

Title 8 – Juveniles
Chapter 3 – Family Services Program

Sec.

8-03.010	Family Services Program
8-03.020	Qualifications of Family Services Representative
8-03.030	Resource Development
8-03.040	Duties Not Performed
8-03.050	Testifying
8-03.060	Duties of Family Services Representative
8-03.050	Child Protection Team
8-03.050	Deemed Extended Family

Legislative History

Enacted:

Juvenile Code, Ord. 343 (2/10/15); BIA (2/15/15).

Repealed or Superseded:

Juvenile Code, Ord. 170 (6/30/03), BIA (7/3/03).

Juvenile Code, Ord. 68 (12/89), Enacting Res. 89-12-98 (repealing Ord. 40 and all other previous youth ordinances).

Youth Code, Ord. 40 (2/8/83), Enacting Res. 83-2-20, BIA (rescinded 5/5/83, approved 6/25/83) (repealing all previous youth ordinances).

8-03.010 Family Services Program.

The Family Services Program of the Swinomish Indian Tribal Community shall assign one or more of its employees or contractors to carry out the duties and responsibilities set forth in this Chapter. There are some duties that may be more appropriately handled by an agency outside the Tribe, such as investigation of child abuse. The Tribe may use its authority to enter into intergovernmental agreements and Family Services may develop interagency protocols to best serve the needs of the Swinomish Indian Tribal Community.

[History] Ord. 170 (6/30/03); Ord. 68 (12/89).

8-03.020 Qualifications of Family Services Representative.

The Family Services Representative shall have an educational background and/or prior experience in the field of delivering social services to Indian youth.

[History] Ord. 170 (6/30/03); Ord. 68 (12/89).

8-03.030 Resource Development.

The Family Services Representative shall identify and develop resources within the tribal community designed to enhance each tribal youth's potential as a responsible member of the tribal community.

[History] Ord. 170 (6/30/03); Ord. 68 (12/89).

8-03.040 Duties Not Performed.

The Family Services Representative shall not be employed as, or perform the duties of, prosecutor, presenting officer or law enforcement official.

[History] Ord. 170 (6/30/03); Ord. 68 (12/89).

8-03.050 Testifying.

The Family Services Representative shall not be required to testify against any minor in any proceeding under this Title.

[History] Ord. 170 (6/30/03); Ord. 68 (12/89).

8-03.060 Duties of Family Services Representative.

The Family Services Representative shall:

- (A) Respond to reports received by the Family Services Program that a youth may be in need of care;
- (B) Make reports as provided in this Title or as directed by the Court;
- (C) Assist and advise in the placement of a youth in detention or shelter care as provided in this Title;
- (D) Represent the Tribe in State Youth in Need of Care proceedings;
- (E) Work with state and county agencies;
- (F) Help families find community-based, family support programs and resources;
- (G) Perform such other duties in connection with care or custody of youths as the Tribe requires; and
- (H) Perform such other duties as the Court or this Title may require.

[History] Ord. 170 (6/30/03); Ord. 68 (12/89).

8-03.70 Child Protection Team

The Child Protection Team of the Swinomish Indian Tribal Community shall provide support, expertise and guidance to the Family Services Program in matters involving the care, protection and well-being of Swinomish Tribal Community children and their families. It shall be comprised of individuals from various Tribal departments who have familiarity with the Tribal community, and its unique culture, values, traditions, resources and needs, particularly as they relate to family dynamics and/or child rearing. Whenever possible, department representatives will also be Swinomish Tribal members. All ~~matters discussed by~~ discussions of the Child Protection Team shall be strictly confidential and shall not be revealed unless pursuant to an order of the Swinomish Tribal Court entered after formal notice of the request for disclosure to the Swinomish Indian Tribal Community in accordance with the Court's Rules of Civil Procedure; *provided*, however, recommendations of the Team may be disclosed with the consensus of the Team to individuals, agencies and courts as is necessary to carry out the recommendations of the Team.

[History] Ord. 343 (2/10/15); BIA (2/15/15).

8-03.80 Deemed Extended Family

In matters involving eligibility for state and federal funding for support of Swinomish Indian Tribal Community youth or those individuals with legal custody of such youth, the Child Protection Team may make determinations regarding families who have shown commitment both to provide long term care for Swinomish Indian Tribal Community youth and to foster the youth's affiliation with the Community and its unique culture, values and traditions and the youth's special needs and responsibilities. Under such circumstances, and solely for such limited purposes and no other, such families may be deemed extended family members by the Child Protection Team. This determination will convey no Tribal membership rights or benefits to the deemed extended family, nor does it give a deemed extended family any additional placement preference under this Title, the federal Indian Child Welfare Act, or any state Indian Child Welfare Act other than that detailed in 8-10.060(C)(4).

[History] Ord. 343 (2/10/15); BIA (2/15/15).