

**DRAFT: waiting for PGST to confirm as of 3/29/23**

**Policy 7.01 Implementation Plan and Progress Report (Draft)**

Timeframe: July 1, 2023 through June 30, 2024

Updated **3/13/2023**

**Division: Child Support**

**Region/Office: Tacoma Field Office**

**Tribe(s): Port Gamble S’Klallam**

Plan and Progress Report Due Dates: April 2 (Regional Plan submitted to Assistant Secretary) and April 30 (Assistant Secretary Plan submitted to OIP) of each year.

**Port Gamble S’Klallam Tribal Sovereignty Statement**

The Port Gamble S’Klallam Tribe entered into the Treaty of Point No Point with the United States of America on January 26, 1855, reserving sovereign and aboriginal rights in perpetuity; and the Port Gamble S’Klallam Reservation was proclaimed on June 16, 1938 to be an Indian reservation, held in trust by the federal government “...for the benefit and use of the Port Gamble Band of Clallam Indians...”, under the provisions of Section 5 of the Indian Reorganization Act, the purchase of which was paid in full by Tribe. The Port Gamble S’Klallam Tribe is a federally recognized Indian Tribe governed by a constitution adopted on August 5, 1939.

The mission of the Port Gamble S’Klallam Tribe is to exercise sovereignty and ensure self-determination and self-sufficiency through visionary leadership. We will ensure the health, welfare and economic success of a vibrant community through education, economic development, preservation and protection of the rich culture, traditions, language, homelands and natural resources of our Tribe.

The Port Gamble S’Klallam Tribe was the 2<sup>nd</sup> Tribe in Washington State to received Direct IV-D Child Support Federal Funding in April 2002.

The children of the Port Gamble S’Klallam Tribe are our most important resource. We believe that preserving a child's connections with his or her family is fundamental to the child's well-being. In S’Klallam tradition both parents are counted on to care for and support for their children.

Federal law recognizes Federally Recognized Tribes as possessing sovereignty over their members and their territory. The Code of Federal Regulations (CFR) for the Bureau of Indian Affairs identifies territory as the Service Area and the CFR for the Indian Health Services defines territory as the Contract Health Services Delivery Area. Sovereignty means that tribes have the legislative, executive and judicial power to make and enforce laws, and to establish courts and other forums for resolution of disputes.

**7.01 Policy Highlights**

The Department of Social and Health Services (DSHS) follows a government-to-government approach to seek consultation and participation by representatives of tribal governments in **policy development** and **service program activities**. This is in compliance with Chapter 43.376 RCW, the Washington State 1989 Centennial Accord and current federal Indian policy as outlined by Executive Order #13175, and the Presidential Memorandum on Tribal Consultation signed by President Obama in November 2009, which promotes government-to-government relationships with American Indian Tribes.

The DSHS 7.01 Policy applies to **all DCS programs and employees**. Administrators and regional program managers who oversee contracted services are also responsible for implementing this policy in the planning and delivery of contracted services by incorporating the appropriate language into the contracts.

ESA/DCS shall acknowledge and consider the opportunity for Federally Recognized Tribes' involvement and consultation in, but not limited to **Plans, budgets, policies, program services (including those provided by contractors and grantees), operational procedures, federal waivers or exemptions to state plans that affect American Indian people.**

**Implementation Plan**

**Progress Report**

**1 A. Coding Tribal Cases Correctly**

Goals/Objectives	Activities	Expected Outcomes	Lead Staff and Target Date	Status
<p>To properly code new cases that are open in SEMS, so that PGST members are identified accurately.</p>	<p>Tacoma Field Office and PGST will work to correctly identify PGST tribal members and make sure ethnicity and tribal coding on the case is correct.</p> <p>TRT developed a tracking spreadsheet. PGST will continue to bring to DCS attention any cases that have fallen through the cracks. All cases will be added to the spreadsheet.</p>	<p>To reduce or eliminate the miscoding of Tribal members.</p> <p>Determine if there is a pattern as to why cases are coded incorrectly and to fix the problem.</p>	<p>State: TRT, Steve McDannel, <b>DCS Tribal Liaison (position currently vacant)</b></p> <p>Tribe: Maria Huynh</p> <p>Target Date: Review annually.</p>	<p>As of 2/28/23 update, there have been no inappropriate referrals identified in this year.</p> <p>TRT sent bi-annual updates on the status of inappropriate referrals and tribal conference board decisions for the state.</p>
<p><b>1 B. Inappropriate Letters sent to PGST Clients</b></p>				

