

PRESENTING ARCHAEOLOGY IN COURT

Legal Strategies for Protecting Cultural Resources

Edited by

STEPHEN BOUTE, MARGARET FORDYCE,
AND FRANCES TALLER

Presenting Archaeology In Court A Guide To Legal Protection Of Sites

Sherry Hutt, David Tarler



Presenting Archaeology In Court A Guide To Legal Protection Of Sites:

Presenting Archaeology in Court Marion Forsyth, Sherry Hutt, David Tarler, 2006 The passage of the Archaeological Resources Protection Act ARPA in 1979 was a watershed moment in the movement to protect cultural objects against looting This brief volume provides practical help to those who wish to use the provisions of ARPA archaeologists government land managers preservation groups and attorneys to maximize its protective net The distinguished group of authors all veterans of ARPA enforcement efforts first provides a comprehensive history of passage of the law and highlights some key cases that shaped its impact Other chapters offer concrete instructions on establishing archaeological valuation and assessing damage to cultural sites A final section provides a menu of legal strategies now available for use to strengthen and extend the provisions of the law For cultural resource professionals working under ARPA s provisions this book will be an invaluable guide for daily practice

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Neumann, Robert M. Sanford, Karen G. Harry, 2010-01-16 Most students who pursue a career in archaeology will find employment in cultural resource management CRM rather than in academia or traditional fieldwork It is CRM the protection and preservation of archaeological and other resources that offers the jobs and provides the funding Few textbooks however are dedicated to teaching students the techniques and practices of this field *Cultural Resources Archaeology* now brought completely up date in this second edition and replete with new case studies from the western U S fills in the gap Drawing on their decades of teaching and field experience the authors walk students through the intricacies of CRM They clearly describe the processes of designing a project conducting assessment testing doing essential mitigation work Phases I II and III and preparing reports The book s emphasis on real world problems and issues use of extensive examples from around the country and practical advice on everything from law to logistics make it an ideal teaching tool for archaeology students who dream of becoming practicing archaeologists

Assessing Site Significance Donald L. Hardesty, Barbara J. Little, 2009-03-16 *Assessing Site Significance* is an invaluable resource for archaeologists and others who need guidance in determining whether sites are eligible for listing in the National Register of Historic Places NRHP Because the register s

eligibility criteria were largely developed for standing sites it is difficult to know in any particular case whether a site known primarily through archaeological work has sufficient historical significance to be listed Hardesty and Little address these challenges describing how to file for NRHP eligibility and how to determine the historical significance of archaeological properties This second edition brings everything up to date and includes new material on 17th and 18th century sites traditional cultural properties shipwrecks Japanese internment camps and military properties Cultural Resource Laws and Practice Thomas F. King, 2013 In this fourth edition of the CRM classic Thomas F King shares his expertise in dealing with laws regulating the use of cultural resources With wry insight he explains the various federal state and local laws governing the protection of resources how they have been interpreted how they operate in practice and even how they are sometimes in contradiction with each other He provides helpful advice on how to ensure regulatory compliance in dealing with archaeological sites historic buildings urban districts sacred sites and objects shipwrecks and archives King also offers careful guidance through the confusing array of federal state and tribal offices concerned with CRM Featuring updated analysis and treatments of key topics this new edition is a must have for archaeologists and students historic preservationists tribal governments and others working with cultural resources **Yearbook of Cultural Property Law 2007** Sherry Hutt, David Tarler, 2016-12-05 The Yearbooks of Cultural Property Law provide the key up to date information and analyses that keep heritage professionals lawyers and land managers abreast of current legal practice including summaries of notable court cases settlements and other dispositions legislation government regulations policies and agency decisions Interviews with key figures refereed research articles think pieces and a substantial resources section round out each volume Thoughtful analyses and useful information from leading practitioners in the diverse field of cultural property law will assist government land managers state tribal and museum officials attorneys anthropologists archaeologists public historians and others to better preserve protect and manage cultural property in domestic and international venues In addition to eight practice area sections federal land management state and local tribes tribal lands and Indian arts marine environment museums art market international enforcement actions the 2009 volume features an interview with an important figure in the field and original articles on new ICOMOS rules on dispute resolution Section 47 of the Internal Revenue Code risk and fair market value of antiquities the visual artists rights act and religious free exercise and historic preservation All royalties are donated to the Lawyer s Committee on Cultural Heritage Preservation **Presenting Archaeology in Court** Sherry Hutt, Marion P. Forsyth, David Tarler, 2006-02-09 The passage of the Archaeological Resources Protection Act ARPA in 1979 was a watershed moment in the movement to protect cultural objects against looting This brief volume provides practical help to those who wish to use the provisions of ARPA_ archaeologists government land managers preservation groups and attorneys_ to maximize its protective net The distinguished group of authors all veterans of ARPA enforcement efforts first provides a comprehensive history of passage of the law and highlights some key cases that shaped its impact Other chapters

