Rob Roy Edward Stuart Smith

Partner

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Services

Complex Commercial Litigation

Litigation

Native American

Native American Litigation

Rob Roy Smith is the co-team leader of the firm's Native American Practice Group. Rob Roy exclusively practices federal Indian law. He advises Indian tribal clients on all aspects of federal, state and tribal law, including tribal sovereignty, economic development, natural and cultural resource protection, taxation, and gaming.

Rob Roy is dedicated to helping Indian tribal governments achieve their goals. Whether as general counsel or special litigation counsel, Rob Roy consistently finds the best legal and business solutions to benefit tribal communities.

Rob Roy has successfully represented Indian tribal governments, individual Indians and tribal businesses in high-stakes litigation before tribal, state and federal courts, including numerous appellate courts, and the Washington and Idaho Supreme Courts, on issues ranging from protecting tribal sovereign immunity to securing treaty rights. He has filed briefs before the United States Supreme Court and the United States Court of Federal Claims on a variety of issues, including tribal jurisdiction, the Indian Child Welfare Act (ICWA) and fiduciary duty. Rob Roy also has extensive experience litigating tribal Racketeer Influenced and Corrupt Organizations Act (RICO) cases to protect Tribal decision makers and in obtaining valuable taxable and tax-free financing for tribal economic development and diversification. Rob Roy has experience in helping tribal clients manage public health issues, including COVID-19, and all aspects of land acquisition and management.

Rob Roy was listed by *The Best Lawyers in America*® for Native American Law in 2027 and the 13 years immediately preceding. He was also named a 2023 "Seattle Lawyer of the Year" for Native American Law by *The Best Lawyers in America*®. Rob Roy was recognized as a Washington "Super Lawyer" for Native American Law in 2025 and the 11 years immediately preceding by *Super Lawyers* magazine. He was named a 2016 "Rising Star" by *Law360* for Native American Law. Rob Roy was listed in the 2026 and ten years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for Native American Law. He was also ranked nationally as a "Recognized Practitioner" for Native American Law in 2026 and the six years immediately preceding and ranked nationally as "Up and Coming" for Native American Law in 2016 and 2017 by *Chambers USA: America's Leading Lawyers for Business*. Rob Roy is a recipient of the firm's Pro Bono Collaboration Award in 2017 for his work on a federal civil rights litigation case for a Native Hawaiian father and his two young sons against the boys' elementary schools, their principal, and superintendent.

Experience

Successfully defended constitutionality of Indian Child Welfare Act before the U.S. Supreme Court on behalf of the Quinault Indian Nation in *Brackeen v. Haaland*.

Assist Indian tribal government with COVID-19 vaccine procurement and development of large scale vaccination clinic program.

Represent Indian tribal government in *State of Washington, et al. v. Russell Vought, et al.*, successfully obtaining preliminary injunction to halt the closure and sale of the Seattle National Archives and Records Center.

Assisted Indian tribal government in obtaining over $20 million in funds to support COVID-19 pandemic response.

Represented coalition of Indian tribes in successful litigation against the U.S. Department of Treasury to force the timely release of Congressionally-mandated CARES Act funds.

Representation of a federally-recognized tribal government and gaming authority in the successful negotiation and closing of new secured credit facilities provided by a syndicate of bank lenders consisting of more than $300 million in aggregate principal amount of revolving loan (including letter of credit and swing line loan subfacilities) and term loan credit facilities (including an option to reallocate a portion of term loans to tax exempt loans), together with an additional $50 million in optional incremental facilities, secured by assets of the gaming authority, for use in refinancing existing gaming and resort related indebtedness of the tribe and anticipated future casino and resort expansion projects. The transaction was completed in 2014 and received the Native American Finance Officers Association (NAFOA) 2015 “Deal of the Year” Award.

Represent an Indian tribe in California in $28 million tax preemption litigation against County of Riverside.

Represent Indian tribes, tribal officials and tribal judges in federal RICO actions and related tort litigation challenging tribal decision making.

Represent Indian tribes with all aspects of federal, state and tribal taxation, including defending Indian tribes and Indian casinos against IRS examinations, and assisting tribes with the development of taxation codes and general welfare policies.

Provide on-going general counsel services to Indian tribes and tribal businesses in Washington State, Oklahoma, and Montana.

Represent Indian tribe in Washington State in ongoing treaty fishing rights litigation (*U.S. v. Washington*).

Represent Indian tribe in Washington State in $50 million contract dispute with the State of Washington.

Represent the Quinault Indian Nation against four school districts and their superintendents and athletic directors, alleging racial discrimination in violation of Title VI of the Civil Rights Act of 1964 and Washington

State law.

Represent Idaho tribe in ongoing treaty fishing rights litigation (*U.S. v. Oregon*).

Education

Northwestern School of Law of Lewis and Clark College J.D. (2000) *Certificate in Natural Resources and Environment Law*, *cum laude*
Animal Law Review, Editor in Chief (1999-2000)

College of the Holy Cross B.A. (1997)

Admissions

Washington (2003)

Idaho (2001)

Oregon (2000)

Court Admissions

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Federal Claims

U.S. District Court for the District of Idaho

U.S. District Court for the District of Oregon

U.S. District Court for the Western District of Washington

U.S. Supreme Court

U.S. Tax Court

Various Tribal Courts

Professional & Community Activities

Executive Council, Seattle University School of Law's Center for Indian Law and Policy (March 2016-Present)

Adjunct Professor, Federal Indian Law, Seattle University School of Law (2008-Present)

Visiting Professor, The University of Montana School of Law, Taxation and Finance in Indian Country (August 2017)

Washington State BarBri, Federal Indian Law, Instructor (2009-2012)

Animal Legal Defense Fund, Volunteer Attorney (2007-Present)

Idaho State Bar, Indian Law Section, Co-Founder and Past Chair

Washington State Bar, Indian Law Section, Member

Oregon State Bar, Indian Law Section, Member

Lewis and Clark Law School, Alumni Board of Directors, Member (2007-2012)

Marathon Maniac, Member

Daniel Bagley Elementary Parent Teacher Association Board, Vice President (2018-Present)

Washington Wild Female Hockey Association, Secretary (2024-Present)

Insights

News Releases

Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®

August 20, 2026

News Releases

Kilpatrick Attorneys Earn 102 Rankings in 2026 Chambers USA and Global Guides

June 5, 2026

News Releases

High-Profile Member of Kilpatrick's Native American Affairs Team Returns

February 5, 2026

News Releases

Over 100 Kilpatrick Attorneys Named 2025 Super Lawyers and Rising Stars

November 25, 2025

News Releases

Kilpatrick Attorneys Earn a Record 100 Recognitions in 2025 Chambers USA

June 6, 2025