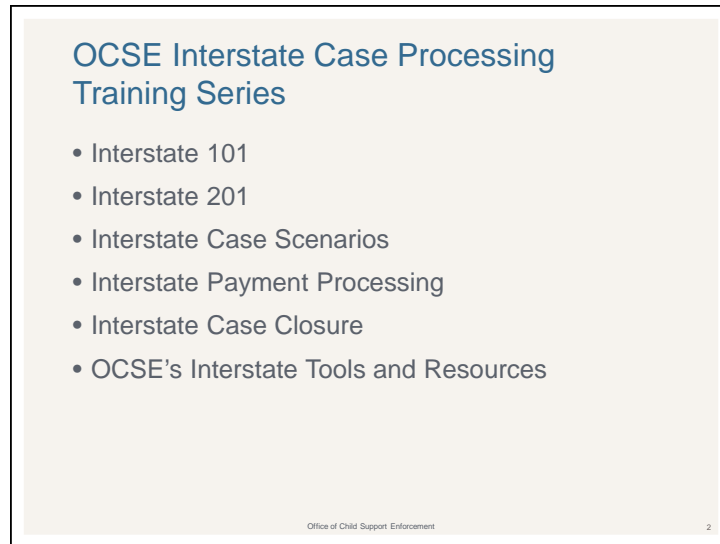




Notes:

Welcome to Interstate Case Closure Training.

This training covers case closure, specifically in interstate child support cases.

A presentation slide with a light beige background and a dark border. The title "OCSE Interstate Case Processing Training Series" is at the top in blue. Below it is a bulleted list of six items. At the bottom right, there is a small number "2" and at the bottom center, the text "Office of Child Support Enforcement".

OCSE Interstate Case Processing Training Series

- Interstate 101
- Interstate 201
- Interstate Case Scenarios
- Interstate Payment Processing
- Interstate Case Closure
- OCSE's Interstate Tools and Resources

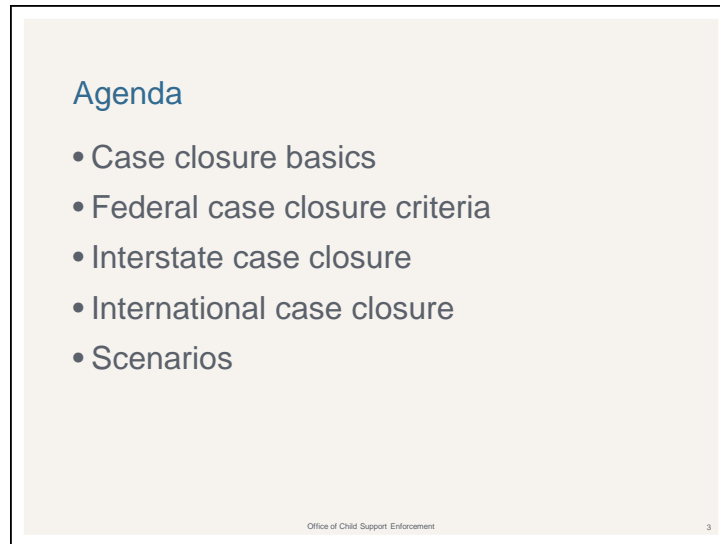
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Notes:

Here are the six modules in OCSE's interstate case processing training series.

- Interstate 101
- Interstate 201
- Interstate Scenarios
- Interstate Payment Processing
- Interstate Case Closure
- OCSE's Interstate Tools and Resources

All of these trainings focus on interstate cases and are intended to complement, rather than repeat, OCSE's training on the revised intergovernmental forms and international case processing. Please note that in some instances, UIFSA provides different rules for international cases.

A presentation slide with a light beige background and a dark border. The title "Agenda" is in blue. Below it is a bulleted list of five items. At the bottom, there is a small footer with the text "Office of Child Support Enforcement" and a small number "3".

Agenda

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

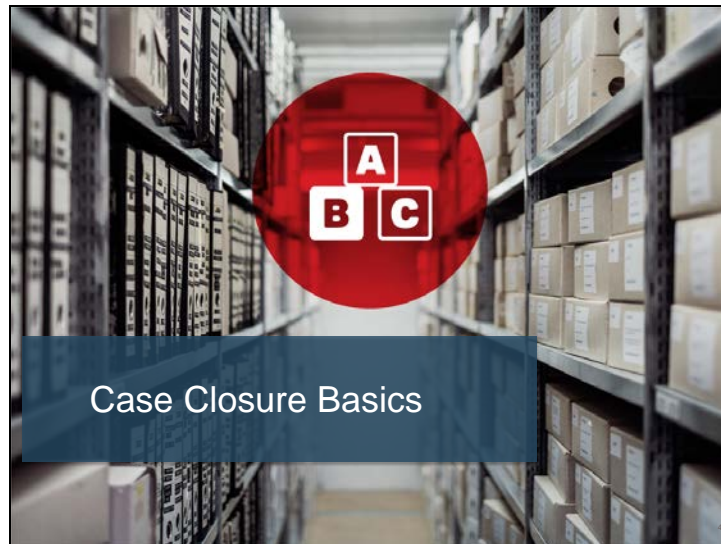
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Notes:

We will begin by looking at case closure basics and federal regulations. Then we will look specifically at closing initiating and responding interstate cases. Finally, we will briefly discuss case closure in international cases.