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Rethinking Cultural Resource Management in Southeast Asia John N. Miksic,Geok Yian Goh,Sue O'Connor,2011 Presenting both the need for and difficulty of introducing effective cultural resource management CRM in the region Rethinking Cultural Resource Management in Southeast Asia explores the challenges facing efforts to protect Southeast Asia s indigenous cultures and archaeological sites from the ravages of tourism and economic development Recognising the inapplicability of Euro American solutions to this part of the world the essays of this volume investigate their own set of region specific CRM strategies and acknowledge both the necessity and possibility of mediating between the conflicting interests of short term profitability and long term sustainability **Practicing Archaeology** Thomas W. Neumann,Robert M. Sanford,Mary Spink Neumann,2022-08-15 This comprehensive text and reference book addresses the questions and problems of cultural resources archaeology for undergraduate and graduate students and practicing archaeologists Neumann Sanford and Neumann use their decades of field experience to discuss in great detail the complex processes involved in conducting a cultural resources management CRM project Dealing with everything from law to logistics archival research to artifact analysis project proposals to report production they provide an invaluable sourcebook for archaeologists who do contract archaeology After introducing the legal and ethical aspects of CRM and stakeholder engagement the authors describe the processes of designing a proposal and contracting for work doing background research conducting assessment testing mitigation work Phase I II and III laboratory analysis and preparing reports for project sponsors The volume s emphasis on practical problems use of extensive examples and detailed advice on a host of subjects make it an ideal manual for archaeologists and field schools This revised and expanded third edition of Practicing Archaeology A Manual for Cultural Resources Archaeology updates Federal and state contracting protocols and covers preparing safety plans for occupational hazards organization of an archaeology laboratory use of electronic technology and digital media advice on field and personnel management and how to make a living doing cultural resources archaeology **YEARBOOK OF CULTURAL PROPERTY LAW 2008** Sherry Hutt,David Tarler,2008-10-15 The Yearbook provides the heritage management world with summaries of notable court cases settlements and other dispositions legislation government regulations policies and agency decisions that affect their work Interviews with key figures refereed research articles think pieces and a substantial resources section will round out each volume Thoughtful analyses and useful information from leading practitioners in the diverse field of cultural property law will assist government land managers state tribal and museum officials attorneys anthropologists archaeologists public historians and others to better preserve protect and manage cultural property in

domestic and international venues The 2008 volume includes expanded practice area sections federal land management state and local tribes tribal lands and Indian arts marine environment museums art market international enforcement actions It also will feature and interview with Paolo Ferri the Italian prosecutor at the Marion True trial and four featured articles on ownership of information in archaeological reports historic preservation tax credits the question of cultural identification of Native Americans under NAGPRA and the winner of the LCCHP law school writing contest All royalties are donated to the Lawyer s Committee on Cultural Heritage Preservation *American Book Publishing Record* ,2005 Internationales Kulturgüterprivat- und Zivilverfahrensrecht Michael Anton,2010-12-23 Band 3 wird in besonderem Maße der Internationalität des Kulturgüterschutz und Kunstrestitutionsrechts gerecht Zunächst finden das zivilrechtliche Anspruchssystem mögliche Verteidigungsmittel gegen unberechtigte Kunstrestitutionsforderungen und Gegenansprüche rechtmäßig zur Restitution Verpflichteter Erläuterung Zweiter Schwerpunkt liegt auf dem Internationalen Kulturgüterzivilverfahrensrecht und der Frage welche formellen und verfahrenstechnischen Besonderheiten bei Kunstrestitutionsklagen bestehen Im Zentrum der Untersuchungen stehen schließlich das Internationale Kulturgüterprivatrecht und die in der Praxis bedeutsame Frage welche nationale Zivilrechtsordnung in Kunstrestitutionsverfahren zur Entscheidung berufen ist Aufgrund der vehementen Kritik an der universal geltenden lex rei sitae werden abschließend mögliche Reformbestrebungen beleuchtet und dabei insbesondere eine ordre public Widrigkeit des illegalen Kulturgüterverkehrs alternative Anknüpfungsmaximen wie etwa die lex originis eine extraterritoriale Berücksichtigung ausländischer Kulturgüter und Denkmalschutzgesetze sowie Ansätze einer materiellen Privatrechtsvereinheitlichung im internationalen Kulturgüterverkehr geprüft *Congressional Record* United States. Congress,1984 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873 Archaeology in Oceania ,1983 *Legislation as a Social Function* Roscoe Pound,1913 *Journal of Middle Atlantic Archaeology* ,1995 **U.S. Environmental Protection Agency Library System Book Catalog** United States. Environmental Protection Agency. Library Systems Branch,1975 **A Subject Index to Current Literature** Australian Public Affairs Information Service,

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