

Chapter 13: Tribal Enforcement

Section 13.035: Revisiting Default Orders on Tribal Cases

This section explains how Tribal Liaisons handle issues on tribal cases that have inaccurate administrative default orders.

Contents

Laws	RCW 74.20A.055(4)(d) Good cause for late hearing - notice and finding of financial responsibility WAC 388-14A-1020 Defines "good cause" WAC 388-14A-3500 Request for Late Hearing - Good Cause WAC 388-14A-3700 Petition to vacate a default order CR 60 Standards set for relief from judgment or order
Policy	On tribal cases with administrative default orders: <ul style="list-style-type: none">• If a tribal process is available, proceed through tribal court or the tribal administrative process.• If a tribal process is not available, proceed through the Division of Child Support (DCS) administrative process. Follow any existing state tribal cooperative agreement.
Procedure	Check with your Tribal Liaison or Tribal Relations Team
Visual Aids	Tribal Relations Internet site Tribal Courts of Indian Tribes in Washington State
Automated Actions	
SEMS Screens	CC, OR, ES
Forms Used	Tribal Court Pleading Forms, 09-275, 09-710, 09-392, 09-838, 09-277, 09-277b, 09-279
Hearing and Conference Board Rights	Refer all requests to the Regional Tribal Liaison or Tribal Claims Officer.
See Also	Administrative Policy 3.04 Claims Officers in Tribal Court 7.030 Accepting a Late Hearing Request 7.035 Stipulating to Good Cause and Revisiting a Default Administrative Support Order 7.150 Petition to Vacate and Requests for Corrected Decisions 16.005 Determining When to Seek Modification or Adjustment of a Support Order

Procedures

A. How are tribal cases different regarding default administrative orders?

1. Tribal cases may have other definitions for good cause and may have other legal justifications for vacating a default order or finding good cause in a petition for late hearing.
2. Refer to your Tribal Liaison or the Tribal Relations Team (TRT) for the process you should use on a tribal case when:
 - a. Stipulating to good cause on petitions for late hearing, **or**
 - b. Vacating a default order.
3. Process, procedure, and pleading forms may vary with each tribe.

B. What do Tribal Liaisons do when they have a tribal case that has an incorrect administrative default order?

1. The Tribal Liaison reviews the case facts and the tribe involved to determine how to proceed.
2. Based on the case facts, the Tribal Liaison may:
 - a. Work with the tribe to obtain an accurate order through Tribal Court or tribal administrative process.
 - b. Proceed using the Division of Child Support (DCS) administrative process.

C. How do I proceed if a tribal process is available, but one of the parties does not want to use this forum?

1. The regional Tribal Liaison or Tribal Claims Officer will work with the parties and the tribe to choose a forum.
2. Contact the Tribal Relations Team as a resource when a party does not want to use the tribal process.