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Tribal court dismisses suit seeking rest of \$193 million settlement

by K.C. Mehaffey | Oct. 11, 2013, 10:22 a.m. | Comment

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NESPELEM — A tribal court this week rejected an attempt by Colville tribal members to compel their council to distribute the rest of a \$193 million settlement to members.

On Tuesday, Colville Tribal Chief Judge Cynthia Jordan dismissed a complaint filed in May by Yvonne L. Swan and Colville Members for Justice. The judge ruled the tribal court lacked jurisdiction.

“I’m disheartened, but I’m not surprised,” Swan said on Thursday.

Finalized in May, the settlement compensates the tribe for mismanagement of timberland and rangeland on the Colville Indian Reservation by the federal Bureau of Indian Affairs. It was the second largest of 70 settlements made.

Half of the settlement — \$96.5 million — has already been distributed to the tribes’ 9,500 members, who each received about \$10,000.

The other half was allocated in a resolution to a longterm plan to restore tribal languages, purchase land, restore forests, improve community development, health and wellness, and generate interest for future growth and capital expenditures.

“This money has presented our tribe with a once-in-a-lifetime opportunity to develop cures rather than apply bandages as we have, out of necessity, become accustomed to,” Tribal Chairman Michael Finley said in a news release. “While the contentiousness that has surrounded this issue makes it impossible to feel like this case could have a positive outcome, we trust that our grandchildren, and their grandchildren, will benefit from the court’s decision,” the release said.

But Swan said she still has options that could include appealing the case through tribal court, or filing in U.S. District Court.

She said tribal members are hurting, and need funds from the settlement just to survive.

“We’re in a recession, and it doesn’t look like it’s getting any better,” she said.

She said she feels the tribal council has not listened to members, and she hopes other tribal members will attend upcoming district meetings to ask their council members why they don’t distribute the rest of the funds.

In his statement, Finley said that this is a difficult time for tribal members, and he understands the feelings and desires of those who want the money dispersed. “We live in the same economically depressed communities as the plaintiffs. We know how things are,” the statement said, but added. “Things are looking up for our people. Our mill has reopened, our corporations are posting record profits, we have more jobs and more opportunities for our members than ever before.”

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