

Policy 7.01 Plan and Progress Report

July 1, 2019 – June 30, 2020

Updated: 3/11/2019

ESA Division: Division of Child Support (DCS)

Region: 1
FO: Spokane

Tribe(s): Kalispel Tribe of Indians (KTI)

Notes: A 7.01 meeting with the Kalispel Tribe and DCS took place on 3/11/2019 in Airway Heights, WA. Kalispel Tribe's attorney, Michele Fukawa, has not responded to requests for approval. This is a Draft Plan only.

Annual Due Date: April 12 (Submit Regional Plan to the Assistant Secretary) and April 23 (submit Assistant Secretary's Plan to OIP)

Attendees:

Cathleen Kintner-Christie – KTI Court
Annette Hall – KTI Camas Path
Christine Goodwater – KTI Legal Office
Michele Fukawa – KTI Legal Office
Alexandria Desautel – KTI Camas
Jessica Pakootas – KTI Camas Path
Wendy Thomas – KTI Social Services
Stacey Allen – KTI Camas Path

Melissa Hurt-Moran – KTI Camas Path
Marty Meineke – KTI Camas Path
Janet Gone – DSHS OIP
Aurora Maskall – DSHS DCS
Delana Mercer – DSHS DCS
Courtney Dale – DSHS DCS
Julie Woods – DSHS DCS
Randy Rudin – DSHS DCS

Implementation Plan

Progress Report

(1) Goals Objectives	(2) Activities	(3) Expected Outcome	(4) Lead Staff and Target Date	(5) Status update for the Fiscal Year Starting Last July 1
1) Update Formal Child Support Agreement Between DCS and Tribe.	As needed, review provisions of 2003 Child Support Agreement Between DCS and Tribe and revise and update as mutually agreed upon.	Mutually agreed upon Updated Child Support Agreement Between Tribe and DCS.	<p>Michele Fukawa, KTI Staff Attorney (509) 789-7606 mfukawa@kalispeltribe.com</p> <p>Cathleen Kintner-Christie, KTI Tribal Court Administrator (509) 445-1664 x7128 ckintner@kalispeltribe.com</p>	All members, regardless of residential location, are subject to the jurisdiction of the Kalispel Tribal Court. DCS placed the files of all known Kalispel members in a specialized caseload maintained in the Spokane Field Office. A copy of the specific criteria used to identify these cases is attached for reference.

Implementation Plan				Progress Report
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			<p>Julie Woods, DSHS DCS SEO3 (509) 363-4974 julie.woods@dshs.wa.gov</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	No changes to the formal agreement have been made in 2019.
<p>2) Assure opportunity for Tribal Court to order customary, traditional and in-kind support by non-custodial parent, in lieu of, or in addition to cash support, in all child support cases before the Tribal Court involving DCS as a party.</p>	<p>Per the terms of sections 2, 5, and 7 of the 2003 Kalispel-DCS agreement, as applicable, the non-custodial parent may request credit for in-kind or traditional support. Claims officer will discuss in kind support with parents prior to Court. DCS is unable to track or enforce the collection of in kind support.</p>	<p>DCS and Tribal staff will work with the parents, as appropriate, to discuss application of traditional, in-kind and/or customary support in lieu of cash support.</p>	<p>Michele Fukawa, Cathleen Kintner-Christie, Julie Woods, Aurora Maskall, DSHS DCS Attorney (509) 363-5029 aurora.maskall@dshs.wa.gov</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	<p>DCS is appearing through attorney Aurora Maskall and/or Steven Elijah. Customary, traditional and in-kind support by non-custodial parent, in lieu of, or in addition to cash support is an option and can be addressed in all child support cases before the Kalispel Tribal Court.</p>
<p>3) Continue Implementation of 2003 DCS/Tribal Agreement on Child Support</p>	<p>DCS to continue to bring cases to Kalispel Tribal Court, as provided under 2003 Child Support Agreement Between DCS and Kalispel Tribe; Tribe to provide hearing time on the Kalispel Tribal Court Civil Docket to address cases brought by DCS, as well as cases brought by members as set forth in the Agreement.</p>	<p>Kalispel Tribal Court provides hearing times on civil court docket approximately once a month at Cusick (with respect to parties living on or near the Reservation) and/or at Airway Heights as</p>	<p>Michele Fukawa, Cathleen Kintner-Christie, Julie Woods, Aurora Maskall</p> <p>Target: Expected to</p>	<p>DCS is appearing through attorney Aurora Maskall and/or Steven Elijah. All involved agree that this process is going well.</p>