We'll also have several question and answer sessions. You will be able to ask your questions on the phone or you can type your questions in the Q&A box on WebEx anytime.

As we've noted in earlier trainings, when we refer to a state, we are talking about the state IV-D agency.



Notes:

Let's begin with the basics of case closure.

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

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Notes:

Federal policy on case closure is in the federal case closure regulations under 45 CFR 303.11, as well as some related requirements under federal intergovernmental regulations. To close any IV-D case, whether interstate or not, the case must meet one of the closure criteria listed in federal regulations.

While initiating cases can be closed under most of the criteria, responding cases may only be closed under criteria specific to responding cases, which we will discuss in detail later in the training. Most of the criteria are permissive, not mandatory, meaning that a IV-D agency may choose to close a case that meets a specific criteria, but is not required to close the case. In certain situations, a 60-day notice of intent to close must be provided to the applicant or initiating state. Documentation supporting the closure must be maintained in the case record. Finally, though a case must meet one of the criteria, states may elect to establish criteria that make it more difficult to close a case. You will always want to consult your state's policies and procedures for case closure, in addition to the federal regulations, for successful management of your interstate caseload.

References: 45 CFR 303.11

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 case!**

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Notes:

On this slide are a few tips addressing some common areas of confusion related to case closure. First, it is important to understand that closing a IV-D case simply ends the involvement of the IV-D agency, but does not terminate the order. When discussing closing cases with parents or other IV-D caseworkers, be clear about this distinction and that payments are still due under the order even if the IV-D case is closed.

Second, you cannot close a case simply because all the parties have moved out of the state. As you will see when we run through all the case closure criteria, this reason alone does not qualify the case for closure. In fact, there is no residency requirement for an individual to receive IV-D services and maintain an open IV-D case. Therefore, even if all parties have left your state, you must continue to work the case until it meets a closure reason.

Third, interstate limited services requests are not requests to open an interstate IV-D case and, therefore, are not subject to case closure regulations. If the responding state does enter the limited services request on its system, the state can simply close the request when completed, following state procedures. For example, if a state is asked to help with service of process or obtain a copy of an order and the state must open a “shell case” to provide the assistance, the state can close the limited services “shell case” when completed without regard to federal closure rules.

Communication and cooperation between the states are critical to the success of interstate cases, including when processing case closure. The Child Support Enforcement Transmittal #2 – Subsequent Actions, which we’ll talk about in a few minutes, is designed to facilitate

communication between caseworkers. We recommend providing direct caseworker contact information, including phone numbers and email addresses. If you need information or are unsure about something in the case, call or email the other state's caseworker.

Finally, remember that the goal is to provide support to families, not to close the case!

References: 45 CFR 303.11



Notes:

Now let's review the federal case closure criteria.

Federal Case Closure Requirements

Case closure allowed in these situations:

1. No longer current support order and arrearages are under \$500 or unenforceable under state law
2. No longer current support order and all arrearages in case are assigned to state
3. NCP is in long-term care arrangement
 - No longer current support order
 - Children have reached age of majority
 - NCP has no income or assets that can be attached
4. NCP is deceased and no estate assets to attach

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Notes:

Federal regulations detail criteria that allow a state to close its IV-D case. Let's review these criteria before we discuss interstate cases specifically. Under 303.11(b), states may elect to close a case if:

- There is no longer a current support order and arrearages are under \$500 or unenforceable under state law. The arrearages may be owed to the state or the custodial parent. Note that the determination about unenforceability must be based on state law governing enforcement criteria, not IV-D policy on case processing.
- There is no longer a current support order and all arrearages in the case are assigned to the state. There are two differences between this criterion and the prior one. First, this criterion is focused on arrearages assigned to the state. Second, under this criterion the amount of arrearages is irrelevant. However, a state might decide to set its own threshold arrears balance related to this criterion.
- The noncustodial parent is in long-term care, provided there is no current support order, the children have all reached the age of majority, and the noncustodial parent has no income or assets that can be attached to pay the support arrearage. Please note that state's policies determine what is considered "long-term care."
- The noncustodial parent is deceased and there are no estate assets to attach.

References: 45 CFR 303.11(b)

Federal Case Closure Requirements (cont'd)

5. NCP living with minor child as caregiver or intact two-parent household
6. Paternity cannot be established because:
 - i. Child is at least 18 and action barred by statute
 - ii. Alleged father has been excluded by genetic test or court or administrative order and no other alleged father can be identified
 - iii. Not in best interest of child to establish paternity
 - iv. Identity of biological father is unknown

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Notes:

Continuing with the federal case closure criteria:

- The noncustodial parent is living with the minor child either as the primary caregiver or in an intact two-parent household.
- Paternity cannot be established because:
 - The child is at least 18 and an action to establish paternity is barred by statute.
 - The alleged father has been excluded by genetic test or court or administrative order and no other alleged father can be identified.
 - The IV-D agency has determined that it is not in the best interest of child to establish paternity in a case involving incest or rape or in any case where legal proceedings for adoption are pending.
 - The identity of the biological father is unknown and cannot be identified. This criterion requires a diligent search and at least one interview with the recipient of services.

