

Building Strong Families Through Innovation

DEMYSTIFYING INTERSTATE CASE CLOSURE

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Agenda



- Case closure basics
- Federal case closure criteria
- Interstate case closure
- International case closure
- Scenarios



Case Closure Basics



Case Closure Basics

- Case must meet one of federal closure criteria (45 CFR 303.11(b))
 - Responding cases may only be closed under specific criteria
- Most criteria are permissive, not mandatory
- 60-day notice of intent to close may be necessary
- Case record must contain supporting documentation
- States may establish more stringent closure criteria



Case Closure Tips

- Closing IV-D case does not terminate support order
- Cannot close case just because all parties have moved out of state
- Interstate limited services action does not need to meet closure criteria
- Communication and cooperation are critical

**Goal is to provide support to families,
not to close cases!**

Federal Closure Criteria





Interstate Case Closure

Initiating State Case Closure Summary



Initiating state has application or referral for services

- Makes case management decisions, including closure
- Can close case for any federal closure reason
- Must notify responding state of closure within 10 days and reason for closure
- Must instruct responding state to stop income withholding and close their case before issuing its own withholding
- Can keep case open and instruct responding state that services are no longer needed



60-Day Notice of Intent to Close

- Required under several criteria
- Provides applicant or initiating state opportunity to provide needed information
- If information is provided within 60 days, case must stay open
- If information is not provided within the 60-day period, case can be closed

Case Closure Requirements – Intergovernmental Regulation



- Initiating state instructs responding state to:
 - Close its intergovernmental case and
 - Stop any income withholding order or notice
- Must be done before initiating state issues income withholding order or notice
- Closure of responding state's intergovernmental case is mandatory
- 45 CFR 303.7(c) and (d)



Scenario 1



- OR is enforcing OR order for Harry to pay Rose \$300 per month
- Eventually, all parties move to WA

Which actions can OR take?

- Close OR case and tell Rose she must apply for services in WA
- Terminate the order, as none of the parties live in OR
- Continue to enforce order



Responding State Case Closure Summary



Responding state may close case **only** under following case closure criteria:

- Responding agency documents failure by initiating agency to take action essential to next step in providing services
 - Requires 60-day intent to close notice
- Initiating agency closed its case and notified responding agency
- Initiating agency notified responding agency that its intergovernmental services are no longer needed

Responding State Case Closure Summary (cont'd)



As required under intergovernmental regulation

45 CFR 303.7(d):

- Responding state **must** close interstate case if:
 - Initiating state instructs it to stop income withholding and close its intergovernmental case

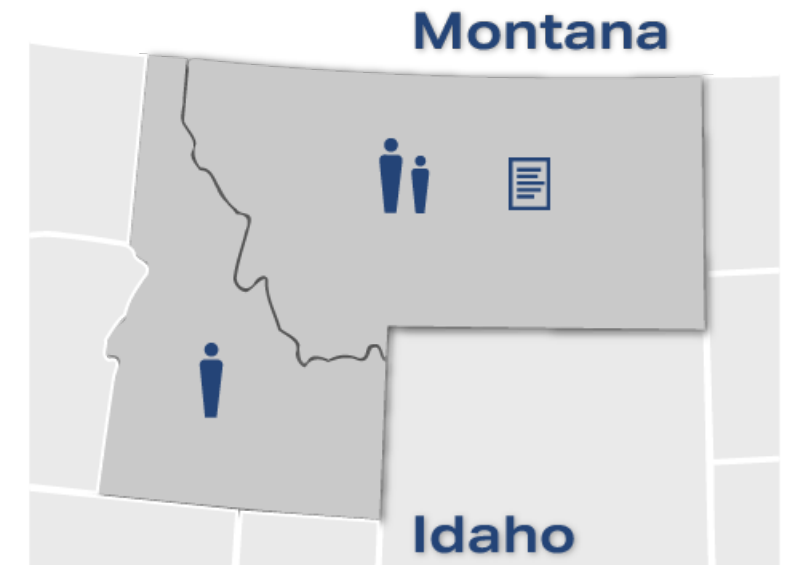


Scenario 2



- Custodial parent Martha applied for services in MT
- Noncustodial parent Roy lives in ID
- MT refers an interstate case to ID to enforce a MT order

Which state manages the interstate case and controls case closure?





