


| | | |
|---|--|---|
|  | INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL | |
| | Chapter 17: Case Closure | Effective Date: 12/08/2021 |
| | Section 9: Unable to Locate Non-Custodial Parent after Two (2) Years Where Sufficient Identifying Information Is Known (CULO) | Version: 1.1 Revision Date: 12/08/2021 |

BACKGROUND

Closing a case when the non-custodial parent (NCP) is unable to be located after two (2) years and sufficient identifying information is known 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.
3. Cases are excluded from all auto case closure reasons when a payment (other than a lottery intercept, administrative offset, State tax offset, federal tax offset, financial institution data match (FIDM), insurance match (CSLN), recoupment, or annual support fee payment) was applied to the case in the previous 45 days. Additionally, for this particular auto closure reason, a case will be excluded from case closure if any payment was applied to the case in the last 12 months.

Once the auto closure process selects a case for closure, it initiates an intent to close notice to the custodial party (CP) or other tribunal. This notice gives the party 60 days to contact the Title IV-D Prosecutor’s Office 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’s Office. 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 when the Title IV-D agency is unable to locate the NCP and all of the following criteria are met:

1. There has been no payment in the last 12 months;

DCS IV-D Policy Manual/Chapter 17: Case Closure
Section 9: Unable to Locate Non-Custodial Parent after Two (2) Years
Where Sufficient Identifying Information Is Known (CULO)

2. Locate attempts to find the NCP's current address have been unsuccessful for at least two (2) years;
3. Locate attempts to find the NCP's current employer have been unsuccessful for at least two (2) years; and
4. One (1) or both of the NCP's date of birth or Social Security number are known.¹

REFERENCES

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

PROCEDURE

1. Determining Whether the Case Should Close

When the Title IV-D Prosecutor's Office 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's Office may wish to review the case to determine whether to cancel the case closure process. The Title IV-D Prosecutor's Office may wish to consider the following factors:

- a. Whether payments are sporadically applied to the case; and
- b. Whether additional locate resources exist that may assist in establishing or enforcing an order.

If the Title IV-D Prosecutor's Office determines the case should not close, the Title IV-D Prosecutor's Office 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 non-Title IV-D (NIVD) case.² The statewide child support system determines at the time of closure if the case will be an open NIVD case or a closed NIVD 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 NIVD case. If there is not a current child support obligation or an arrears balance, the case will be a closed NIVD case.

FORMS AND TOOLS

1. [Case Closure Complete Guide](#)
2. [Case Closure Desktop Guide](#)
3. [Case Closure Matrix: How It Works](#)

¹ Item 1 is State policy and items 2-4 are found in 45 C.F.R. § 303.11(b)(7)(i).

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

4. [Why Didn't My Case Close - Case Closure Checklist](#)

FREQUENTLY ASKED QUESTIONS

1. Q. When a CP receives the intent to close notice for this case closure reason and contacts the Title IV-D Prosecutor's Office and asks that the case remain open, may the Title IV-D Prosecutor's Office cancel or proceed with case closure? Does it matter if the CP provides new or additional information?
 - A. If the CP provides new or additional information that could assist the Title IV-D Prosecutor's Office in working the case, then the Title IV-D Prosecutor's Office is strongly encouraged to cancel the case closure and proceed with working the case. However, if the CP does not provide new or additional information, then the Title IV-D Prosecutor's Office has the discretion as to whether to cancel or proceed with case closure. Regardless of whether the CP provides new or additional information or not, the Title IV-D Prosecutor's Office shall document the correspondence or conversation with the CP in the statewide child support system.³

RELATED INFORMATION

The ISETS case closure code is CULO.

There are three (3) case closure reasons for when the non-custodial parent cannot be located, each of which have separate and specific criteria:

1. A case will close using the case closure code CNIN when:
 - a. Attempts to locate the NCP's current address and employer have been unsuccessful over a six (6) month period; and
 - b. Both the date of birth and Social Security number of the NCP are unknown.⁴
2. A case will close using the case closure code CNSS when:
 - a. Attempts to locate the NCP's current address and employer have been unsuccessful over a one (1) year period; and
 - b. The NCP's Social Security number is entered in the statewide child support system, but automated resources have not been able to verify the Social Security number.⁵
3. A case will close using the case closure code CULO when:
 - a. Attempts to locate the NCP's current address and employer have been unsuccessful over a two (2) year period; and
 - b. One (1) or both of the NCP's date of birth or Social Security number is known.

REVISION HISTORY

| Version | Date | Description of Revision |
|-----------|------------|-------------------------|
| Version 1 | 12/18/2018 | Final approved version |

³ 45 C.F.R. § 303.2(c)

⁴ Chapter 17: Case Closure, Section 5: Unable to Locate Non-Custodial Parent after Six (6) Months when Date of Birth and Social Security Number Are Unknown (CNIN)

⁵ Chapter 17: Case Closure, Section 7: Unable to Locate Non-Custodial Parent after One (1) Year when Social Security Number Cannot Be Verified by Automated Sources (CNSS)

| | | |
|-------------|------------|---|
| Version 1.1 | 12/08/2021 | Added FAQ regarding when CP responds to notice of intent to close |
|-------------|------------|---|