References: 45 CFR 303.11(b)

Federal Case Closure Requirements (cont'd)

7. NCP's location is unknown, despite state efforts to locate, depending on information available after two years, one year, or six months
8. NCP is incarcerated, institutionalized, or disabled throughout child's minority
9. NCP's sole income is from SSI or both SSI and SSDI
10. NCP is citizen of, and lives in, foreign country
 - No reachable domestic assets
 - No federal or state treaty with country
11. IV-D agency has provided location-only services

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Notes:

- The noncustodial parent's location is unknown. A case can be closed for this reason only if the state has made diligent efforts to locate the noncustodial parent, in accordance with the mandatory timeframes for performing location services, and those efforts have been unsuccessful. Location services must be provided over a 2-year period when there is sufficient information to initiate an automated locate effort, over a 1-year period when there is sufficient information to initiate an automated locate effort but locate interfaces are unable to verify a Social Security number, or over a 6-month period when there is not sufficient information to initiate an automated locate effort.
- The noncustodial parent is incarcerated, institutionalized, or disabled throughout the child's minority. Again, there must be no assets or income that can be attached to pay support.
- The noncustodial parent's sole income is from Supplemental Security Income (SSI) or both SSI and Social Security Disability Insurance (SSDI). Since SSI is a means-tested program, the noncustodial parent would not have the ability to pay support.
- The noncustodial parent is a citizen of, and lives in, a foreign country; has no reachable domestic assets; and there is no federal or state treaty with the country.
- The IV-D agency has provided location-only services, such as in the case of a child abduction.

References: 45 CFR 303.11(b)

Federal Case Closure Requirements (cont'd)

- 12. Non-IV-A applicant requests closure
 - No assignment to state of medical support
 - No assignment to state of arrearages
- 13. Instate limited services request completed to establish paternity only
- 14. Good cause finding
- 15. IV-D agency unable to contact applicant
- 16. Noncooperation of non-IV-A applicant

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Notes:

Federal closure criteria also include these situations:

- The non-IV-A applicant requests closure provided there is no assignment to the state of medical support and no assignment to the state of arrearages. As you may know, non-IV-A means the applicant is not receiving TANF benefits.
- An instate limited services request to establish paternity only has been completed. In an instate case, states have the option to allow an applicant to request paternity establishment only. The case can then be closed once this action has been completed. Note that this criterion does not apply to interstate cases.
- There is a finding of good cause indicating that there would be risk to the child or caretaker if the IV-D agency pursues the case.
- The IV-D agency is unable to contact the applicant despite a good faith effort using at least two different methods.
- The state documents noncooperation of the non-IV-A applicant when an action by the applicant is required to take the necessary next steps in the case and the applicant fails to take the required action.

References:

45 CFR 303.11(b)

Federal Case Closure Requirements (cont'd)

17. Responding agency documents failure by initiating agency to take action essential to next step in providing services
18. Initiating agency closed its case and notified responding agency
19. Initiating agency notified responding agency that its intergovernmental services are no longer needed

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Notes:

The federal closure criteria include these for responding states:

- The responding agency documents failure by the initiating agency to take an action essential to the next step in providing services.
- The initiating agency closed its case and notified the responding agency.
- The initiating agency has notified the responding agency that its intergovernmental services are no longer needed.

Note that these three are responding state criteria only. That means that a responding case can only be closed under one of these three criteria. We'll talk more about these criteria later.

References:

45 CFR 303.11(b)

Federal Case Closure Requirements (cont'd)

20. Inappropriate referral from another agency (IV-A, IV-E, etc.)
21. Case has been properly transferred to tribal IV-D agency

Additional criterion related to Indian Health Services under 45 CFR 303.11(c):

IV-D agency must close and maintain documentation when:

1. Child is eligible for health care services from Indian Health Service (IHS); and
2. IV-D case was opened due to Medicaid referral based solely upon health care services, including Purchased/Referred Care program, provided through an Indian Health Program

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Notes:

Federal closure criteria also include these situations:

- The case was an inappropriate referral from another agency, for example TANF or Foster Care.
- The case has been transferred to a tribal IV-D agency. There are a number of steps the agency must comply with in order to properly transfer a case to a tribe.

There is an additional mandatory closure criterion related to Indian Health Services in 45 CFR 303.11(c). If the child is eligible for health care services from Indian Health Service (IHS) and a IV-D case was opened because of a Medicaid referral based solely upon health care services, including the Purchased/Referred Care program, provided through an Indian Health Program, the IV-D agency must close its case.

References:

45 CFR 303.11(b) and (c)

**Federal Case Closure Requirements –
Intergovernmental Regulation (45 CFR 303.7(c) and (d))**

- 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

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Notes:

There is an additional intergovernmental regulation in 45 CFR 303.7 that requires the initiating state to instruct the responding state to stop its income withholding order and close the responding intergovernmental case before the initiating state can issue its own income withholding order. This requirement reduces the risk of two states enforcing on the same obligation at the same time. Note that the responding state must close its intergovernmental case in this instance.

