

**Idaho Department of Health and Welfare  
Division of Family and Community Services  
Guidelines**

**TRIBAL MEMBERSHIP INQUIRY**

- A. Tribal membership inquiries are made in a timely manner.
1. Once Indian ancestry is indicated, the case worker will place a telephone call to the Tribe(s) that the child may be a member or eligible for membership as soon as reasonable possible but no later than (10) business days.
  2. Following a telephone call, the case worker will send the first inquiry letter, certified mail, within (10) business days to the Tribe(s) that the child may be a member or eligible for membership, and/or to the BIA. Inquiry letters will include:
    - a. a copy of the child's completed *Ancestry Chart*
    - b. a copy of the child's completed *Indian Status Information* form
    - c. Tribal identification (as applicable and available)
    - d. Certificate of Degree of Indian Blood (as applicable and available)
  3. A copy of the inquiry letter will be sent to the Tribe's ICWA designated agent without enclosures. Sending the letter by certified mail is not required.
  4. Inquiry letters shall be sent for every Indian child regardless of whether inquiry letters have been sent and received for siblings.
  5. The steps in item B will be followed for subsequent inquiries as necessary, with copies of inquiries letters being sent to the Tribe's ICWA designated agent.
- B. Tribal membership determinations are received in a timely manner.
1. If no definitive response is received from the Tribe(s) and/or BIA within (30) business days after the first inquiry letter is sent, a second letter will be sent. Sending the letter by certified mail is not required.
  2. If no definitive response is received from the Tribe(s) and/or the BIA within (30) business days following the second inquiry letter, phone calls will be made to Tribal and/or BIA officials seeking a definitive determination.
  3. If, after (90) business days, a definitive determination about the child's Indian status is not obtained, a final letter will be sent to the Tribe(s) and/or BIA. Sending the letter by certified mail is not required.
  4. If no definitive determination is obtained from the Tribe(s) and/or the BIA after (30) business days from the date of the final letter, an affidavit will be prepared by the caseworker and submitted to the court.
- C. Communications to and from the Tribe(s) and/or BIA will be documented.
1. Copies of inquiry letters and signed returned receipts will be placed in the case file.
  2. The *Indian Ancestry and Tribal Affiliation Checklist* form will be used to document communication dates and compliance with this procedure. The checklist will be kept in the case file.
  3. Tribal affiliation information and communications will be entered and updated regularly in the FOCUS system.