<p>PGST would like to prevent the automated three-year modification letters from going out on cases with tribal orders.</p>	<p>DCS is working with its Policy Unit to try to find a resolution.</p> <p>Tacoma and TRT will work on a flow map of what triggers the letter to see if there is a way to switch them off. Note: PGST is not concerned with employee-only connected cases.</p>	<p>Find a way to turn it off or if not, then create a cover letter to explain the tribal connection and how this affects any given case.</p>	<p>State: Jake Hughes (Policy Chief), Steve McDannel, <b>DCS Tribal Liaison (position currently vacant)</b></p> <p>Tribe: Maria Huynh</p> <p>Target Date: 8/1/23</p>	<p>DCS is federally mandated to send a letter regarding rights to modify orders to customers (45 CFR 303.8 (b) (7) ii),. These letters can cause confusion on Tribal cases. DCS will work with PGST on this issue.</p> <p>TRT is working with the DCS Policy Unit to review changing the language in the automated letter Notice of Right to Request a Review for Modification (18-566) notifying clients of their rights to modification.</p> <p>The form is still under draft and DCS Policy is reviewing. Periodic updates will be given. Review at DCS Tribal Director's Meeting 3/29/23.</p> <p>This item is also included on the Directors' 7.01 Plan.</p>
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1 C. Credit Bureau Reporting				
<p>PGST does not want Credit Bureau Reporting on any cases involving PGST/community members for any cases that are initiating or responding.</p>	<p>DCS will work on developing a pilot with data tracking and if/when that is completed, then if appropriate, will fix cases in SEMS to stop the Automatic reporting to the Credit Bureau on a case by case basis.</p> <p>Re-evaluate this at the next Director's meeting.</p> <p>For cases reported inappropriately due to incomplete payment info that DCS has, DCS will correct the reports when these cases are identified.</p> <p>DCS will send PGST a list of cases that currently have Credit Bureau Reporting being done.</p>	<p>To eliminate unwanted enforcement actions taken on Tribal Cases.</p>	<p>State: TRT, Jake Hughes, (Policy Chief), Steve McDannel, <b>DCS Tribal Liaison (position currently vacant)</b></p> <p>Tribe: Maria Huynh</p> <p>Target Date: 8/1/23</p>	<p>DCS is federally mandated to report cases to the Credit Bureau Reporting (42 USC 666(a)(7), 45 CFR 302.70(a)(7), 45 CFR 303.7(d)(6)(iii), WAC 388-14A-2160) on responding cases. For Tribal Cases DCS has been reporting to the Credit Bureau for responding and initiating cases.</p> <p>In the fall, the credit bureau workgroup resumed meeting with TRT and DCS Policy and is creating a set of guidelines regarding how/whether auto reporting can be exempted for some cases. PGST may request, on a case by case basis, to prevent credit bureau reporting if not already reported.</p> <p>The last pilot workgroup meeting was on 5/17/22. Discussed which cases to include in the pilot; how to gather and analyze the data; and whether credit bureau reporting affected regular payments.</p> <p>DCS will share the list of cases with credit bureau reporting at their next visit with PGST. Due to confidentiality a list will not be sent electronically or given to the Tribe.</p> <p>This item is also included on the Directors' 7.01 Plan.</p>

1 D. Communication and Problem Solving				Progress Report
Shorten DCS response time to Tribal policy requests	Bi-annual meetings occur between the DCS Director and Tribal Child Support Directors for this purpose. For the other two quarters, updates on progress should be reported from DCS by phone conference calls on as needed basis.	Issues will be resolved in a timelier manner with status updates provided at least quarterly.	State: Sharon Redmond, TRT, Jake Hughes, (Interim Policy Chief),  Tribes: Tribal Child Support Directors  Target Date: 8/1/23	This item is also included on the Directors' 7.01 Plan.

Implementation Plan				Progress Report
2. Policy Identification: Case Referrals				
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
<p>A. Continuation of Services: when a party terminates State TANF, determine who should continue services (DCS or PGST).</p> <p>When State TANF ends, PGST would like Non-assistance services to revert to them on a case by case basis.</p>	<p>DCS and PGST will review cases on a case by case basis to determine for which time periods each should charge.</p> <p>At the beginning of each month, DCS will continue to pull a list of cases for which TANF has ended and provide it to PGST.</p> <p>PGST will then notify DCS if they have any info that the child is no longer in the household.</p> <p>On average this there is less than one case per month that meets this criterion.</p> <p>When appropriate, DCS will work with the tribe to try to close DCS cases so enforcement can revert to PGST.</p>	<p>Clear understanding by both DCS and PGST of which time periods each jurisdiction is charging; who is providing services; and who should enforce.</p> <p>When a Custodial Parent stops State TANF, <b>DCS Tribal Liaison (position currently vacant)</b> or Steve will contact PGST.</p> <p>Both agencies will work together to get services reverted to PGST within DCS policy guidelines.</p>	<p>State: Sharon Redmond, <b>DCS Tribal Liaison (position currently vacant)</b>, Steve McDannel, TRT</p> <p>Tribe: Maria Huynh</p> <p>Target date: Reports provided monthly and issues reviewed annually.</p>	<p>This is still under review by the Policy unit at DCS HQ. TRT is working with Policy on it.</p> <p>This issue is especially problematic for PGST because PGST continues to provide full service on their end. In TANF cases involving children in care (ICW) cases it's difficult for the PGST case managers to contact the CP (Custodial Parent) to get a closure request.</p> <p>Status: Monthly emails from <b>DCS Tribal Liaison (position currently vacant)</b> to PGST with list of cases for which TANF ended the previous month is working well to identify cases needing follow up.</p> <p>This item is also included on the Directors' 7.01 Plan.</p>

Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
<p>B. Involving the tribe in any ongoing conversations with DCYF regarding sending referrals to DCS.</p>	<p>TRT will work with Policy to include the tribes in conversations with DCYF.</p> <p>Invite someone from DCYF to present at a quarterly meeting.</p>	<p>For PGST's input to be included in the formulation of the new process.</p>	<p>State: <b>DCS Tribal Liaison (position currently vacant)</b>, Steve McDannel, TRT</p> <p>Tribes: Maria Huynh</p> <p>Target date: Review Annually</p>	<p>Target: 8/1/23.</p> <p>DCYF is no longer sending referrals to DCS.</p>
<p>C. Identify Youth in Need of Care cases for possible closure.</p>	<p>Review caseload to identify these cases for inappropriate referrals or Good Cause.</p> <p>Determine if they can be closed.</p>	<p>Close cases that meet criteria.</p>		



3. Policy Identification: Treasury Offset Certification				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
Certify appropriate cases for Treasury Offset.	PGST requests DCS certify child support debt for Treasury Offset.	PGST cases referred by the tribe will be certified for Treasury Offset.	<p>State: Steve McDannel, <b>DCS Tribal Liaison</b> (position currently vacant)</p> <p>Tribe: Maria Huynh</p> <p>Target Date: Annual review</p>	<p>PGST and DCS reconcile the debt(s) on these cases monthly to keep debt records accurate.</p> <p>Tacoma will update PGST timely when policies change regarding intercepting stimulus payments.</p> <p>In October 2021, PGST acquired a new database, leading to easier to reconciliation of debts, quicker identification of mistakes and being able to close cases sooner.</p>

4. Policy Identification: Training Opportunities				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
<p>A. Share training opportunities. As needed, PGST may request DCS to develop training and present it to their staff. Other tribe's staff could also attend these classes.</p>	<p>DCS and PGST will advise each other of ongoing training events.</p> <p>Tribal Liaison will develop the training and provide to PGST upon request and invite other tribes as appropriate.</p> <p>DCS will provide refresher training on SEMS and ACES upon request.</p>	<p>Share training resources and opportunities from DCS to Tribal staff upon request.</p> <p>DCS to provide refresher training on Conference Boards upon request.</p>	<p>State: TRT, Steve McDannel, <b>DCS Tribal Liaison (position currently vacant)</b></p> <p>Tribe: Maria Huynh</p> <p>Target Date: 8/1/23</p>	<p>Conference Board Training: will do refresher training annually on this subject.</p> <p>Hybrid trainings are available as requested.</p> <p>DCS presented training on the license suspension process and credit bureau reporting via Microsoft Teams on 4/28/23.</p>

<p>B. Increase awareness and understanding of Tribal culture.</p>	<p>DCS staff associated with the Tribal Team is given appropriate training (i.e. Government-to-Government &amp; 7.01 Training).</p> <p>DCS may consider providing tribal panel discussions at its annual conferences</p> <p>DCS policy is to send all personnel who will be working with Tribal agencies and counterparts to Government-to-Government training. Staff members who wish to participate in any tribal cultural event is encouraged.</p>	<p>Enhanced knowledge of DCS staff on Tribal history, culture and practices.</p>	<p>State: Steve McDannel</p> <p>Tribe: Maria Huynh</p> <p>Target Date: 8/1/23</p>	<p>To date, all Tribal Liaisons have been trained, as well as many other DCS staff.</p> <p>At PGST's Job Fair in May 2022, DCS was available to help people who have license suspension issues.</p> <p>PGST Hosting Canoe Journey July 27.</p> <p>All DCS Tribal Liaisons have had Government to Government Training, as well as 7.01 Training.</p> <p>PGST did a presentation at the WAPA Conference in May 2022</p> <p>This item is also included on the Directors' 7.01 Plan.</p>
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5. Policy Identification: Communication and Problem Solving				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
<p>A. Effectively working hard-to-collect cases involving PGST tribal members where collection remedies have been exhausted by the Tribe.</p>	<p>Line staff from both offices will discuss individual cases and their circumstances to best identify the most effective way to work the case.</p> <p>DCS will periodically meet with PGST to review cases and DCS will come to PGST whenever requested.</p>	<p>Cases will continue to be worked utilizing the resources available to both DCS and the Tribe in a way that preserves the Tribe's jurisdiction and maximizes available collection remedies.</p>	<p>State: Steve McDannel, <b>DCS Tribal Liaison (position currently vacant)</b></p> <p>Tribe: Maria Huynh</p> <p>Target Date: as requested</p>	<p>It is very beneficial for DCS staff to meet face to face to go over more difficult cases.</p> <p>During COVID, they transitioned to virtual meetings and that process went well. They have been having periodic meetings as needed.</p> <p>We has one in person meeting and will have more as needed.</p>
<p>B. Promote regular meetings between Tribal and DCS Staff. PGST can request additional meetings as needed.</p>	<p>DCS and Tribal staff will meet separately from the regular meetings to discuss issues of unique concern or process to this program and relationship.</p> <p>The District Manager Heidi Montgomery and the Tribal Unit staff will meet with all Tribal Representatives on a quarterly basis at our "Meetings."</p>	<p>Enhanced communication; understanding and respect; cross program discussions; problem solving; issue identification; mutual support.</p>	<p>State: Heidi Montgomery, Steve McDannel, <b>DCS Tribal Liaison (position currently vacant)</b></p> <p>Tribe: Maria Huynh</p> <p>Office of Indian Policy: Brenda Francis-Thomas</p> <p>Target Date: Quarterly</p>	<p>Quarterly Tacoma Tribal meetings work very well. DCS will organize and facilitate the meetings. These meetings have occurred regularly (quarterly) for many years.</p> <p>With the advent of COVID-19, these meetings have successfully continued quarterly, but in a virtual format using the Microsoft Teams platform. We plan to resume meeting in-person twice a year.</p>

