Citzens Bank, N.A. v. Palermo, 247 A.3d 131 (R.I. 2021)

- **Holding:** Defendant did not have immunity from suit for a student loan default on the basis of his alleged tribal status.
- **Summary:** Defendant, who identified himself as "a citizen and beneficiary of the 'Baramaya Guainia Tribal Trust and Clan[,]'" was sued for two student loans that, with interest, amount to approximately $42,000. Having lost before the superior court, he appealed to the supreme court, arguing in part that he possessed immunity from suit by virtue of his tribal status. The latter court succinctly rejected the argument, noting the general rule that "'tribal sovereign immunity does not protect individual members of an Indian tribe'" and that "'[a]t its most expansive, tribal sovereign immunity may extend to tribal officers—but only when such officers are acting within the legitimate scope of their official capacity.'" Here, "[t]here is no indication in the record that the defendant entered into the student loan agreements while acting within the scope of his position as a tribal officer.'"
- **Relevant (2020) Deskbook Section:** 7:11 n.6