

Chapter 13: Tribal Enforcement

Section 13.080: Tribal IV-D Programs - General Information

This section provides general information regarding tribal IV-D programs and their impact on DCS.

Contents

Laws	42 USC 654 (33) Cooperative Child Support Agreements 42 USC 655 (f) Direct Federal Funding to Indian Tribes 45 CFR Part 309 - Tribal Child Support Enforcement Programs: Final Rule RCW 26.23.120 Information and Records, Confidentiality, Disclosure RCW 26.25.010, 020, and 030 Cooperative Child Support Services - Tribes WAC 388-14A-1050 Cooperation with Tribes WAC 388-14A-2105 - 2160 Confidentiality
Policy	Staff from the Division of Child Support (DCS) and the Tribal Relations Team (TRT) work with staff from each tribal IV-D program in Washington State to develop processes to coordinate child support services.
Procedure	DCS Tribal Liaisons manage DCS cases involving tribal IV-D programs, and send referrals to tribal IV-D programs in Washington State. The responsible Support Enforcement Officer (RSEO) is responsible for initiating and responding to cases to or from out-of-state tribal IV-D programs. DCS Central Services staff perform requests for limited services, such as attachment of unemployment compensation or Department of Labor and Industries benefits, for tribes in a manner similar to services DCS provides to state IV-D agencies.
Visual Aids	Tribal IV-D Program Resources SEMS Web TI - Tribal Information Differences Between IV-D and Tribal IV-D Regulations
Automated Actions	
SEMS Screens	CC
Forms Used	
Hearing and Conference Board Rights	
See Also	OCSE PIQT-04-01 Direct Income Withholding when Employers are Subject to a Tribal's Jurisdiction, Providing

	Tribal IV-D Services and Tribal Access to State Data OCSE PIQT-05-01 Transfer of Cases to Tribal IV-D Agencies and Case Closure Criteria OCSE PIQT-05-02 Applicability of 45 CFR Part 303 to Tribal IV-D programs, Jurisdiction, and Cooperation with State IV-D programs OCSE-AT-05-07 Tribal Child Support Program Final Rule OCSE Tribal Resources Guiding Principles for Tribal and State Cooperation
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Procedures

A. What are some of the requirements under the Final Rule for a tribe to qualify for direct federal funding to operate a tribal IV-D program?

1. The tribe must provide the following services:
 - a. Paternity establishment;
 - b. Support order establishment;
 - c. Modification;
 - d. Enforcement;
 - e. Location of parents;
 - f. Distribution of support collected; and
 - g. Intergovernmental case processing between other IV-D programs.
2. The tribe must provide the ten percent (10%) non-federal share of program costs **or** receive a waiver of the non-federal share.
3. The tribal entity must have at least 100 minor children subject to the jurisdiction of the tribal court or administrative agency.

B. How do I find specific information regarding a tribal IV-D program?

1. Here is a list of all tribal IV-D programs and a brief summary of their programs.
2. For more information refer to the Tribal IV-D Program Resources on the DCS Tribal Relations Internet Web Site or contact your regional Tribal Liaison.

C. How do tribal IV-D programs affect the Division of Child Support (DCS)?

1. DCS may have existing IV-D cases for parties included within the tribe's service area.

2. DCS and each Washington tribe will discuss and negotiate the following processes regarding:
 - a. Jurisdiction.
 - b. Identification of tribal cases.
 - c. Referrals to the tribe.
 - d. Referrals to DCS.
 - e. Case set-up.
 - f. Distribution of support.
 - g. Locate services.
 - h. Federal offset.
 - i. Communication methods.
 - j. Reciprocal services.
 - k. Distribution of support.
 - l. Case closure.
3. Tribal IV-D programs may ask DCS to provide services such as:
 - a. Locate,
 - b. Withholding of unemployment compensation or Department of Labor and Industries (L&I) benefits, or
 - c. Federal offset.
4. DCS may receive requests for child support enforcement services from out-of-state tribal IV-D programs.

D. Who manages DCS cases included in a tribal IV-D program?

1. The DCS Tribal Liaison within the Department of Social and Health Services (DSHS) region of the tribe manages these cases and sends referrals to the tribal IV-D program in Washington State.
2. For out-of-state tribal IV-D programs, the responsible Support Enforcement Officer (RSEO) is responsible for initiating and responding to cases to or from tribal IV-D programs.
 - Contact your Tribal Liaison as a resource.
3. When DCS does **not** have an open IV-D case, DCS Central Services staff:
 - a. Perform requests for limited services, such as attachment of unemployment compensation or Department of Labor and Industries benefits. And,
 - b. Provide these services for tribes in a manner similar to the services DCS provides to state IV-D agencies.

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