<p>C. Effectively communicate circumstances where DCS receives an overpayment on a case and the payment has come from PGST.</p>	<p>DCS and PGST to consult with each other before refunding overpayments to clients.</p> <p>DCS/PGST communicates as to where the refund should go if there is an overpayment and whether payment should be refunded or held for rollover. Also, DCS will contact PGST regarding any payments being held for rollover.</p>	<p>Prevent financial errors in applying and refunding money inappropriately.</p>	<p>State: <b>DCS Tribal Liaison (position currently vacant)</b>, Steve McDannel</p> <p>Tribe: Maria Huynh</p> <p>Target Date: 8/1/23</p>	<p>The process is working well and there have been few overpayments.</p>
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<b>6. Policy Identification: Hiring</b>	<b>Progress Report</b>
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<b>Goals/Objectives</b>	<b>Activities</b>	<b>Expected Outcome</b>	<b>Lead Staff and Target Date</b>	<b>Status</b>
<p>Inclusion of Tribal Staff in major DCS hiring decisions</p>	<p>DCS will invite Tribal Staff to participate in interview panels and/or consult on major hiring decisions that have direct impact on Tribal Team workload, including District Manager, Child Support Program Manager, Supervisor and Tribal Liaisons.</p> <p>PGST will be asked to participate in interview panels and provide tribal aspect in hiring decisions that have a direct impact on the tribal team</p>	<p>Increased relationship building through participation in key hiring decisions.</p>	<p>State: Heidi Montgomery, Steve McDannel</p> <p>Tribe: Maria Huynh</p> <p>Target Date: review annually.</p>	<p>Maria participated on hiring panel for Tacoma Tribal SEO3 on 3/14/23.</p>

7. Policy Identification: Teambuilding				Progress Report
Goals/Objectives	Activities	Expected Outcomes	Lead Staff and Target Date	Status
Build a stronger sense of teamwork between the DCS Tribal SEOs and Tribal Program Staff.	DCS staff and PGST will advise each other of relevant office or cultural events.	DCS and PGST will participate in gatherings as opportunities arise.	State: Heidi Montgomery, Steve McDannel  Tribe: Maria Huynh  Target Date: annual	DCS will invite staff to attend the Canoe Landing and participate in events if/when they happen.
8. Policy Identification: Institutional Memory				Progress Report
Goals/Objectives	Activities	Expected Outcomes	Lead Staff and Target Date	Status
To memorialize decisions and agreements between PGST and DCS for future reference	In addition to items in this 7.01 Plan, a DCS Desk Manual was developed. The Desk guide is updated when issues are identified and to date is current.	To capture procedures and guidelines that were discussed and mutually agreed upon.	State: DCS Tribal Liaison (position currently vacant)  Tribe: Maria Huynh  Target: Review Annually	The current iteration has been added to the bottom of this plan.

