

DHRD TCSEP POLICY AND PROCEDURES MANUAL

*DEPARTMENT OF HUMAN RESOURCE DEVELOPMENT
TRIBAL CHILD SUPPORT ENFORCEMENT PROGRAM*



CONFEDERATED SALISH AND KOOTENAI TRIBES - DHRD - TRIBAL CHILD SUPPORT ENFORCEMENT PROGRAM

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INTRODUCTION

Mission Statement

The Salish, Kootenai, and Pend d'Oreille children are the most valued resources of the Confederated Salish and Kootenai Tribes (CS&KT) and constitute the future of the Tribes. The purpose of the Department of Human Resource Development (DHRD) Tribal Child Support Enforcement Program (TCSEP) is to enforce the child's right for support (financial, medical, and emotional) from both parents in order to raise the standard of living for Tribal children. This program will work in collaboration with all agencies and departments to help meet the needs of the entire family.

TCSEP Guiding Principles

- 1) Children are our highest priority;
- 2) Reliable Child Support is crucial for families striving for self-sufficiency;
- 3) Stay consistent with CS&KT values and customs;
- 4) All participants are treated fairly and kept informed;
- 5) Recognize and work to address the needs of every family;
- 6) Build strong and committed partnerships;
- 7) Provide public education and outreach;
- 8) Promote a stable, safe, and healthy relationship between parents and children by participating in community efforts to strengthen families, promote healthy marriage and responsible parenthood.

Social Security Act Title IV-D Background

In 1975, Title IV-D of the Social Security Act mandated States develop Child Support programs. The governmental objective was to alleviate the strain on the social welfare system created by single parent households unable to maintain self-sufficiency due to the absence of one, or both, of the parents. As more and more families became single parent households, in which the parent was unemployed or underemployed, families relied on the welfare system to survive. The Federal government decided both parents should be held accountable for the welfare of the children even when the parent was no longer living in the home.

From a Tribal perspective, the problem with the initial 1975 Title IV-D Program was Tribes were not consulted and ultimately were left out of the partnership in creating Child Support Programs. This resulted in many Indian children being ineligible to receive the same quality of services and benefits from the program as non-Indian children. This initial exclusion was due to the sovereign status of Federally recognized Indian Tribes which did not fall under the jurisdiction of State laws and statutes.

It took twenty (20) years for the Federal government to realize the impact of the exclusion of Tribes, regarding Child Support issues. In 1996, an initiative on welfare reform was enacted and Title IV-D was

reformed to include the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), and most importantly, direct Federal funding to Tribes for Tribal Child Support Enforcement.

The Chickasaw Nation was the first tribe in the United States to begin a Tribal Child Support Enforcement (TCSE) program; eight other Tribes shortly followed. The other Tribes receiving demonstration grant funds were: Lummi Tribe, Puyallup Tribe, and Port Gamble S'Klallam Tribes of Washington, Lac du Flambeau Tribe and Menominee Nation of Wisconsin, Tlingit Tribe of Alaska, Navajo Nation, and the Sisseton-Wahpeton Tribe of South Dakota.

TCSEP is a comprehensive Child Support Enforcement Agency, and is the result of a two-year planning grant from the Federal Office of Child Support Enforcement (OCSE) to the CS&KT Tribes. Planning stages began when the DHRD Child Support Work Group discussed integrating the Tribal values in regards to respect for self, family, and customs to create TCSEP.

TCSEP will become comprehensive in 2012, after a successful review of program codes, TCSEP Policies and Procedures by Tribal Council and the Federal government. TCSEP has emerged as a strong, ethical Child Support program, which provides services to CS&KT children wherever they may live; to Native American Children within the CS&KT Reservation boundaries; and to non-Indians who consent to the jurisdiction of the CS&KT Court.

Program Profile

TCSEP, a Title IV-D Program, is under the direct supervision of the TCSEP Project Director reporting directly to the TCSEP Project Administrator. The TCSEP Case Manager and Tribal Court Advocate will work to represent the interest of the CS&KT and all children within its jurisdiction. Participants who have legal questions or are seeking legal advice must be referred to a private attorney; TCSEP staff has a duty and responsibility to enforce the orders of the Tribal Court.

Funding

During the Two (2) Year Start-Up Phase, TCSEP was one-hundred percent (100%) funded from the OCSE. In the following three (3) years of the comprehensive phase TCSEP is to be ninety percent (90%) funded by OCSE and ten percent (10%) funded by CS&KT. After the third year of a comprehensive program, TCSEP is to be eighty percent (80%) funded by OCSE and twenty percent (20%) funded by CS&KT. The grant continues as long as the Confederated Salish and Kootenai Tribes and Federal Office of Child Support Enforcement assure compliance.

Case Load

TCSEP anticipates serving 400 children within the first full fiscal year. Once all cases are referred by the State of Montana, TCSEP anticipates having over active 800 cases.

TCSEP LEGISLATION, CODES, POLICIES AND PROCEDURES (45 CFR 309.90)

TCSEP has been approved by the Tribal Council to do the following for persons within the jurisdiction of the Tribal Court:

- 1) Establish Paternity for any child up to and including 18 years of age;
- 2) Establish and Modify Child Support Obligations;
- 3) Enforce Child Support Obligations with both Tribal and non-Tribal employers;
- 4) Locate custodial and non-custodial parents.

Each of these activities is governed by The Confederated Salish and Kootenai Tribes, Laws Codified (CS&KT Laws Codified), Tribal Child Support Guidelines, the Federal Full Faith and Credit Act on Child Support Act, and by Federal Code of Regulations governing Tribal Child Support. All staff members are required to be familiar with these documents.

45 CFR § 309.65 (a) – Fourteen (14) Requirements for Tribal Comprehensive Plans:

- (a) A Tribe or Tribal organization demonstrates capacity to operate a Tribal IV-D Program meeting the objectives of the Title IV-D of the Act and these regulations by submission of a Tribal IV-D Plan which contains the 14 Requirements listed in paragraphs (a)(1) through (14) of this section:
- 1) A description of the population subject to the jurisdiction of the Tribal Court or Administrative Program for Child Support Enforcement purposes and certify that there are at least 100 children under the age of majority in the population subject to the jurisdiction of the Tribe in accordance with 309.10 [309.70];
 - 2) Evidence that the Tribe or Tribal organization has in place procedures for accepting all applications for IV-D services and promptly providing IV-D services required by law and regulations;
 - 3) Assurances that the due process rights of the individuals involved will be protected in all activities of the Tribal IV-D Program, including establishment of paternity, and establishment, modification, and enforcement of support orders;
 - 4) Administrative and management procedures [309.75](a) A description of the structure of the IV-D Program and the distribution of responsibilities within the program;
 - 5) Safeguarding procedures [309.80](a) Procedures under which the use or disclosure of personal information received by or maintained by the Tribal IV-D Program will be protected;
 - 6) Assurances that the Tribe or Tribal organization will maintain records as specified [309.85];
 - 7) Copies of all applicable Tribal laws and regulations [309.90];
 - 8) Procedures for the location of non-custodial parents [309.95](a) The Tribal IV-D Program must attempt or locate custodial or non-custodial parents income;
 - 9) Procedures for the establishment of paternity [309.100];
 - 10) Guidelines for the establishment and modification of Child Support Obligations [309.105](a)(1) A Tribal IV-D plan must establish one set of Child Support Guidelines by law or action of the Court for setting and modifying Child Support Obligation amounts;
 - 11) Procedures for income withholding [309.110](a) In the case of each non-custodial parent against whom a support order is or has been issued or modified under the Tribal IV-D Plan, or is being enforced under such plan, so much of his or her income, as defined in 309.05, must be withheld as is necessary to comply with the order;
 - 12) Procedures for the distribution of Child Support collections [309.115](a) The Tribal IV-D Program must distribute collected Child Support Obligations in a timely manner;

13) Procedures for inter-governmental case processing [309.120]; and

14) Tribally-determined performance targets for paternity establishment, support order establishment, amount of current support to be collected, amount of past due support to be collected, and any other performance measures a Tribe or Tribal organization may want to submit (citations to other portions of 45 CFR 309 have been edited for ease of reading the fourteen (14) requirements).

Procedural Revisions

TCSEP Policies and Procedures Manual are subject to revision for continued compliance with CS&KT Laws Codified and with the Federal Regulations regarding Tribal Title IV-D Programs. The Tribal Council will approve changes to the procedures that are directly related to policy decisions in order to ensure continual compliance with Federal Regulations. The procedures that govern the internal operations of the TCSEP office staff will be amended and approved by the Project Director as necessary.

CHAPTER ONE: CS&KT NATION'S HISTORY, POPULATION, AND JURISDICTION (45 CFR 309.65 (a) (1))

CS&KT History

The Confederated Salish and Kootenai Tribes are comprised of the Bitterroot Salish, the Pend d'Oreille and the Kootenai Tribes. The Flathead Indian Reservation consisting of 1.317 million acres in Northwest Montana is home now, but CS&KT ancestors lived in the territory now known as Western Montana, parts of Idaho, British Columbia and Wyoming. This aboriginal territory exceeded 20 million acres at the time of the [1855 Hellgate Treaty](#).

The Flathead Indian Reservation, headquartered in Pablo, is the fourth largest reservation in Montana, encompassing 1.317 million acres in four counties, and is home to 4,550 (64.5%) of the 7,052 enrolled Confederated Salish and Kootenai Tribal members.

CS&KT's youth population (under 18) represents 26.5% of the on-reservation population. There are 1,463 enrolled minor children.

