



Indigenous

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Overview

Throughout our long, deep and innovative history of over 100 years as a firm, and over 25 years in the north our dedicated and diverse law firm has been providing a broad range of strategic advice and direction on regulatory, administrative, environment, labour and employment, governance, corporate, energy issues and more in the Northwest Territories, Nunavut and Alberta.

Our Indigenous Group has diverse experience and has provided extensive advice and services to governing bodies, people, businesses and Indigenous Peoples. We have and continue to represent First Nation groups in the Northwest Territories and Northern Alberta. These representations include work for settled land claimant corporations and additionally work in unsettled areas. We have been specifically involved in negotiations with industry on behalf of First Nation groups, and in particular, with respect to resource development, we have negotiated numerous impact and benefits types of agreements.

We have assisted with the legal intricacies of Treaty Nations in other jurisdictions and know that the work in NWT is unique in Canada. We feel that we understand the culture and history that make NWT unique. We understand that promoting and protecting a peaceful and consensus-driven society through the administration and integration of governing bodies which respects the role of community members and maintaining harmony, and which adheres to principles and values that are part of First Nation knowledge and culture is one of the main priorities in any dealing with any development in and around traditional lands.

Field Law offers extensive services and experience pertaining to Indigenous law including:

- Providing opinions on Aboriginal and Treaty rights and negotiation of such rights and titles
- Providing research reports outlining the Courts' views with respect to various self-government issues
- Providing advice in relation to a wide range of employment issues, including: preparation of employment contracts and the administration of human resources
- Providing advice with respect to drafting and assisting in the implementation of various governance matters, including: custom election laws, membership codes, and bylaws
- Litigating institutional issues
- Providing advice, research support, preparation and drafting, as well as implementation of, various land and specific claim agreements
- Negotiating with the Crown and assisting in the development of bylaws, contracts and agreements with an aim of effective implementation of self-government
- Assisting in economic development initiatives including: corporations, joint ventures, limited partnerships and trusts, and related tax issues

Services

Business
 Labour + Employment
 Litigation

- Negotiating resource development agreements in the oil and gas and mining sectors
- Comprehensive and specific land claims

Indian Residential School Claims

Our commitment to working with First Nations and our understanding of their culture, led to Field Law's representation of persons with Indian Residential School Claims. We have represented individuals who attended residential schools in Alberta, Saskatchewan, British Columbia, and the Northwest Territories. Two of Field Law's senior litigators, Dan Carroll KC and Jon Faulds KC, played leading roles in the negotiation of the national Settlement Agreement and its approval by the Courts. In 2005, Jon helped lead a national consortium of lawyers in the negotiation of the historic, multi-billion-dollar Indian Residential Schools settlement, which also established a Truth and Reconciliation Commission to address the legacy of the residential school system. The agreement, approved in 2007, was the largest class action settlement in Canadian history. Since 2010, Jon has been a member of the National Administration Committee responsible for implementing the settlement and has made numerous court appearances to address issues arising under that settlement.

As Field was one of leading firms in the representation of person's with Indian Residential School Claims, members of the firm travelled to most parts of the NWT and Alberta meeting with clients and developing relationships with local Indigenous administrations. We have provided extensive governance advice and services to First Nation communities in the Northwest Territories and Nunavut in particular, our group has provided corporate and commercial legal services to First Nation and other Aboriginal closely held corporations with a focus on business development.

The Indian Act

The *Indian Act* in Canada is a Canadian federal law that governs in matters pertaining to Indian status, bands, and Indian reserves. The act authorizes the Canadian federal government to regulate and administer the affairs and day-to-day lives of registered Indians and reserve communities. Field Law offers knowledgeable and extensive services pertaining to the *Indian Act*, including but not limited to: Indian Residential School Claims, Aboriginal and Treaty rights and negotiation of such rights and titles, Aboriginal Laws, Indigenous Law, Land claims, and Estate administration matters related to the *Indian Act*.

People

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Notable Work

1985 Sawridge Trust v Alberta (Public Trustee), [2019 ABCA 243](#)

Gauchier v Cunningham, [2013 ABQB 713](#)

Chapman v. L'Hirondelle, [2012 ABCA 25](#)

Alberta (Aboriginal Affairs and Northern Development) v. Cunningham, [2011 SCC 37](#)

Peavine Metis Settlement v. Alberta (Energy), [2011 ABQB 472](#)

Cunningham v. Alberta (Aboriginal Affairs and Northern Development), [2009 ABCA 239](#)