

Administrative Order 08-004-TC

**Administrative Order for Proportioning Per Capita Payments
To Satisfy Two (2) or More Delinquent Child Support Obligations**

This *Administrative Order* by the Tribal Court is to establish a method for proportioning a per capita payment, due to an enrolled member of the Pokagon Band of Potawatomi Indians, which is ordered by this Court to be withheld and must be directed to satisfy two (2) or more distinctly separate delinquent child support obligations.

I. Findings:


1. Tribal law **mandates** that all or an appropriate portion of a per capita payment, due to an enrolled member of the Pokagon Band who is eligible for the per capita distribution, shall be directed so as to satisfy delinquent court-ordered child support. See Pokagon Band of Potawatomi Indians *Gaming Revenue Allocation Plan*.
2. The Court has received multiple orders of delinquent child support against particular enrolled members who are eligible for the per capita distribution.
3. A reasonable method must be established for proportioning such per capita payments in order to fulfill the intent of the Pokagon Band of Potawatomi Indians *Gaming Revenue Allocation Plan* and to ensure all children are supported.

II. Order:

- A. A per capita payment, due to an enrolled member of the Pokagon Band who is eligible for the per capita distribution, which is ordered by this Court to be withheld and must be directed to satisfy two (2) or more distinctly separate delinquent child support obligations shall be proportioned by dividing the number of children involved in each distinctly separate delinquent child support obligation by the total number of children involved in all of the delinquent child support obligations.
- B. To calculate the amounts to be paid toward each delinquent child support order, the enrolled member's per capita payment or portion thereof which will be directed to satisfy delinquent child support shall then be multiplied by the respective proportions calculated above.

01/17/08

Date


Michael Petoskey
Chief Judge