

**LEECH LAKE BAND OF OJIBWE JUDICIAL CODE
TITLE 6 – FAMILY RELATIONS CODE**

**CHAPTER 10B – ESTABLISHMENT OF THE LEECH LAKE BAND OF OJIBWE CHILD
SUPPORT ENFORCEMENT PROGRAM; DUTIES**

6-10B-0. Title

This Chapter shall be referred to as the “Leech Lake Band of Ojibwe Child Support Enforcement Program” or “LLBO CSEP.”

6-10B-1. Definitions

For purposes of this Chapter, the following definitions apply:

1. “IV-D” means title IV-D of the Social Security Act, under which the federal government provides funds to tribes and states to administer child support programs that provide services related to child support.
2. “LLBO CSEP” means the Leech Lake Band of Ojibwe Child Support Enforcement Program.
3. “Leech Lake Band of Ojibwe Child Support Enforcement Program” means the tribal child support agency, which provides child support enforcement services to children and families and is authorized to seek:
 - a. Location of obligors or their assets and obligees;
 - b. Determination of parentage;
 - c. Establishment or modification of child support;
 - d. Enforcement of support orders or laws relating to the duty of support.

6-10B-2. Findings

The Leech Lake Band of Ojibwe has enacted this Chapter recognizing the following:

1. The Tribe has historically placed a great emphasis on the needs of its youth and families;
2. Under traditional Ojibwe values, children are viewed as sacred and they are the Tribe’s most important resource;
3. The Leech Lake Band of Ojibwe has a compelling interest to promote and maintain the health and well-being of tribal children and families;
4. The Leech Lake Band of Ojibwe acknowledges the financial difficulties and hardship facing many tribal children due to a lack of parental support;
5. The non-support of tribal children by their parents is not in keeping with Ojibwe values; and
6. The Leech Lake Band of Ojibwe finds that it is in the best interests of the Tribe to make laws which establish a tribal child support agency in an effort to offer the community effective, fair, accessible, and culturally appropriate child support services.;

6-10B-3. Purpose

The purpose of the Leech Lake Family Relations Code, Title 6, Chapter 10B, is to formally establish the Leech Lake Band of Ojibwe Child Support Program as the tribal agency

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chargeable by law for providing the full range of child support services to the community. The LLBO CSEP will work with the Tribal Court to reaffirm tribal sovereignty and tribal self-determination by providing for the exercise of the greatest possible Tribal jurisdiction over the greatest number of child support cases involving tribal children and families.

6-10B-4. Vision and Mission of the Leech Lake Band of Ojibwe Child Support Program

It is the vision of the Leech Lake Band of Ojibwe that families receive culturally appropriate and effective services and that parents are motivated to provide their children with quality child support. The LLBO CSEP shall advocate for children and their need for regular child support and strives to improve their well-being.

6-10B-5. Authority and Responsibility of the LLBO CSEP – Provision of Child Support Enforcement Services; Cooperation with other Child Support Programs

The LLBO CSEP has the authority and responsibility to provide child support enforcement services to the Leech Lake community and to cooperate with other child support programs. The duties of the LLBO CSEP include:

1. To act as the official agency for the Leech Lake Band of Ojibwe in any child support enforcement activities initiated by the federal government not otherwise by law made the responsibility of another tribal agency.
2. To provide or arrange for child support services to children and families who come to the LLBO CSEP for assistance. The services the LLBO CSEP shall provide include establishing paternity, where necessary, locating parents who are legally liable for the support of the child, and securing and distributing support for the child.
3. To administer income withholding and the receipt and disbursement of child support payments.
4. To cooperate with and seek the cooperation and involvement of all appropriate public and private agencies including other tribal and state IV-D agencies, social services, public assistance, foster care, law enforcement and any other agency or organization providing or concerned with child support enforcement with the goal of providing services, effectively carrying out its duties, and achieving the purposes of this Chapter and other child support laws under Title 6, Chapters 10A & 10C of the Leech Lake Family Relations Code. The LLBO CSEP may negotiate working agreements with other jurisdictions, political subdivisions, and private entities. Such agreements shall be subject to approval by Leech Lake Band of Ojibwe Tribal Council.
5. To strive to provide child support services to the community with dignity, respect, and fairness.
6. To take such action and adopt procedures as may become necessary to entitle the Tribe to receive funds from the federal government under title IV-D.

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7. To develop and implement policy and procedures and forms necessary to carry out the responsibilities of the LLBO CSEP in conformity with tribal code, the LLBO CSEP Comprehensive Tribal Plan, and all other federal and tribal child support regulations.
8. The LLBO CSEP shall create and maintain a case record which contains records necessary for the proper and efficient operation of the LLBO CSEP and to ensure compliance with the LLBO CSEP Comprehensive Tribal Plan. The LLBO CSEP shall comply with the retention and access requirements of 45 CFR 74.53, including retaining records for at least three years. The case record must contain records with respect to:
 - a. Applications for child support services;
 - b. Efforts to locate noncustodial parents;
 - c. Actions taken to establish paternity and obtain and enforce support;
 - d. Amounts owed, arrearages, amounts and sources of support collections, and the distribution of such collections;
 - e. IV–D program expenditures;
 - f. Any fees charged and collected, if applicable; and
 - g. Statistical, fiscal, and other records necessary for reporting and accountability required by the Secretary.
9. To create and maintain a central payment center for the purpose of receiving, processing, and disbursing payments, and for maintaining a record of payments, in all cases in which:
 - a. The LLBO CSEP is a party;
 - b. The LLBO CSEP provides child support enforcement services to a party; or
 - c. Payment is collected through income withholding.

6-10B-6. Program Participation and Funding

1. The LLBO CSEP and the Tribal Court are authorized to participate in any approved federal, state, tribal, and public or private agency programs to carry out the purposes of this Chapter. This authority is subject to approval of the Tribal Council.
2. The Tribal Council shall work jointly with the LLBO CSEP to address the provision of adequate support by the community's parents to their children and to provide supplemental agency funding subject to the discretion of the Tribal Council.