

Chapter 13: Tribal Enforcement

Section 13.005: Handling Tribal Matters and Documenting Tribal Information

This section describes who is responsible for maintaining a tribal case and how to document tribal information on a case.

Contents

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| Laws | Chapter 26.25 RCW Cooperative child support services – Tribes WAC 388-14A-1050 Cooperation with Tribes |
| Policy | Regional Division of Child Support (DCS) Tribal Liaisons manage cases meeting the definition of a "tribal case". DCS works with Indian tribes to develop informal processes and cooperative agreements to provide culturally relevant child support services. DCS supports tribes interested in developing tribal IV-D programs. DCS Tribal Liaisons and Tribal Claims Officers and Tribal Relations Team (TRT) work in partnership. |
| Procedure | Consult your regional Tribal Liaison for agreed upon processes and cooperative agreements with Indian tribes and when there are any tribal connections on a case. <ul style="list-style-type: none"> This includes the noncustodial parent (NCP), custodial parent (CP), child, or employer. <p>Use case comment (CC) code 76 to document tribal information.</p> |
| Visual Aids | Tribal Relations Internet site Tribal Courts of Indian Tribes in Washington State SEMS Web TI - Tribal Information |
| Automated Actions | If any party's basic individual (BI) screen is coded with a tribal affiliation, the Support Enforcement Management System (SEMS) will change enforcement services (Enf Svcs) on the basic case (BC) to 8 (tribal services). No Auto Eval will occur. |
| SEMS Screens | BC, OR, IA, ES, CC, BI |
| Forms Used | |
| Hearing and Conference Board | |

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| Rights | |
| See Also | 2.005 Identifying Applications for Services and Other Sources of Cases 17.000 Using SEMS Screens as the Case Record DSHS Administrative Policy 7.01 DCS Administrative Policy 3.04 - Claims Officers Handling Cases in Tribal Court OCSE-AT-98-21 Cooperative Agreements Washington State Centennial Accord of 1989 |

Procedures

A. Who handles tribal matters?

1. The Division of Child Support (DCD) Tribal Relations Team (TRT) staff are primarily responsible for:
 - a. Reviewing and proposing DCS state and tribal policy.
 - b. Negotiating cooperative child support agreements with Indian tribes.
 - c. Providing assistance, information, and training for regional DCS tribal relations staff, tribal officials, and members.
 - d. Reviewing state and federal child support legislation for impact on Indian tribes and DCS tribal policy.
 - e. Tribal consultation concerning proposed child support legislation and policy.
2. DCS regions have designated Tribal Liaisons who:
 - a. Manage centralized tribal cases.
 - For the definition of a "tribal case", see Section 13.000 K.
 - b. Serve as the contact, resource, and expert on state and tribal relations for DCS staff, local tribes, and TRT.
 - c. Provide guidance regarding DCS tribal policy, state and tribal cooperative child support agreements and processes, and tribal TANF or tribal IV-D programs.
 - d. Provide tribal outreach services and training.
3. Each DCS region has a Tribal Claims Officer who handles legal issues relating to tribal cases.
 - a. This includes bringing cases into tribal court when appropriate and possible.

- b. Contact the DCS Policy Chief and TRT Administrator if a tribe or tribal court raises jurisdictional issues or constitutional challenges.
 - Depending on the issue, the Assistant Attorney General (AAG) may also be contacted.
4. Regional DCS Tribal Relations staff and TRT work in partnership with each other and with Indian tribes to provide necessary and appropriate child support services.

B. Where are the tribal courts in Washington?

- See - Tribal Courts of Indian Tribes in Washington State on the Internet.

C. Who are the DCS Tribal Liaisons, Tribal Claims Officers, and Indian Tribes in each region?

- See the DCS TRT Contacts on the Tribal Relations Internet Website.

D. How do I document tribal information on a case?

1. Use **CC** 76 to document all tribal related comments.
2. On the **BI** screen, verify the Ethnicity Code and Tribal Affiliation Code for all parties.
 - If Ethnicity Code AI is added for any party, SEMS will automatically change the enforcement services field on the **BC** to **8** Tribal.
3. On the **BC** screen, verify the enforcement services field.
 - If the case is not a tribal case (see 13.000 K), change the enforcement services field to the appropriate code.
4. On the order record (**OR**) screen, post the Tribal Affiliation and Resulting Order type.
5. See 13.015 for tribal Temporary Assistance for Needy Families (TANF) cases.

E. How do DCS Tribal Relations staff and Indian tribes communicate information with each other?

- DCS Tribal Relations staff and Indian tribes communicate information by:
 - a. Telephone, letters, e-mail, meetings, and
 - b. The **DCS and Tribe Information Change Notice**, DSHS 18-617.

F. Where can I find additional resources on tribal Issues?

1. Tribal Relations Internet web site
2. STRU Intranet web site
3. SEMS Web TI - Tribal Information (for a partial list of tribal employers)
4. Tribal Section of the DCS Site Menu
5. Tribal Courts of Indian Tribes in Washington State

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