Population: CS&KT Membership

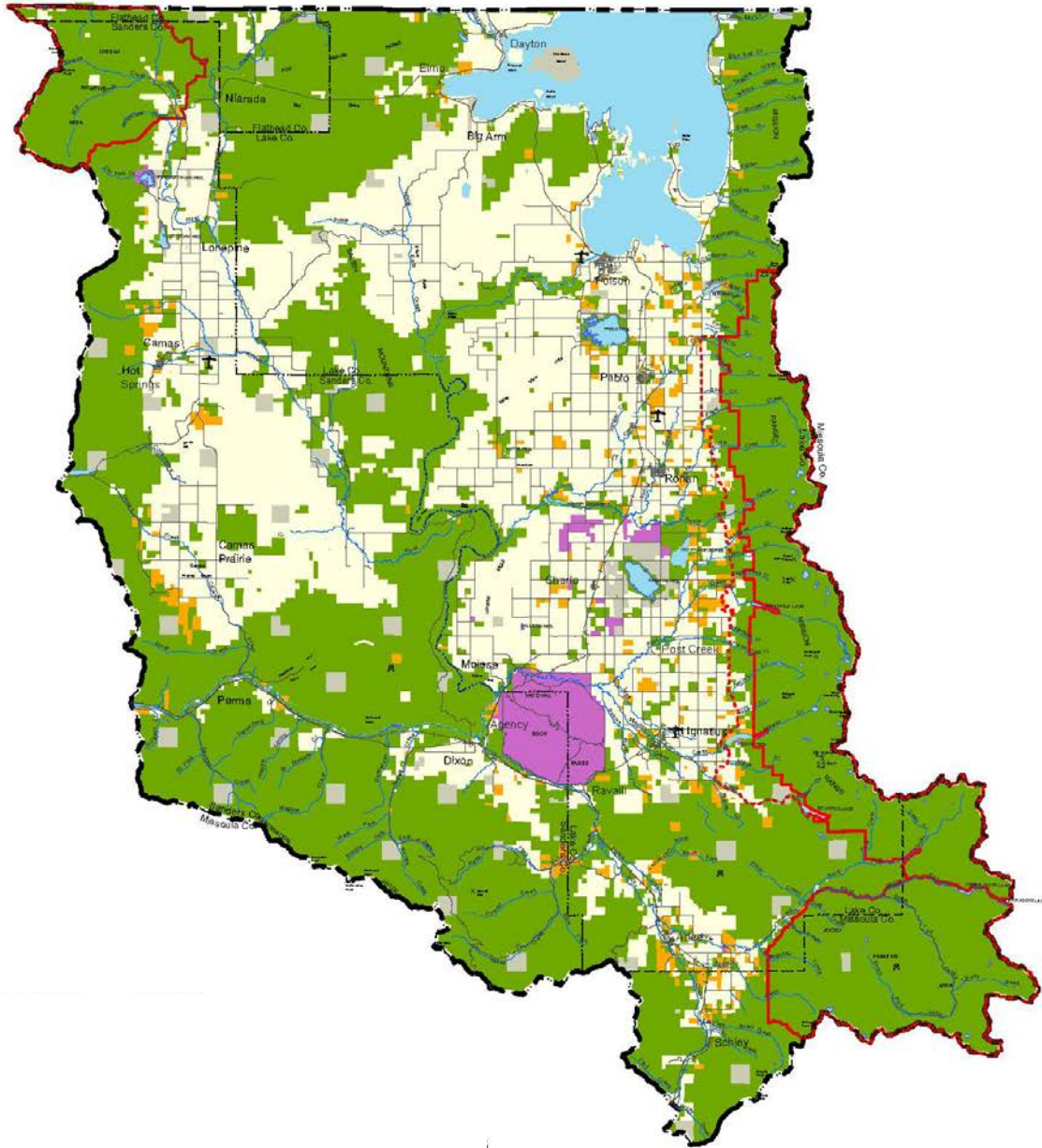
The CS&KT Tribes therefore certifies that there are at least one hundred children under the age of majority in the population subject to the jurisdiction of the CS&KT Tribes.

Jurisdiction

TCSEP operates under applicable CS&KT Laws Codified, and Federal codes, statutes, regulations and/or policies specific to a Tribal Title IV-D Program. TCSEP hearings are under the jurisdiction of the Tribal Court located in Pablo, Montana.

Map of CS&KT Tribal Jurisdiction in Montana

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE
FLATHEAD NATION



0 2.5 5 10 Miles

CHAPTER TWO: TRIBAL CHILD SUPPORT ENFORCEMENT PROGRAM, CHILD SUPPORT GUIDELINES AND CHILD SUPPORT SCHEDULE

TCSEP Child Support Guidelines (45 CFR 309.65 (a) (10))

TCSEP will work to establish, modify, and enforce Child Support for all cases in the jurisdiction of the Tribal Court and in any case that is appropriately referred from a foreign jurisdiction. All Child Support Obligations will be based on the Child Guidelines unless there is a finding by the Court that the application of these guidelines would be unjust or inappropriate in a particular case, or that deviation is in the best interest of the child(ren).

Tribal Child Support Guidelines Review

TCSEP establishes the Child Guidelines for approval and adoption by the Tribal Council. The guidelines are reviewed at a minimum of every four (4) years. The TCSEP Project Director will prepare the guidelines for review and adoption by the Tribal Council.

DHRD TCSEP has provided that there shall be a rebuttable presumption in any proceeding for the award of child support, the amount of the award that would result from the application of the guidelines established are consistent with this section and is the correct amount of child support to be awarded.

Establishing a New Child Support Obligation

TCSEP will recommend a Child Support Obligation to the Court based only on the Tribal Child Support Guidelines and worksheets. The TCSEP Case Manager will request that each participant complete a financial declaration that will be filed with the Court. In addition, the TCSEP Case Manager will work to locate and verify all income and asset information of both parents prior to computing a Child Obligation.

Once the financial information of both participants is complete, the TCSEP Case Manager will follow the Tribal Child Support Guidelines to calculate the basic Child Obligation and any additional support obligations (such as child care, health care and extraordinary expenses). The case will then be referred to the Project Director for review. If the Project Director verifies that the calculation is correct and based on all available facts, the Project Director may refer the case back to the TCSEP Case Manager to assist the participants in developing an agreed Child Support Order based on the Tribal Child Support Guidelines. The TCSEP Case Manager will proceed with establishing an order through the Court process.

Once an order is established, a copy will be given to the TCSEP Administrative Assistant who will record the order amount and begin tracking payments and distributions. The TCSEP Case Manager will continue to oversee the case to ensure continued and timely collections.

Child Support Orders from the Tribal Court are based upon these guidelines under the statutory authority of CS&KT Laws Codified. These guidelines are established by the TCSEP and adopted by the Tribal Council, and are reviewed, at a minimum, every four (4) years.

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The Tribal Child Support Guidelines and Schedule will be used to determine the amount that the NCP must pay for support of his or her child(ren) in all Child Support Orders. Unless, there is a finding by the Court that the application of these guidelines would be unjust or inappropriate in a particular case, or that deviation is in the best interest of the child(ren).

Child Support Computation for Cases of Residential Custody

In cases where the Court has ordered residential custody to one parent, custodial parent (CP), a basic Child Support Obligation is determined by calculating the adjusted monthly income of the non-custodial parent (NCP) and the total number of biological or adoptive children that the NCP is responsible for supporting. The following method is used to compute an obligation. (See Appendix B-Worksheets.)

- 1) Determine the Monthly Gross Income of the NCP by adding gross income from all sources including: salaries and wages, Treaty income, commissions, bonuses, dividends, severance pay, taxable per capita payments, interest, trust income, annuities, deferred compensation, capital gains, workers compensation benefits, unemployment insurance benefits, any and all employment including Tribal work programs (WIA, Passages/Fatherhood and General Assistance), gifts, gaming winnings, prizes, spousal maintenance, periodic payments for pension, retirement, and insurance programs.
 - a. Exclude income from public assistance programs such as TANF, supplemental security income, food stamps or other Federally-exempted programs (Voc-Rehab).
 - b. For self-employment income, gross income should be determined by gross receipts minus ordinary and necessary business expenses.
 - c. Average any seasonal, overtime, or any other fluctuating income by getting a yearly amount and dividing it by twelve (12) to determine a Monthly Gross Income.
 - d. When the income from a full-time job is consistent with income during the marriage, income earned as the result of overtime hours or a second job may be disregarded.
 - e. Other Tribal benefits, such as the CP's or NCP's Tribal disability payments may be included, at the Court's discretion.
 - f. If the NCP is unemployed or is working below full earning capacity, the Court may determine the full gross income earning capacity by averaging part-time work into full-time work or by imputing income or determining the NCP's full working income, based on prior history.
 - g. If there is no reliable evidence concerning the NCP's income, the Court may impute an NCP's gross income based on the Tribal government's minimum wage as defined in the most current Wage Allocation Plan for all new hires.
- 2) Subtract deductions to determine the NCP's adjusted gross income. Deductions include: Federal income taxes; Tribal, State or local income taxes; FICA; health insurance premiums paid by the NCP for the benefit of the child(ren) if additional health coverage beyond Contract Health

Services is ordered by the Court; State Industrial Insurance Premiums; mandatory union and professional dues; mandatory pension plan payments; reasonable payments of pre-existing debt that was jointly acquired by the NCP and CP. These expenses can include a forecasted downward adjustment for the anticipated reduction or elimination of the debt.

- 3) If the NCP has multiple Child Orders, the NCP or CP may petition the Court to modify the order to reflect all of the NCP's child(ren) who have existing Child Orders.
- 4) Determine the basic support obligation by calculating the following percentages to the number of children affected by the order. The minimum Child Order per child is \$25.00 per month.
 - a. One child: 15%
 - b. Two children: 20%
 - c. Three children: 25%
 - d. Four children: 30%
 - e. Five children: 35%
 - f. If the NCP has six (6) or more children, the percentage remains at 35% divided by the number of children. The attached schedule only shows up to five children.
 - i. For example, if the NCP has a net monthly income of \$2,150 the total Child Support Obligation is \$179 per child. If the NCP has one child living in their home, with two other children living with the CP, the CP would receive \$358 per month ($\179×2).

Basic Child Support Computation for Cases of Shared Custody

In cases where the Court has ordered shared custody, meaning that the participants have equal time with the child(ren), there will be no order for Basic Child Support. There may, however, still be a Child Support Order that addresses additional Child Support Obligations such as day care, health care and other extraordinary expenses. If there is a large discrepancy between incomes, the Court may make a determination on a need for basic Child Support.

Relative Placement/Guardianship

- 1) If child(ren) are in Court ordered relative placement/foster care and the Court determines that they are working with Tribal/State Social Services to re-unite, a ZERO order for Child Support may be established.
- 2) If child(ren) are placed in permanency or long-term Court ordered care, a Child Support Order will be established based on TCSEP's guidelines and schedule for each parent.

Additional Child Support Obligations

Daycare and special child-rearing expenses, such as: tuition and long distance transportation costs to and from the parents for visitation purposes, are not included in the basic Child Support Obligation, but may be ordered by the Court in its discretion. If the Court determines that any of these expenses exists, the costs will be shared by the parents in the same proportion as the division of gross income. The Child Support Obligation will then increase by the percentage of the NCP’s portion of the expenses, up to a maximum of 35% of gross income. These expenses may be shared by the parents in the same proportion as the basic Child Support Obligation or one parent may be required to make such payments.

Basic health care expenses are presumed to be covered by Contract Health Services, unless the participants prove otherwise. The Court may order additional health care if it is the best interest of the child.

Non-monetary Child Support Payments (In-Kind Contributions)

Child Support Orders that allow non-monetary payments must include a specific dollar amount of the support obligation and the exact types and amounts of non-monetary goods and/or services that can satisfy that dollar amount. Acceptable non-monetary resources may include, but are not limited to clothing, car/home maintenance, child-care, tutoring/volunteering and extra-curricular/school that will assist in the support of the child(ren). Non-cash payments cannot be applied to assigned current support and arrears obligations. In the event that an NCP is delinquent by a month on a non-monetary payment, the obligation becomes due as a cash arrears payment.