Federal Tools and Resources

- Action:
 - CSENet (Child Support Enforcement Network)
 - EDE (Electronic Document Exchange)
- Inquiry only:
 - QUICK (Query Interstate Cases for Kids)
 - FCR Query (Federal Case Registry Query)
 - IRG (Intergovernmental Reference Guide)
- Federal intergovernmental forms

Child Support Enforcement Transmittal #2 – Subsequent Actions



- Can be used by initiating and responding agencies
- Section II specific to case closure
- Initiating state section:

Section II. Intergovernmental Closure Actions:

From Initiating Agency:

1. ☐ The initiating agency has closed its IV-D intergovernmental case because

☐ Proceed with closure of your responding IV-D intergovernmental case.

2. ☐ Close the responding agency's IV-D intergovernmental case and stop income withholding, if applicable. We are keeping our IV-D case open and your agency's intergovernmental services are no longer needed.

Child Support Enforcement Transmittal #2 – Subsequent Actions (cont'd)



- Responding state section:

From Responding Agency:

3. ☐ The responding agency has closed its IV-D intergovernmental case at your request.

4. ☐ The responding agency intends to close its IV-D intergovernmental case on _____ (mm/dd/yyyy) because your agency failed to provide _____

_____.

5. ☐ The responding agency has closed its IV-D intergovernmental case because your agency failed to respond to the 60-day notice dated _____ (mm/dd/yyyy).



International Case Closure

Case Closure in International Context



- Federal case processing timeframes do not apply to countries
 - PIQ-04-01: Processing Cases with Foreign Reciprocating Countries
- States should consider international context before automatically moving to case closure
 - Hague Child Support Convention includes longer timeframes applicable to Convention countries



Scenarios



Scenario 3



- Custodial parent George goes on TANF in CA
- Noncustodial parent Rita lives in NV
- NV order for George to pay Rita must be modified as George now has custody of the twins
- CA refers interstate case to NV for modification and enforcement but does not include General Testimony

Can NV return the interstate case due to missing documents?



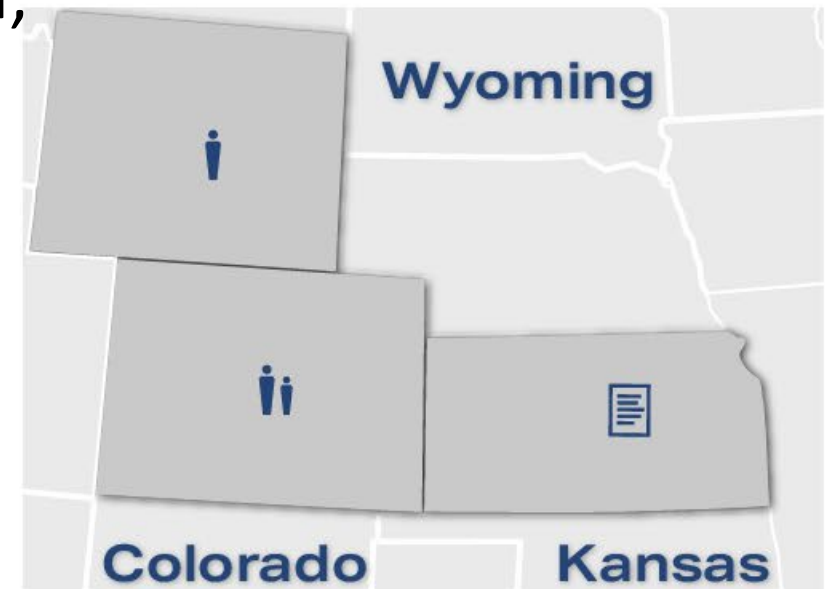


Scenario 4



- Custodial parent Maggie lives in CO; noncustodial parent Richard in WY
- CO verifies address for Richard in WY and refers case to WY requesting enforcement of KS order
- WY opens case but is not able to serve Richard; he seems to have moved
- WY asks CO to provide new address for Richard and CO is unable to do so

Can WY close its case for noncooperation of the initiating state for failure to provide a new address?





Scenario 5



- Custodial parent lives in AZ and noncustodial parent lives in NM
- AZ refers case to NM to enforce NM order
- NM enforces for several years
- Noncustodial parent passes away and had no assets

What should NM do?

- Close its case because enforcement of order is no longer possible
- Provide AZ with information about noncustodial parent's death and wait for instructions
- Send 60-day notice of intent to close to AZ since order is not enforceable



Scenario 6

- Custodial parent lives in KS and noncustodial parent lives in OK
- KS refers case to OK requesting enforcement of KS order
- OK opens case, cannot find employer, and asks KS to identify one
- KS is also unable to find employer for noncustodial parent

Can OK close its case for noncooperation by the initiating state for failure to provide an employer?





Thanks for Participating!