References:

45 CFR 303.7(c)(12)

45 CFR 303.7(d)(9)

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

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Notes:

Several of the federal closure criteria require that the applicant or, in an interstate case, the initiating state be given notice that the case will be closed in 60 days if the information needed to proceed with the case is not provided within that timeframe. This provides time for the applicant or initiating state to gather and provide the information. If it is provided within that timeframe, the case must remain open. If not, the case can be closed after the 60-day notice period. This is often called “60-day closure” or 60-day closure notice.”

This is the process that would be used in interstate cases if the responding state documents failure by the initiating state to provide information necessary to proceed with the case.

References:

45 CFR 303.11(d)(1 through 4)

Polling Question 1

Closing a IV-D case terminates the order, so the noncustodial parent no longer needs to make payments.

- a. True
- b. False

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Notes:

As we have in previous webinars, we'll use live polling during this training where we will ask you to respond to questions and scenarios. Possible responses will appear on the right side of your screen. If you are viewing the slides in full screen mode, you may want to exit full screen so you can view the poll and the scenario. You might notice a timer above the question with a 5 minute maximum for responses. This is a program default which cannot be changed. We will give you a maximum of 2 minutes for each question and when we see that most of you have responded, we will close the poll.

Is this statement true or false? Closing a IV-D case terminates the order so the noncustodial parent no longer needs to make payments.

The poll is now open. Select your response by clicking on the button next to the answer you believe is the most appropriate, and then click submit. If you are listening as a group, provide the most popular answer in your group. After you've responded, we'll discuss each scenario. We'll be able to see how many people selected each response, but your responses are anonymous.

Polling Question 1 – Response

Closing a IV-D case terminates the order, so the noncustodial parent no longer needs to make payments.

- a. True
- b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

This statement is false. Remember that closing the IV-D case does not terminate the order. This must be done by a tribunal with jurisdiction to take that action. If the case is closed without terminating the order (which is the most common scenario), payments will still be due until the obligation is fulfilled.



Notes:

Before we move on to the regulations specific to interstate case closure, are there any questions?

Remember that you can submit questions using the Q&A box or over the phone. Operator, please open the phone lines now.



Notes:

Let's move on now to the specifics of 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

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Notes:

Now that we've gone over all the case closure criteria, it's time to delve into interstate case closure. Let's take a look at closure of the initiating state's case. The initiating state is the state that received an application or a referral for services from another program, such as the TANF program. The initiating state makes case management decisions, including why and when to close its case, which can be done under any of the federal closure criteria.

We'll assume the initiating state has referred an interstate case to a responding state. If the initiating state subsequently decides to close its case, it is critical that the initiating state communicate that decision to the responding state. When the initiating state closes its case, it must notify the responding state of the closure and the reason for closure within 10 working days. In a minute, we'll discuss what the responding state should do in response.

If, for some reason, the initiating state determines that the best course of action is to initiate its own income withholding order to the obligor's employer rather than rely on enforcement by the responding state, it must instruct the responding state to stop income withholding and close the responding case before the initiating state issues its own income withholding order. For example, an initiating state may decide to do this if an employer is found in another state.

The initiating state also has the option of keeping its case open and instructing the responding state that its services are no longer needed. There might be several reasons for this. For example, if the noncustodial parent now lives in the initiating state, the interstate case would no longer be needed. The noncustodial parent might also reside in a third state and the initiating state wants to refer an interstate case to the new state.

There are certainly times when it makes sense to continue the interstate case even if the noncustodial parent has moved to a new state. This is especially true if the responding state issued the order and payments are being received, which must be processed through the responding state's State Disbursement Unit.

References:

45 CFR 301.1, 303.7(c)(11) and (12), and 303.11(b)

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

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Notes:

In contrast, case closure responsibilities of responding states are very different. A responding state may close a case only under the following case closure criteria:

- The first one is that the responding state can demonstrate noncooperation by the initiating agency, specifically that the initiating state has failed to take an action essential to the next step in the responding state providing services. For example, the initiating state has not sent documents required for a court action despite the responding state's multiple requests for such documents over a period of time. The responding state must provide the initiating state a 60-day notice of intent to close under this criterion. In this example, if the documents are subsequently received or the initiating state communicates with the responding state to explain the delay, the responding state should not close the case. Responding state closure under this criterion should be used judiciously and not automatically or for the convenience of the responding state. For example, responding states should not close cases under this criterion if the initiating state sent double-sided forms, won't return phone calls, or is not very helpful, so long as the responding state could technically still proceed in providing services.

The two other reasons a responding state may close a case are when it receives:

- Notification that the initiating agency has closed its case or
- Notification that the initiating agency no longer needs its services.

Under the last two criteria, the responding state must close its interstate case. However, if the responding state also has an interest in the case, such as to collect state arrears or because it has received an application from the custodial parent, the responding state must close the

intergovernmental portion of the case, but may maintain or open its own case on its automated system, as appropriate.