- | | |
|---------------------------------------|--|
| 1) Child care | \$20/day |
| 2) Home/car maintenance | \$25.00/hour |
| 3) Extra-curricular/school activities | @ minimum wage |
| 4) Tutor/volunteering | @ minimum wage |
| 5) Transportation | @ mileage rate |
| 6) Other non-monetary payments | Reviewed on case by case basis for specific dollar amount to be determined by TCSEP Project Director and approved by the Tribal Court. |

Income Verification

Both the CP and NCP shall provide a financial disclosure to the TCSEP Case Manager. Additionally, self-employed participants shall provide tax returns for the preceding two years and employed participants shall provide current pay stubs to verify income and deductions. Other sufficient verification shall be required for income and expenses that do not appear on tax returns or pay stubs.

Presumption of Substantial Hardship

When an NCP’s income falls at or below 150% of the Federal poverty level and is not ordered to be imputed, a support payment order no less than twenty-five dollars (\$25.00) per child per month may be entered unless the NCP establishes that it would be unjust or inappropriate to do so in that particular case.

Deviations from the Tribal Child Support Guidelines

The Court may order Child Support in an amount different from that which is provided in these Guidelines, only if all the following three (3) criteria are met:

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- 1) The participant requesting deviation shows by a preponderance of the evidence that application of the guidelines is inappropriate, unjust, or causes substantial hardship in the particular case;
- 2) Deviation is in the best interest of the child;
- 3) The Court sets out in its order what the monthly support obligation would have been under the schedule without the deviation and what the Court is ordering as the monthly support obligation with the deviation.

By Agreement of Participants: The Court also may deviate from these Tribal Child Support Guidelines based upon an agreement of the participants if all of the following criteria are met:

- 1) The agreement is in writing;
- 2) All participants have signed the agreement with the knowledge of the amount of support that would have been ordered by the Tribal Child Support Guidelines;
- 3) All participants have signed the agreement free of duress and coercion, and;
- 4) The Court makes written findings as required for deviation.

Child Support Order Modification

When there has been a substantial change in the income of the NCP or other factors that determined the original support obligation, a participant may request, by motion, modification of a Court Child Support Order. Grounds for modification of a Child Support Order include:

- 1) A substantial (15% increase or decrease) in the gross income that was the basis of the current support order;
- 2) A change in custody of a child;
- 3) A change in the Tribal Child Support Guidelines and Schedule; or
- 4) Other substantial change in circumstance that justifies a modification; or

CS&KT Laws Codified shall not be interpreted to allow the retroactive modification of Child Support Orders. All modifications shall conform to the Full Faith and Credit for Child Support Orders Act, 28 U.S.C. 1738B.

The Court has the right to forgive arrears owed to the Tribe, if deemed appropriate.

Child Support Arrears

In the event that there are Child Support arrears in a case, an additional 20% of current order should be ordered to be applied toward the liquidation of any overdue support. In cases where this is not a current Child Support Order, up to 10% of the NCP's gross income can be ordered to pay back arrears (for the CP, Tribal or State debt).

Income Withholding Requirements

All Child Support Orders must provide for automatic income withholding as necessary to comply with the order. Income will not be subject to withholding in any case where the Court finds that there is good cause not to require the withholding or where there is a signed agreement between the participants that provides for an alternative arrangement that is entered into the Court's record.

TCSEP will utilize the standard Federal Income withholding form in contacting the employer to provide a notice of withholding order. In addition, staff will follow up with the employer to make sure that they have received, reviewed, and understood the form. Staff will alert them of the potential penalties for failing to withhold or discriminating against the employee with a withholding order. Staff will establish a cooperative working relationship with the employer to make the collection of withholding smoother for all parties involved

Per Capita

The NCP can voluntarily choose to have per capita payments assigned to satisfy any Child Support Obligation. However, if the NCP parent has not paid Child Support payments in three (3) or more consecutive months and has \$1,000 or more in arrears owed to the CP, up to 50% of per capita will be automatically assigned, not to exceed the amount owed directly to the CP. However, per capita assignments cannot be used to satisfy State Child Support arrears.

Revised September 13, 2012

Confederated Salish and Kootenai Tribes Child Support Guideline Schedule

Number Of Children									
	1	2	Per Child	3	Per Child	4	Per Child	5	Per Child
Adjusted Gross Income	15%	20%	20%	25%	25%	30%	30%	35%	35%
0-349	45	60	30	75	25	90	23	105	21
350-399	53	70	35	88	29	105	26	123	25
400-449	60	80	40	100	33	120	30	140	28
450-499	67	90	45	113	38	135	34	158	32
500-549	75	100	50	125	42	150	38	175	35
550-599	83	110	55	138	46	165	41	193	39
600-649	90	120	60	150	50	180	45	210	42
650-699	98	130	65	163	54	195	49	228	46
700-749	105	140	70	175	58	210	53	245	49
750-799	113	150	75	188	63	225	56	263	53
800-849	120	160	80	200	67	240	60	280	56
850-899	128	170	85	213	71	255	64	298	60
900-949	135	180	90	225	75	270	68	315	63
950-999	143	190	95	238	79	285	71	333	67
1000-1049	150	200	100	250	83	300	75	350	70
1050-1099	158	210	105	263	88	315	79	368	74
1100-1149	165	220	110	275	92	330	83	385	77
1150-1199	173	230	115	288	96	345	86	403	81
1200-1249	180	240	120	300	100	360	90	420	84
1250-1299	188	250	125	313	104	375	94	438	88
1300-1349	195	260	130	325	108	390	98	455	91
1350-1399	203	270	135	338	113	405	101	473	95
1400-1449	210	280	140	350	117	420	105	490	98
1450-1499	218	290	145	363	121	435	109	508	102
1500-1549	225	300	150	375	125	450	113	525	105
1550-1599	233	310	155	388	129	465	116	543	109
1600-1649	240	320	160	400	133	480	120	560	112
1650-1699	248	330	165	413	138	495	124	578	116
1700-1749	255	340	170	425	142	510	128	595	119
1750-1799	263	350	175	438	146	525	131	613	123
1800-1849	270	360	180	450	150	540	135	630	126
1850-1899	278	370	185	463	154	555	139	648	130
1900-1949	285	380	190	475	158	570	143	665	133
1950-1999	293	390	195	488	163	585	146	683	137
2000-2049	300	400	200	500	167	600	150	700	140
2050-2099	308	410	205	513	171	615	154	718	144

CS&KT Child Support Schedule

	Number Of Children								
	1	2	Per Child	3	Per Child	4	Per Child	5	Per Child
Adjusted Gross Income	15%	20%	20%	25%	25%	30%	30%	35%	35%
2100-2149	315	420	210	525	175	630	158	735	147
2150-2199	323	430	215	538	179	645	161	753	151
2200-2249	330	440	220	550	183	660	165	770	154
2250-2299	338	450	225	563	188	675	169	788	158
2300-2349	345	460	230	575	192	690	173	805	161
2350-2399	353	470	235	588	196	705	176	823	165
2400-2449	360	480	240	600	200	720	180	840	168
2450-2499	368	490	245	613	204	735	184	858	172
2500-2549	375	500	250	625	208	750	188	875	175
2550-2599	383	510	255	638	213	765	191	893	179
2600-2649	390	520	260	650	217	780	195	910	182
2650-2699	398	530	265	663	221	795	199	928	186
2700-2749	405	540	270	675	225	810	203	945	189
2750-2799	413	550	275	688	229	825	206	963	193
2800-2849	420	560	280	700	233	840	210	980	196
2850-2899	428	570	285	713	238	855	214	998	200
2900-2949	435	580	290	725	242	870	218	1015	203
2950-2999	443	590	295	738	246	885	221	1033	207
3000-3049	450	600	300	750	250	900	225	1050	210
3050-3099	458	610	305	763	254	915	229	1068	214
3100-3149	465	620	310	775	258	930	233	1085	217
3150-3199	473	630	315	788	263	945	236	1103	221
3200-3249	480	640	320	800	267	960	240	1120	224
3250-3299	488	650	325	813	271	975	244	1138	228
3300-3349	495	660	330	825	275	990	248	1155	231
3350-3399	503	670	335	838	279	1005	251	1173	235
3400-3449	510	680	340	850	283	1020	255	1190	238
3450-3499	518	690	345	863	288	1035	259	1208	242
3500-3549	525	700	350	875	292	1050	263	1225	245
3550-3599	533	710	355	888	296	1065	266	1243	249
3600-3649	540	720	360	900	300	1080	270	1260	252
3650-3699	548	730	365	913	304	1095	274	1278	256
3700-3749	555	740	370	925	308	1110	278	1295	259
3750-3799	563	750	375	938	313	1125	281	1313	263
3800-3849	570	760	380	950	317	1140	285	1330	266
3850-3899	578	770	385	963	321	1155	289	1348	270
3900-3949	585	780	390	975	325	1170	293	1365	273

CS&KT Child Support Schedule

	Number Of Children								
	1	2	Per Child	3	Per Child	4	Per Child	5	Per Child
Adjusted Gross Income	15%	20%	20%	25%	25%	30%	30%	35%	35%
3950-3999	593	790	395	988	329	1185	296	1383	277
4000-4049	600	800	400	1000	333	1200	300	1400	280
4050-4049	608	810	405	1013	338	1215	304	1418	284
4100-4149	615	820	410	1025	342	1230	308	1435	287
4150-4199	623	830	415	1038	346	1245	311	1453	291
4200-4249	630	840	420	1050	350	1260	315	1470	294
4250-4299	638	850	425	1063	354	1275	319	1488	298
4300-4349	645	860	430	1075	358	1290	323	1505	301
4350-4399	653	870	435	1088	363	1305	326	1523	305
4400-4449	660	880	440	1100	367	1320	330	1540	308
4450-4499	668	890	445	1113	371	1335	334	1558	312
4500-4549	675	900	450	1125	375	1350	338	1575	315
4550-4599	683	910	455	1138	379	1365	341	1593	319
4600-4649	690	920	460	1150	383	1380	345	1610	322
4650-4699	698	930	465	1163	388	1395	349	1628	326
4700-4749	705	940	470	1175	392	1410	353	1645	329
4750-4799	713	950	475	1188	396	1425	356	1663	333
4800-4849	720	960	480	1200	400	1440	360	1680	336
4850-4899	728	970	485	1213	404	1455	364	1698	340
4900-4949	735	980	490	1225	408	1470	368	1715	343
4950-4999	743	990	495	1238	413	1485	371	1733	347
5000-Above	750	1000	500	1250	417	1500	375	1750	350

CHAPTER THREE: TCSEP APPLICATION PROCEDURE (45 CFR 309.65 (a) (2))

TCSEP will accept all Child Support applications. Applications are available at the DHRD Tribal Child Support Enforcement Office during business hours, and can be requested via telephone. Applications will be mailed within two (2) business days. TCSEP also accepts cases that are appropriately referred from another IV- D Program and Tribal TANF. Once a complete transmittal is received, TCSEP processes the case and promptly begins providing services in the same manner as a new application.

