

TITLE 466 - CHILD SUPPORT ENFORCEMENT PROGRAM

CHAPTER 4 - CASE INITIATION AND CLOSURE

001. SCOPE AND AUTHORITY. Part D of Title IV of the Social Security Act and other federal laws and regulations set forth requirements for child support enforcement. This chapter pertains to establishing and closing a support enforcement case.

002. CASE ESTABLISHMENT AND MAINTENANCE OF CASE RECORDS.

Applications for child support services are readily accessible to the public and will be provided, received, and processed within the timeframes and pursuant to the requirements of Title IV-D of the Social Security Act and 45 CFR §303.2. Within such timeframes, a case will be opened by establishing a case record and the case will be assessed to determine necessary action such as soliciting and verifying relevant information and making location attempts. The case record will be supplemented with information and documents pertaining to the case as well as all relevant facts, dates, actions taken, contacts made, and results in a case.

003. CASE CLOSURE. The Department may close a case if the case meets at least one of the criteria set forth in 45 CFR §303.11 and supporting documentation for the case closure decision is maintained in the case record. If case closure is mandatory under 45 CFR §303.11, the case will be closed after supporting documentation is obtained and maintained in the case file.

004. NOTICE OF CLOSURE. Notice of case closure will be provided as set forth in 45 CFR §303.11. If the case is closed, the former recipient of services may request at a later date that the case be reopened if there is a change in circumstances that could lead to the establishment of paternity, establishment of a support order, or the enforcement of an order. A new application for IV-D services and any applicable application fee is required to reopen a case.

005. ELECTRONIC NOTICE. If the recipient of services specifically authorizes consent for electronic notifications, the Department may elect to notify the recipient of services electronically of the intent to close the case. Documentation of the recipient's consent will be maintained in the case record.

006. REQUIREMENTS FOR KEEPING A CASE OPEN. The case will not be closed if:

(A) Contact is reestablished with the custodial party if inability to contact the party was the reason for closure; or

(B) The recipient of services or an initiating agency supplies information in response to the notice which could lead to the establishment of paternity, establishment of a support order, or enforcement of a support order.

007. RETENTION OF CASE RECORDS. Records will be retained in accordance with the applicable Department records retention and disposition schedule but not less than the period required under 45 CFR 303.11 and 45 CFR 75.361.