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		<p>needed to address child support issues as requested by Tribal members and DCS.</p> <p>DCS to ensure that language in the Motion to Intervene reflects the intent of the Kalispel Tribal Code.</p>	continue unchanged through June 30, 2020	
<p>4) Provide opportunity for parents involved in ICW cases to have cases jointly staffed to address and take into consideration the reunification requirements.</p>	<p>DCS and Tribe to work together for setting paternity and child support issues in coordination with ICW Cases as appropriate.</p> <p>DCS and Tribe to coordinate \$0 support orders on parents involved with ICW cases in which they are unable to work due to reunification requirements, and are in compliance with requirements for ICW Program.</p>	<p>Better coordination of services allowing parents to focus on issues that promulgated the dependency.</p>	<p>Michele Fukawa, Cathleen Kintner-Christie, Julie Woods, Aurora Maskall</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	<p>Court clerk sets concurrent hearings for ICWA and child support issues. DCS may not be aware of all Kalispel members involved with Washington State Department of Children, Youth and Families (DCYF).</p> <p>Michele Fukawa and Aurora Maskall and/or Steven Elijah discuss these matters as needed. Wendy Thomas and Julie Woods are available and can be included in these discussions if the need presents.</p>
<p>5) Provide opportunity for hearing in Kalispel Tribal Court on Charge-off of State Owed Child Support Arrearages for all Kalispel Tribal NCPs.</p>	<p>DCS staff are prepared to discuss potential charge-off of state owed arrears in every hearing per Section 7 of the Agreement. No charge-off requests are currently pending and none have been made in more than 12 months.</p>	<p>All Kalispel members in DCS caseload have reasonable opportunity for hearing and decision by Kalispel Tribal Court on</p>	<p>Michele Fukawa, Cathleen Kintner-Christie, Julie Woods,</p>	<p>DCS staff are prepared to discuss potential charge-off of state owed arrears in every hearing.</p> <p>DCS prefers that paying parents request charge-off through DCS's</p>

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		charge-off of some or all of child support arrearages owed to State of Washington.	<p>Aurora Maskall,</p> <p>Christi Jackson, DSHS DCS Attorney and Tribal Conference Board Chair (360) 634-5333 christi.jackson@dshs.wa.gov</p> <p>Target: Expected to continue as requested through June 30, 2020. Review to be done in or near September 2019.</p>	<p>in-house Conference Board write-off process first because this is generally most expedient and least costly.</p> <p>Christi Jackson, Tribal Conference Board Chair, is able to provide in-person training about the DCS Conference Board Process to KTI staff by request. Additionally, DCS will accept a Conference Board request from KTI staff on behalf of a paying parent.</p>
<p>6) Provide outreach opportunities for DCS staff to become better known by members and Tribal employees and improve members' and Tribal employees' knowledge of child support and parentage services available from DCS and at Kalispel Tribal Court.</p>	<p>Tribe and DCS Spokane to mutually arrange for DCS to attend outreach opportunities as they arise. A regular schedule and pre-planned events will help to better meet the needs of members.</p> <p>Monthly outreach efforts in Usk and Airway Heights will be coordinated. DCS participation in KTI orientations will also be coordinated.</p>	<p>Kalispel Tribal members and employees of Northern Quest Casino become well-informed as to actions they can take in their child support cases. DCS can also provide information to Kalispel members unfamiliar with the services offered by DCS.</p>	<p>Michele Fukawa,</p> <p>Stacey Allen Office Coordinator sallen@camashealth.com 509-789-7636</p> <p>Sarah Beito, KTI Human Resources (509) 481-4176 sbeito@ktea.com</p> <p>Becky Walrath Director of Human Resources 509.447.7268 bwalrath@kalispeltribe.com</p> <p>Julie Woods,</p>	<p>DCS has not conducted any recent outreach with Kalispel.</p> <p>DCS to contact KTI Human Resources in April 2019 to discuss scheduling of the regular outreach.</p> <p>DCS is available to meet with clients at future public settings such as job fairs, health fairs, etc.</p> <p>DCS is able to provide printed materials regarding child support, assistance with Acknowledgement of Parentage forms, and Child Support 101 presentations.</p> <p>Child support information would likely be of use to ICW staff and clients because child support is</p>

