

This policy has been amended by the following:

- **The Colville (CTCSP) IV-D program has chosen to use the Model Tribal System. As a result, this Section contains some outdated information and will be updated at a later date.**

Chapter 13: Tribal

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

42 USC 654 (33) Cooperative Child Support Agreements

42 USC 655 (f) Direct Federal Funding to Indian Tribes

45 CFR 303.7 Provision of Services in Intergovernmental IV-D cases

45 CFR 303.11 Case Closure Criteria

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

Laws:

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 coordinate child support services.

Tribal Liaisons manage initiating and responding cases from:

- Washington tribal IV-D programs and
- Out-of-state tribes that have a cooperative agreement with DCS.

Policy:

The Responsible Support Enforcement Officer (RSEO) manages initiating and responding cases with out-of-state tribal IV-D programs that do not have a cooperative agreement with DCS.

Tribal Liaisons may take limited service requests direct from tribes in their region.

Tribal Liaisons refer cases to Washington tribal IV-D programs and to out-of-state

tribal IV-D programs that have an agreement with DCS.

Procedure: RSEO's refer cases to all other out-of-state tribal IV-D programs.

Contact your Tribal Liaison as a resource.

Visual Aids:

Tribal IV-D Program Resources
Differences Between IV-D and Tribal IV-D Regulations

Automated Actions:

SEMS Screens: CC

Forms Used:

Hearing and Conference Board Rights:

OCSE-AT-04-01 Final Rule: Tribal Child Support Enforcement Programs
OCSE-AT-05-07 Miscellaneous Issues regarding 45 CFR part 309, the Tribal Child Support Enforcement Program Final Rule
OCSE PIQT-04-01 Direct Income Withholding when Employers are Subject to a Tribe's Jurisdiction
OCSE PIQT-05-02 Applicability of 45 CFR Part 303 to Tribal IV-D programs, Jurisdiction, and Cooperation with State IV-D programs

OCSE Tribal Resources

See Also: Guiding Principles for Tribal and State Cooperation
13.085 Initiating Referrals to Tribal IV-D Programs
13.090 Responding to Referrals from Tribal IV-D Programs
13.095 Coordinating IV-D Services Between DCS and Washington Tribal IV-D Programs
Previous Policy September 10, 2015
Previous Policy December 21, 2011
Previous Policy

Procedures

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

1. Refer to the map at State and Tribal Child Support Agency Contacts. You may click on a state or use the dropdown box halfway down the page to search for a particular program.
2. The OCSE Intergovernmental Reference Guide (IRG) Tribal Download page contains details of tribal IV-D programs if submitted by the child support program.
 - Select **Tribe** from the menu at the bottom of the page and then select the Tribe.
3. For more information refer to the Tribal IV-D Program Resources on the DCS Tribal Relations Internet Website or contact your regional Tribal Liaison.
4. You may find tribal child support program information on tribes' internet websites.

B. 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. Cases between tribal IV-D programs and DCS are intergovernmental in nature and the intergovernmental rules apply.
3. DCS and each Washington tribe will discuss and negotiate the following processes regarding:
 - a. Jurisdiction.
 - b. Identification of tribal cases.
 - c. Transfer or referrals to the tribe.
 - d. Referrals to DCS.
 - e. Case set-up.
 - f. Distribution of support.
 - g. Locate services.
 - h. Enforcement.
 - i. Federal offset.
 - j. Communication methods.
 - k. Reciprocal services.
 - l. Case closure.
4. Tribal IV-D programs may ask DCS to provide full enforcement services or limited services. See Section 13.090 A.

Note: DCS may provide more than one limited service (such as UC withhold and federal offset) on the same case. There is no need to set up separate cases for each limited service request. See Section 2.047 C.

5. DCS may receive requests for child support enforcement services from out-of-state tribal IV-D programs.

Note: See Section 15.045 D and 15.070 B for RSEO instruction when initiating or responding to referrals with out of state tribal IV-D programs. This also includes CCTHITA cases referred to DCS for establishment and enforcement and excluded from the federal offset agreement.

6. See Section 13.077 for more information about Colville Tribe cases, which are set up in the Support Enforcement Management System (SEMS) under a formal contractual agreement with DCS. Colville Tribal Child Support Program (CTCSP) staff use SEMS to manage CTCSP cases.
7. See Section 13.078 for more information about DCS providing federal offset certification for CCTHITA tribal IV-D on cases with CCTHITA tribal court orders. The Everett DCS Tribal Liaison manages these federal offset cases.

C. Who manages DCS cases associated with a tribal IV-D program?

1. It varies depending on the location of the tribe and the type of service requested by the tribe.
 - a. If the tribal IV-D program is in Washington State, the Tribal Liaison will manage these cases.
 - b. If the tribal IV-D program is out of state, the Responsible Support Enforcement Officer (RSEO) manages the case, unless otherwise stated in a cooperative agreement.
 - c. Contact your Tribal Liaison as a resource.
2. If the tribal IV-D program requests limited services and DCS does **not** have an open IV-D case, Central Services staff:
 - a. Perform requests for limited services, such as attachment of unemployment compensation or Department of Labor and Industries benefits.
 - b. Provide these services for tribes in a manner similar to the services DCS provides to state IV-D agencies.