References:

45 CFR 303.11(b)(17 through 19)

45 CFR 303.11(d)(1 through 4)

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

Notes:

As we mentioned earlier, federal policy on case closure is in both the federal case closure regulations and the federal regulations governing intergovernmental IV-D cases. The intergovernmental regulations specifically state that if the initiating state determines that the best course of action is to issue its own income withholding order, it must instruct the responding state to stop its income withholding and close its interstate case. Within 10 working days of receiving such instructions, the responding agency must then stop its withholding and close its case. In this instance, the case closure criterion that the responding state would cite as the case closure reason would be that the closure is at the request of the initiating state because it no longer wants the services of the responding state.

References:

45 CFR 303.7(d)(9) and 303.11(b)(19)

Responding State Case Closure Summary (cont'd)

As required under intergovernmental regulation
45 CFR 303.7(d)

- When responding state closes intergovernmental case, it **must** notify initiating agency
 - Notification required under all responding state closure reasons
 - Closes communication loop with initiating state

Notes:

When a responding state does close an interstate case, it must notify the initiating agency. Notification is required any time a responding state closes its intergovernmental case. This provision is important because it closes the communication loop so that the initiating state knows the status of its case in the other jurisdiction.

References:

45 CFR 303.7 (d)(10)

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.

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Notes:

The Child Support Enforcement Transmittal #2 — Subsequent Actions is used to communicate between states that share an existing interstate IV-D case. It has a section specific to intergovernmental closure actions and both the initiating and responding agencies can communicate about case closure status using this form.

On this slide, you see a sample of Section II of the Transmittal #2 that would be used for communication related to case closure. You will recognize the actions on the form based on our discussion of interstate case closure criteria. Let's walk through each of these actions.

The initiating state uses number 1 to notify the responding state that the initiating state's case is closed, provide the reason for closure, and instruct the responding state to close its intergovernmental case.

They use number 2 to instruct the responding state to close its case and stop its income withholding when the initiating state is keeping its case open. This is for instances when the initiating state no longer needs the responding state's services. For example, the initiating state intends to enforce on its own or refer an interstate case to another state.

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).

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Notes:

The responding state uses this section to communicate closure information to the initiating state.

They use number 3 to confirm they have closed the case as instructed.

The responding state uses number 4 to provide a 60-day notice of intent to close when documenting noncooperation of the initiating state. Notice that this section provides the date 60 days in the future on which the responding case will close as well as space to indicate what information is needed for the responding state to proceed with the case.

They use number 5 if the 60-day period has passed and the initiating state has not provided the required information or communicated the reason for the delay.

Federal Tools and Resources

- CSENet
- QUICK
- FCR Query
- EDE
- IRG

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Notes:

Federal tools available to you may provide the information you need. These include:

- Child Support Enforcement Network (CSENet)
- Query Interstate Cases for Kids (QUICK)
- Federal Case Registry (FCR) query
- Electronic Document Exchange (EDE)
- Intergovernmental Reference Guide (IRG)

Remember that the goal is to provide support for families and that communication and cooperation can help to ensure this goal is met.



Note:

How is this different for international cases?

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

Notes:

So far we've been talking about case closure criteria, with an emphasis on how they apply in interstate cases. We noted that a responding state may close a case if the initiating state fails to take action necessary for the next step within 60 days of a request from the responding state.

Must other countries meet the case processing timeframes for interstate cases?

The answer is no. Federal IV-D regulations only apply to U.S. states that are receiving IV-D funds. Policy Interpretation Question (PIQ)-04-01 notes that foreign countries may not be able to respond to requests from states within the timeframes that apply to interstate cases.

In fact, the Hague Child Support Convention contains timeframes for working Convention child support cases that are longer than our federal timeframes. That means you may need to flag international cases in your system so they are not automatically identified for closure using the same timeframes as used in interstate cases. The timeframes for international cases are covered in OCSE's international case processing training, which is on the OCSE website.

International cases can be more complex due to communication challenges and time zone differences.

OCSE encourages states to provide the other country ample time and opportunity to provide additional information or to respond.

References:

PIQ-04-01

Polling Question 2

In an interstate IV-D case, which state manages the case and controls case closure?

- a. Initiating state
- b. Responding state

Notes:

Before we move on to questions, let's review a little. In an interstate IV-D case, which state controls case closure – the initiating state or the responding state?

The poll is now open. Select your response by clicking on the button next to “a” or “b”, and then click submit.

Polling Question 2 – Response

In an interstate IV-D case, which state manages the case and controls case closure?

- a. Initiating state**
- b. Responding state

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

Remember that the initiating state is the state with the applicant for services or the referral from another agency, such as the TANF program, and makes the decisions about the case, including when it should be closed.

Polling Question 3

A responding state can close its intergovernmental case under any of the federal closure criteria without the permission of the initiating state.

- a. True
- b. False

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Notes:

Here's another polling question. A responding state can close its intergovernmental case under any of the federal closure criteria without the permission of the initiating state. Is this statement true or false?

The poll is now open. Select your response by clicking on the button next to "a" or "b", and then click submit.

Polling Question 3 – Response

A responding state can close its intergovernmental case under any of the federal closure criteria without the permission of the initiating state.

- a. True
- b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The answer to this is false. A responding case can only be closed under the three criteria we discussed for responding cases, not under the other federal criteria.

