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## **Whatcom County Superior Court Dismisses Second Meritless Attack on Tribal Jurisdiction**

After nearly four and one-half years, the Whatcom County Superior Court finally dismissed a former tribal member's meritless claims made in attempt to disregard a Nooksack Tribal Court eviction order entered in 2016.

Following contested eviction proceedings in the Nooksack Tribal Court in late 2016, the Tribal Court issued an order of eviction against the former tribal member. Dissatisfied with the result in Tribal Court, the former tribal member turned to the Whatcom County Superior Court twice with various theories as to why the Tribal Court order should not stand. Her first attempt was immediately dismissed, however, the Superior Court kept the second case open while various federal cases (involving Tribal governmental recognition) wound through the appellate courts.

On September 9, 2021, after years of wait, the Superior Court found that complaint "suffers from the need to resolve matters of tribal governance outside the subject matter jurisdiction of [the State Courts]." Tribal leadership was gratified with the long-awaited news and praised the Superior Court's recognition of the fact that the Tribal Court is the only proper forum for Nooksack housing issues. Chairman Cline remarked "The Nooksack Tribal Council is pleased that the Whatcom Superior Court recognized that it lacks jurisdiction over tribal housing matters, even those outside the reservation, and that such issues properly belong in the Nooksack tribal court. Once our governmental partners recognize their proper roles, it makes for a more productive relationship with the Tribe."

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