

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 17: Case Closure	Effective Date: 12/08/2021
	Section 11: Alleged Father Excluded and No Other Alleged Father Can Be Identified (CBIO)	Version: 1.2 Revision Date: 12/08/2021

BACKGROUND

Closing a case when the alleged father has been excluded and no other alleged father can be identified is a manual/auto closure process. In the manual/auto closure process, 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 and takes the initiating case closure step. An intent to close notice to the custodial party (CP) or other tribunal is required for the case closure reasons that use the manual/auto process.

When the Title IV-D Prosecutor’s Office enters the case closure reason in the statewide child support system, an intent to close notice is automatically generated. 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. If the criteria still exists and the process has not been cancelled, the case is automatically 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 when paternity cannot be established because of the following:

1. A genetic test or a court order has excluded the alleged father; and
2. No other alleged father can be identified.¹

The case will not close for this reason if the case is a responding intergovernmental case.

REFERENCES

- [45 C.F.R. § 303.2\(c\)](#): Establishment of cases and maintenance of case records
- [45 C.F.R. § 303.11\(b\)\(6\)\(ii\)](#): Case closure criteria

PROCEDURE

1. Case Management When the Alleged Father Has Been Excluded

When an alleged father has been excluded and no other alleged father has been named on this case, the Title IV-D Prosecutor’s Office enters the case closure code in the

¹ 45 C.F.R. § 303.11(b)(6)(ii)

statewide child support system. The intent to close notice is automatically generated by the statewide child support system. After 60 days, the statewide child support system verifies that another alleged father has not been added to the case or the case closure process has not been cancelled.

The Title IV-D Prosecutor's Office shall keep a copy of the genetic test or order excluding the alleged father in the paper or electronic case file.²

2. Determining Whether the Case Should Close

If the Title IV-D Prosecutor's Office determines the case should not close, the Title IV-D Prosecutor's Office may cancel the case closure process in the statewide child support system.

3. Case Type and Status Upon Closure

When a Title IV-D case is closed for this manual/auto closure reason, the case closes to Title IV-D services and becomes a non-Title IV-D (NIVD) case.³ 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 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. Our county opens a separate case for the CP, child, and each alleged father. When an alleged father is excluded, can we still close that particular case with this closure reason even though there are other potential fathers in other cases?

A. Yes. Because on this particular case the alleged father has been excluded, this closure reason may be used. The Title IV-D Prosecutor's Office shall make a note in this case stating that this alleged father has been excluded and cross reference the case numbers in which other alleged fathers are named.⁴
2. 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?

² 45 C.F.R. § 303.2(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.

⁴ 45 C.F.R. § 303.2(c)

- 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.⁵

RELATED INFORMATION

The ISETS case closure code is CBIO.

REVISION HISTORY

Version	Date	Description of Revision
Version 1	12/18/2018	Final Approved Version
Version 1.1	08/19/2020	Removed genetic testing fee criteria.
Version 1.2	12/08/2021	Added FAQ regarding when CP responds to notice of intent to close.

⁵ 45 C.F.R. § 303.2(c)