In the interstate context, the responding state is providing appropriate services and treating the case as it would one of its own instate cases. Therefore, when a circumstance arises that might meet a case closure criterion if the case was indeed an instate case, it is natural for the responding state to consider closing the responding case.

However, at this point, the responding state needs to stop. Instead of proceeding to close the case on its own determination, the responding state needs to communicate with the initiating state and wait for the initiating state to direct the next steps. The responding state may not unilaterally or automatically close the interstate case. Rather, the initiating state makes the case management decisions related to its own cases, including its initiating interstate cases.



Notes:

Before we move on to a few scenarios covering interstate case closure, are there any questions?

Remember that you can submit questions using the Q&A box or over the phone. Operator, please open the phone lines now.



Notes:


Let's put what we've learned into practice now with a few scenarios.

Scenario 1

- Custodial parent is in WA and noncustodial parent in OR.
- WA refers interstate case to OR to enforce a CA order.
- After several months, noncustodial parent moves and OR is unable to locate his address.

Because noncustodial parent's address is unknown, OR can send 60-day notice of intent to close to WA due to noncooperation of initiating state.

a. True
b. False



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Notes:

We are using real state names in the scenarios to help with our discussion, but they are randomly chosen and do not reflect what a particular state may actually do.

In our first scenario, the custodial parent is in Washington and the noncustodial parent in Oregon. Washington refers an interstate case to Oregon to enforce a California order. After several months, the noncustodial parent moves and Oregon is unable to locate his address.

Is the following statement true or false?

Because the noncustodial parent's address is unknown, Oregon can send a 60-day notice of intent to close to Washington due to noncooperation of the initiating state.


The poll is now open. Please click on the answer you think is correct, and then click submit.

Scenario 1 – Response

- Custodial parent is in WA and noncustodial parent in OR.
- WA refers interstate case to OR to enforce a CA order.
- After several months, noncustodial parent moves and OR is unable to locate his address.

Because noncustodial parent's address is unknown, OR can send 60-day notice of intent to close to WA due to noncooperation of initiating state.

a. True
b. False



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Notes:

The poll has closed and[Instructions for trainer—comment on the responses and the percentage of correct responses.]

The correct answer to this is false. Remember that the initiating state, Washington in this case, manages the case and controls case closure. If the responding state cannot locate the noncustodial parent, it cannot justify closure under the criterion for noncooperation of the initiating state, meaning the failure of the initiating state to take an action that is essential for the next step in the case.

Oregon can certainly ask Washington if they can provide any additional information, which they may be able to obtain by talking with the custodial parent. However, Oregon, as the state in which the noncustodial parent lives, has more access to locate resources, such as records from courts, the driver's license bureau, unemployment, etc. and is, therefore, in the best position to search for the noncustodial parent.

If the noncustodial parent cannot be located (after the timeframe requirements in the case closure regulations), Washington, the initiating state, can choose to begin the 60-day closure process with the custodial parent due to lack of locate information.

References:


45 CFR 303.3(b)(4) -- Location of noncustodial parents in IV-D cases

Scenario 2

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

GA should:

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



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Notes:

In this scenario, the custodial parent lives in South Carolina and the noncustodial parent in Georgia. South Carolina refers an interstate case to Georgia to enforce a South Carolina order. Georgia enforces the order for several years but then finds out that the noncustodial parent has passed away and had no assets. Which of these actions should Georgia take?

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


The poll is now open. Select the response you believe is correct, and then click submit.

Scenario 2 – Response

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

GA should:

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



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Notes:

As you can see, the poll has closed and[Instructions for trainer—comment on the responses and the percentage of correct responses.]

The correct response is that Georgia must provide South Carolina with the information about the noncustodial parent and wait for instructions. South Carolina will most likely begin 60-day closure of their case, giving the custodial parent an opportunity to provide information on possible attachable assets, and then close their case if no new information is provided. South Carolina should communicate with Georgia to let them know they are taking this action, and then inform Georgia when the South Carolina case is closed or advise Georgia that their intergovernmental services are no longer required. At that point, Georgia can close its case.

If this were an instate case with no other state involved, Georgia could begin the 60-day closure process, giving the custodial parent an opportunity to provide information on possible attachable assets. However, since Georgia is the responding state, remember that there are only three reasons the responding state can close its case:


- Noncooperation of the initiating state,
- Notification that the initiating state has closed its case, and
- Notification by the initiating state that the responding state's services are no longer required.

Scenario 3

- Custodial parent lives in RI and noncustodial parent in ME.
- ME receives interstate case from RI requesting establishment of paternity and support.
- ME Central Registry notices there is no Affidavit in Support of Establishing Parentage and requests one from RI.
- ME Central Registry sends case to local office and requests Affidavit again. RI does not respond.

ME can begin procedure for closing its case for noncooperation of initiating state.

a. True
b. False



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Notes:

In our third scenario, the custodial parent lives in Rhode Island and the noncustodial parent lives in Maine. The Central Registry in Maine receives an interstate case from Rhode Island requesting establishment of paternity and support. Maine notices there is no Affidavit in Support of Establishing Parentage and requests one from Rhode Island. The Maine Central Registry sends the case to the local office and the local office again requests the Affidavit. Rhode Island still does not respond.