Application for child support - The applications will be kept in stock at DHRD TCSEP office and will be available to all individuals who request services. The application will also be a shared document on CS&KT Intranet Program so other programs can access it as needed for mutual cliental.

TCSEP will process applicants' cases that are under the jurisdiction of the Tribal Court. Cases that do not meet the jurisdictional guidelines will be referred to the appropriate IV-D Program.

Case Transmittals

Once a completed application or transmittal is received, the TCSEP Administrative Assistant will assure that all necessary documents are received. Case files will not be assigned to a TCSEP Case Manager until the requesting agency or applicant has provided all necessary information to the best of their ability. Required information includes: any known contact information of all participants, including NCP's; known social security information of all participants and copies of social security cards when available; copies of the child(ren)'s birth certificate(s); copies of Court orders regarding Child Support, paternity, or divorce decree; a copy of a paternity affidavit if applicable; and copies of any domestic violence protection orders.

In the event that an application or transmittal is found to be incomplete; the applicant or IV-D Program from the referring jurisdiction will be contacted immediately. Complete applications are made into a file which is immediately assigned to a TCSEP Case Manager. TCSEP Case Managers will identify the next appropriate Child Support action and begin working the case within four (4) days of assignment.

Receipt of New Cases

Upon receipt of a new case, the TCSEP Case Manager will first research and verify all information on the case to ensure the accuracy of the next actions. The following process will be followed:

- 1) Services will be provided through locate function available as an inter-governmental transmittal.
- 2) Cross-reference participant's name and/or social security number with Lexis Nexis.
- 3) Verify the location and Tribal affiliation of all participants and employer of the NCP if paternity has already been established.
- 4) Research and request documents from the Tribal Court, County Court and/or the Montana State Child Support Enforcement Division (CSED) to determine the legal status of the case.

Revised September 10, 2012

- 5) If the case requires paternity establishment, schedule an appointment to have the natural mother begin the process of establishing paternity.

After all information is gathered and verified, the TCSEP Case Manager will begin working the case. TCSEP Case Managers will diligently work on all cases until such a time that it is determined that case closure is appropriate.

Case Closure

TCSEP will follow Federal case closure guideline. All closed files will be maintained for three (3) years. The guidelines for case closure are as follows:

- 1) In order to be eligible for closure, the case must meet at least one (1) of the following criteria:
 - a) In the case of a child who has reached the age of majority, there is no longer a current support order and arrearages are under \$500 or unenforceable under State and/or Tribal law;
 - b) In the case of a child who has not reached the age of majority, there is no longer a current support order and arrearages are under \$500 or unenforceable under State and/or Tribal law;
 - c) The NCP or putative father is deceased and no further action can be taken;
 - d) Paternity cannot be established if:
 - i. A genetic test or a Court or administrative process has excluded the putative father and no other putative father can be identified; or
 - ii. The IV-D Program has determined that it would not be in the best interest of the child to establish paternity in a case involving incest, forcible rape, or in any case where legal proceedings for adoption are pending; or
 - iii. The NCP's location is unknown, and the State and/or Tribe has made regular attempts using multiple sources to locate the NCP over a three (3) year period, all of which have been unsuccessful;
 - e) The NCP cannot pay support for the duration of the child's minority because the parent has been institutionalized in a psychiatric facility, is incarcerated with no chance for parole, or has a medically-verified total and permanent disability with no evidence of support potential. The Tribe must also determine that no income available from the NCP can be attached for support;
 - f) The NCP is a citizen of, and lives in, a foreign country, does not work for the Federal government or a company with headquarters or offices in the United States, and has no reachable domestic income or assets; and the Tribe has been unable to establish reciprocity with the country;

- g) TCSEP has provided location-only services from another IV-D Program, and services are complete;
- h) The non-TANF CP requests closure of a case and there is no assignment of medical support or arrearages which accrued under a support order;
- i) There has been a finding of good cause and any appropriate IV–A, IV–E programs, or Medicaid has determined that support enforcement may not proceed without risk of harm to the child or caretaker relative;
- j) In a non-TANF case receiving services, TCSEP is unable to contact the CP within a ninety (90) calendar day period despite attempts by both phone and at least one certified letter; or
- k) In a non-TANF case receiving services, TCSEP documents the circumstances of the CP’s non-cooperation and an action by the CP is essential for the next step in providing IV–D services.

In cases meeting the criteria in paragraphs (1) (a) through (g) and (j) and (k) of this section, TCSEP must notify the CP in writing sixty (60) calendar days prior to closure of the case of TCSEP’s intent to close the case. The case must be kept open if the CP responds to the notice with information that could lead to the establishment of paternity, a support order, or enforcement of an order or, in the instance of paragraph (a) and (j) of this section. If the case is closed, the CP may request at a later date that the case be re-opened if there is a change in circumstances that could lead to the establishment of paternity or a support order or enforcement of an order.

Case closure can be performed only with the approval of the TCSEP Project Director or designee. TCSEP Case Managers identify cases for closure by using the case closure guidelines described above. Once approved, the TCSEP Case Manager will send a letter to notify the CP. The case will be referred to the TCSEP Administrative Assistant to close out all debts. Closed case files will be kept for three (3) years and can be re-opened if the CP brings forward a change in circumstance which may lead to new action on a case.

When a case has been closed, the TCSEP Case Manager or designee will immediately terminate any income withholding in cases where there is no longer a current order for support and all arrearage’s have been satisfied; or other enforcement actions.

DHRD TCSEP will promptly terminate income withholding in cases where there is no longer current order for support and all arrearages have been satisfied.

Revised September 13, 2012

CHAPTER FOUR: TCSEP DUE PROCESS OF LAW (45 CFR 309.65 (a) (3))

Child Support actions will be heard in the CS&KT Tribal Court. The CS&KT Tribal Laws Codified protects the due process rights of all litigants in Tribal Court, including all ordinances regarding establishment of paternity, and the establishment, modification, and enforcement of Child Support Orders.

CS&KT Tribal Laws Codified contains due process assurances by providing for notice of hearings, a right to legal counsel, the opportunity to introduce evidence, be heard, and examine witnesses.

Furthermore, due process rights of all individuals involved in TCSEP cases will be protected in TCSEP services. TCSEP shall follow rules and laws concerning due process as defined in the CS&KT Tribal Laws Codified, and any applicable Federal due process requirement.

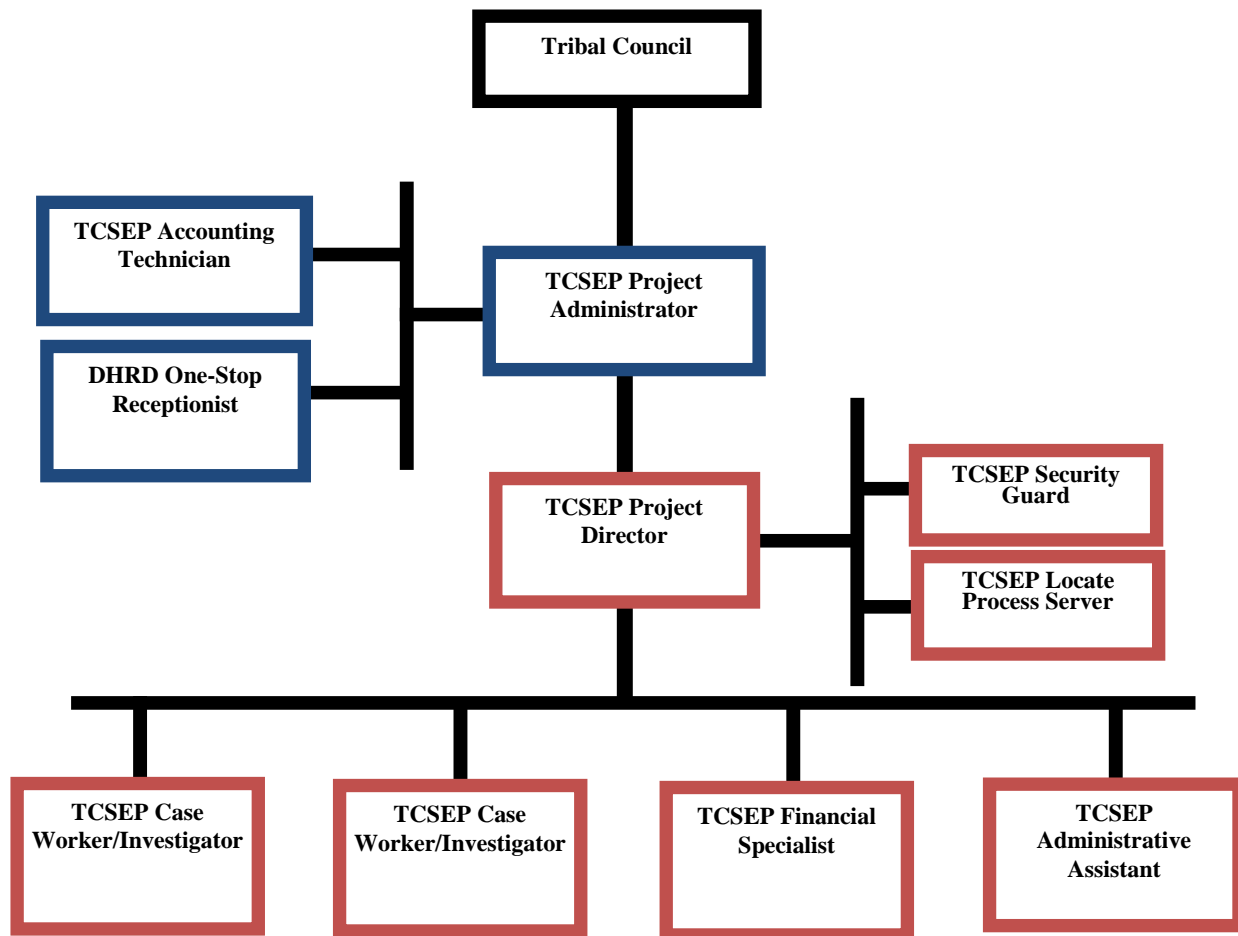
Process Service

TCSEP will serve legal paperwork as provided under CS&KT Tribal Laws Codified. All legal service will be made in accordance with the requirements set out in specific sections of CS&KT Tribal Laws Codified.