## Completed or Tabled Items

**\*List of Acronyms**

- ACES – Automated Client Eligibility System (IV-A database)
- FC - Foster care
- DCS - Division of Child Support
- DM – District Manager
- FC – Foster Care
- HQ – Headquarters
- OIP – Office of Indian Policy
- PGST- Port Gamble S’Klallam Tribe
- SEMS – Support Enforcement Management System (DCS’s database for cases and case work)
- TANF – Temporary Assistance to Needy Families (Cash benefits)
- TFO – Tacoma DCS Field Office
- TL - Tribal Liaison
- TRT- Tribal Relations Team

Goal/Activity/Outcome	Date	Item
MEO cases referred when biological parents in the home	October 2013	Completed
Requested access to more SEMS WEB screens	December 2013	Complete can revisit at a future date if necessary
PGST requested training on SEMS and ACES	February 2013	Training Provided
Request for multiple Tribal Access Code	December 2015	Unable to update SEMS, can revisit at a future date if necessary
PGST requested DCS look at ways to get orders enforced without having to serve notice as there is a delay in enforcement	March 2016	TRT provided language that other Tribal courts used for immediate enforcement. PGST provided that language to their tribal court.

Goal/Activity/Outcome	Date	Item
Foster Care Referrals. DCS is working with Children's Administration to ensure foster care cases are coded correctly	March 2016	Complete. DCS discovered why cases are not coded correctly and are working with Children's Administration to resolve this issue.
PGST requested ability to look at case file images to see the order. SEMS WEB only allows them to view DATA only	March 2016	PGST requested this item be moved to completed as they cannot access case file images only Court Order summaries in SEMS WEB.
PGST requested DCS look at easier options for payment to be deposited directly. The online web portal requires a debit which is not an option for the tribe.	March 2017	Unable to resolve at this time, may revisit in the future.
PGST requested DCS provide Conference Board training.	2017	Training provided.
DCS to train their HQ and Field Set-up staff on ways to identify Tribal cases.	2017	Training held at HQ and in Field Office.
PGST requested DCS look into other options for direct payments	2017	Due to limitations on both ends, no resolution was found. This may be revisited in the future.
Find and close cases that were originally opened for Medical Enforcement only and for which DCS has never received an application for full services.	January 2018	It appears all cases have been identified and closed.
PGST participation on DCS hiring panels.	March 2019	In the past, PGST has been invited to hiring panels in Tacoma DCS for the positions of District Manager, Child Support Program Manager and on the Tribal team. They have participated when they were available to do so. This continues.
DCS to provide a list of common cases for which TANF has terminated so PGST can determine who should continue/resume services.	March 2019	DCS has provided a list each month and has networked with PGST to determine continuation of services for each case. This continues.
When requested, allowing continuation of services to revert to PGST when foster care ends.	December 2017	A change in policy now allows DCS to let PGST provide continuation of services with the new CP when ongoing foster care ends. The policy changed, but the process is ongoing.



Goal/Activity/Outcome	Date	Item
Conference Board training was provided.	January 24, 2019	Completed
PGST^ requested access to view/use the Employer Inquiry screen in SEMS to search for addresses for new employers. Because it is housed within SEMS and not on SEMS Web, DCS is not able to do this. However, TL's can/will look up any employer for PGST whenever they request it.	January 2019	Completed
WA Policy was modified to allow distribution of payments that do not follow the algorithm when PGST requests for business purposes and/or to match their laws and policies.	July 1, 2018	Completed WAC 388-14A-5007
Stop sending automatic letters to inmates expected to be incarcerated six months or longer regarding modifying their child support order for tribal cases.	July 2019	Completed
Handling cases for Continuation of Services when foster care (FC) ends: When State foster care ends, PGST would like Non-assistance services to revert to them on a case by case basis. DCS is pulling a list each month to provide to PGST to identify cases that should revert to PGST for enforcement	July 2021	Completed

Goal/Activity/Outcome	Date	Item
<p>when foster care ends and allow PGST to resume enforcement.</p> <p>The DCS Policy Unit has developed policy regarding termination of FC that allows PGST to resume services when FC ends.</p>		
<p>To locate parties of Tribal Child Support cases in the most expedient manner possible in circumstances when PGST and DCS do not have a shared case. / DCS continues to provide locate services as resources allow. DCS does this on an ongoing basis as requested.</p>	<p>July 2021</p>	<p>Completed</p>
<p>Provide avenues to discuss problems and solutions. All Division of Child Support staff commits to be accessible and approachable.</p> <p>Tribal staff is encouraged to call the SEO 4 Tribal Liaison, the District Manager, or TRT should front-line efforts at DCS not meet expectations or there are suggestions for improvement.</p>	<p>July 2021</p>	<p>Completed</p>

Excerpt from Tacoma DCS Tribal Desk Guide:

**TLs are directed not to disclose IRS or FTI to Tribal child support programs in any way, verbally or written. Payment amounts may be described as voluntary or involuntary, or administrative/non-administrative.**

### **Caseload Assignments**

The 6624 caseload is Responding to PGST CSP, it is a combination of “IRS Only”, Full Enforcement and Associated cases. The 0569 caseload is Initiating to PGST for enforcement.

