



Tribal Child Support Systems



Tribal Systems Status



Tribal Child Support Systems



Introduction

- The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) as amended by section 5546 of the Balanced Budget Act of 1997 (Pub. L. 105-33) authorizes the direct funding of Tribal Child Support Enforcement (CSE) programs by the Federal government
- The Office of Child Support Enforcement (OCSE), Administration for Children and Families (ACF), Department of Health and Human Services (HHS) published a final rule on March 30, 2004 providing the mechanism for tribes to submit CSE plans and, upon approval, to receive direct Federal funding of tribally operated programs.



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Where We've Been

- The interim rule authorized Federal funding in all phases of automation and computer systems lifecycle. This included: planning, design, development, test, installation and operation.
- The Office of Child Support Enforcement (OCSE), established the [Tribal Child Support Enforcement Systems Workgroup](#) in July 2002. The first Tribal CSE Systems Workgroup met four times at locations around the nation.
 - **August in Chicago, Illinois;**
 - **October in Tampa, Florida;**
 - **November in Herndon, Virginia,**
 - **December in Albuquerque, New Mexico.**



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Where We've Been

The *First* Tribal CSE Systems Workgroup

- Discussions on Federal policies and regulations as they pertain to states' efforts, including current requirements for APD's, feasibility studies, alternatives and cost-benefit analyses, software ownership and proprietary software, and cost allocation;
- Discussions on industry standards regarding planning, design, development, test, installation, and operations phases in complex automated systems projects like those in child support;
- Discussion of the impacts that limited resources, program and governmental organization, and geography can have on the cost and functionality of tribal systems;
- Discussions of the roles and responsibilities of the Federal government in monitoring development projects, funding, risk, etc;



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Where We've Been

The *First* Tribal CSE Systems Workgroup

- Discussion of functional requirements (at a very high-level); and,
- Other topics also briefly touched upon, included: executive commitment, sovereignty, security/confidentiality, model systems, electronic interfaces, certification and self-certification, cost containment, and funding.
- Consensus included:
 - 1) needing to explore alternatives to the current state certification process,
 - 2) reducing the burdens of the current APD process should that be a part of any tribal systems regulations,
 - 3) trying to ensure a consistency, within reason and balance, between state and tribal regulations,
 - 4) general parameters of what state systems functionality should apply to a comprehensive tribal system, and,
 - 5) what initial interfaces would be need



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Where We Are Today

- The final rule issued in March 2004 differs from the interim rule in specifying now only five areas where Federal funding is available for automation and computer systems. These areas, as described in the final rule at 309.145(h)(1-5) are:
 - Planning efforts in a new or replacement system
 - Operation and maintenance of an existing system
 - Office automation
 - Intergovernmental agreements with other states and tribes to use their automated system
 - Other automation and automated systems costs may be identified by the Secretary in the future



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Where We Are Today

The *Second* Tribal CSE Systems Workgroup

- The Office of Child Support Enforcement (OCSE), engages the [Tribal Child Support Enforcement Systems Workgroup](#) in a second series of meetings in March 2004. The second Tribal CSE Systems Workgroup also meets four times at locations around the nation.
 - April in Milwaukee, Wisconsin;
 - May in Washington, DC;
 - July in Denver, Colorado;
 - August in Seattle, Washington



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Where We Are Today

The *Second* Tribal CSE Systems Workgroup

The efforts of the second workgroup can be summarized as follows:

- Discussion on the possibilities surrounding grant applications for Tribal automated systems, including using a separate grant application to allow unique tracking of systems costs from that of program expenditures;
- Discussion on what a tribal advanced planning process, including types of personnel required; potential staff reporting structures; dealing with contractors; describing tasks, schedules and organizational structures; budget components; and what any cost-benefit analysis process might resemble;



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Where We Are Today

The *Second* Tribal CSE Systems Workgroup

- Discussion on Federal reviews, audits, and how systems certification, including self-certification, might come into play. This discussion included consensus on the need for some kind of a layered certification process to give not only other tribes transferring in another tribal system some level of confidence, but also, to then use as a reason why a subsequent certification was not required, while a new system development over some cost or risk threshold might require some type of review/certification;
- The nature of Technical Assistance, from Federal resources and from Tribe-to-Tribe was also clarified, including how consortia's could and could not work relative to funding (e.g., a consortia could not be the National TCSE organization, it would have to be a current grantee, but a grantee could contract with the TCSE to provide some services, such as steering committee support, training, etc.);



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Where We Are Today

The *Second* Tribal CSE Systems Workgroup

- Discussion and considerable agreement as to how and to what degree Federally funded procurements would require prior review and approval by OCSE. For example, it was agreed that some threshold would be likely, and that a suggested starting point might be the same one OCSE applies to states, e.g., \$100,000 for contracts and contract modifications; and,
- Finally, our workgroup established what we believe to be a great first cut at a minimum set of functional requirements, culled from those imposed on states that would be applicable to a “base tribal model”, essentially a system that performed the minimally essential functions. This initial work on system functionality, with follow-up work on security and architectural recommendations, will be concluded at the last meeting in Seattle.