CHAPTER FIVE: TCSEP ADMINISTRATIVE AND MANAGEMENT PROCEDURES (45 CFR309.75)

TCSEP is a department within the DHRD branch of the CS&KT government. The TCSEP Project Director reports to the TCSEP Project Administrator, who reports directly to CS&KT Tribal Council. All new hires, promotions, and transfers of an employee will be subject to CS&KT Tribal Ordinance 69C.

TCSEP Organizational Chart



Department Chain of Command

CS&KT Tribal Council
 TCSEP Project Administrator
 TCSEP Project Director
 TCSEP Case Manager/Investigators
 TCSEP Financial Specialist

TCSEP Administrative Assistant
 DHRD One-Stop Receptionist
 TCSEP Accounting Technician
 TCSEP Security Guard
 TCSEP Locate Process Server

Signature Authority

TCSEP Project Director has signature authority for all operational matters of the Tribal Child Support Enforcement Program, including all participant communications. However, the TCSEP Project Director will give signature authority, based on job responsibility, by written delegation of authority to staff as appropriate.

All official communications to the Federal government or the funding program, written on the behalf of the CS&KT Tribes or TCSEP, must come from the CS&KT Tribal Council Chairman. The CS&KT Tribal Council Chairman can delegate this signature authority.

Customer Complaint Procedures

TCSEP shall post a notice of its complaint procedure, in clear view, in the lobby and/or office.

TCSEP Case Managers should always take the initiative in resolving customers' complaints. However, in circumstances when resolution by the TCSEP Case Manager is not successful, or when the complaint is directly related to the TCSEP Case Manager, a Customer Complaint Form will be made available to the customer upon request (see Appendix A-Forms). Complaint forms must be completed by the customer and must be accompanied by a detailed description of the situation for which the complaint is being made.

Submitted complaint forms should be directly routed to the TCSEP Project Director, except in circumstances when the complaint directly concerns the TCSEP Project Director. In those instances, the form should be routed to the TCSEP Project Administrator.

Within ten (10) days of receipt of a completed Customer Complaint Form, including a detailed description, the TCSEP Project Director or TCSEP Project Administrator will review the circumstances of the complaint and make a written determination. The written results will be mailed to the complainant within five (5) days of the determination. If a complaint has been validated, corrective action will be taken to resolve the situation expeditiously.

Records of customer complaints will be maintained by the TCSEP file system. Complaints will be reviewed annually to identify chronic or systematic problems. If and when such problems are identified, TCSEP will implement measures of corrective action in an effort to enhance customer service. All records shall be maintained for a minimum of three (3) years.

Fees Charged and Collected

A one-time application fee of \$25.00 will be charged with the exception of individuals receiving services under titles IV-A, IV-E foster care assistance, or XIX (Medicaid) of the Act. The fee is non-refundable, even if TCSEP determines your case is unworkable. Records of the billings and collections will be retained by the TCSEP office for three (3) years. Send your payment to TCSEP along with your application for services. Payment must be in the form of cash or money order. TCSEP cannot accept personal checks.

DHRD TCSEP will not charge an application fee in an inter-governmental case referred to the Tribal IV-D agency for services under 309.120.

Revised January 24, 2013

Notices of Collection

The TCSEP Administrative Assistant is responsible for keeping up-to-date records of all Child Support debts and collections and for filing this information in the case files on a monthly basis. The TCSEP Administrative Assistant will send out yearly financial statements and upon request, regardless of whether or not the request is in written form, to all Child Support participants.

Insurance

As verified with CS&KT Finance Director, the staff and Confederated Salish and Kootenai Tribes employees are insured under an insurance policy with Hudson Insurance Company. The Blanket Employee Dishonesty Coverage limit of liability is \$100,000 with a \$1,000 deductible.

The CS&KT has in place a \$100,000 insurance policy which includes employee theft and dishonesty of monies. It is CS&KT's position that all funds must be protected against loss, but especially funds collected for the enforcement of Child Support Enforcement Orders. These funds are intended for the care and maintenance of the children and must be protected.

Revised January 24, 2013

CHAPTER SIX: TCSEP INFORMATION SAFEGUARDING (45 CFR 309.80)

Confidentiality

TCSEP staff is given access to highly confidential information regarding Child Support participants. Use or Disclosure of any participant information that is received by the TCSEP is strictly limited to purposes directly connected with the administration of the Tribal Child Support Enforcement Program, Tribal TANF and Medicaid. Specifically, participant information can only be used for the purposes of establishing paternity, establishing or modifying Child Support Orders, and collecting and distributing Child Support Obligations.

Unauthorized use or disclosure of participant information constitutes terms for immediate termination of employment and may result in any other disciplinary action allowed by CS&KT Tribal Ordinance 69C or Federal law. TCSEP has a department-specific Non-Disclosure Statement that shall be signed by each employee, contractors and subcontractors. (See Appendix A—Forms).

TCSEP employees should adhere to the following guidelines to ensure participant confidentiality:

- 1) Share information only when it is specifically related to the process of establishing paternity, or establishing, enforcing, modifying or distributing Child Support Orders, or locating parents or assets.
- 2) Use caution (volume, language, content) when discussing Child Support case information to other staff; and
- 3) Not share any specific financial information (tax return, credit card, etc.), any State or Tribal numerical identifying information (SSN, Tribal ID), and/or other information deemed protected by any law, without appropriate release or Court order, to those people not necessary for performing the duties of the TCSEP or IV-D Program.

Other Safeguarding Procedures

DHRD TCSEP will maintain files in locking, fireproof cabinets with strict access. In addition to the physical protection of files containing confidential information, staff will also be cautious to safeguard information that is shared with other staff or with other Tribal IV-D, or Titles IV-A and XIX with administration of other programs. Any staff or Tribal IV-D, or Titles IV-A and XIX with administration of other programs having access to private information will be required to sign a confidentiality form in which they acknowledge that they may not share any information in the files with any unauthorized persons. Staff within will also have to sign out files to review at their desks.

Release of Information

DHRD TCSEP will not share case information with any person or entity unless the party completes and signs the Consent for Release of Information form (see Appendix A – Forms). Once signed, the Consent for Release of Information form will be maintained in the case file in accordance with Tribal policy.

Revised March 7, 2013

Even with a release form on file, staff is restricted from divulging personal information regarding other participants on a case. If the participant has authorized a representative to obtain information or documents, only case-specific information regarding the Child Support case for which the release applies may be given.

In circumstances where another, non-IV-D Program is requesting information about a case or the participants in the case, employees must receive a signed Consent for Release of Information (see Appendix A—Forms) form before divulging any information. Consent for Releases of Information are valid for a specific period of time (i.e., consent for release of information is valid from beginning date to end date). Employees must verify the expiration dates on forms already on file before discussing a case. Only information relevant to the requesting Program will be released.

Safeguarding Assurances

TCSEP staff will attend National conferences and training sessions specific to IV-D and Tribal IV-D programs in order to remain updated with the changing regulations. Staff will remain in contact with other Region VIII CSE Programs along with the Tribes Program Specialist. DHRD TCSEP assures that procedures are met and in place to meet all requirements.

All disclosures made shall be documented in the case file, including the date of disclosure, person or entity receiving information, nature of information disclosed and reasons for disclosure. If the information was not disclosed, there shall be a statement documenting why the information was not disclosed.

Confidentiality in Domestic Violence (DV) Cases

TCSEP recognizes the need to protect victims and children of domestic violence and encourages collaborative effort with DV programs and other Tribal programs to ensure their safety.

Any participant who seeks TCSEP services will be required to complete a section on domestic violence in the application. These forms will be utilized as the department's tools for determining the level of danger, if any, to the participant. TCSEP Case Manager will review the information and determine the level of harm, if any, that might be posed to the participant if TCSEP services are pursued.

If there is a protection order in place, a copy of the order will be requested from the CP or the issuing Court and a copy of that order will be kept in the file. In cases where there is no protection order in place, but TCSEP staff suspect domestic violence is an issue that will pose potential danger to a child(ren) or parent if TCSEP services are pursued, the case will be sent to the TCSEP Project Director for further review for case consultation with the DV program.

If it is determined that there is a protection order in place and/or that the release of information on the whereabouts of one participant or the child(ren) to the other participant, TCSEP will take extra precautions to ensure that no locating information is released. These physical case files will have a distinctive mark and will be appropriately tagged by being placed in a RED file folder and in the automated system to ensure that addresses are blocked on notices and other mailing documents. This system will alert all TCSEP staff members to proceed with extra discretion in the case. Participants will also be referred to the local DV program for guidance and support.

Revised March 7, 2013

CHAPTER SEVEN: TCSEP INFORMATION AND RECORDS MAINTENANCE AND RETENTION (45 CFR 309.85)

All hard-copy records are to be maintained for a minimum of three (3) years, in accordance with 45 CFR 74.53. These records will include but are not limited to:

Applications for TCSEP Services

Applications are generally kept in participant files, however, applications that were received that did not result in an open case, such as incomplete applications, will be kept for a minimum of three (3) years.

Tribal Child Support Enforcement Program Files

TCSEP files include the following information:

- 1) Application or Referral for TCSEP services, Consent for Release of Information Form and case notes;
- 2) Verification - Copies of applicable documents, such as Tribal/State identification, child's birth certificate, social security cards, Court orders regarding Child Support, divorce decree, paternity affidavit, domestic violence protective orders, driver's license, current check stubs, and income tax verification, death certificates, and enrollment verification;
- 3) Locate - Efforts to locate NCP's, including, but not limited to, copies of address verification, location service use, correspondence with past employers, returned mail service, phone call records, and case notes that document all locate activity;
- 4) Paternity Establishment - Other documentation, in addition to case notes, of any action taken to establish paternity, obtain, and enforce Child Support, including copies of all legal proceedings, process of service, collection notices, employer correspondence, paternity acknowledgement, interview notes, genetic test results, and any default orders;
- 5) Financial - Documentation of dates and sources of Child Support payments, distributions, and debts, including copies of receipts, Child Support distribution checks, and monthly notices of collections;
- 6) Correspondence – Copies of any correspondence to or from TCSEP to the NCP, CP, or third party of interest, such as Tribal or State programs that provide financial assistance or services, or any other third party that has legal standing in a case or is providing services to the participants in the case.

IV-D Program Expenditures

All information on program expenditures will be kept by the CS&KT Contracts and Grants. Program expenditures are documented on the CS&KT Financial and Accounting Software and all backup financial information is kept by TCSEP, DHRD Budget and Accounting Department, and CS&KT Contracts and Grants. Expenditures are approved by either the TCSEP Project Director, or the TCSEP Project Administrator. TCSEP Project Director will prepare Federal and other Tribal reporting. TCSEP is subject to a yearly audit.

