



Policy: Affidavit of Custody and Residence - Minor	Approval Date: 5/10/23 Date Revised: 7/15/22
Section:	Responsible Official: Revenue Allocation Plan Administrator or his/her designee
References:	Policy Type: Departmental

Purpose: To ensure proper use of the **Affidavit of Custody and Residence** form for Minors.

I. POLICY

- A. It is the Policy of the Gun Lake Tribe to allow Non-Tribal Parents and/or the Legal Guardian of Minor Tribal Citizens to utilize the General Welfare Assistance – Minor Program, provided they meet all criteria set forth in the application.

II. SCOPE

- A. This policy applies to the Minor Tribal Citizen, their Non-Tribal Citizen parent, their Tribal Citizen parent and/or their Legal Guardian, any Qualified Non-members and the Tribal Member Benefits Department.

III. AUTHORITY

- A. Under the direction of the Senior Director of Operations and the General Welfare Ordinance, the Revenue Allocation Plan Administrator or his/her designee is responsible for the management and enforcement of this policy.

IV. DEFINITIONS

- A. Tribe – The Match E Be Nash She Wish Band of Pottawatomi Indians (Gun Lake Tribe).
- B. Tribal Citizen – An enrolled Citizen of the Gun Lake Tribe which may also be referred to as Citizen.
- C. Minor - shall mean an enrolled Citizen of the Tribe who is under eighteen (18) years of age.
- D. Assistance - means any Program benefits or payments accrued or paid under any General Welfare Program adopted by the Tribe in accordance with applicable Program guidelines.
- E. Legal Guardian – shall be a person who acts as the primary caretaker of a minor. This person may be personally selected by the child’s biological parents, or appointed by the court. Guardianship arrangements are necessary when a child's biological parents are unable to provide care.
- F. Affidavit of Parentage - The **Affidavit of Parentage** is a form signed by both parents that acknowledges that the parents are the natural parents of the child. By signing the **Affidavit**, the parents affirm their **parentage** of the child under penalty of perjury. This form is intended for use by couples who were not married at the time the child was conceived nor at the time of birth.
- G. Program - means the General Welfare Program established by or under authority of the Tribal Council, including the current General Welfare Program

H. Qualified Non-member – means a spouse, certified domestic partner in accordance with Tribal law, parent, legal guardian or Dependent of a Tribal Citizen who must be listed on the Citizen’s Qualified Member/Nonmember Designation Form

V. PROCEDURE

- A. The **Affidavit of Custody and Residence** form must be used in any of the following situations;
  - 1. When Custody can only be established by an Affidavit of Parentage.
  - 2. When the court order establishing custody is more than 2 years old and/or is not being followed.
  - 3. When the Legal Guardian is neither the Tribal Citizen Parent, nor the Non-Tribal Citizen Parent.
  - 4. When the custody of the Minor Tribal Citizen is not easily defined.
- B. The **Affidavit of Custody and Residence** form must be re-submitted each September, prior to the new plan year.
- C. The Tribe reserves the right to request a signed **Affidavit of Custody and Residence** form at any time in the application process, or after benefits have been approved and/or accessed.
- D. Refusal to sign an **Affidavit of Custody and Residence** form will result in a denial or expulsion from the General Welfare Assistance – Minor Program.
- E. The Tribe reserves the right to recover funds improperly received.