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Where We Are Today

The **Second** Tribal CSE Systems Workgroup The **Fourteen** Requirements

Section 309.65(a) describes what a Tribal IV-D plan must include in order to be approved and receive Federal funds:

- 1) **A description of the population subject to the jurisdiction of the Tribal court or administrative agency for child support purposes;**
- 2) **Evidence that the Tribe has in place procedures for accepting all applications for IV-D services and providing IV-D services required by law and regulation;**
- 3) **Assurance that due process rights are protected;**
- 4) **Administration and management procedures;**
- 5) **Safeguarding procedures;**
- 6) **Maintenance of records;**



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Where We Are Today

The *Second* Tribal CSE Systems Workgroup The Fourteen Requirements

- 7) Copies of applicable Tribal laws and regulations
- 8) Procedures for the location of noncustodial parents;
- 9) Procedures for the establishment of paternity;
- 10) Guidelines for the establishment and modification of child support obligations;
- 11) Procedures for income withholding;
- 12) Procedures for the distribution of child support collections;
- 13) Procedures for intergovernmental case processing; and
- 14) Tribal-determined performance targets.



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Where We Are Today

The **Second** Tribal CSE Systems Workgroup The Workgroup's Outcomes and Products

- From The First Workgroup
 - Meeting Minutes
 - Final Workgroup Report
 - Guidance for future Federal policy and/or regulations
- From The Second Workgroup
 - Meeting Minutes
 - Software Requirements Specification Document – A Reference Toolkit
 - System Requirements Specification Document – A Reference Toolkit
 - Final Workgroup Report
 - Guidance for future Federal policy and/or regulations



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Current Tribal CSE Systems Workgroup Members

Policy, Tribal, and Systems Division Staff of OCSE
Chickasaw Nation
Sisseton-Wahpeton
Puyallup
Navajo Nation
Lac du Flambeau
Port Gamble S'Klallam
Menominee Nation
Tanana Chiefs Conference
Lummi Nation
Forest County Potawatomi



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Second Tribal CSE Systems Workgroup Attendees

- Tami Lorbecke, Chickasaw (formerly with Lac du Flambeau)
- Jess Robley, Menominee Tribe of Wisconsin
- Linda Tresaugue, Puyallup Tribe of Indians
- Jacqueline Pische, Forest County Potawatomi
- Karen Burke, Lummi Nation
- Rosemund Hoffman, Menominee Indian Tribe of Wisconsin
- Janet Pribbernow, Menominee Indian Tribe of Wisconsin
- Pierette Baldwin-Gumbrecht, Navajo Nation
- Sandra Starnes, Port Gamble S'Klallam
- Jesse Fogleboch, Tanana Chiefs Conference (recently left workgroup)
- Joe Bodmer, Workgroup Chair, OCSE
- Jay Adams, OCSE
- Ellamae Williams, OCSE (member Navajo Nation)



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Federal Follow-up

- Provide sample of an APD with appropriate level(s) of detail, for consideration as a template Tribal Planning APD;
- Provide feedback from OCSE's policy group on defining issues surrounding software development:
 - What is and what is not software development?
 - What is software development versus maintenance?
 - When does office automation become systems development?
 - What dollar threshold for software development would require an APD?
 - What dollar threshold for a system transfer would require an APD?
 - What dollar threshold for a cost overrun would require an APD update?



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Federal Follow-up (continued)

- Address OCSE policy makers with the initial grantees' concern that they are being penalized for being the initial grantees. They would be expected to build systems with 80% FFP, while new Tribes, with the lessons learned and transfer systems available from the first tribal grantees, would receive a 90% match for three years.
- Contact Oklahoma, Arizona and New Mexico to determine their methodology for cost allocation charges to Tribes for using the State CSE systems. It appears some states are still using caseload-based cost allocation versus using metrics per current OMB guidance.
- Work to ensure that any future Tribal Title IV-D systems regulation language is self-explanatory. It should make reference to other existing Federal regulations as little as possible.



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Federal Follow-up (continued)

- Develop additional guidance material and sample documents
 - Feasibility Study Guidance
 - Functional Requirements Guidance
 - Data Dictionary Guidance
 - Best Practices
 - White Papers (Project Start-up, etc)



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Current Automation Regulations

The final rule issued in March 2004 specifies five areas where Federal funding is available for automation and computer systems.

Reference: 309.145(h)(1-5):

- Planning efforts in a new or replacement system
- Operation and maintenance of an existing system
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Paths to Automation

Office Automation:

- Local area networking (LAN), internet, email
- Word processing, spreadsheets, small databases
- Personal computers, LAN/application servers
- Compatible with existing Tribal and State systems
- May be all that is required for a small caseload



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Paths to Automation (cont'd)

Automated Systems Planning, Intergovernmental Agreements and Operation of Existing Tribal Systems

- Transfer of a Tribal CSE System
- Construction and Transfer of Model Tribal System
- New system development
- Purchased access to a local Tribal or State system



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Questions ??