



Waganakising Odawak Policy

Little Traverse Bay Bands of Odawa Indians

Office of Tribal Chairman

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POLICY FOR PAYMENT TO MINORS FOR TRIBAL REVENUE ALLOCATION POL-RES 061106-22 032209-001

- I. Introduction.** The Gaming Revenue Allocation Plan says that the “annual per capita payment to minors and other legally incompetent persons who are entitled to receive such payment under Section IV shall be drawn in the name of the child or incompetent person but sent to their parent or legal guardian after the parent or legal guardian submits the following signed, notarized statement to the Tribe.” This statement is provided as an Address Verification Form by the LTBB Enrollment Department. This policy is adopted to set out guidelines to consistently handle situations where more than one parent or guardian submits the signed notarized statement to receive a minor’s per capita check.
- II. Definitions.**
- A. “**Check**” means the annual per capita payment check sent out to Minors under the RAP.
 - B. “**LTBB**” means the Little Traverse Bay Bands of Odawa Indians.
 - C. “**Minor**” means a person less than 18 years of age as per Section II.A. of the RAP.
 - D. “**Parent**” means biological parents, adoptive parents, and legal guardians.
 - E. “**RAP**” means LTBB’s Gaming Revenue Allocation Plan adopted by Resolution by Resolution 100503-01, renewed by Resolution 062704-07, Approved by Department of Interior September 2, 2004; amended by Resolution 100905-06, approved by Department of Interior February 6, 2006; and amended by Resolution 061106-22, approved by the Department of the Interior on November 30, 2007.
 - F. “**Request**” means the timely submission of the properly completed documents specified in Section V,(A.) of the RAP regarding sending Minors’ per capita checks.
 - G. “**Tribe**” means the Little Traverse Bay Bands of Odawa Indians.

III. Handling of Multiple Requests for Same Minor.

In the event the Tribe receives more than one Request from Parents for the same Minor, the Enrollment Officer or other staff assigned to process payment mailing shall direct the Parents to provide copies of any court orders governing care and custody of the Minor. The Minor's Check shall be sent according to the following order of preference:

- A. If a court order addressing care and custody of the Minor expressly addresses which Parent the Check should be sent to, the Check will be sent out in accordance with such court order.
- B. If a court order grants legal custody to one Parent, then the Check will be sent to that Parent.
- C. If a court orders joint legal custody, the Check will be sent to the Parent with primary physical custody.
- D. If a court orders joint legal and physical custody, the check will be sent to the Parent who is an LTBB citizen.
- E. If a court orders joint legal and physical custody and both Parents are LTBB citizens, then the check will be sent to one of the Parents every other year starting with the Parent whose Request was received first.
- F. If no court order is submitted and only one Parent is an LTBB citizen, the Check will be sent to the Parent who is an LTBB citizen.
- G. If no court order is submitted and both Parents are LTBB citizens, then the check will be sent to one of the Parents every other year starting with the Parent whose Request was received first.