

	<b>INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL</b>	
	<b>Chapter 17: Case Closure</b>	<b>Effective Date: 12/18/18</b>
	<b>Section 19: Non-Custodial Parent Is Citizen of, and Residing in, Foreign Country and No Reciprocity with that Country (CNRE)</b>	<b>Version: 1.0 Revision Date: 12/18/18</b>

**BACKGROUND**

Closing a case when the non-custodial parent is a citizen of, and lives in, a foreign country with which Indiana has been unable to establish reciprocity, does not work for the United States government or a company with headquarters in the United States, and does not have reachable domestic income or assets that could be attached for child support is a manual/auto closure process. In the manual/auto closure process, the statewide child support system does not automatically recognize the case closure criteria, but the Title IV-D Prosecutor knows certain facts that make the case eligible for case closure and takes the initiating case closure step. An intent to close notice to the custodial party or other tribunal is required for the case closure reasons that use the manual/auto process.

When the Title IV-D Prosecutor enters the case closure reason in the statewide child support system, an intent to close notice is automatically generated. This notice gives the party 60 days to contact the Title IV-D Prosecutor to request the case remain open or provide information that would make case closure inappropriate. After this 60 day period passes, the auto closure process determines whether the closure criteria still exists and if the closure process has been cancelled. If the criteria still exists and the process has not been cancelled, the case is automatically closed to Title IV-D services.

Closing the case to Title IV-D services does not affect the validity or status of a court order.

**POLICY**

The Title IV-D Prosecutor may close a case when the following occurs:

1. The non-custodial parent is a citizen of, and lives in, a foreign country;
2. Indiana has been unable to establish reciprocity with a country with jurisdiction over the non-custodial parent;
3. The non-custodial parent does not work for the United States government or a company with headquarters in the United States;
4. The non-custodial parent has no reachable domestic income or assets that could be attached for child support; and
5. There have been no payments received on this case in the last 45 days.<sup>1</sup>

When the Title IV-D Prosecutor becomes aware that a case meets these criteria, the Title IV-D Prosecutor may wish to review the history of the case and payment history to determine the likelihood of future payments. If the Title IV-D Prosecutor believes future payments are likely, the Title IV-D Prosecutor may choose to not initiate the case closure process.

<sup>1</sup> Items 1-4 are found in 45 C.F.R. § 303.11(b)(10) and item 5 is state policy.

## REFERENCES

- [45 C.F.R. § 303.11\(b\)\(10\)](#): Case closure criteria

## PROCEDURE

### 1. Case Management When the Non-Custodial Parent Is in a Foreign Country

The Title IV-D Prosecutor is strongly encouraged to ensure the non-custodial parent's address, including the country, is correct in the statewide child support system.

### 2. Determining Whether the Case Should Close

If the Title IV-D Prosecutor determines the case should not close, the Title IV-D Prosecutor may cancel the case closure process in the statewide child support system.

### 3. Case Type and Status Upon Closure

When a Title IV-D case is closed for this manual/auto closure reason, the case closes to Title IV-D services and becomes a non-Title IV-D case.<sup>2</sup> The statewide child support system determines at the time of closure if the case will be an open non-Title IV-D case or a closed non-Title IV-D case based on whether there is a current child support obligation or an arrears balance. If there is a current child support obligation and/or an arrears balance, the case will be an open non-Title IV-D case. If there is not a current child support obligation or an arrears balance, the case will be a closed non-Title IV-D case.

## FORMS AND TOOLS

1. [Case Closure Checklist Why Didn't My Case Close](#)
2. [Case Closure Complete Guide](#)
3. [Case Closure Matrix How It Works](#)
4. [International](#): This OCSE website includes a listing of Foreign Reciprocating Countries and Hague Convention Countries.
4. [Using Proper Case Closure Codes](#)

## FREQUENTLY ASKED QUESTIONS

1. Q. How can a Title IV-D Prosecutor determine if Indiana has reciprocity with a foreign country?
  - A. The Office of Child Support Enforcement maintains a list of countries declared by the United States to be foreign reciprocating countries or Hague Convention countries for the purpose of child support. A link to this list is found in the Forms and Tools of this Section.

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<sup>2</sup> An exception to this is that a DCS child welfare case will close to Title IV-D services, but does not change case type.

<b>RELATED INFORMATION</b>
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The ISETS case closure code is CNRE.

<b>REVISION HISTORY</b>
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<b>Version</b>	<b>Date</b>	<b>Description of Revision</b>
Version 1	12/18/2018	Final Approved Version
	03/11/2020	Changed Section number from 18 to 19.