



TRIBAL MEMBER DISTRIBUTIONS DEDUCTION POLICY

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PURPOSE:

To establish standards for processing deductions from Tribal Member Distributions available to repay debt demanded *by* court order or by tribal member request. To establish a debt repayment deduction hierarchy to be applied uniformly to all tribal members to insure equitable treatment and for departments to utilize in qualifying members for available programming based on repayment capacity.

Note: For the purpose of this Policy, Tribal Member Distributions are defined as monthly distributions known as "Per Capita", "Senior Support", "Elder Support", "General Welfare" and "Disability Support" to qualified tribal members.

RESPONSIBILITIES:

1. All tribal owned entities and departments are required to maintain a current, policy compliant program or loan application for each service and/or loan program offered by the department and requires monthly payments. Each application must include a section providing opportunity for tribal members to select Tribal Member Disbursement deductions as a payment option.
2. Tribal members are required to complete a program application for each program/loan for which they are applying. The tribal member is required to complete the section of the application addressing Tribal Member Distribution deduction authorization if the program they are applying for requires such or if they request such a deduction voluntarily.
3. Finance is required to qualify (for the departments), process and account for Tribal Member Distribution deductions per this policy.
4. The recipient Tribal Entity or Department shall bear responsibility of invoicing for the collecting debt's owed and maintaining accurate Tribal Member balances. Discrepancies in deductions (under or over withholding) shall be resolved at the Tribal Entity and/or Department level where the debt originated.
5. Tribal members are responsible to notify Finance if requested Tribal Member Deductions are not being properly processed per the approved agreement.

Policy:

Tribal Member Distribution Deductions

1. Deductions to tribal member distributions shall be limited to 50% after child support deductions are taken. The tribal member can elect to waive the 50% limitation if they desire to expedite repayment by completing the Deduction Authorization form (Exhibit 1).
2. All deductions to monthly Tribal Member Distributions are subject to enforcement based on the priority identified in below this policy.
3. Deductions to monthly Tribal Member Distribution shall at no time **exceed** the monthly Tribal Member Disbursement available.

Hierarchy of Deductions

Finance will allocate Tribal Member Distribution deductions **based** upon the hierarchy outline below.

1. 1st Priority Deductions (highest hierarchy):
 - a. Child Support Court Orders: Child Support Court Orders, including both Tribal and State, are deemed first priority over all deductions (other court orders, defaults, voluntary, etc.). Finance will implement a deduction of up to 100% of each Tribal Member Distribution until the court order is considered satisfied, unless otherwise specified In the court order.
2. 2nd Priority
 - a. Other Tribal Court Orders: These court orders include legal judgments in favor of a Tribal Entity or Department to seek collection of debt from a specific Tribal Member Distribution and will be enforced according to the deductions repayment hierarchy established in this policy.
3. 3rd Priority
 - a. Membership loans to include the current balance due with any assessed fees.

s. 4th Priority

- a. Housing Emergency Rehabilitation Assistance Program (HERAP) loans to include the current balance due with any assessed fees.

6. 5th Priority

- a. Tulalip Tribes Housing Assistance Program (TTHAP) loans to include the current balance due with any assessed fees.

7. 6th Priority

- a. Defaults Including all other debts owing (after priorities 1 thru 6 have been satisfied) to Tribal Entities or Departments shall be deducted before any voluntary deductions presented by the Tribal Member according to the hierarchy as stated:

- Housing
- Utilities
- Leasing
- ChildCare
- Marina
- Salish Networks