DHRD TCSEP prepares the financial quarterly reports for the funding program, as well as the Standard Form 425. DHRD TCSEP shall exclude the amount of fees collected from the quarterly expenditures. All fees collected shall be accounted for strictly as In-Kind Match.

Statistical Records

All statistical records are maintained in the TCSEP Office.

Fiscal and Other Records

Program Expenditure Records are maintained by the CS&KT Tribes Financial Accounting Software. Federal grant contracts, budgets, and budget modifications records are maintained by the TCSEP Office with copies also stored at the CS&KT Contracts and Grants office. The CS&KT Contracts and Grants office will be responsible for maintaining official records for a minimum of three (3) years.

Revised September 10, 2012

CHAPTER EIGHT: TCSEP LOCATION OF PARTICIPANTS TO A CHILD SUPPORT CASE

TCSEP will make every effort to locate both CP's and NCP's, and their assets, as part of its enforcement activities. TCSEP also receives requests for locate, and conducts lawful investigations for the purpose of locating parents, alleged parents, and their assets for other IV-D Program.

TCSEP staff will be required to track and record all attempts, both successful and unsuccessful, to locate custodial and non-custodial parents by maintaining case management events in individual child support files. Case notes will be documented in a timely manner and kept on file for the entire duration of the case. All staff will be cross-trained in this area.

TCSEP shall take all necessary actions to locate parents, and will use all sources available to TCSEP and to the Tribes. While there is no time frame requirement, locate actions shall be performed in a timely manner.

TCSEP does not have access to Federal Parent Locator Service (FPLS) and will request this service from the Montana State IV-D Program as necessary. Other search methods that will be utilized are:

- 1) Services will be provided through locate functions available as an inter-governmental referral;
- 2) Community knowledge;
- 3) Internet research;
- 4) Phone and mail contact with participants;
- 5) Searches through Tribal programs;
- 6) Employer contact for address confirmation;
- 7) Searches conducted by the Tribal Police Department; and
- 8) Lexis Nexis.

TCSEP staff will make every effort to safeguard participant's information as to avoid breaching confidentiality when receiving information from the above locate sources.

To assure the case confidentiality of information for individuals and families using the Tribal Child Support Enforcement Program, strict procedures have been set for the privacy and use of information for the program.

Revised January 24, 2013

CHAPTER NINE: TCSEP ESTABLISHMENT OF PATERNITY (45CFR 309.65 (a) (9))

TCSEP will work to legally establish paternity in the Tribal Court pursuant to CS&KT Laws Codified. In the event that the paternity cannot be established by the Tribal Court, TCSEP will refer the case to the appropriate IV-D Program for establishment of paternity.

Establishing Paternity

When TCSEP opens a case, in which legal paternity of the minor child(ren) involved has not yet been established, the following procedure will be followed:

- 1) A paternity interview with the mother of the child(ren) will be conducted by the TCSEP assigned TCSEP Case Manager.
- 2) During the interview, the TCSEP Case Manager will verify if domestic violence is an issue in the case and will update the file with copies of any protective orders. The interview will also verify if there are any reasons that the establishment of paternity would not be in the best interest of the child(ren). TCSEP is not required to proceed with paternity establishment, if any of the following circumstances exist, including but not limited to:
 - i. The child was conceived as the result of rape or incest;
 - ii. Danger of domestic violence;
 - iii. Adoption proceedings are pending on the child(ren). In these cases the TCSEP Case Manager will consult with the TCSEP Project Director to determine the appropriate course of action.
- 3) All participants identified in the paternity interview may be required to submit to paternity testing unless good cause exists not to require such testing. Participants will still be given the opportunity to submit to genetic testing.
- 4) In cases where the probability of paternity has been established with the alleged father and the participants are in agreement with the paternity order, the alleged father will be given the opportunity to sign a voluntary acknowledgement of paternity.
- 5) In cases where the participants do not reach an agreed Paternity Order, the TCSEP Case Manager will forward the case to the TCSEP Attorney who will file an action with the Tribal Court to legally establish paternity.

Genetic Testing

Genetic testing will only occur after a paternity interview and paternity questionnaire is complete. Only those TCSEP staff members who have received training as buccal swab specimen collectors may administer paternity tests. Paternity testing will be performed by appointment only. Two (2) TCSEP staff members will be present for each paternity test for more accurate and efficient results.

Paternity Swab Collection Procedure:

- 1) Gloves must be worn throughout the collection and packaging procedure.
- 2) Perform the entire procedure on one subject at a time. Make sure the swabs are labeled and enclosed in the color-coded envelopes before collecting the next subject's sample.
- 3) Label the color-coded envelopes with the following information:
 - Subject's name exactly as it appears on the client authorization form;
 - Signature acknowledging correct identity of specimen;
 - Date of collection; and
 - Initials of the individual performing the collection.
- 4) Remove the swab from the sterile package.
- 5) Brush vigorously against the inside of the subject's cheek with the swab.
- 6) Collect four swabs per subject (two per cheek).
- 7) Swabs must be collected one at a time, keeping separate at all times.
- 8) Write the subject's name on the swab label exactly as it appears on the client authorization form, wrap the label around all four swab sticks and place them in the color-coded envelope.
- 9) Be sure to place the swabs in the appropriate envelope (pink/mother, yellow/child, blue/alleged father, white/additional child or alleged father). In the case of additional parties please specify the relationship on the envelope.
- 10) Insert the collected samples, client authorization form, court orders, affidavits, photos etc. into preaddressed mailer. Seal the flap insert completed collection kit into the provided carrier packaging (Federal Express).

Each person is photographed as part of the procedure.

TCSEP utilizes an accredited genetic testing laboratory of reputable standing. All TCSEP staff must be trained and certified to collect DNA samples and this collection will take place in approved locations of TCSEP offices. Genetic samples will be sent to the lab via overnight express courier. Results will be received back in approximately three (3) weeks and the appropriate TCSEP Case Manager will notify the participants of the test results. In cases where the test results reveal complicated factors, the TCSEP Case Manager will consult the TCSEP Project Director to determine the best course of action.

TCSEP will provide free genetic testing in all appropriate Child Support cases, except in the following circumstances:

- 1) It can be shown that a natural mother knowingly gave false information on the identity of the alleged father that resulted in an unnecessary test, in which case she may be charged with the costs incurred by TCSEP;
- 2) In cases where a parent or the alleged father disputes the results of the test and re-testing confirms the original test; and
- 3) TCSEP will **NOT** perform genetic testing for enrollment purposes.

CHAPTER TEN: TCSEP INCOME WITHHOLDINGS, GARNISHMENTS AND EMPLOYER RESPONSIBILITY (45 CFR 309.65 (a) (11))

Child Support will be withheld or garnished in accordance with CS&KT Laws Codified, and the Tribal Child Support Enforcement Program Guidelines. TCSEP works to ensure that all cases have an income withholding in place; this is the most effective method of providing consistent Child Support to child(ren).

TCSEP automatically requests in all orders a stipulation that allows for automatic income withholding in the event that the NCP is forty-five (45) days delinquent in Child Support. In cases where there is an order for arrears, TCSEP will request immediate income withholding.

TCSEP has include into the IV-D plan that the only basis for contesting a withholding is a mistake in fact, in which means an error in the amount of current or overdue support or the identity of the alleged non-custodial parent is in question.

In the event that a participant feels that there is good cause not to require income withholding, the TCSEP Case Manager will advise the participant that they should present the case to the Judge, who can enter a finding to disallow a withholding.

Participants can also enter a signed agreement that provides for an alternative arrangement for payment, which will be entered into the Court's record. However, in the event that payments become delinquent, TCSEP will proceed with collection actions that may include income withholding.

Voluntary Income Withholding

A voluntary income assignment can be sufficient to meet the Child Support Obligation calculated by the Court or Tribal Child Support Enforcement Guidelines. The TCSEP Case Manager will encourage all employed NCP parents to voluntarily withhold their Child Support for automatic payment to TCSEP.

Collection Actions

- A. Wage Withholding: If the NCP is thirty (30) days past due, the TCSEP Case Manager will send a letter requesting payment within fifteen (15) days. If no payment is made in that time frame then the following procedure will be followed:
- 1) TCSEP Case Managers will review the file for a stipulation and/or Court order allowing TCSEP to automatically withhold income to satisfy Child Support Obligation.
 - 2) If there is a Court order or stipulation on file authorizing TCSEP to garnish the NCP's wages and there is verification of the NCP's employment, the TCSEP Case Manager will prepare a Court order/notice to withhold income for Child Support to serve on the employer.
 - 3) If there is no Court order or stipulation that will allow for income withholding, the case will be referred to the TCSEP Attorney to proceed with a Motion to Enforce.

Revised October 1, 2012

- 4) If an NCP's employer is unknown, the TCSEP Case Manager will utilize all locate actions in accordance with Chapter Eight (8).
- B. **Motions to Enforce in Tribal Court:** If there is no stipulation for income withholding in the Court order and no other income withholding order in place, or if the income withholding order or stipulation has proven ineffective in producing Child Support payments, then the TCSEP Case Manager will refer the case to the TCSEP Attorney to proceed with a Motion to Enforce Child Support. The TCSEP Attorney will adhere to the requirements of CS&KT Laws Codified in moving for an enforcement remedy. The TCSEP Attorney may request a variety of enforcement actions from the Tribal Court, including but not limited to: wage withholding, garnishment, and per capita assignment.

Other Enforcement Actions

Federal Collection Actions: Under new Federal regulations, Tribal Child Support Enforcement tools include various and numerous tactics to encourage delinquent NCP's to comply with Court ordered obligations. If it is determined by the TCSEP Project Director and/or TCSEP Attorney that a case would benefit from utilizing Federal enforcement tools, the TCSEP Case Manager may use a transmittal form to request that the State provide collection actions dependent on the agreement with the State. Collection actions may include the following:

- 1) Federal tax intercept; and/or
- 2) State tax intercept

Consumer Credit Protection Act, 15 U.S.C. 1673

Income shall not be subject to withholding in any case where the total amount to be withheld exceeds the maximum amount permitted under the above-mentioned act.

- 1) The maximum part of the aggregate disposable earnings of any person for any work week which is subject to garnishment or income assignment for the support of a minor child(ren) shall not exceed:
 - a) Fifty percent (50%) of such person's disposable earnings for that week, if such person is supporting his spouse or a dependent child(ren) other than the child(ren) with respect to whose support such order is used; and
 - b) Sixty percent (60%) of such person's disposable earnings for that week if such person is not supporting a spouse or dependent child(ren). The fifty percent (50%) specified in paragraph one (1) of this subsection shall be deemed to be fifty-five percent (55%) and the sixty percent (60%) specified in paragraph two (2) of this subsection shall be deemed to be sixty-five percent (65%), if and to the extent that such earnings are subject to garnishment or income assignment to enforce a support order with respect to a period which is prior to the twelve (12) week period which ends with the beginning of such work week.

