

Cherokee Nation Code Annotated
Title 43: Marriage and Family
Chapter 5: Office of Child Support Services
§ 506. Child support
Cite as: 43 CNCA § 506

A. In all cases involving minor children, child support shall be determined or redetermined or as the case may be upon hearing an application of either parent for any affirmative relief.

1. A person under the age of twenty (20) and not graduated from a high school shall be considered a minor child provided the child is regularly attending public or private school.

2. A person under the age of eighteen (18) shall be considered a minor child.

B. The Court shall determine child support by referring the parties to the Cherokee Nation Office of Child Support Services (CSS) to act as referee to determine child support pursuant to guidelines established by 43 CNCA § 508 et seq.

C. Should either the payor or payee of child support take issue with the ruling of CSS, said party may appeal the child support order within ten (10) days of CSS's filing of the determination with the Court. Hearing on such appeal shall be a de novo review, however, either party may request the CSS appear before the Court to explain the determination made on the basis that CSS maintains expertise in child support determination.

D. Absent specific direction of the Court, all child support shall be due on the first day of each month.

E. The CSS may institute child support collection cases in the name of the Cherokee Nation on behalf of any payee for whom CSS is collecting support; nothing herein shall prevent any payee of child support from retaining independent counsel and collecting child support directly in the name of the payee.

F. Any attorney retained to collect child support for a payee shall provide notice to CSS of being so retained. Said attorney shall report all child support legal action and collection to CSS within ten (10) days of such action or collection.

Historical Data

LA 12-05, eff. March 21, 2005. Amended LA 12-12, eff. May 18, 2012.