jurisdiction and sovereignty disputes, gaming matters, labor and employment relations, land-in-trust and environmental matters, and fishing and water rights.

Since 2012, Kaighn has served as associate reporter (with Professors Matthew L.M. Fletcher and Wenona Singel) on the Restatement of American Indian Law for the American Law Institute. In 2011, he published the leading treatise, [*Labor and Employment Law in Indian Country*](#), with the Native American Rights Fund. He is listed in Chambers USA and in Best Lawyers in America for the category of Native American Law.

Kaighn clerked for Judge Frank M. Coffin at the U.S. Court of Appeals for the First Circuit and for Justice Louis Scolnik at the Maine Supreme Judicial Court. He serves as Adjunct Professor of American Indian Law at the University of Maine School of Law.

EDUCATION

University of Sussex, M. Phil,
with honors, 1983

University of California
Berkeley, B.S., *phi beta kappa*
, 1979

University of Maine School of
Law, J.D., 1986

BAR & COURT ADMISSIONS

Maine

U.S. Supreme Court

U.S. Court of Appeals for the
First Circuit

800.727.1941 | dwmlaw.com
U.S. Court of Appeals for the
District of Columbia Circuit

U.S. Court of Appeals for the

REPRESENTATIVE CLIENTS & MATTERS

- *Monga v. Nat'l Endowment for Arts*, 323 F. Supp. 3d 75 (D. Me. 2018) (securing preliminary injunction under the Equal Protection Clause)
- *Penobscot Nation and United States v. Maine Attorney General, et als*, Nos. 16-1424, 16-1435, 16-1474, 16-1482 (1st Cir. 2017) (hunting and fishing rights; reservation boundaries) (pending)
- *Rassi v. Federal Program Integrators*, 69 F.Supp.3d 288 (D. Me. 2014) (securing tribal court exhaustion)
- *Francis v. Dana-Cummings*, 962 A.2d 944 (Me. 2008) (securing tribal court jurisdiction)
- *Taxpayers of Michigan Against Casinos v. State of Michigan*, 732 N.W.2d 487 (Mich. 2007) (securing compact validity)
- *TOMAC v. Norton*, 433 F.3d 852 (D.C. Cir. 2006) (securing land into trust)
- *Inyo County, California, et al. v. Paiute-Shoshone Indians of the Bishop Community*, 538 U.S. 701 (2003) (amicus brief team)
- *Penobscot Nation v. Fellecer*, 164 F.3d 706 (1st Cir. 1999), cert. denied, 527 U.S. 1022 (1999) (securing exclusive tribal jurisdiction over civil rights dispute; freedom from application of state law)
- *Akins v. Penobscot Nation*, 130 F.3d 482 (1st Cir. 1997) (securing exclusive tribal jurisdiction over civil rights dispute; freedom from application of federal and state law)

AWARDS

- Best Lawyers USA, Native American Law 2008-2019
- New England Super Lawyers, Native American Law, Employment & Labor 2011-2018
- Chambers USA, Nationwide, Native American Law
- Martindale Hubbell, BV Distinguished

MEMBERSHIPS

- American Law Institute
- Maine Bar Foundation
- Maine Bar Journal
- Edward T. Ginoux Inns of Court
- Maine State Bar Association

COMMUNITY/PUBLIC SERVICE

- University of Maine School of Law, American Indian Law
Adjunct Professor

- National Ski Patrol, Sugarloaf Mountain; Stub Taylor, Pat Murphy Award (2008)
Alpine Patroller
- Portland Public Library Board of Trustees
Member
- Portland Public Library Executive Director Search Committee
Chair