

	<b>INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL</b>	
	<b>Chapter 3: Case Initiation</b>	<b>Effective Date: 03/10/2023</b>
	<b>Section 5: Department of Child Services (DCS) Child Welfare Cases</b>	<b>Version: 3 Revision Date: 02/18/2023</b>

**BACKGROUND**

A Department of Child Services (DCS) Child Welfare case arises when a child is the subject of a Child in Need of Services (CHINS) court case.<sup>1</sup> If the child is in Title IV-E funded placement, the case is automatically referred through the IV-E/IV-D interface or may appear on the county's IV-E/IV-D Interface Error Report.<sup>2</sup> If the child is in a placement not funded through Title IV-E, DCS may enroll in Title IV-D services.

**POLICY**

1. Title IV-E Funded Placement<sup>3</sup>

When the child is in Title IV-E funded placement, the case is automatically received through the IV-E/IV-D interface. Within 20 calendar days of an appropriate referral, the case shall open in the statewide child support system.<sup>4</sup> There is no enrollment fee.<sup>5</sup>

2. Non-Title IV-E Funded Placement<sup>6</sup>

If the child is in a placement that is not Title IV-E funded, DCS may enroll in Title IV-D services. The Indiana Child Support Services Enrollment Form, State Form 34882, (Enrollment Form) includes questions for information necessary to create a case in the statewide child support system. An Enrollment Form is to be completed for each non-custodial parent (NCP). There is no charge to the enrollee to enroll in Title IV-D services in Indiana. While federal regulation requires that each enrollee for a non-public assistance case be assessed a fee not to exceed \$25.00, Indiana's state plan sets the enrollment fee at \$1.00 to be paid from State funds.<sup>7</sup> Within 20 calendar days of receiving the Enrollment Form, the Title IV-D Prosecutor's Office shall open the case in the statewide child support system.<sup>8</sup>

When the child is in a placement that is not funded through Title IV-E, the case is not automatically created through the IV-E/IV-D interface. If DCS does not enroll the case for Title IV-D services and the case needs to be maintained in the statewide child

<sup>1</sup> IC 31-14-4-3; IC 31-40-1-5

<sup>2</sup> 42 U.S.C. § 671(a)(17)

<sup>3</sup> Chapter 5: Department of Child Services (DCS) Child Welfare Cases

<sup>4</sup> 45 C.F.R. § 303.2(b)

<sup>5</sup> 42 U.S.C. § 654(6)(b)(i)

<sup>6</sup> Chapter 5: Department of Child Services (DCS) Child Welfare Cases

<sup>7</sup> 45 C.F.R. § 302.33(c)(1)(iv)(A); Indiana State Plan Attachment 2.5A

<sup>8</sup> 45 C.F.R. § 303.2(b)

support system due to an order of support, it is to be built and maintained by the Clerk of Courts as a non-IV-D (NIVD) case.

## REFERENCES

- [IC 31-14-4-3](#): Department or prosecuting attorney permitted to file action
- [IC 31-40-1-5](#): Obligation of parent or guardian for costs of placement of child; remittance of support payments; enforcement
- [42 U.S.C. § 654](#): State plan for child and spousal support
- [42 U.S.C. § 671](#): State plan for foster care and adoption assistance
- [45 C.F.R. § 302.15](#): Reports and maintenance of records
- [45 C.F.R. § 302.33](#): Services to individuals not receiving title IV-A assistance
- [45 C.F.R. § 303.2](#): Establishment of cases and maintenance of case records
- [45 C.F.R. § 303.11](#): Case closure criteria

## PROCEDURE

1. DCS Child Welfare is the custodial party (CP) and has the initial contact with participants when it initiates a Child in Need of Services cause.
2. IV-E Funded Placement Cases
  - a. The necessary case information is entered into the DCS automated system, the Management Gateway for Indiana Kids (MaGIK).
  - b. This information is transmitted to the statewide child support system via the IV-E/IV-D interface.
  - c. A case is created for one (1) child, one (1) parent as the NCP, and DCS as the CP. A second case is created for one (1) child, the other parent as the NCP, and DCS as the CP. Each case is assigned a unique case number by the statewide child support system.
  - d. A worker at the Child Support Bureau (CSB) reviews the case in the statewide child support system. If CSB determines that, based on the circumstances of the case, the referral is appropriate and Title IV-D services can be provided, the case is then assigned to the appropriate Title IV-D Prosecutor's Office. If CSB's determination is that the referral is not appropriate and Title IV-D services are not appropriate, the case will not be assigned to a county Title IV-D Prosecutor's office and will be closed.
    - i. The referral is appropriate if paternity needs to be established for the child and Title IV-D services can be provided. The Title IV-D Prosecutor's Office is notified electronically of the new case and is responsible for reviewing the case to determine if additional information is needed and begin paternity establishment proceedings.
    - ii. The referral is appropriate if there is an existing Title IV-D case with a child support order for the child and Title IV-D services can be provided. The Title IV-D Prosecutor's Office assigned to the existing Title IV-D case will be notified electronically of the new case and is responsible for reviewing the existing Title IV-D case in light of the CHINS action to determine if the office should file a petition with the Court to terminate or redirect the child support order.
    - iii. The referral is not appropriate if there is not an existing Title IV-D case or if paternity has been established and Title IV-D services will not be

provided unless DCS requests services by completing an Enrollment Form. The CSB worker will either reject the referral or close the automatically created case as having been opened in error.

