



## INDIAN RESIDENTIAL SCHOOL SURVIVORS SOCIETY

### **Indian Residential School Survivors Society deplors Merchant Law Group legal fee tactics—calls for speedy resolution to the Indian Residential School Settlement Agreement approval process**

**(Squamish Nation Territory—February 2, 2007)** The Indian Residential School Survivors Society is calling for a speedy resolution to the *Indian Residential School Settlement Agreement* approval process.

All of the judges in nine jurisdictions have granted approval of the Settlement Agreement. Some of the judges raised issues which are being addressed. It is still hoped that these will be resolved by March.

On January 15<sup>th</sup>, Canada appealed the Saskatchewan ruling as it pertains to the legal fees being awarded to the Merchant Law Group (MLG). At issue is the matter of verifying that legal fees are being paid for actual work done on behalf of Residential School Survivors.

In its appeal, Canada is seeking to sever the issue of MLG's legal fees from the rest of the agreement. It is hoped that this will allow the approval process to proceed without undue delay. The IRSSS adds its voice to the rising chorus calling for this issue to be severed from the settlement agreement so that survivors can be compensated in a timely manner.

"We are concerned that the legal wrangling over this issue may delay the approval process," stated Sharon Thira, Executive Director of the Indian Residential School Survivors Society. "Survivors have been waiting long enough. A year may not seem like much to a younger person but to grannies and grampas, who are dying at an estimated rate of 4 per day, it's too long."

"We agree that lawyers should be paid for work they have done," added Ms. Thira, "however that work needs to be verified. It's only fair given that Survivors' attendance is being rigorously verified before they receive compensation."

MLG claims to represent thousands of Survivors. Canada wants to verify the actual number and the amount of work done before paying the estimated \$25-\$40m in legal fees earmarked for MLG in the Settlement Agreement.

Ms. Thira went on to add, “It’s deplorable! If MLG wants to be paid \$25M for legal fees, they should be expected to provide evidence about the work that they have done for their Residential School clients.”

Ms. Thira also noted that “an MLG representative recently stated to the media that this appeal could hold the settlement up for a year or two. We are concerned about this public pressure tactic being used by the Merchant Law Group. Elders hear that and begin, once again, to despair. Our phones are ringing off the hook with concerns from Survivors who are worried sick about a delay. We understand that Canada is requesting that the appeal be expedited and that the stay in proceedings be lifted. We will have a better idea about time frames within the next few weeks.”

“The potential outcome of this process is that Survivors—many of who are elderly, may be held hostage by their lawyer. Rules of ethical conduct among lawyers are clear—lawyers are to put the interests of their clients ahead of their own. We call on the MLG to open their books and end this delay so that everyone can be compensated as soon as possible,” concluded Ms. Thira.

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The Indian Residential School Survivors Society is a non-profit agency that has been providing support services to, and advocating on behalf of, Residential School Survivors in BC since 1995.