

Chapter 13: Tribal Enforcement

Section 13.050: Attaching Alaska Native Claims Settlement Act (ANCSA) Dividends

This section describes how to attach Alaska Native Claims Settlement Act (ANCSA) dividends.

Contents

Laws	43 USC Chapter 33 Settlement Common Stock 45 CFR 302.36 Provision of Services on Interstate IV-D Cases 45 CFR 303.7 Federal Standards in Interstate IV-D Cases Doyon v. Alaska No. F89-047 CIV (D. Alaska 1991) Chapter 26.21 RCW Uniform Interstate Family Support Act WAC 388-14A-1005 State Plan WAC 388-14A-1050 Cooperation with Tribes
Policy	The Division of Child Support (DCS) may only attach shareholder dividends from Alaska Native Corporations by an Alaska court order. DCS may only apply dividends to nonassistance current child support or nonassistance arrears. <ul style="list-style-type: none">• DCS cannot apply these funds to Temporary Assistance for Needy Families (TANF) current or arrears.
Procedure	Initiate an Interstate Referral (Child Support Enforcement Transmittal #1 - Initial Request) , DSHS 18-570, to Alaska requesting a court order transferring NCP stockholder benefits to each associated nonassistance custodial parent (CP). Contact your Tribal Liaison with questions.
Visual Aids	Tribal Relations Internet web site Map of Regional Corporations and Indian Tribes within Corporations Alaska Native Regional Corporation web sites
Automated Actions	
SEMS Screens	BC, OR, IA, CC, BI
Forms Used	18-570, 18-577, 18-571
Hearing and Conference Board Rights	Conference Board for debt amount issues.
See Also	7.160 Conference Boards

Procedures

A. What are Alaska Native Claims Settlement Act (ANCSA) Dividends?

1. ANCSA Dividends are distributions made by some Alaska Native Corporations to their shareholders.
 - Under the Alaska Native Claims Settlement Act (ANCSA) there are definitions, rules, and restrictions regarding these funds.
2. Some Alaska Native noncustodial parents (NCPs) live in Washington State and receive these shareholder dividends from Alaska Native Corporations.

B. Which Alaska Native Corporations distribute dividends and how often do they distribute them?

1. Most Alaska Native Corporations do not distribute regular or significant dividends to shareholders, but some do.

Examples: Cook Inlet Region Inc. (CIRI), SeaAlaska, Doyon Corporation, and Arctic Slope Regional Corporation issue quarterly dividends.

2. Each corporation determines the distribution of its own shareholder dividends.
 - They may give dividends monthly, quarterly, yearly, or in some other increment.

C. How do I find out about these funds?

1. Custodial parents (CPs) are often the best source of information regarding these dividends.
 - You may review case information located in referrals, case comments, and letters.
2. You may also discover these funds through media publications, press releases, or by calling Alaska Native Corporations, or visiting their web sites (for those that have them).
 - The Cook Inlet Region Inc. (CIRI) web site has links to some Alaska Native Regional Corporation web sites.
3. If you need assistance in identifying a telephone number or address for an Alaska Native Corporation, contact your Tribal Liaison or the Tribal Relations Team (TRT).

D. Under what circumstances can I consider attaching ANCSA Dividends?

1. You need a court order transferring ownership of stockholder benefits to the CP of a Native or a descendant of a Native.

- Do **not** attach dividends using an administrative process without an Alaska court order.
2. You may only attempt to attach dividends for nonassistance current child support or arrears.
 - Do **not** attach dividends to apply to TANF current or arrears.

E. How do I attach these funds?

1. Complete an **Interstate Referral (Child Support Enforcement Transmittal #1 - Initial Request)**, DSHS 18-570, for each associated CP with nonassistance arrears.
 - a. In **Section I, Action**, check boxes **6A** (For Enforcement Only) and **10** (Other).
 - b. Following box 10 (Other), write "ANCSA Order and Withholding Notice."
 - c. In **Section VII, Additional Case Information**, list the Alaska Native Corporation(s) from which the NCP may receive dividends.
2. Include the following documents with the referral:
 - a. **Registration Statement**, DSHS 18-577.
 - b. Three (3) certified copies of the child support order(s).
 - c. A certified copy of a month-by-month debt calculation (for the nonassistance portion of the debt).
3. Send this referral to the Alaska Interstate Central Registry.
4. When the Alaska Child Support Enforcement Division (CSED) receives the referral, they will send a request to their Office of the Attorney General for an ANCSA order for each CP.
 - After the order(s) are entered, Alaska CSED will send an **Order to Withhold** to the Alaska Native Corporation(s).
5. Contact your Tribal Liaison with questions.

F. How long does the ANCSA Order and Withholding Notice remain in effect?

1. The ANCSA Order and Withholding Notice remains in effect until released by Alaska CSED.
2. Once an ANCSA order is entered regarding a particular NCP and CP, Alaska CSED may send the same order to a Native Corporation at any point in the future.
 - They do not have to obtain a new order.

Note: An NCP may receive distributions from more than one corporation.

G. How do I ensure that DCS does not apply ANCSA dividends to TANF current or arrears?

1. Set a special instruction (SI) to prevent misapplication to TANF current or arrears.
2. If the amount sent to the Division of Child Support (DCS) is greater than the amount owed for nonassistance current support and arrears, refund the difference to the NCP.

H. Can I attach an NCP's bank account that contained these funds?

- Yes, once a Native Corporation distributes cash dividends to an NCP they are attachable for child support purposes.

I. May I take additional collection action on these cases?

1. Yes, you may use any other available collection remedies.
2. Notify Alaska CSED of additional child support payments received using the **Child Support Enforcement Transmittal #2 - Subsequent Actions**, 18-571.

J. On existing initiating interstate cases, can I assume that Alaska CSED will automatically withhold from these funds?

1. No, if DCS has information that the NCP may be receiving ANCSA Dividends from a Native Corporation, contact Alaska CSED.
2. Verify that they have entered an ANCSA order and issued a Withholding Notice for an NCP that has a nonassistance arrears debt.