



CENTRAL COUNCIL

Tlingit and Haida Indian Tribes of Alaska

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FOR IMMEDIATE RELEASE

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Tlingit and Haida Tribe and Alaska Child Support Services Division Agree to Release Garnished Permanent Fund Dividend Funds

Central Council Tlingit and Haida Indian Tribes of Alaska (Central Council) and the State of Alaska have entered into an agreement to release \$50,444.81 from the Juneau Superior Court Registry pending outcome of the final court order in *Central Council v. State of Alaska*, 1JU-10-376 CI, which has yet to be entered. These funds will be distributed to custodial parents of tribal member children who obtained child support orders from the Tribal Court, and to Central Council for recoupment of child support owed to the Tribe for providing families with Temporary Assistance to Needy Families (TANF) services. These funds are composed of Alaska Permanent Fund Dividends garnished by the Alaska Child Support Services Division (CSSD) at the request of the Tribe to satisfy child support debts.

“These funds will help ensure that tribal children receive the financial support they deserve from both parents,” said Eddie Brakes, Tribal Child Support Unit (TCSU) Manager.

The Tribe filed a lawsuit in January 2010 in Juneau Superior Court against the State of Alaska CSSD because the State was not recognizing and enforcing orders from the Tribal Court. While the case has been pending, the Tribe has submitted two years worth of Permanent Fund Dividend garnishment requests to CSSD. These garnished funds have been held in the Juneau court registry.

In October 2011, Juneau Superior Court Judge Pallenberg ruled in favor of the Tribe and agreed that the Tribe has jurisdiction over child support when the case involves a child that is enrolled or is eligible for enrollment with the Tribe. In the 2011 court order, Judge Pallenberg requested additional briefing on how to word the final judgment and injunction against the State. Briefs have been submitted to the Juneau Superior Court and it will issue a final order in the case in the near future.



Holly Handler of Alaska Legal Services presents garnished funds to President Edward K. Thomas alongside TCSU Manager Eddie Brakes and TCSU Attorney Jessie Archibald

The Clerk of the Court has released the garnished funds to the Tribe’s attorney, Holly Handler of Alaska Legal Services Corporation, and the check was presented to Central Council President Edward K. Thomas. The funds will be distributed according to IV-D regulations, and will be disbursed to either the custodial parent or to the Tribe. Central Council had asked the State to release these funds before the final orders are entered because some families have been waiting since October 2010 for the money owed to them.

“I am pleased with this agreement,” President Thomas said. “It is critical that Central Council and the State work together to the best interest of our children.”

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