



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska

320 W. Willoughby Ave., Suite 300 • Juneau, AK • 99801
907.586.1432 • Fax: 907.586.8970 www.ccthita.org

FOR IMMEDIATE RELEASE

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Tribe Files Lawsuit Against State of Alaska

On January 19, 2010, Central Council Tlingit & Haida Indian Tribes of Alaska filed a lawsuit in Juneau Superior Court against the State of Alaska's Child Support Services Division (CSSD) for its refusal to recognize the Tribe's child support orders. The Tribe has filed this suit on its own behalf and on behalf of its enrolled members. Alaska Legal Services Supervising Attorney Holly Handler is representing the Tribe. Ms. Handler has been working closely with the Tribe's special committee appointed to deal with litigation issues, and the Tribal Child Support Unit (TCSU) staff attorney Jessie Archibald and TCSU Manager Eddie Brakes.

"The CSSD's failure to recognize our tribal child support orders has damaged the Tribe, our community, children and families. This lawsuit is about taking care of our children and families by ensuring they receive the financial support they are entitled to," said Central Council President Bill Martin.

The lawsuit seeks to enforce tribal citizens' due process rights to have the State CSSD respond to TCSU's requests for interstate support services in a timely manner. The Tribe is seeking a declaratory judgment to establish that it has inherent and concurrent jurisdiction to establish, modify, and enforce child support orders for children who are enrolled members of the Tribe or eligible for enrollment in the Tribe. The lawsuit also requests an order from the court that requires the defendants to follow state and federal law governing interstate support services.

Since its inception, TCSU and CSSD have worked cooperatively to transfer more than 750 state child support cases involving Tribal members to the Tribe. However, the State and Tribe disagree on the underlying jurisdictional issue of the Tribal Court's authority to issue its own child support orders. CSSD provides all necessary services, such as PFD intercept, to all "transferred" cases, but refuses to provide services when the underlying order is based upon a Tribal court child support order. This lawsuit will allow both the State and Tribe to resolve these underlying jurisdictional issues and ensure that Native children and families receive the child support services necessary to meet families' basic needs. It will also address CSSD's refusal to follow Alaska's Uniform Interstate Family Support Act (UIFSA) to provide interstate services for Central Council's tribal child support orders.

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For More Information Contact:

Tribal Child Support Unit | Central Council Tlingit & Haida Indian Tribes of Alaska
320 W. Willoughby Ave., Suite 300 • Juneau, AK 99801
Eddie Brakes, TCSU Manager
Ph: 907.463.7340 | Fax: 907.463.7392 | E-mail: ebrakes@ccthita.org