



Everything Michigan

Tribes opposed to Michigan federal court nominee

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By **KEN THOMAS**
The Associated Press

WASHINGTON (AP) — Seven American Indian tribes in Michigan want Sens. Debbie Stabenow and Carl Levin to block the judicial nomination of a lawyer who has represented groups opposed to the expansion of casino gambling.

In letters to the Democratic senators, the tribes wrote that Robert Jonker's work on the litigation "indicate a bias against Indian tribes and raise serious questions regarding his fitness to serve as a federal district court judge."

Jonker was nominated in June for one of the three vacancies on the U.S. District Court for Michigan's Western District. His hearing before the Senate Judiciary Committee has not yet been scheduled.

Jonker, 46, is a partner with Grand Rapids, Mich.-based Warner Norcross & Judd LLP, where he has focused on environmental and commercial litigation. His clients have included Taxpayers of Michigan Against Casinos, Citizens Exposing the Truth About Casinos and Michigan Gambling Opposition.

The tribal officials said the litigation delayed their pursuit of casino projects and Jonker used "every available tactic and device to delay a resolution of claims having little or no merit."

Jonker countered in an e-mail that he has never put forward "any argument on behalf of our clients that I did not believe was well founded in fact in law. The courts involved accepted some of our arguments and rejected others, as often happens in litigation."

He noted that in two cases, the courts required the government agencies involved to "conduct additional environmental investigation at the proposed casino sites."

"I will continue to fulfill my ethical duty to clients to advance well founded legal arguments on their behalf," he wrote in the e-mail to The Associated Press.

A letter dated Friday asked for Levin and Stabenow's help in preventing Jonker "from gaining a lifetime appointment" to the federal bench.

It was signed by tribal leadership with the Keweenaw Bay Indian Community, Little River Band of Ottawa Indians, Pokagon Band of Potawatomi Indians, Hannahville Indian Community, and the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, also known as the Gun Lake Tribe.

Leaders of the Saginaw Chippewa Indian Tribe of Michigan and the Little Traverse Bay Bands of Odawa Indians sent separate letters with the same text.

Angela Benander, a Stabenow spokeswoman, said her office was reviewing the letters. Tara Andringa, a spokeswoman for Levin, said the senator had not yet seen the letters and could not immediately comment.

The letters also questioned Jonker's membership in 23 Is Enough, a west Michigan antigambling group. The seven tribes criticized the organization for recently distributing an article written by a New York developer.

The piece by Frank Parlato Jr. discussed the economic and social consequences of a Niagara Falls, N.Y., casino, which the organization said mirrored potential circumstances in west Michigan. Tribal officials later said Parlato had included derogatory images of American Indians on his Web site.

John Helmholdt, a spokesman for 23 Is Enough, said the group formally apologized in an Aug. 16 letter to Gun Lake tribal chairman D.K. Sprague for highlighting the piece.

Helmholdt said Jonker was unaware that his group had sent out the article and the attorney has recused himself from the organization. Helmholdt called it an "unfortunate incident" and "inexcusable."

"Bob has absolutely nothing to do with this," Helmholdt said.

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