

	<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 23: Identity of Biological Father Unknown (CUNK)</b>	<b>Version: 1.0 Revision Date: 12/18/18</b>

**BACKGROUND**

Closing a case when the identity of the biological father is unknown and cannot be determined despite diligent efforts to identify the father 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 paternity cannot be established because of the following:

1. The identity of the biological father is unknown;
2. Diligent efforts to identify the biological father have been made; and
3. The Title IV-D Prosecutor has conducted at least one (1) interview with the custodial party in an attempt to determine the identity of the biological father.<sup>1</sup>

**REFERENCES**

- [45 C.F.R. § 303.2\(c\)](#): Establishment of cases and maintenance of case records
- [45 C.F.R. § 303.11\(b\)\(6\)\(iv\)](#): Case closure criteria

**PROCEDURE**

1. Case Management in Identifying the Biological Father

<sup>1</sup> 45 C.F.R. § 303.11(b)(6)(iv)

In order to conclude the biological father is unknown and his identity cannot be determined, the Title IV-D Prosecutor shall conduct diligent efforts to determine the biological father's identity. This requires at least one (1) interview with the custodial party. Examples of diligent efforts to identify the biological father may also include searching:

- a. Putative father registry;
- b. Police records of calls made to the custodial party's residence; and
- c. Other cases in the statewide child support system in which the custodial party is a case participant.

The Title IV-D Prosecutor shall make notes in the statewide child support system of the interview with the custodial party and the search efforts resulting in the determination that the biological father could not be identified.<sup>2</sup>

## 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 closed non-Title IV-D case.<sup>3</sup>

## 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. [Using Proper Case Closure Codes](#)

## FREQUENTLY ASKED QUESTIONS

1. Q. If the custodial party is a Temporary Assistance to Needy Families (TANF) recipient and is unable to identify the biological father despite diligent efforts, may the case be closed for this case closure reason?
  - A. Yes. If the custodial party, regardless as to whether he or she is receiving public assistance, is unable to identify the biological father, the case may be closed.
2. Q. When the custodial party received the intent to close notice the case because the identity of the biological father is unknown, the custodial party called the Title IV-D Prosecutor and asked that the case remain open. If the custodial party did not, or is unable to, provide any additional information about the biological father when requesting the case remain open, may the Title IV-D Prosecutor cancel the case closure or may the Title IV-D Prosecutor proceed with case closure?

<sup>2</sup> 45 C.F.R. § 303.2(c)

<sup>3</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.

- A. The Title IV-D Prosecutor has discretion as to whether the case closure should be cancelled or allowed to proceed when the custodial party requests the case remain open but did not, or is unable to, provide any additional information to assist in identifying the biological father.

<b>RELATED INFORMATION</b>
----------------------------

The ISETS case closure code is CUNK.

<b>REVISION HISTORY</b>
-------------------------

<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 22 to 23.