Improperly Withheld Child Support

To avoid improperly collecting Child Support, the TCSEP Case Manager will immediately terminate income withholding and any other collection action on closed cases as defined in Chapter Three (3).

In the event that Child Support is improperly withheld, the TCSEP Administrative Assistant will immediately refund the payment and amend the Notice of Collections to ensure proper accounting.

Employer Responsibility

Employers who fail to withhold Child Support as ordered are liable for the full amount that they should have withheld from the NCP's income. In the event that an employer does not comply with an order, the TCSEP Case Manager will first contact the employer to attempt to resolve the situation without Court action. If the TCSEP Case Manager is not successful, the case will be referred to the TCSEP Attorney who will proceed with legal action.

Employers may not discharge, refuse to employ, or take any disciplinary action against a NCP parent due to a wage withholding requirement or request. TCSEP Case Managers should reassure participants of this fact. In the event that any staff member of TSCEP becomes aware that an employer has engaged in the above actions, they should inform the TSCEP Project Director, who can work with the TCSEP Attorney to take appropriate action.

Employers will be subject to a fine for discharging a non-custodial parent from employment, refusing to employ, or taking disciplinary action against any non-custodial parent because of the withholding.

Employers will be given notice as outlined in the Policy and Procedure Manual, Chapter 2: TCSEP Guidelines and Child Support Schedule.

Revised October 1, 2012

CHAPTER ELEVEN: TCSEP COLLECTION AND DISTRIBUTION OF CHILD SUPPORT CHILD SUPPORT OBLIGATIONS (45 CFR 309.65 (a) (12))

Child Support Collection Procedures

Child Support payments can be made in person to the TCSEP Office or can be mailed to the following mailing address. TCSEP accepts cash, checks, money orders, cashier's checks or proof of non-monetary payment signed by the CP.

Department of Human Resource Development
Tribal Child Support Enforcement Program
P.O. Box 278
Pablo, MT 59855

The TCSEP Administrative Assistant will provide one copy of the receipt to the payer, and one to the TCSEP Case Manager, along with a copy of any check, money order or cashier's check to file and enter it into the financial accounting software. The last receipt remains in the receipt book. Completed receipt books are maintained in the TCSEP office.

The TCSEP Administrative Assistant will place all payments in the safe to deposit at the end of the day. The TCSEP Administrative Assistant will prepare the deposit and have the TCSEP Project Director verify and sign the deposit. All deposits will be made daily to the Tribal Accounting office.

Payments Made Directly to a Custodial Parent

TCSEP strongly discourages NCP's from making payments directly to the other parent. The TCSEP Case Manager will inform all NCP's that TCSEP will continue collection actions on Child Support Enforcement Obligations until the CP verifies the payment in writing.

Child Support Distribution Procedures

TCSEP distributes all Child Support payments in a timely manner, generally within four (4) business days after receipt. The TCSEP Administrative Assistant is responsible for entering a Child Support Obligation into the financial accounting software upon the receipt, entry or modification of a Child Support Order.

All Child Support payments will be made directly by TCSEP to the family unless there is a request for assistance on behalf of a family from another IV-D Program.

The TCSEP Administrative Assistant is responsible for distributing Child Support payments based on the following criteria:

- 1) All amounts collected on a case must be distributed among all open cases on a percentage basis;
- 2) Current support amounts should always be satisfied first;
- 3) If the payment exceeds current support the remaining payment should be used to satisfy any arrears owed to the CP;

- 4) If there is no debt owed to the CP, or if there is any remaining payment, it will be used to satisfy any arrears owed to the State or outside jurisdiction; and
- 5) In the event that there is an overpayment of Child Support, the NCP will be contacted by the TCSEP Case Manager and given the choice of a refund or a credit. The TCSEP Case Manager will inform the TCSEP Administrative Assistant of the outcome.

Multiple Withholding Orders

In cases where a non-custodial parent has multiple withholding orders, the amounts withheld and collected shall be allocated in an equitable manner across all withholding orders. In no case shall one order be given preference over another order to the extent that the second order is not implemented as required.

Tribal TANF

CPs who are currently receiving Tribal TANF will not be required to assign their Child Support rights to the Tribe. The Tribal TANF program will count Child Support payments received as income in determining the amount of a TANF award. TANF recipients must sign a release of information form that allows TCSEP to provide monthly financial information upon their request. The TCSEP Administrative Assistant is responsible for coordinating with the Tribal TANF office and providing them with timely information.

All collection will be distributed in a timely manner. TCSEP will apply collections first to satisfy current support obligations, except for Federal Income Tax Refund Offset collections. Any collections received based on Federal income tax refund off-set must be applied to satisfy arrearages. All collections shall be made directly to the family unless the family is currently receiving or formerly received assistance from the Tribal TANF program and there is an assignment of support rights to the Tribe's TANF program, or other Tribal IV-D program. If the Tribe has support rights and there is no request from a State or Tribal IV-D program, TCSEP may retain the collections on behalf of the family up to the amount of TANF received from the Tribe's TANF. Any remaining collections will be paid directly to the family.

If the Tribe has support rights and there is a request from a Tribal IV-D program, TCSEP will retain collections on behalf of the family, up to the amount of TANF received from the Tribe. Any remaining support will be paid to the requesting Tribal IV-D program.

If the Tribe has no support rights and there is no request from a State or Tribal IV-D program, TCSEP may retain support collections on behalf of the family up to the amount of TANF received from the Tribe's. Any remaining collections will be paid to the family. If the Tribe has support rights and there is a request from a State or Tribal IV-D program, TCSEP may retain collections on behalf of the family up to the amount of TANF received from the Tribe. Any remaining collections will be paid to the requesting State or Tribal IV-D program.

Revised October 1, 2012

If the Tribe does not have support rights and there is a request from a State or Tribal IV-D program, TCSEP will not retain collections on behalf of the family up to the amount of TANF received from the Tribe. All collections will be paid to the requesting State or Tribal IV-D program.

Referrals from Other IV-D Programs

TCSEP does not release money on “full referral” cases directly to a CP. The TCSEP Administrative Assistant will pay collections on these cases directly to the referring program. The TCSEP Administrative Assistant can contact the referring Program to determine appropriate distribution. If directed by the referring Program, the TCSEP Administrative Assistant will then distribute payments using the criteria above.

In the event that the referral is an “arrears only referral”, and TCSEP has a current case, the current support and family arrears will be released directly to the family while the State or Tribal arrears portion will be sent to the referring jurisdiction.

Federal Income Tax Refunds

Any collections received that are based on a Federal income tax refund offset will be distributed according to current Federal/State law.

Returned Child Support Payments

Child Support payments may sometimes be returned to TCSEP. The TCSEP Case Manager will immediately contact the CP in these cases to obtain a current address. In the event that a current address cannot easily be obtained, the TCSEP Case Manager will initiate a locate process.

Revised September 24, 2012

CHAPTER TWELVE: TCSEP INTER-GOVERNMENTAL CASES – STATES AND OTHER TRIBES (45 CFR 309.65 (a) (13))

TCSEP will operate under all applicable CS&KT Laws Codified, State, and/or Federal codes, statutes, regulations and/or policies specific to a Tribal Title IV-D Program, as well as the TCSEP Policy and Procedures Manual and Tribal Child Support Enforcement Guidelines.

State Orders

State orders, meeting the respective Tribal service criteria, may be accorded full faith and credit by the Tribal Court and become a Tribal order. Tribal Court jurisdiction pertaining to Tribal Child Support Enforcement services are as follows:

- 1) The Court has jurisdiction in accordance with the CS&KT Constitution and CS&KT Laws Codified;
- 2) Inter-governmental cases: If a case is referred to the TCSEP from another jurisdiction, the TCSEP shall assist in providing services under the Full Faith and Credit for Child Support Orders Act (USC 173B); however, the Court retains authority to review the foreign Court order for proper jurisdiction.
- 3) TCSEP will extend the full range of Child Support services to respond to all requests from outside jurisdictions.
- 4) If a NCP is living in another jurisdiction, the TCSEP Case Manager may request assistance from another IV-D Program through a transmittal form.

All U.S. States are regulated by the Uniform Reciprocal Enforcement of Support Act (URESA) enacted in 1950, and/or the Uniform Interstate Family Support Act (UIFSA) enacted in 1996 to supersede URESA, to improve Child Support Enforcement services across all boundaries.

Currently, numerous countries adhere to UIFSA through agreements with the United States. However, Tribes follow the legislation of the Full Faith and Credit for Child Support Orders Act (FFCCSOA) enacted in 1994. The UIFSA legislation is not applicable to Tribes.

State orders that meet the respective Tribal service criteria can be registered and enforced in the Tribal Court.

Procedure for Recognition of Foreign Case Referrals

- 1) Employee of the Tribe: TCSEP will provide collections on Child Support Orders referred to the Tribe by a foreign jurisdiction for Tribal employees who are not otherwise within the jurisdiction of the Tribal Court. TCSEP may request Full Faith and Credit of the order to assist with collection remedies if necessary. If the individual leaves employment with the Tribes, the case will be returned to a Tribal or State program.

- 2) Request for Referral to State: Non-Indian CP's who do not want their cases serviced by TCSEP may request that their cases be referred to the State office. However, the State may request that TCSEP perform Child Support Enforcement services on a case through the referral process if TCSEP has the ability to locate or collect support on the case.
- 3) DHRD TCSEP is well aware of the importance of collaboration and cooperation with other CSE entities, whether they are States, Tribes or other agencies. Staff will develop strong, positive working relationships with other CSE entities and assist them by serving orders from other jurisdictions upon employers within the Tribe's jurisdiction. In return, staff will expect collaboration from other such entities in serving orders from DHRD TCSEP on employers in other jurisdictions.

APPENIDX A

Non-Disclosure Agreement

This non-disclosure (confidentiality) agreement is entered into by the Tribal Child Support Enforcement Program (TCSEP) and the TCSEP employee who has signed below (the participants). This agreement is effective from the date of the signature and shall govern conduct of the TCSEP employee during work hours and outside of work hours.