Is this statement true or false? Maine can begin the procedure for closing its case for noncooperation of the initiating state.


The poll is now open. Click on the button next to “a” or “b”, and then click submit.

Scenario 3 – Response

- Custodial parent lives in RI and noncustodial parent in ME.
- ME receives interstate case from RI requesting establishment of paternity and support.
- ME Central Registry notices there is no Affidavit in Support of Establishing Parentage and requests one from RI.
- ME Central Registry sends case to local office and requests Affidavit again. RI does not respond.

ME can begin procedure for closing its case for noncooperation of initiating state.

a. True
b. False



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Notes:

As you can see, the poll has closed and[Instructions for trainer—comment on the responses and the percentage of correct responses.]

The answer to this scenario is true. As noted in the federal Intergovernmental Forms Matrix, which we have mentioned in other trainings, most states require an Affidavit in Support of Establishing Parentage in a case to establish parentage. If Maine has requested the document and allowed time for receipt and the initiating state has failed to respond, Maine can begin the process of closing the case for noncooperation. Maine must send a 60-day notice of intent to close to Rhode Island. If Rhode Island sends the document within that 60 days or if Rhode Island communicates with Maine to request more time or provides an explanation, Maine should keep the case open. If Rhode Island does not respond to the notice within that timeframe, Maine can close its responding case. Remember, the intergovernmental rule also requires that Maine notify Rhode Island again *after* it has finally closed the responding case.

It is important to note that this closure is permissive, meaning that Maine may choose to allow more time for receipt of the document. States will have more success with intergovernmental cases if they attempt to resolve issues rather than close as soon as the regulations permit.


Scenario 4

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

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

a. Yes

b. No



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Notes:

In this scenario, the custodial parent lives in Kansas and the noncustodial parent lives in Oklahoma. Kansas refers a case to Oklahoma, requesting enforcement of a Kansas order. Oklahoma opens a case but cannot find an employer for the noncustodial parent and asks Kansas to identify one. Kansas is also unable to find an employer for the noncustodial parent.

Can Oklahoma close its case for noncooperation of the initiating state for failure to provide an employer?

The poll is now open. Click on the button next to “a” or “b”, and then click submit.


Scenario 4 – Response

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

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

a. Yes

b. No



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Notes:

As you can see, the poll has closed and[Instructions for trainer—comment on the responses and the percentage of correct responses.]

The answer to this is “No.” Just as a state cannot close a responding case for lack of address information, as we talked about under the first scenario, Oklahoma cannot close its case for lack of employer information, claiming noncooperation of the initiating state. This does not meet any of the criteria for closing a responding case.

As the responding state, federal regulations require Oklahoma to continue to attempt to locate an employer for the noncustodial parent and to use its other enforcement remedies in its attempt to enforce support. In fact, one of the reasons for referring an interstate case is that the noncustodial parent’s employer is unknown and other enforcement remedies are necessary.

References:

45 CFR 303.3(b)(4) -- Location of noncustodial parents in IV-D cases

Scenario 5

- Custodial parent lives in DE, noncustodial parent in NC when case opened.
- DE refers case to NC to enforce DE order.
- NC issues IWO and is sending payments to DE.
- Noncustodial parent moves to SC and still works for same employer.
- DE sends request to NC to stop its IWO and close its case.
- NC doesn't want to close its case as payments are being received.

Can NC refuse to close its case?

a. Yes

b. No

Delaware

North Carolina

South Carolina

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Notes:

Here we have a case in which the custodial parent lives in Delaware and the noncustodial parent lives in North Carolina when the case is first opened. Delaware refers a case to North Carolina to enforce a Delaware order. North Carolina issues an income withholding order and is sending payments to Delaware. Later, however, the noncustodial parent moves to South Carolina and still works for the same employer. Delaware sends a request to North Carolina to stop its income withholding order and close its case. North Carolina doesn't want to close its case as payments are being received.

Can North Carolina refuse to close its case?

The poll is now open. Again, click on the button next to "a" or "b", and then click submit.


Scenario 5 – Response

- Custodial parent lives in DE, noncustodial parent in NC when case opened.
- DE refers case to NC to enforce DE order.
- NC issues IWO and is sending payments to DE.
- Noncustodial parent moves to SC and still works for same employer.
- DE sends request to NC to stop its IWO and close its case.
- NC doesn't want to close its case, as payments are being received.

Can NC refuse to close its case?

a. Yes

b. No



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Notes:

As you can see, the poll has closed and[Instructions for trainer—comment on the responses and the percentage of correct responses.]

The answer to this is “No,” North Carolina cannot refuse to close its case. Delaware, as the initiating state, makes the decisions regarding the case, including whether or not to continue the interstate case. They might wish to enforce the order on their own or to refer a case to South Carolina. In this instance in particular, the intergovernmental rule provides that North Carolina must terminate its income withholding order and close its case if requested by the initiating state, Delaware. Once North Carolina has completed these actions, North Carolina must inform Delaware of the closure.

