

Chapter 13: Tribal Enforcement

Section 13.030: Transferring a Tribal Case

This section explains how and when you can transfer a tribal case.

Contents

Laws	Chapter 26.25 RCW Cooperative child support services - tribes
Policy	<p>Follow existing state tribal agreement when transferring a case.</p> <p>Transfer the case to the region where the noncustodial parent's (NCP's) tribal employer is located to allow the Tribal Liaison or Tribal Claims Officer to work with the tribe for enforcement purposes.</p> <p>If the NCP, custodial parent (CP), or child is within the jurisdiction of a tribe with a tribal Temporary Assistance for Needy Families (TANF) or tribal IV-D program, you may transfer the case to the Tribal Liaison in the region where the tribe is located.</p> <ul style="list-style-type: none"> When multiple tribes are involved or we need to consider other facts, Tribal Liaisons will work together to decide which office will manage the case.
Procedure	<p>Transfer a case based on the tribal cooperative agreement with DCS.</p> <p>Consult with your Tribal Liaison to determine which office will manage the case when tribal issues exist on cases involving tribes outside of your region.</p>
Visual Aids	<p>Tribal Relations Internet site</p> <p>Tribal Courts of Indian Tribes in Washington State</p>
Automated Actions	
SEMS Screens	BC, OR, IA, ES, CC, BI
Forms Used	18-615
Hearing and Conference Board Rights	Refer all requests to the Regional Tribal Liaison or Tribal Claims Officer.
See Also	<p>Administrative Policy 3.04 Claims Officers in Tribal Court</p> <p>Section 13.000 Understanding Tribal Policy</p> <p>Section 17.035 Determining Where a Case Belongs</p>

Procedures

A. When can I transfer a tribal case outside the DCS region where the NCP lives?

1. You may transfer a case to another field office based upon language in a cooperative child support agreement with a tribe.
2. Transfer the case to the Spokane field office if:
 - a. The noncustodial parent (NCP):
 - i. Lives on the Colville reservation, **or**
 - ii. Works for the Colville Tribe, a tribal enterprise or an Indian-owned business located on the reservation.

Note: Transfer the case to the Spokane field office even though part of the Colville reservation is in the service area of the Wenatchee field office.

- b. The case involves a NCP who:
 - i. Lives on the Coeur d'Alene (Idaho) or Nez Perce (Idaho) reservations, **or**
 - ii. Works for one of these tribes, tribal enterprises or Indian-owned business located on the reservation.
 3. If the NCP lives in one Division of Child Support (DCS) region but works for a tribal employer in a different DCS region, transfer the case to the region where the employer is located.
 - This allows the Tribal Liaison or Tribal Claims Officer to work with the tribe to attach earnings.
 4. When a case involves tribal issues, you may transfer the case to another DCS region.
 - a. **Example:** A Tribal Claims Officer must represent DCS at a tribal child support court hearing held in the custodial parent's (CP's) DCS region. The CP lives in a different region than the NCP.
 - i. Transfer the case temporarily.
 - ii. You may transfer the case back to the NCP's region after the tribal court enters an order.
 - b. **Sample** case comment (**CC**) posting: 10 Transferred case to "E" Tribal unit from "G" for CP's hearing.
 5. See Section 13.000.

B. Can I transfer a case if the NCP, CP, or child is within the jurisdiction of a tribal TANF or tribal IV-D program?

1. If the NCP, CP, or child is within the jurisdiction of a tribal TANF or tribal IV-D program:
 - a. Seek guidance from your Tribal Liaison.
 - b. The Tribal Liaison nearest the tribe will manage the tribal Temporary Assistance for Needy Families (TANF) case and associated case(s), or a DCS case associated with a tribal IV-D program.
 - c. When multiple tribes are involved or we need to consider other facts, Tribal Liaisons will work together to decide which office will manage the case.
2. South Puget Intertribal Planning Agency (SPIPA) Tribal TANF cases are assigned to:
 - a. The Olympia field office if the CP lives in Mason or Thurston County.
 - b. The Fife field office if the CP lives in Pierce or Kitsap County.
3. See Section 13.015 Establishing a Tribal TANF Case.

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