1. By signing this agreement, the participants understand the importance of maintaining confidential information and recognize the legal consequences for failing to adhere to the guidelines set forth in this agreement.
2. Confidentiality means that the employee shall not discuss, divulge, disseminate, or communicate any identifying information concerning the participants to a Child Support case. Identifying information includes but is not limited to, date of birth, social security number, or street address.
3. The participants to this Agreement understand that if the employee does not keep TCSEP case information confidential, s/he are subject to discipline actions, up to and including termination of employment with the TCSEP. We also understand that breach of confidentiality may result in civil liability.
4. The employee agrees to excuse him or herself, or to be excused by the TCSEP Project Director or by the TCSEP Project Administrator, from meetings concerning cases involving any member of the employee’s family (including in-law relations, an associate, or co-worker), or where there would be an actual or perceived conflict of interest.
5. The obligation to maintain confidentiality is indefinite.
6. The employee has read, understands, and agrees to abide by all of the terms of this agreement as a condition of employment with TCSEP. The employee further acknowledges that s/he was allowed a reasonable period of time within which to consider this Agreement, that s/he has considered this Agreement to the full extent desired by the employee, and that s/he freely enters into and accepts the terms and conditions of this Agreement, understanding fully all such terms and conditions.

TCSEP Employee	Date
----------------	------

TCSEP Project Director	Date
------------------------	------

TCSEP Project Administrator	Date
-----------------------------	------

SUBSCRIBED and SWORN to before me _____ this day of _____, 20_____.

NOTARY

Notary Public for the State of: _____.

STAMP

Residing at: _____.

My commission expires: _____.

Customer Complaint Form

If you believe the Tribal Child Support Enforcement Program (TCSEP) has delayed, not taken mandatory action on your case as required by CS&KT Law Codified or Federal regulations or any other concern, please complete this form.

I. Personal Information

Name:		
Address:		
City/State/Zip:		
Home Phone:	Cell Phone:	Work Phone:

II. Type of Complaint

A. Please indicate the nature of your complaint by checking one or more of the categories below:

- | | |
|--|--|
| <input type="checkbox"/> Quality of service | <input type="checkbox"/> Staff Conduct |
| <input type="checkbox"/> Staff Performance | <input type="checkbox"/> Availability of Staff Resources |
| <input type="checkbox"/> Disclosure of Information | <input type="checkbox"/> Availability of Staff |

B. Please use the “comment” section below to provide details about your complaint. The information provided should directly relate to the type of complaint you marked above in the category section. In addition, please describe any information provided to you by your TCSEP Case Manager. Include copies of any evidence in support of your complaint.

C. Comments:

III. Review and Submission Process of Completed Forms

Please return completed forms to the TCSEP Project Director in person at the TCSEP office located at, the TCSEP office located at the DHRD Office in the Old Tribal Complex Building in Pablo, MT, or via mail to Tribal Child Support Enforcement Program, P.O. Box 278 Pablo, MT 59855. Upon receipt of this form, the TCSEP Director shall review your complaint and notify you of a determination.

In the event that this complaint is directly related to the TCSEP Project Director, the TCSEP Project Administrator will review the complaint. Notification will include, whether or not an error has occurred and/or if action was taken. Please mail completed forms to TCSEP Project Director, Tribal Child Support Enforcement Program, P.O. Box 278 Pablo, MT 59855

IV. Acknowledgement

I am requesting a review of my complaint.

Participant's Signature

Date

TCSEP Project Director

Date

TCSEP Project Administrator

Date

DATE STAMP

Employees Initials

Confederated Salish and Kootenai Tribes CONSENT FOR RELEASE OF INFORMATION

I the undersigned are seeking services from the Department of Human Resources Development (DHRD), Tribal Child Support Enforcement Program (TCSEP).

I authorize the above named program to receive information about my application and contents therein, in an effort to serve me, my family and my children (as declared on my application/applications for assistance).

In addition I authorize the following programs/agencies to release information to the TCSEP office in an effort to provide and facilitate assistance to my child(ren) and myself. Those programs and agencies include but are not limited to the following:

INITIAL EACH PLACE YOU GIVE PERMISSION TO RELEASE INFORMATION.

1. _____ Tribal Personnel/Payroll Offices:(Income Verification) etc.
2. _____ Tribal Health and Human Services – THHS (Mental Health)
3. _____ Tribal Education Department – TED (educational awards)
4. _____ Montana State Offices of Public Assistance
5. _____ Salish and Kootenai Housing Authority
6. _____ Tribal Police
7. _____ Tribal Court
8. _____ Tribal Prosecutor
9. _____ Crime Victims Advocate
10. _____ Division of Lands – verify Land Lease
11. _____ Healthy Montana Kids – Eligibility Status and Employee Health Insurance Information
12. _____ Tribal Enrollment
13. _____ Social Security Administration, MT Disability Bureau, Veteran’s Administration – Verify Income
14. _____ EMPLOYER NAME: _____
ADDRESS: _____ PHONE: _____
15. _____ State TANF Programs – to get the number of months for Federal Time Clock: _____
16. _____ Per-Capita Statements: _____
17. _____ Tribal Credit – Current Loan, delinquency, credit history and judgments
18. _____ Passages Fatherhood Program
19. _____ Child Support Enforcement Division, State: _____
20. _____ Potential employers found by DHRD TANF – WIA list
21. _____ Other, please specify: _____

I understand that the information received by the DHRD TCSEP will be kept confidential and used for professional purposes only in terms of facilitating services received by me and my family and will not be released to other outside programs/agencies, unless prior authorization by me, in writing, is obtained. I understand that I may cancel this Consent For Release Of Information in writing, at any time.

I hereby release the DHRD TCSEP from any and all liability from use of the released information as long as the information is utilized in the capacity approved in this release.

This Consent For Release Of Information is intended to allow the DHRD TCSEP to prepare the case for litigation and/or to resolve issues between me and any entity with whom I am doing business related to Child Support issues/obligations and I hereby waive any rights under the applicable sections of the Confederated Salish and Kootenai Tribes Laws Codified and/or State of Montana Code regarding the release of information.

Print Name – Applicant Date Signature Date

Caseworker Investigator Date

THIS CONSENT FOR RELEASE OF INFORMATION IS VALID FROM _____ TO _____

I _____, hereby revoke this Consent For Release of Information this day of _____, 20__.

APPENDIX B
DHRD - Tribal Child Support Enforcement
Schedule Worksheet: Financial Declaration

CP (CP) _____
 Non-CP (NCP) _____

Children	D.O.B.	Age
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

Part 1. Basic Child Support Obligation	NCP	CP
1. Monthly Gross Income		
a. Salary and Wages		
b. Treaty Income		
c. Commissions		
d. Stipend		
e. Bonuses		
f. dividends		
g. Severance pay		
h. Taxable per capita payments		
I. Interests		
j. Trust Income (include income received from land held trust by the United States or subject to a restriction against alienation)		
k. Annuities		
I. Deferred Compensation		
m. Capital Gains		
n. Social Security Benefits		
o. Workers Compensation Benefits		
p. Unemployment Insurance benefits		
q. Disability Insurance benefits		
r. Gifts		
s. Gaming Winnings		
t. Prizes		
u. Spousal Maintenance		
v. Non-monetary Income (describe)		
w. Monthly Average of other fluctuating income (yearly average/12 months)		
x. Self-Employment; income from rentals		
y. Expense reimbursements or benefits received by a parent in the course of employment or self-employment or operation of a business counted as income if they are significant and reduce personal living expenses		
z. Total Monthly Gross Income (add lines 1a through 1y)		

2. Items Disclosed but not included in Monthly Gross Income	NCP	CP
a. TANF		
b. Supplemental Security Income		
c. Food Stamps		
d. Any other income exempt under Federal Law		
f. Child Support		
g. Total Disclosed but not included in Monthly Gross Income		
3. Deductions from Monthly Gross Income	NCP	CP
a. United States Income Taxes		
b. Tribal, State or local income taxes		
c. FICA		
d. Health Insurance premiums to the extent of paid by an employee		
e. State Industrial insurance premiums		
f. Child Support paid for another child to the extent actually paid		
g. Court Order spousal maintenance to the extent actually paid		
h. Mandatory Union and Professional dues, and mandatory pension plan payments		
i. The amount of reasonable expense of an NCP for preexisting, jointly acquired debt of the parents to the extent payment of the debt is actually made. When a deduction for debt service is made, the Court may provide for prospective upward adjustments of support based on the anticipated reduction or elimination of the debt service.		
j. Total Deductions from Monthly Gross Income (add lines 3a through 3i)		
4. Actual Gross Monthly Income (subtract 3j from 1z)		
Part 2. Basic Child Support Obligation	NCP	CP
5. Total Number of Children NCP is legally responsible for		
6. Parent's Total Monthly Basic Child Support Obligation		
a. 15% (0.15) for one child		
b. 20% (0.20) for two children		
c. 25% (0.25) for three children		
d. 30% (0.30) for four children		
e. 35% for five or more children		

Part 3. At or below poverty level	NCP	CP

Part 4. NCP and CP Percentage of total Income	NCP	CP
a. Actual Gross Monthly Income		
b. Combined total Income (add NCP total income + CP total Income)		
c. % of Combine Total Income (divide total income/Combined total Income)		

Part 5. Healthcare, Childcare, Extraordinary Expenses	NCP	CP
7. Healthcare Expenses		
a. Monthly Health Insurance Premiums paid for Child(ren)		
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)		
c. Total Monthly Health Care Expenses (add lines a and b)		
d. % of Combine Total Income (divide total income/Combined total Income)		
8. Child Care Expenses	NCP	CP
a. Monthly Child Care Expenses Paid for Child(ren) (If cost of child care for child(ren) varies (I.e. between the school year and summer) take the total cost of child care and divide the amount by 12 ()/(M) = ())		
b. % of Combined Total Income		
9. Monthly Extraordinary Expenses	NCP	CP
a. Medical Expenses, Dental Expenses, and Counseling Expenses (including substance abuse counseling and treatment)		
b. Educational or Extra Curricular Expenses		
c. Long Distance Transportation Expenses		
d. Long Distance Communication Expenses		
e. Traditional Cultural Activities		
f. Other Special Expenses		
g. Total Monthly Extraordinary Expenses (add line a through f)		
h. % of Combined Total Income		

Part 6. Each Parent's Total Child Support Responsibility	NCP	CP
10. Parent's Total Monthly Basic Child Support		
11. Basic Obligation (Refer to #5)		
12. Parent's Total Monthly Health Care Responsibility (Refer 6c)		
13. Parent's Total Monthly Child Care Responsibility (7a)		
14. Parent's Total Monthly Extraordinary Expenses Responsibility (Refer 8g)		
15. Parent's Total Monthly Child Support Obligation (add lines 9,10,11,12,13)		

16. Other Factors to Consider:

I declare, under penalty of perjury under the Confederated Salish and Kootenai Tribes Tribal Laws of Codified, the information contained in this worksheet is complete, true and correct.

Custodial Parent's Signature

Date

Non-Custodial Parent's Signature

Date

Tribal Court Judge Signature

Date