

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 17: Case Closure	Effective Date: 12/08/2021
	Section 26: Case Opened in Error (CERR)	Version: 1.1 Revision Date: 12/08/2021

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’s Office 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 (CP) or other tribunal. When the Title IV-D Prosecutor’s Office 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’s Office 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’s Office may also use this case closure reason to correct a case that should have been opened as a non-Title IV-D (NIVD) 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’s Office 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 the Indiana Child Support Enrollment, State Form 34882, (Enrollment Form) received at the time the case was created in the statewide child support system?

¹ 45 C.F.R. § 303.11(b)(20)

If yes, then the case was not opened in error and cannot be closed based on this closure reason.

- 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 NIVD 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's Office 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's Office will change the case status back to an open NIVD case when:

- a. The case was previously open as a NIVD 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 NIVD 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 NIVD case.⁴ The Title IV-D Prosecutor's Office 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 Title IV-D Prosecutor's Office will change the case type to NIVD resulting in the case being an open NIVD case. If there is not a current child support obligation or an arrears balance, the Title IV-D Prosecutor's Office will change the case status to closed. The next time the auto closure program runs, every Saturday except it skips any Saturday that is the first day of the month, after the manual closure, the statewide child support system will change the case type to NIVD resulting in the case being a closed NIVD case.

FORMS AND TOOLS

1. [Case Closure Checklist Why Didn't My Case Close](#)
2. [Case Closure Complete Guide](#)
3. [Case Closure Desktop Guide](#)
4. [Case Closure Matrix How It Works](#)

FREQUENTLY ASKED QUESTIONS

1. Q. The case was opened through the IV-A/IV-D interface because the CP and child

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.

were receiving Temporary Assistance for Needy Families (TANF). When the Title IV-D Prosecutor's Office contacted the CP for more information, the Title IV-D Prosecutor's Office learned the CP 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 CP is no longer receiving TANF, the CP has the option of either continuing Title IV-D services or signing a case closure request.
2. Q. A person has submitted the Enrollment Form for Title IV-D services. When the Title IV-D Prosecutor's Office contacted the enrollee, the enrollee said he or she did not want Title IV-D services. May this case be closed as opened in error?
- A. No. The proper closure process would be to request the enrollee sign and return a case closure request. The Title IV-D Prosecutor's Office could then close the case because the enrollee has requested the case be closed.⁵ If the enrollee refuses to sign the case closure request, the Title IV-D Prosecutor's Office must continue to work the case.
3. Q. A person has enrolled in Title IV-D services. In order to move the case forward, the enrollee 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 enrollee has not complied with a required action, appearing in Court. The Title IV-D Prosecutor's Office 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's Office determines that the Department of Family Resources (DFR) has entered the incorrect participant. May this case be closed as 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's Office 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's Office 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's Office closes the case, the Title IV-D Prosecutor's Office 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

⁵ See Chapter 17: Case Closure, Section 29: Custodial Party Requests Closure (CPRT) for more information on this case closure reason.

⁶ See Chapter 17: Case Closure, Section 17: Non-Cooperation of Custodial Party (CNON) for more information on this case closure reason.

⁷ 45 C.F.R. § 303.2(c)

should have been created as a NIVD 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's Office 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 NIVD case, the Title IV-D Prosecutor's Office may close the case to Title IV-D services and the case will become an open NIVD case.
6. Q. When a Title IV-D Prosecutor's Office is creating a new case from an Enrollment Form 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's Office should inactivate the participant that was attached in error and attach the correct participant. The Title IV-D Prosecutor's Office shall make notes in the statewide child support system as to why the participants' statuses were changed.⁸

RELATED INFORMATION

The ISETS case closure code is CERR.

REVISION HISTORY

Version	Date	Description of Revision
Version 1	12/18/2018	Final Approved Version
	03/11/2020	Changed Section number from 25 to 26.
Version 1.1	12/08/2021	Updated terminology surrounding enrolling in Title IV-D services.

⁸ 45 C.F.R. § 303.2(c)