### **Communication methods**

PGST CSP prefers to be contacted by email, but if immediate assistance is required please contact the assigned Case Manager via the telephone. Please list NCP’s initials in the Subject line.

If DCS is contacted by other states, Maria has given approval to give out her direct contact information.

### **Conference Board Request for Treasury Offset Funds**

1. DCS will send a copy of the Conference Board request to PGST.
2. If there is only Tribal interest in the certified funds, the Tribe agrees to perform the Administrative Review as required CFR 303.72. The Tribe will notify DCS in writing of the Administrative Review decision which will allow the Tribal Liaison to make any necessary action.
3. In cases where there is a joint Tribal and DCS interest in the certified funds, DCS and the Tribe will work together to provide the administrative review.
  - (a) The Tribe makes the final determination on any debt certified on its behalf and provides DCS with written recommendations instructing DCS if and how to provide relief to the NCP regarding any debt certified on the Tribe’s behalf.
  - (b) DCS will make the final determination on debt it certified on its own behalf.

### **Continuation of Services**

If there are any cases ending WA TANF that were previously PGST NA cases, then the Tribal Liaison will contact PGST CSP to discuss which agency will provide continuation of services to the CP. The CP must send DCS a written request to close the case if PGST CSP will continue enforcement. If the CP doesn’t, DCS will send a letter to the CP to ask which agency should continue services. Then if there is still no response, DCS will initiate case closure based on non-cooperation. Meanwhile, DCS will hold current support payments until resolved.

### **Credit Bureau Reporting**

The Credit Bureau Reporting indicator should be set to E (Exempt) on IRS only cases received for enforcement from the Port Gamble S'Klallam Tribe.

### **Domestic Violence Information**

Domestic Violence information should be listed on page 2 of the Transmittal #1 under Section VI. Other Pertinent Information.

### **Emancipation**

School Enrollment & H.S. Graduation dates for children turning 18 yrs. old (Please contact PGST Case Managers to coordinate which agency will contact the necessary parties for this information). Per PGST, the request for this information will be handled on a case by case basis. Note: For any cases referred to PGST solely because the NCP is a tribal employee, DCS does not need to check.

### **Employment and Enrollment Verifications**

Send a Secure email to Leeanne Tom; provide the parties (***name, social security number and date of birth***) if employment verification also include the tribal employer's name.

### **Enforcement**

**\*\*\*\* Please contact the Tribe before doing any enforcement actions such as bank hits, jail hits or Driver's license suspensions, including employer withholding. \*\*\*\***

### **IWW/WSSR Language in PGST Community Court Orders**

PGST adds IWW/WSSR Language to some PGST Community Child Support Orders effective 8/2021. Per review from DCS Policy, this removes the requirement of needing to serve an NCP the DCS 9-272 "Notice of Support and Demand for Payment" which informs the CP of DCS's actions for enforcement of collections. In other words, DCS can consider these Orders to be immediately enforceable without further action needed. PGST can/will serve if the NCP is in their area, this will speed up services.

**Locate Only Request (applies when DCS does not have an open case)**

1. Use the 18-572 form. In the (To) Section list the below information for (Agency Name and Address).

WA DIVISION OF CHILD SUPPORT  
ATTN: DCS IN-REM SERVICES  
PO BOX 11520  
TACOMA, WA 98411-5520

2. Select Box 10 (Other) and type "Locate Information". When forwarding VIA email 18-572 that is received from Tribe & there is not an open case, send 18-572 to "Convert Images" (D#99999979/Referrals/Interstate/RB).

**Referrals for Paternity and Order Establishment ---- (Please send all referrals to Leanne)**

**\*\*\*BI #'s not necessary, but include Tribal Affiliation if applicable \*\*\***

**\*\*\*Please verify with Leanne Tom that PGST will take a referral before sending it to her\*\*\***

**(Do not delay this process just because we do not have a current address for the NCP. As soon as it is identified that the NCP is a PGST member, start the process. If in doubt, check with PGST).**

1. Send 9-881 to CP (**2 week waiting period**)
2. Transmittal #1 – 18-570 and Acknowledgment - 18-729
3. Confidential Information form – 18-730
4. CBRI or Birth certificate (if available in SEMS or Barcode). If not, send a screen shot of DOH birth record screen.
5. Print out of Dates on/off TANF (*4R Screen*) and Dates on/off Foster Care (use dates in Famlink).
6. Scan referral and send via secure email to Leanne, do not mail originals. Leanne will send a response confirming receipt of referral and who has been assigned as Case Manager
7. Add Intergovernmental information to the 'BC' screen
8. Tribal Access Code: 25 and Non US FIPS Code: TR-025.
9. Set RC out for 3 months, to check status. (When possible, please send/email all DCS forms & additional information to PGST together in one combined PDF).