3. Non-IV-E Funded Cases When DCS Has Applied for Title IV-D Services
  - a. DCS submits the Enrollment Form to the Title IV-D Prosecutor's Office.
  - b. If complete services are requested, the Title IV-D Prosecutor's Office shall verify if a case already exists in the statewide child support system.
    - i. If a case already exists with these participants, the Title IV-D Prosecutor's Office shall update participant data and review the court orders to determine the next action to establish, enforce, or modify the order.
    - ii. If a case does not already exist, the Title IV-D Prosecutor's Office shall create two (2) Title IV-D case records with each living or known parent as an NCP. Each case is assigned a unique case number by the statewide child support system.
  - c. The Title IV-D Prosecutor's Office shall retain a copy of the Enrollment Form either in the paper or electronic case file.<sup>9</sup>
  
4. Non-IV-E Funded Cases When DCS Has Not Applied for Title IV-D Services

When the Clerk of Courts receives the court order for the parent(s) to pay child support, the Clerk of Courts creates an NIVD case in the statewide child support system, for each parent as the NCP. Each case is assigned a unique case number by the statewide child support system.

## FORMS AND TOOLS

1. [Indiana Child Support Services Enrollment: State Form 34882](#)
2. [Local DCS Offices](#)

## FREQUENTLY ASKED QUESTIONS

1. Q. Is the Title IV-D Prosecutor's Office required to use the Indiana Child Support Services Enrollment Form, State Form 34882, or may the Title IV-D Prosecutor's Office create an office specific enrollment form?
  - A. The Title IV-D Prosecutor's Office is required to use the Indiana Child Support Services Enrollment Form, State Form 34882. The Indiana Commission on Public Records, State Forms Management Division, and the State Board of Accounts approved this Enrollment Form. The Title IV-D Prosecutor's Office may create and use supplemental questionnaires if the office believes additional information is necessary; however, an enrollee cannot be denied services for failing to complete these supplemental questionnaires. These supplemental questionnaires are not part of the Enrollment Form and should not be referred to as the Enrollment Form.
  
2. Q. When the Title IV-D Prosecutor's Office receives a IV-E funded child welfare case from CSB, are there any additional steps the Title IV-D Prosecutor's Office should take to determine the appropriateness of the referral?

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<sup>9</sup> 45 C.F.R. § 302.15(a)(1)

- A. There are no additional steps the Title IV-D Prosecutor’s Office is required to take; however, based on relationships the Title IV-D Prosecutor’s Office have formed with the local DCS office and the Court hearing the CHINS case (also known as the JC Court), the Title IV-D Prosecutor’s Office may wish to do further inquiry on the case before proceeding. For example, the Title IV-D Prosecutor’s Office may inquire as to the status of the CHINS case such as whether reunification or termination of parental rights is imminent. Additionally, the local DCS office or JC Court may advise that Title IV-D services are not currently in the best interest of the child. If, after this inquiry, the Title IV-D Prosecutor’s Office determines that the referral was not appropriate, the case may be closed due to the inappropriate referral with notes entered into the statewide child support system.<sup>10</sup>

<b>RELATED INFORMATION</b>
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1. Chapter 5: Department of Child Services (DCS) Child Welfare Cases
2. Chapter 17: Case Closure, Section 26: Case Opened in Error (CERR)

<b>REVISION HISTORY</b>
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Version	Date	Description of Revision
Version 1	05/26/2015	Final approved version
Version 1.1	11/17/2017	Revised the reference to application fees; Removed locate only language
Version 2	07/28/2020	Updated procedure for review of cases received through the IV-E/IV-D interface
Version 3	03/10/2023	Updated procedures for processing referrals received via the IV-D/IV-E interface in light of <a href="#">OCSS-DCL-22-06: Children’s Bureau - OCSS Joint Letter on Updated Child Support Referral Policy</a>
	08/21/2023	Changed Office of Child Support Enforcement (OCSE) to Office of Child Support Services (OCSS)

<sup>10</sup> 45 C.F.R. § 303.2(c); 45 C.F.R. § 303.11(b)(20)