

Chapter 13: Tribal Enforcement

Section 13.065: Modifying Support Orders on Tribal Cases

This section explains what to do when you want to modify a support order when there are tribal considerations.

Contents

Laws	RCW 26.25.010, 020, 030 Cooperative child support services - tribes RCW Chapter 37.12 Jurisdiction over Indians and Indian Lands
Policy	Consult the regional Tribal Liaison when there are any tribal connections on a case with an order that needs modification.
Procedure	Modify the order for medical support if all of the following apply: <ul style="list-style-type: none">• The order does not address health insurance.• The noncustodial parent (NCP) is a tribal member.• Indian Health Services (IHS) is available to the children through the NCP.
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) changes Enf Svcs on the basic case (BC) screen to 8 . No Auto Eval will occur.
SEMS Screens	BC, OR, IA, ES, CC, BI
Forms Used	09-277B, 09-280B, 09-392, 09-741, 09-838
Hearing and Conference Board Rights	Refer all requests to the Regional Tribal Liaison or Tribal Claims Officer.
See Also	13.035 Revisiting Default Orders on Tribal Cases 13.060 Enforcing Medical Support on a Tribal Case 13.095 Coordinating IV-D Services Between DCS and Tribal IV-D Programs DCS Administrative Policy 3.04 - Claims Officers in Tribal Court OCSE-AT-02-03 Applicability of FFCCSOA to States and Tribes

Procedures

A. What if I need to modify a support order on a tribal case?

1. Consult the Tribal Liaison or Tribal Claims Officer if:
 - a. Tribal jurisdictional issues are involved, or
 - b. The order is a tribal order.
2. Refer the case to the Tribal Liaison or Tribal Claims Officer for possible referral to tribal court for modification if any party to an order (administrative, superior court or tribal court) lives on a reservation.
3. See Section 13.035 for correcting an inaccurate administrative default order.

B. When do I modify an order to include medical insurance?

1. Modify the order for medical support if **all** of the following apply:
 - a. The order does not address health insurance.
 - b. The noncustodial parent (NCP) is a tribal member.
 - c. Indian Health Services (IHS) is not available to the children through the NCP.

Note: If IHS is only available through the CP, this does not relieve the NCP's obligation to provide private health insurance. See Section 13.060 C.

2. See Section 13.060 for more information on medical enforcement.