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			<p>Michael Leitch, DSHS DCS SEO3 (509) 363-4943 michael.leitch@dshs.wa.gov</p> <p>Target: Outreach is expected to increase as requested by KTI. Review to be done in or near September 2019.</p>	<p>often an afterthought to families trying to reunite with their children.</p> <p>DCS Spokane's parentage coordinator, Michael Leitch, can be made available to provide training by request from KTI; this training may be helpful for Kalispel Tribal Court staff.</p>
<p>7) Provide information for the Tribe's Website and/or the Tribal Court website about child support and parentage services available to members.</p>	<p>DCS has provided copies of multiple forms in the past which may be beneficial to Kalispel Tribal members. DCS will provide copies of any additional forms as requested or when updated.</p>	<p>Members and Northern Quest employees can readily access information at Tribe's website regarding child support and parentage services available at Kalispel Tribal Court and the appropriate persons and contact information to assist them.</p>	<p>Michele Fukawa, Julie Woods, Michael Leitch</p> <p>Target: Brochures are available upon request.</p>	<p>DCS has provided copies of multiple forms in the past which may be beneficial to Kalispel Tribal members. DCS will provide copies of any additional forms as requested or when updated.</p> <p>Additional information about Parentage, Acknowledgment of Parentage process/forms and the voluntary parentage testing program are available as well.</p> <p>Many forms can be found at: https://www.dshs.wa.gov/esa/division-child-support/division-child-support-forms</p> <p>The information sharing between our agencies is appreciated and is going well.</p>
<p>8) DCS to act as liaison to out of state child</p>	<p>Kalispel staff will forward wage withholding packets and requests for attachment of per</p>	<p>Out of state agencies can make requests via</p>	<p>Michele Fukawa,</p>	<p>The Tribe receives several payroll requests monthly, some of which</p>

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support agencies that attempt direct wage withholding against tribal employees and attempt attachment of potential per capita payments.	capita funds to DCS in order that DCS may inform the sender of the need to send an Intergovernmental referral to DCS for enforcement.	WA DCS for wage withholding and per capita attachment though the established state/tribal process per 2003 agreement.	<p>Cathleen Kintner-Christie, Kim Yunker, Northern Quest Resort & Casino payroll kyunker@northernquest.com</p> <p>Ellen Lane, Kalispel Tribe payroll elane@kalispeltribe.com</p> <p>Julie Woods</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	<p>are from DCS; the balance coming from out of state. DCS requests copies of such notices be forwarded to the Spokane Tribal Team email address at spotribal@dshs.wa.gov. DCS will continue to process these and when reporting to other agencies DCS will restrict information to only those sources DCS can electronically access.</p> <p>This process is working well.</p>
9) Pursuant to the current agreement, provide a process for the Tribe to ask DCS to pursue parentage establishment where the parties are subject to, or consent to, Tribal Court Jurisdiction.	DCS and Tribe work together to develop procedures for parentage establishment.	Faster establishment of parentage in compliance with Tribal and Federal requirements.	<p>Michele Fukawa, Julie Woods</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	<p>Existing protocols are working.</p> <p>DCS has added a new tribal specific claims officer for tribal court actions.</p>
10) DCS to notify the tribe of any new cases opened in DCS that include a child for which parentage is at issue and child may be eligible as a Kalispel Tribal member. DCS will follow necessary tribal requirements.	DCS identifies those parentage cases opened by DCS which may involve a child who may be eligible for enrollment in the Tribe. DCS will notify the Tribe of such cases as soon as possible. The notification process is through the petition filed in Tribal Court by a DCS Claims Officer.	DCS notifies the Tribe of a parentage case opened by DCS where the child is potentially eligible for enrollment in the Tribe.	<p>Michele Fukawa, Julie Woods</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	<p>DCS notates individuals as being associated with the Kalispel Tribe when they identify themselves as Tribal members to DCS or to Washington State Department of Children, Youth and Families (DCYF) Those cases are assigned to the DCS Tribal Team's caseload. KTI is notified when a petition to the</p>