**Referrals for Enforcement ----- (Please send all referral to Leeanne)**

**\*\*\*BI #'s not necessary, but include Tribal Affiliation if applicable \*\*\***

1. Send 9-881 to CP (2 week waiting period)
2. Send Transmittal #1 – 18-570 and Acknowledgment - 18-729
3. Confidential Information form – 18-730
4. CBRI or Birth certificate (if available in SEMS or Barcode). If not, send a screen shot of DOH birth record screen.
5. Print out of Dates on/off TANF (4R Screen) and Dates on/off Foster Care.
6. Copy of Court Order
7. Split version of Debt Calculation to show buckets (no certification required)
8. Case Payment History
9. AH screen if NCP has multiple cases
10. Scan referral and send via secure email to Leeanne; PGST CSP does not require certified copies and do not mail originals. Leeanne will send a response confirming receipt of referral and who has been assigned as Case Manager.
10. Add Intergovernmental information to the 'BC' screen
11. Tribal Access Code: 25 and Non US FIPS Code: TR-025.
12. Set RC out for 1 month if NCP is employed with the tribe. (When possible, please send/email all DCS forms & additional information to PGST together in one combined PDF).
13. **New Employer Only Cases:** In cases where the NCP is not a Tribal member & is only an employed by the Tribe, check to see if NCP is already making direct payments & the process is working well. Please review the case with PGST to see if they still want a referral for the case. If not, keep the case in the PGST caseload and continue to monitor for receipt of timely & consistent payments. If payments stop, review case with PGST to see if NCP is still employed by the Tribe and determine if a referral needed.

**Referrals from PGST**

After a new referral has been received and DCS has completed setting up a case, send a "Split Debt Calc" to PGST. This will inform them that the case set-up has been completed and this will also provide PGST with the DCS case D# that has been assigned to the new case.

**Referred back to DCS – Paternity and Order Establishment**

PGST CSP will attempt to work a case; if unsuccessful they will refer the case back to DCS in approximately 6 months for enforcement. If DCS has jurisdiction to proceed, the Tribal Liaison will work it like a regular case, but the case should remain in the tribal load.

### **Refunds, Overpayments and Rollover Payments**

When a case becomes current and there are additional funds held in suspense by DCS, the Tribal Liaison will contact PGST CSP to confirm if the payment should be refunded, held, applied to the next month's support or sent back to PGST to refund. If a refund is processed & funds are sent to the NCP, send the cases DH information to the assigned Case Mgr @ PGST.

When a case becomes current and there are additional funds held by PGST, PGST will contact DCS to confirm if the payment should be refunded, held or applied to the next month's support or sent back to DCS to refund. When PGST has a larger payment than appears to be more than owed, PGST will confirm and then pass through the balance owed and refund the difference directly to the NCP. PGST will handle voluntary overpayments on a case by case basis.

### **Special Distribution Cases**

Leeanne will notify Aldon to set SI on cases when the tribal payment needs to be disbursed differently than by the algorithm, per PGST CSP request.

### **Statute of Limitations**

PGST has no "Statute of Limitations."

### **Treasury Offset Cases**

Our Treasury Offset Agreements with tribes *do not* include passport denial and never have. So if the only case we have is for treasury offset, we will need to manually deselect the passport denial option. Also, the Credit Bureau should be set to "E" = Exempt.

### **Treasury Offset Agreement for reference if needed:**

<https://www.dshs.wa.gov/sites/default/files/ESA/dcs/documents/Tribal/PortGambleTreasuryOffset.pdf>

### **Treasury Offset Certifications**

1. PGST CSP may send cases for enforcement even if the debt has not yet met the threshold for certification. This is will be done if no additional payments from the NCP are anticipated.
2. Leeanne will continue to send the Treasury Offset Certification List by the 10<sup>th</sup> of each month.
3. On cases where current support is owed, if a case/debt is paid in full by the Treasury Offset payment, the case will remain open.

### 7.01 Plan Quarterly Meetings

Meetings have traditionally been held quarterly, with the location rotating as follows: January – Port Gamble, March – Puyallup, July – Suquamish and October – DCS. To prepare for meetings, the supervisor should send the call for agenda items approximately one month before a meeting, along with a calendar invitation to the meeting. Approximately two weeks before the meeting, the agenda should be distributed and the agenda sent to each tribe should include an attachment of that tribe’s Annual 7.01 Plan.

### IG Locate Only Requests

For open case: Send to Convert Image as Other Agency/Incoming/RB. For closed or no case: Send to Convert Image with D#99999979 Referrals/Interstate/RB.

