

SAC AND FOX NATION
ATTORNEY GENERAL

Ryan Cannonie
Attorney General



Office of the Attorney General
356159 East 926 Road
Stroud, Oklahoma 74079

**GUIDANCE REGARDING REQUEST FOR DISTRIBUTION FROM A MINOR'S
PER CAPITA TRUST FUND**

The following information is provided as guidance in a request for a distribution from a Minor's Per Capita Trust Fund derived from Sac and Fox Nation gaming revenue. In the Sac and Fox Nation's Revenue Allocation Plan (SF-GC 96-04), the Nation recognized its duty to protect and safeguard the best interests of its minor tribal members by providing for their future welfare by placing the minor's gaming revenue per capita monies into trust. These funds are generally held until the minor reaches the age of eighteen.

However, funds from the Minor's Trust Fund may be disbursed on behalf of the minor prior to the minor reaching the age of eighteen for essential living expenses, such as health, safety, welfare or education costs. This disbursement is discretionary and is subject to tribal and federal laws and regulations which control the distribution and use of a Minor's Trust Funds. The Revenue Allocation Plan requires a detailed budget of monies necessary for essential living expenses and a detailed justification for such essential living needs. Submission of receipts of expenditures may also be required.

Requirements.

The Sac and Fox Nation's Attorney General has been delegated the responsibility for determining when to grant a request for distribution and to see that all laws are complied with in the request for distribution. In furtherance of this responsibility, the following information should be submitted in order for the Attorney General to consider a request for distribution of Per Capita Trust Funds:

1. The name, age and roll number of the minor tribal member.
2. The name, birthdate, tribal affiliation and roll number (if any), and contact information of the petitioner(s) (the person(s) making a request for distribution).
3. A description of the relationship between the minor tribal member and the petitioner, including a demonstration that the petitioner is the legal parent, guardian, or actual custodian of the minor; or an explanation of why the petitioner is the appropriate party to request a distribution.
4. The amount requested to be disbursed from the Minor's Trust Fund.
5. Details of the minor's immediate family (parents, siblings, etc.) and current living situation.
6. A description of how this disbursement would be used for the essential living needs of the minor.



7. A detailed budget for the monies requested and a detailed justification for such monies, including any invoices, receipts, prices, or other relevant information.
8. A description of how the parent(s) or requestor(s) are making efforts to provide for the immediate living needs of the minor. For example, an explanation of employment status, employment history, reason for unemployment, etc.
9. An explanation of the nature of the hardship or other reasonable justification, such as specifying any unforeseen or uncontrollable circumstances, that necessitates this request.
10. Other sources of assistance regarding the request the petitioner has sought, and what, if any, assistance was received.
11. Whether the petitioner or any other person has sought distribution on behalf of this minor or any of the minor's siblings in the past.
12. Whether child support is owed on behalf of the minor(s), by whom it is owed, the amount, and if the support is paid up or past due. If child support is owed, what efforts are being made to collect past due amount. (Note: If child support is owed, the petitioner may be required to cooperate with tribal child support enforcement efforts to pursue the past due amount on behalf of the minor(s) as a condition to receiving distribution.)
13. To whom the distribution of funds is to be made.
14. A description of the receipts of expenditures made with any monies from the Minor's Trust Fund that would be provided to the Nation and the time such receipts would be provided to the Nation.
15. An explanation of whether the minor supports this petition or, if applicable, an explanation of why the minor is not aware of this petition.

Taxes.

You must also be made aware of the application of federal laws to per capita monies upon their distribution. More detailed information regarding the application of federal tax laws, notice of the existence of the withholding procedure and other information will be included if a distribution is approved.

Timeline.

Materials or documentation addressing the above requirements, to the extent applicable, should be submitted with your request. The Attorney General may notify you of missing information or request additional information. If no additional materials are requested, a decision as to a request for distribution will be made within 30 calendar days of the receipt of a request. If no decision is issued within 30 calendar days, the request will be deemed denied.