References:

- 45 CFR 303.7(c)(11) and (12)
- 45 CFR 303.7(d)(9) and (10)
- 45 CFR 303.11(b)

Interstate Resources

- [Code of Federal Regulations, Title 45, Part 303.7](#)
- [Code of Federal Regulations, Title 45, Part 303.11](#)
- [OCSE Website](#)
- [PIQ-04-01 – Processing Cases with Foreign Reciprocating Countries](#)
- [Interstate Case Processing Training](#)

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Notes:

These are resources that you may find helpful in processing interstate cases.

Federal regulations at 45 CFR 303.7 outline responsibilities in interstate cases and regulations at 45 CFR 303.11 address case closure.

OCSE also has a number of resources, accessible from its website, that are helpful in processing interstate cases.

Since we talked briefly about cases with other countries, we have included the PIQ we mentioned in that segment.

The final link is to this series of interstate trainings. Each training includes a PPT and slide notes. Each session is added to this link after the webinar.

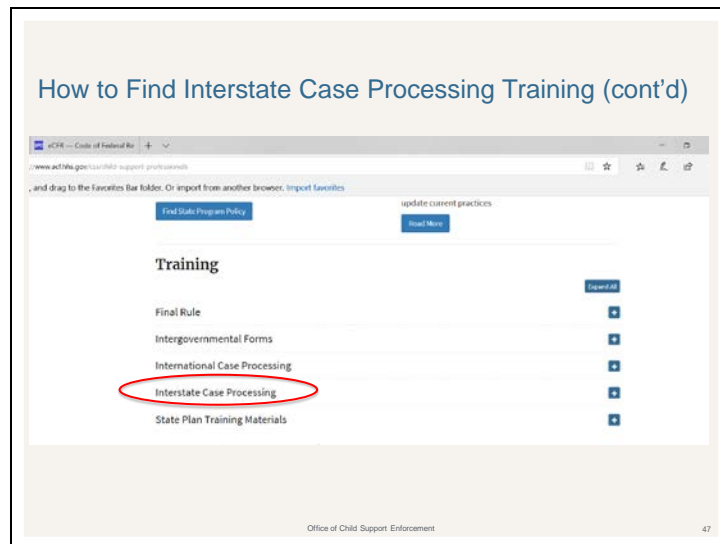


Notes:

To find these Interstate Case Processing Trainings on the OCSE website, you can follow the link on the previous slide or follow these steps:

- Go to the OCSE website -- www.acf.hhs.gov/css.
- Hover over Child Support Professionals and left click on those words. (Do not scroll down.)
- You will then see this screen.
- Scroll down to the section on “Training” and access the links to this training series, as well as several others.

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Notes:

This screen shows the Training section. Click on the plus sign next to the training series you want to access, and then click the link to the series.

Interstate Resources – Forms

- [Federal Intergovernmental Forms](#)
- [Federal Intergovernmental Forms Training](#)
- [Intergovernmental Forms Matrix](#)

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Notes:

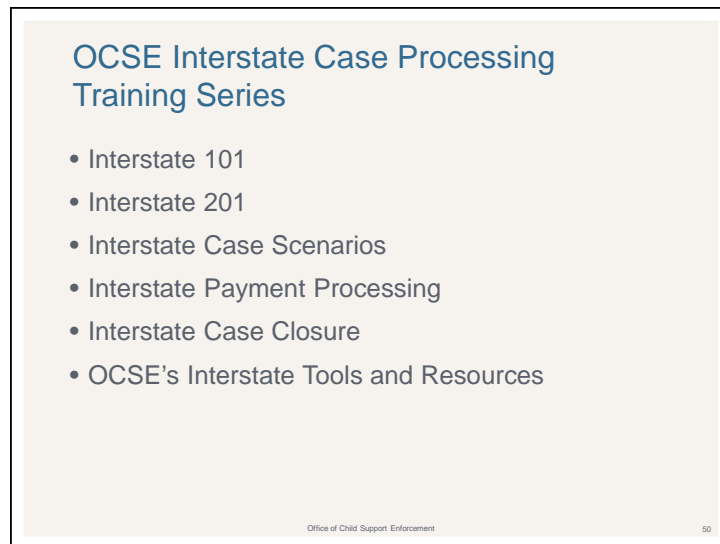
These are resources related to the federal intergovernmental forms.

The forms and training on the forms, as well as the Forms Matrix, are on the OCSE website.



Notes:

We have a few minutes for some questions on interstate case closure, but I first want to point out that after the webinar all registrants will receive a training evaluation. We hope you will complete it as your feedback is important to us.

A presentation slide with a light beige background and a dark border. The title "OCSE Interstate Case Processing Training Series" is at the top in blue. Below it is a bulleted list of six topics. At the bottom, there is a small footer with the text "Office of Child Support Enforcement" and the number "50".

OCSE Interstate Case Processing Training Series

- Interstate 101
- Interstate 201
- Interstate Case Scenarios
- Interstate Payment Processing
- Interstate Case Closure
- OCSE's Interstate Tools and Resources

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Notes:

This concludes our Interstate Case Closure training, which is part of the interstate case processing series.

OCSE will post the recordings and PowerPoints, including trainer notes, from all these sessions on the OCSE website for your future use and to share with colleagues.



Notes:

Thanks so much for participating. Please use the email on this slide to send additional questions.