

Office of Child Support **POLICY SHEET**

SUBJECT

Case Closure or Conversion to Registry-Only Checklist

PS# 17-01

SUMMARY

It is important to ensure that all outstanding matters are resolved within a case prior to OCS no longer having involvement with the case (i.e., case closure or converting to a registry-only case).

POLICY

OCS staff must make certain inquiries before asking that a case be closed/converted to registry-only status and after the case has closed/converted to registry-only. Doing so helps to ensure that outstanding issues are resolved and provides parties with information relative to where their case stands upon closure/conversion with OCS. Further, providing notice to the Court relative to OCS' role within a given case helps prevent scheduling errors and inappropriate billing.

PROCEDURES

When a staff member becomes aware that it is appropriate to move a case into closure or to registry-only status, the Regional Manager, or staff in the Intergovernmental Unit if neither parent is in Vermont (010 caseload), should be sent a DAIL to review the case and initiate closure. It is the responsibility of the Regional Manager (or Intergovernmental Unit staff if 010 caseload) to ensure the items listed below are resolved. All specific actions taken in relation to the items below must be noted in the ACTN log for the benefit of other staff and documentation.

When the closure notice (OCS Form 293) is requested, the requestor should review to see if a Notice of Limited Appearance or Notice of Withdrawal is necessary. Some case scenarios where it may not be needed would be:

- guardianship cases,
- flip cases, and
- cases where nothing has ever been filed with the court such as cases closed CR 36 (no assignment) and cases that close before OCS ever intervenes.

The Judiciary Portal/Enterprise Justice should be checked prior to closure to determine if OCS is listed as a party to the case. If it is determined by the closure reviewer that the notice is not necessary, it should be withdrawn and a comment as to why should be entered in the ACTN log.

Case Going to Registry-only Status

Prior to Closure

- Review Judiciary Portal/Enterprise Justice to see if any motions are pending with the Court. If so, file 832D- Motion to Dismiss with Court to ensure that judicial actions are resolved prior to case closure. This may entail seeking a reinstatement of any suspended licenses.
- Review Judiciary Portal/Enterprise Justice for any pending arrest warrant or mittimus. If any exist, worker must notify the appropriate OCS Regional Attorney to resolve or vacate arrest warrant/mittimus prior to seeking case closure. When resolved, the MITT field on COMM should be updated by the OCS Regional Attorney and the case management flag should be closed out as well.
- Review case to see if OCS has any pending administrative remedies (i.e., license suspension, trustee process or property lien) in place. If there are, the Regional Manager must DAIL the Intercept Unit. If a property lien is in place, Intercept will advise the parties once the lien has been released using OCS Form 741L. If there is a license suspension in place and the court can reinstate it, the suspension can remain in place with no further action. If OCS is the only party allowed to lift the suspension, the region shall file a motion to amend to allow the court the ability to reinstate.

Once Case Converts to Registry-Only

- Send Notice of Limited Appearance (OCS Form 795L) to Court.
- If any trustee process actions exist, the Intercept Unit will dismiss when the case converts to Registry-Only.

Case Closing -3

Prior to Closure

- Review case to see if obligation exists. If so, and if possible and appropriate, OCS worker should seek zero order prior to closing case. (Example- Reconciliation or Inability to Pay)
- Review case to see if any outstanding debts (check FEES and RPAY screens) or judgments remain. If possible, OCS worker should resolve outstanding debt prior to seeking case closure. Any RPAY write-off requests should be sent to the OCS Operations Manager responsible for Compliance.
- Review Judiciary Portal/Enterprise Justice to see if any motions are pending with the Court. If so, file 832D- Motion to Dismiss with Court to ensure that judicial actions are resolved prior to case closure. This may entail seeking a reinstatement of any suspended licenses.

- Review Judiciary Portal/Enterprise Justice for any pending arrest warrant or mittimus. If any exist, worker must notify the appropriate OCS Regional Attorney to resolve or vacate arrest warrant/mittimus prior to seeking case closure. When resolved, the MITT field on COMM should be updated by the OCS Regional Attorney and the case management flag should be closed out as well.
- Review case to see if OCS has any pending administrative remedies (i.e., license suspension, trustee process or property lien) in place. If there are, the Regional Manager must DAIL the Intercept Unit. If a property lien is in place, Intercept will advise the parties once the lien has been released using OCS Form 741L. If a license suspension is in place, Intercept will fax the license compliance paperwork to DMV/Fish and Wildlife to lift the suspension since the case is closing.
- Cease notice should be sent to the employer, Department of Labor, and/or Social Security, as appropriate.

Once Case Closes

- Send Notice for OCS to Be Withdrawn As Party (OCS Form 795W; system generated) to Court.
- If any trustee process actions exist, the Intercept Unit will dismiss when the case closes (-3).

RATIONALE

Resolving outstanding issues when closing a case helps to ensure that parties are informed about where their case stands with OCS at the time of closure. Providing parties with this information can help in preventing future ambiguities or problems from arising. Additionally, advising the Court of OCS' role assists in ensuring that matters are scheduled appropriately and billed appropriately as contemplated by the cooperative agreement between OCS and the Judiciary.

Date	Action	Description
06/28/2017	Created	
05/20/2019	Revised	Added court process Notice W/D and Notice of Limited Appearance, broke into prior and after closure
02/20/2020	Revised	Broke apart registry and -3 closure steps and added additional procedures
10/22/2020	Revised	Added instructions regarding reviewing for 795L withdrawal at closure

09/25/2023	Revised	Added clarification regarding specific OCS forms to send; actions to take with MITT field, and RPAY write off requests
04/29/2024	Revised	Updated reference from 'Odyssey' to 'Enterprise Justice' for Judiciary Portal