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|  | INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL | |
| | Chapter 17: Case Closure | Effective Date: 12/18/18 |
| | Section 26: Case Opened in Error (CERR) | Version: 1.0 Revision Date: 12/18/18 |

BACKGROUND

Closing a case which was opened in error is a manual closure process, which means 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.

The manual case closure reasons do not require an intent to close notice be sent to the custodial party or other tribunal. When the Title IV-D Prosecutor enters the case closure reason in the statewide child support system, the case is immediately 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 that was opened improperly through the IV-A/IV-D or IV-E/IV-D interface.¹ The Title IV-D Prosecutor may also use this case closure reason to correct a case that should have been opened as a non-Title IV-D case but was erroneously opened as a Title IV-D case.

REFERENCES

- [45 C.F.R. § 303.2\(c\)](#): Establishment of cases and maintenance of case records
- [45 C.F.R. § 303.11\(b\)\(20\)](#): Case closure criteria

PROCEDURE

1. Determining Whether the Case Should Close

In determining whether to close a case based on this closure reason, the Title IV-D Prosecutor should ask the following questions:

- a. Was the case referral appropriate at the time the case was created in the statewide child support system? If yes, then the case was not opened in error and cannot be closed based on this closure reason.
- b. Was an Application for Title IV-D Child Support Services, State Form 34882, (Application) received at the time the case was created in the statewide child support system? If yes, then the case was not opened in error and cannot be closed based on this closure reason.

¹ 45 C.F.R. § 303.11(b)(20)

- c. Is there an exact duplicate of the case already in the statewide child support system? If no, then the case cannot be closed for this reason.²
 - d. Did the Clerk of Courts open a non-Title IV-D case as a Title IV-D case in error? If yes, then this reason may be used to correct the case type.
2. Case Management When Closing a Case Due to the Case Opening in Error

The Title IV-D Prosecutor shall make notes in the statewide child support system documenting the exact reason why the determination was made that the case was opened in error.³

The Title IV-D Prosecutor will change the case status back to an open non-Title IV-D case when:

- a. The case was previously open as a non-Title IV-D case in the statewide child support system and then erroneously became a Title IV-D case through the IV-A/IV-D or IV-E/IV-D interface; or
 - b. The Clerk of Courts opened a non-Title IV-D case as a Title IV-D case in error.
3. Case Type and Status Upon Closure

When a Title IV-D case is closed for this manual closure reason, the case closes to Title IV-D services and becomes a non-Title IV-D case.⁴ The Title IV-D Prosecutor 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 Title IV-D Prosecutor will change the case type to non-Title IV-D resulting in the case being an open non-Title IV-D case. If there is not a current child support obligation or an arrears balance, the Title IV-D Prosecutor will change the case status to closed. The next time the auto closure program runs, every Saturday except the first day of the month, after the manual closure, the statewide child support system will change the case type to non-Title IV-D resulting in the case being 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. [Using Proper Case Closure Codes](#)

FREQUENTLY ASKED QUESTIONS

- 1. Q. The case was opened through the IV-A/IV-D interface because the custodial party and child were receiving Temporary Assistance for Needy Families (TANF). When the Title IV-D Prosecutor's office contacted the custodial party for more information,

² See Section 24 of this Chapter for more information on closing a duplicate case.

³ 45 C.F.R. § 303.2(c)

⁴ An exception to this is that a DCS child welfare case will close to Title IV-D services, but does not change case type.

the Title IV-D Prosecutor learned the custodial party was no longer receiving TANF. Can this case be closed as a referral error?

- A. No. The referral was proper at the time it was made. Because the custodial party is no longer receiving TANF, the custodial party has the option of either continuing Title IV-D services or signing a case closure request.
2. Q. A person has applied for Title IV-D services. When the Title IV-D Prosecutor contacted the applicant, the applicant said he/she did not want Title IV-D services. May this case be closed as it was opened in error?
 - A. No. The proper closure process would be to request the applicant sign and return a case closure request. The Title IV-D Prosecutor could then close the case because the applicant has requested the case be closed.⁵ If the applicant refuses to sign the case closure request, the Title IV-D Prosecutor must continue to work the case.
3. Q. A person has applied for Title IV-D services. In order to move the case forward, the applicant is required to be in court and did not appear in court as scheduled. May this case be closed for being opened in error?
 - A. No. This is not an instance of the case being opened in error. In this scenario, the applicant has not complied with a required action, appearing in court. The Title IV-D Prosecutor may, however, evaluate the case for closure due to non-cooperation.⁶
4. Q. In reviewing a case that opened through the IV-A/IV-D interface, the Title IV-D Prosecutor determines that the Department of Family Resources has entered the incorrect participant. May this case be closed as it was opened in error?
 - A. There are two (2) possible ways this case could be handled. If there is not a case in the statewide child support system with the correct participants in the exact same roles, the Title IV-D Prosecutor inactivates the incorrect participant, adds the correct participant, and proceeds with the case. If there is a case in the statewide child support system with the correct participants in the exact same roles, the Title IV-D Prosecutor verifies the existing case has been changed to a TANF case and closes the newly interfaced case either as opened in error or as a duplicate. Regardless of the way the Title IV-D Prosecutor closes the case, the Title IV-D Prosecutor shall make detailed notes in the statewide child support system to cross-reference the two (2) cases.⁷
5. Q. In creating a new case, the Clerk of Courts created a Title IV-D case when the case should have been created as a non-Title IV-D case. Since the Clerk of Courts does not have the system permissions to change the status of a Title IV-D case, may the Title IV-D Prosecutor use this case closure reason to correct the case type?
 - A. Yes. When a case is opened incorrectly as a Title IV-D case when it should have been opened as a non-Title IV-D case, the Title IV-D Prosecutor may close the case to Title IV-D services and the case will become an open non-Title IV-D case.

⁵ See Section 28 of this Chapter for more information on this case closure reason.

⁶ See Section 17 of this Chapter for more information on this case closure reason.

⁷ 45 C.F.R. § 303.2(c)

6. Q. When a Title IV-D Prosecutor is creating a new case from an Application and erroneously attaches the wrong participant to the case in the statewide child support system, may the case be closed using this case closure reason as it was erroneously created?
- A. No. In this situation, the Title IV-D Prosecutor should inactivate the participant that was attached in error and attach the correct participant. The Title IV-D Prosecutor shall make notes in the statewide child support system as to why the participants' statuses were changed.⁸

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| RELATED INFORMATION |
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The ISETS case closure code is CERR.

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| REVISION HISTORY |
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| Version | Date | Description of Revision |
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| Version 1 | 12/18/2018 | Final Approved Version |
| | 03/11/2020 | Changed Section number from 25 to 26. |

⁸ 45 C.F.R. § 303.2(c)