### Jurisdiction for Modifications

Per Brittny Considine/HQ: *“It’s helpful to try to reframe the issue not as one of “giving” jurisdiction to another tribunal (state or tribe), but rather as an analysis of CEJ under the appropriate law. In Steve’s email below, he requests some clarification on “whether the guidelines we follow with other states for modification jurisdiction apply unilaterally to tribal cases, too, or if there may be different rules.” The response is that there are different laws that apply. With states, we are looking to UIFSA. All states have been required to enact UIFSA, but tribes are not subject to that same requirement and generally have not enacted UIFSA. So, we look to the [Full Faith and Credit for Child Support Orders Act](#) as the appropriate law to analyze jurisdictional issues with tribes. The analysis is very similar under the two different legal frameworks, but we do look to different laws when we are working with states and tribes. Each requires a legal analysis to determine appropriate jurisdiction based on the facts of each case. These issues can be complex, and we want to make sure that jurisdictional issues are handled properly so that we end up with valid and enforceable orders. That being said, we want to work cooperatively with tribes (and states) to get modification to the appropriate jurisdiction where the analysis and all of the facts support the mod occurring there”.*

### NWEP

For an NWEP referral on a Tribal case, post a case comment 63 that starts: Per TL SEO#....

### Tribal Reviews

Typically one email per case is sent for review, there is no pre-determined priority as to who will review each case; it is usually just first-come first-serve. After making the review and adding a CC 76, use “Reply-All” to the email and explain what you found (This ensures the other tribal liaisons see the review has been done, as it will add an additional email with ‘re:’ preceding the subject line). If the case meets tribal criteria, it can be transferred to the corresponding SEO# via **RE** in the action field of SEMS. If it does not, it is prudent to update the **BC** coding (removing the Tribal coding from the **Enf Svc** field), and update **BI’s** for parties if needed.



1.) For *Foster Care* cases, open FAMLINK and enter the child's CAMIS # in the Person ID field and then search. Once the individual is returned, you can click his/her name (blue hyperlink) to open his/her personal page. The Basic tab will usually indicate American Indian under Ethnicity, and the ICW tab will include whether the tribe(s) have been contacted about enrollment or eligibility.

If the ICW tab is blank or inconclusive, return to the search window. From there, click the meeples (☒) to the left of the individual's name. This will expand the menu downward. Next click the (☒) next to Intake. The reports included within this subgroup are typically good information about the family background and can explain why the individuals are coded Native American.

Finally, expanding the Cases by clicking (☒) then again clicking (☒) on one of the subsequent cases that appear will open a new menu. The (☒) button will open a new window where scanned documents can be viewed. Sometimes documents titled "ICW" are available to be viewed. These can provide great information about which tribes may be involved.

2.) For *Non-Assistance / TANF* cases, the first step usually taken is to check the **CC** screen to see if any CC76s have been added to the case for insight. It is also prudent to check all parties' (including the child) **BI** screen to see what the Native American coding shows.

Next steps are to check ES/NDNH for NCP/CP, to see if either work for a Tribal Employer. Cross-reference any possible matches with the **TI** screen, which is found on SEMS Web. Another place to look is the parties' **IA** for the possibility that they may be residing on a reservation. You may need to search the address on Google Maps to see where it is located.

The next step would be to check ACES or Barcode to review the Application for tribal affiliation information.

Depending on which tribe is involved you may need to contact a tribal liaison in another field office. A list of tribal liaisons and which tribes they work with can be found [here](#).

3.) *Interstate Cases* may be coded as tribal; these should be reviewed similarly to the other examples above. Typically if Washington is the **Responding Jurisdiction**, we do not need to worry about the **CP** or the **CH** being a tribe member, as the **Initiating Jurisdiction** should be aware of any issues. Two notable exemptions to this are the *Coeur d'Alene* and *Nez Perce* tribes (both are tribes in Idaho), who both have agreements with DCS that they do not have with Idaho child support.

Generally, if WA is **responding**, you only need to take the **NCP** into consideration. If you find the **NCP** in another state and need to initiate the case, make sure the case is already reviewed for any possible tribal affiliation before you do. If the custodian or child belongs to a tribe, that tribe may want to be involved if paternity will be established. If you know the **NCP** belongs to a tribe and is either living on a reservation or working for an out-of-state tribe, you may end up sending the case to be worked by an out-of-state Tribal Child Support Program rather than a state IV-D agency.

Lastly, make a case comment code (76) regarding your “Tribal Review” findings. If appropriate change the **Enf Svcs** code from 8 to 2.

Some tribes have agreements with Washington State for Treasury Offset only, such as *Tlingit & Haida (CCTHITA)*. The tribe based in Alaska requests WA set up cases to attach the NCP’s tax refunds and forward them to the tribe. Generally, these cases should be based in the Everett field office, but it’s possible you may find one if paternity needs to be established.

\*\*\* Credit Bureau Pilot Project Cases: Tracking new referrals when NCP is a Tribal member to gather information about “Exempt Credit Reporting” for new referrals beginning 6/2022 when NCP is a local Tribal member. **When unreported cases are identified, or new ones are received, and the NCP is a local Tribal member, then the case should be exempted from Credit Reporting and the Tracking Spreadsheet located on L Drive for Team 8 should be updated.**