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				Kalispel Tribal court for paternity is filed.
11) Locate information will be made available for ICW cases.	<p>Access to SEMS Web directly is limited to IV-A and IV-D agencies.</p> <p>The Kalispel ICW Program staff can currently obtain any needed information through Washington State Department of Children, Youth and Families (DCYF) contacts.</p>	<p>Case Information has not been requested from DCS in recent years.</p> <p>DCS is able to provide locate information to DCYF.</p>	<p>Michele Fukawa, Julie Woods</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	Existing protocols are working.
12) Communicate in the most efficient and beneficial way possible.	DCS and Tribe will exchange best contact information. DCS will also provide a list of links to additional information available on the web that may be of use to the Tribe.	Tribal members, Tribal staff and DCS will communicate efficiently and effectively.	<p>Michele Fukawa, Julie Woods</p> <p>Target: Expected to continue unchanged through June 30, 2020</p>	<p>DCS will provide best contact information and will continue to use the secure email system to protect client confidentiality.</p> <p>Many resources are available on the following two DSHS DCS websites:</p> <p>https://www.dshs.wa.gov/esa/division-child-support</p> <p>https://www.dshs.wa.gov/esa/division-child-support/tribal-relations</p> <p>DCS will provide a list of Kalispel cases or statistical information to Michele Fukawa when requested.</p>
Completed Items (Date: Action completed)				

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In DCS, a Tribal Unit case is one in which **one or more** of the following exists:

- An NCP who is a member of a federally recognized Washington tribe.
- An NCP who is employed by the tribe, a tribal enterprise, or an Indian owned business located on a reservation or trust land.
- A party included under a cooperative child support process or agreement.
- A party receiving services from:
 - A Tribal TANF (Temporary Assistance for Needy Families) program.
 - A Tribal IV-D program.
 - Both Tribal TANF and Tribal IV-D programs.
- A case involving other tribal issues. Consult your local Tribal Liaison or Tribal Claims Officer.
 - **For example:** A local field office may define tribal cases as a case:
 - Associated with a Tribal TANF case,
 - Involving any NCP living on a reservation, or
 - Involving a party who filed a child support action in Tribal Court.

In the Spokane Office, DCS has created a specialized caseload. Julie Woods is the primary contact for this caseload. This caseload is comprised of cases that meet the following criteria:

- All NCP's and/or joint noncustodial parents (JNCP) Kalispel Tribal members (parties must self-identify as tribal members)
- NCP's and/or JNCP's working for the Kalispel Tribe, tribal business or enterprise
- All paternity/order establishment cases if either the NCP / CP are Kalispel Tribal members (parties must self-identify as tribal members)
- All NCP cases related to one of the above criteria

NCP = Non Custodial Parent, the person paying child support

JNCP = Joint Non Custodial Parent, the spouse of the NCP and other biological parent of the child

CP = Custodial Parent, the person receiving child support