

REDDING RANCHERIA TRIBAL GOVERNMENT POLICIES

Chapter TP 7-675

Foster Care and Tribal Court Sanctions



May 28, 2024

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SECTION 1: PURPOSE

At Redding Rancheria, the care and well-being of Tribal children are of paramount importance to the Tribe. As such, it is critical that parents of Tribal children provide adequately for those children in all cases, including when the children have been removed from the home by the Tribal Court. This policy establishes that the Tribe places a priority on the payment of obligations to those providing foster care of Tribal children and that the payment of any court sanctions is also prioritized.

SECTION 2: BACKGROUND AND INTENT

Background:

In most cases Tribal children are adequately cared for by their parents without the need for intervention from the Tribe. There are times, however, when Tribal children are not receiving adequate care from their parents and are removed from the home by the Tribal Court. In some of these cases, the children are placed into foster care by the Court and the Tribal Member parent is ordered by the Court to make foster care payments to the guardian with whom they are placed. These payments, when ordered by the Court, are deducted directly from the Member parent's monthly net gaming revenue distributions.

In addition, the Tribal Court sometimes places additional financial sanctions upon Tribal Members.

Intent:

This Policy intends to describe the high priority that the Tribal Council places on the timely payment of both foster care obligations and other Court sanctions, and further describes how these obligations should be handled relative to other financial obligations a Tribal Member may have.

SECTION 3: DELEGATED AUTHORITY

The Chief Executive Officer is hereby delegated all administrative authority to carry out the day-to-day operations of this policy. Such authority shall include but not limited to:

- (a) Recommending to the Tribal Council such policy decisions necessary to assure the efficient and effective administration of this policy in accordance with its stated purpose.
- (b) Coordinating with, obtaining assistance of, and providing administrative direction to third parties engaged by the Redding Rancheria to assist in the administration of this policy, including, but not limited to Legal Counsel, Tribal Court, and Tribal Court Administration.

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- (c) Provide direction to Finance staff with regard to payments and other obligation affected by this policy.
- (d) Initiate any legal proceedings as necessary to protect the Tribe's interests with regard to this policy.
- (e) Recommend amendments or changes to this policy as needed at any time to Tribal Council.

SECTION 4: DEFINITIONS

As used within this chapter, the following terms shall mean:

- (a) Chief Executive Officer: The Chief Executive Officer of the Redding Rancheria.
- (b) Tribal Court: The Redding Rancheria Tribal Court.
- (c) Parent: A parent, specifically a Tribal Member parent of a Tribal Member child.
- (d) Guardian: A non-parent who has the care and custody of a Tribal Member child pursuant to a Court Guardianship Order.
- (e) Voluntary Payment: When a Tribal Member has opted in to deductions from their per capita distribution

SECTION 5: PRIORITIZATION OF FOSTER CARE AND COURT SANCTIONS

Because Redding Rancheria has chosen to place a high priority on the timely payment of Foster Care to the guardians of Tribal Member children and upon the timely payment of Tribal Court sanctions, the following will be the policy of Redding Rancheria:

Payments to Tribal Member

Foster Care payments and court sanctions that are due, shall be deducted by Redding Rancheria from the following disbursements prior to the disbursement being paid to a Tribal Member.

- (a) Net revenue distributions (per capita, general welfare, household assistance and energy assistance), both levelized and surplus

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- (b) Elders pension and general assistance
- (c) General Welfare Savings (formerly Rabbi) distributions
- (d) Custodial distributions
- (e) Tribal Member Retention payments
- (f) Honorariums
 - (1) Tribal Council
 - (2) Committees
 - (3) Turning 18 meetings
 - (4) RREDCO and subsidiary Board of Directors
- (g) Education living allowance
- (h) Tribal Member employee pay and mileage reimbursement
- (i) School clothes allowance
- (j) Report card incentive
- (k) Christmas present/money distribution

Foster Care payments and court sanctions that are due, shall not be deducted by Redding Rancheria from the following disbursements prior to the disbursement being paid to a Tribal Member.

- (a) Elders gifts (Christmas and birthday)
- (b) Home Equity Program disbursements
- (c) Burial reimbursement
- (d) Wellness incentives (biometric screening, Great Outdoors Challenge, Win-Fit, etc.)
- (e) Financial Assistance Program payments
- (f) Small Business Grants

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- (g) Tribal Member business payments for goods and services
- (h) Birth certificate reimbursement
- (i) General Membership Honorariums
- (j) Sponsorship Program payments (sports, activities, regalia, etc.)
- (k) Youth activities
- (l) Education reimbursement (tuition, books, supplies, internet, incentives, tutoring, travel per diem, school trips, school clothing.)
- (m) Tribal Member employee uniform allowances, certifications, licenses, etc.

Payments to a Third Party – Foster Care payments and court sanctions that are due, shall not be deducted by Redding Rancheria from the following disbursements prior to voluntary payment to a third party.

- (a) California income tax withholding
- (b) Federal income tax withholding
- (c) Utility payments to Redding Rancheria Utility Corporation

Other Voluntary Payments – Foster Care payments and court sanctions that are due, shall be deducted prior to paying the following voluntary deductions:

- (a) Trust contributions
- (b) Pow Wow payments
- (c) Mortgage payments
- (d) Education repayment
- (e) Other voluntary deductions

It is also the policy of Redding Rancheria that Tribal Members who have outstanding debts for either foster care or court sanctions shall not be permitted to participate in the following programs:

- (a) Employee, Tribal Council or committee business travel

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- (b) Tribal Member Travel
- (c) Emergency Housing Loan

SECTION 6: REVIEW

The CEO shall review this policy each year and shall make such recommendations, if any, for its amendment as appropriate for the effective administration hereof.

Legislative History:

Originally Adopted by Tribal Council Resolution #033-05-28-24 dated May 28, 2024.