

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 17: Case Closure	Effective Date: 12/18/18
	Section 8: Paternity Cannot Be Established – Child Over 20 Years Old (CPAT)	Version: 1.0 Revision Date: 12/18/18

BACKGROUND

Closing a case when paternity establishment is barred by statute of limitations is an auto closure process, which means the statewide child support system recognizes that case closure criteria have been met and initiates the intent to close notice.

The auto closure process takes place weekly on Saturday. If the first day of the month is a Saturday, the case closure program does not run that day, but runs the following Saturday. Only Title IV-D cases in the statewide child support system are considered for auto closure. The auto closure process excludes:

1. Intergovernmental cases that have not yet been assigned to a county; or
2. Cases in which a prior case closure attempt was cancelled in the previous one (1) year and that cancel was not cancelled.

Once the auto closure process selects a case for closure, it initiates an intent to close notice to the custodial party or other tribunal. 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 by the Title IV-D Prosecutor. If the criteria is still met and the process has not been cancelled, the case is automatically closed to Title IV-D services. If the case closure process has been cancelled, the case will not be eligible again for auto closure for one (1) year unless the “cancel the cancel” code (XNCL) is entered in the statewide child support system. If XNCL is entered, the case is reviewed again for case closure during the next weekly case closure program.

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

POLICY

A Title IV-D case may be closed due to the statute of limitations to establish paternity when the following criteria are met:

1. No child support order has been entered on this case;
2. All children must be 20 years old or older;
3. None of the children are disabled; and
4. The born out of wedlock (BOW) indicator must indicate each child was born out of wedlock and paternity has not been established.¹

¹ 45 C.F.R. § 303.11(b)(6)(i); IC 31-14-5-2; IC 31-14-5-3

REFERENCES

- [IC 31-14-5-2](#): Petition by minors and incompetent persons; time for filing petition; tolling of limitations during period of incompetency
- [IC 31-14-5-3](#): Time for filing action
- [45 C.F.R. § 303.11\(b\)\(6\)\(i\)](#): Case closure criteria

PROCEDURE

1. Determining Whether the Case Should Close

When the Title IV-D Prosecutor becomes aware through the statewide child support system or through other means that a case meets the case closure criteria, the Title IV-D Prosecutor may wish to review the case to determine whether to cancel the case closure process. The Title IV-D Prosecutor may wish to consider the following factors:

- a. Whether the child was legally incompetent on the child's 18th birthday and remained legally incompetent to the present time;² and
- b. Whether there is a pending petition to establish paternity before the court.

If the Title IV-D Prosecutor determines the case should not close, the Title IV-D Prosecutor cancels the case closure process in the statewide child support system. This will prevent the case from automatically closing for one (1) year at which time the case will be automatically reevaluated for closure unless XNCL has been entered.

2. Case Type and Status Upon Closure

When a Title IV-D case is closed for this auto closure reason, the case closes to Title IV-D services and becomes a closed non-Title IV-D case.³

FORMS AND TOOLS

1. [BOW/Paternity Code Desktop Guide](#)
2. [Case Closure Checklist Why Didn't My Case Close](#)
3. [Case Closure Complete Guide](#)
4. [Case Closure Matrix How It Works](#)
5. [Using Proper Case Closure Codes](#)

FREQUENTLY ASKED QUESTIONS

N/A

RELATED INFORMATION

The ISETS case closure code is CPAT.

² IC 31-14-5-2(c)

³ An exception to this is that a DCS child welfare case will close to Title IV-D services, but does not change case type.