 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Family Support
	Chapter No./Name	9 – Child Support Enforcement (CSE)
	Part No./Name	E – General Policy and Procedures
	Section No./Name	E-900 Case Closure
	Document No./Name	E-950 Deceased Noncustodial Parent (NCP)
	Effective Date	June 1, 2023

I. STATEMENT OF POLICY

This policy contains procedures which should be followed in cases involving the death of a noncustodial parent * (NCP), who is a member of a child and/or medical support case being handled by Child Support Enforcement (CSE). The Code of Federal Regulations (CFR) allows a IV-D agency to close the case of a deceased NCP, if the State has made documented attempts and failed to identify any assets which could be levied.

Further, if the IV-D agency has identified assets through its search, or the custodial parent has presented information regarding assets which can be verified, the State must keep the case open if there is potential to collect. Louisiana does not have legislation which allows CSE to initiate the seizure or levy of a NCP's assets after death.

II. PROCEDURES

Upon receiving notification of an NCP's ** death: ***


- Attempt to verify the information through available sources including, but not limited to, FPLS, a death certificate, a funeral home, newspaper obituary, or the coroner's office. Verification may also be made with Vital Records Death Match through interface.
- After verification, enter the date of death on the APD1 screen * always end date the on-going support obligation using the date of the NCP's death.

NOTE: When a Vital or FCR match is received, LASES will generate a task to the worker.

INTAKE CASES:

- If a suit has been filed, continue the paternity establishment process. CSE may assist an applicant in establishing paternity when the alleged father is deceased so that the child may have inheritance rights or the right to receive Social Security or VA benefits. However, genetic testing is pursued only if a tissue sample of the deceased, alleged father (or samples from his relatives) is on file and available for testing.
- After paternity has been established, advise the CP to seek help from other sources, such as Social Security, and/or to seek legal advice.
- If a suit has not been filed, close the case using "APD". LASES will generate the [CSE 105](#) notice to CP. After 60 days have elapsed from the generation of the [CSE 105](#), LASES will close the case.

NOTE: The guidelines set in [L-120](#), regarding appointing a curator, may need to be followed in order to continue and complete this process. However, approval from Program Support will be needed. **

 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Family Support
	Chapter No./Name	9 – Child Support Enforcement (CSE)
	Part No./Name	E – General Policy and Procedures
	Section No./Name	E-900 Case Closure
	Document No./Name	E-950 Deceased Noncustodial Parent (NCP)
	Effective Date	June 1, 2023

COLLECTION CASES:

- * End date the debt using the NCP's date of death.

Prior to the removal of arrears, attempt to verify if the ** NCP owned any assets through the following means:


- *** * Call the CP first to seek information on assets held by NCP. If the CP does not answer, then send the [CSE 110](#) to inquire whether there are any assets.
- Search LASES for assets, including Member Assets Screen (MEAS), Member Other Income Screen (MEOI), and List Member Financial Assets Screen (LMFA).
- Use on-line access, if available, to search the mortgage and conveyance records for the Clerk of Court where NCP lived or is believed to have owned property. If on-line access is not available, people-finder may be used.
- Check the Secretary of State corporate data base at: [Louisiana Secretary of State / Corporate Database](#). A name search may show if NCP owns a business or partnership in a business.
- Check for occupational licenses. (Example: a licensed plumber may have a local business not registered as a corporation.)
- Check for unclaimed property at <https://louisiana.findyourunclaimedproperty.com>. If the NCP lived in another state, please search that state's unclaimed property as well.
- If unclaimed property is found, mail a [CSE 433](#) to unclaimed property to inform the debt owed.
- If assets are located, make a CALO documenting that assets were located.

Indicate whether or not action against the property was initiated prior to the NCP's death. If action to seize was initiated prior to the NCP's death, the CSE 158 was mailed to the NCP and the appeal period ended before the NCP's death (see Policy [K-1210 for more details](#)). If these actions occurred before the NCP's death, continue freeze/seize steps by mailing the CSE 159 to the bank. In most cases, the action of freeze/seize can continue when all steps are completed before NCP's death. **

* **NOTE:** If the CSE 158 was not mailed prior to the NCP's death, or if it was mailed and the time period to appeal did not end before the NCP's death, there is no further action that can be taken.

- Proceed with verifying if the case has received any tax offsets in the last two year.

If there is potential to collect from a pending claim initiated on the NCP's assets prior to his/her death, the case should remain open until the claim is fully processed.

 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Family Support
	Chapter No./Name	9 – Child Support Enforcement (CSE)
	Part No./Name	E – General Policy and Procedures
	Section No./Name	E-900 Case Closure
	Document No./Name	E-950 Deceased Noncustodial Parent (NCP)
	Effective Date	June 1, 2023

NOTE: A case may still be closed if a lien was placed on assets within a case before the NCP was deceased. If legal or management determines there is no potential for collections, then we cannot move forward. The worker should notate the lien and final decision in CALO and initiate action to close the case.

If it is determined that no assets exist and CSE cannot take any other action to collect, the case closure process should be initiated after verifying that the case has not received any tax intercepts within the last two years.

NOTE: If a payment is received after the case is closed in LASES, refer the issue to the financial unit. If there is an inquiry about the lien that was placed on any assets by CSE and the case closed, the caseworker must notify the party that CSE cannot take any actions on a closed case. If the caseworker cannot resolve the issue, the caseworker may refer the issue to the Policy Unit (DCFS-SES-Policy@la.gov) for guidance. **


- Code closure reason "APD" in CAFE. LASES will generate the [CSE 105](#) notice to CP. After 60 days have elapsed from the generation of the CSE 105 LASES will close the case.
- If there * were tax intercepts within the last two years, the case should remain open for one year after the date of death in order to allow the automated systems to locate assets.

- Set a task for one year, * to verify if there are still no assets or tax intercepts received. ** ***
- * If there are no assets located or tax intercepts received after one year, initiate case closure.

NOTE: If a tax intercept was received within one year and distributed/disbursed on MEPH, initiate actions to close the case.

NOTE: The case may be closed at any time, ** *** if * after review, the CSE Manager or designee ** determines that no potential for collections exists. *** * Document in CALO that no potential for collections exists and close the case.

- Once a year has passed, use closure reason "APD" in CAFÉ. LASES will generate the [CSE 105](#) notice to the CP. After 60 days have elapsed from the generation of the CSE 105, LASES will close the case.
- Only request approval from financial to zero out arrears, greater than \$500 (UDA, CAA, and PA). (Refer to [E-910](#)). **

 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Family Support
	Chapter No./Name	9 – Child Support Enforcement (CSE)
	Part No./Name	E – General Policy and Procedures
	Section No./Name	E-900 Case Closure
	Document No./Name	E-950 Deceased Noncustodial Parent (NCP)
	Effective Date	June 1, 2023

NOTE: If the order contains minor children, advise the CP to seek help from other sources, such as Social Security, and/or to seek legal advice.

INITIATING UIFSA CASES:


- Notify the Responding State within 10 days, ***
- * End date the ongoing debt(s) on the LICD screen, and
- Ask the Responding State to verify any of NCP's assets according to their state's procedures.
- If the Responding State verifies that no assets exist, make a CALO advising of this, zero out the arrears, code closure reason "APD" in CAFÉ screen. LASES will generate the [CSE 105](#) notice to the ** CP. After 60 days have elapsed from the generation of the CSE 105, LASES will close the case.

RESPONDING UIFSA CASES

- Notify the Initiating State within 10 days, and
- End date the ongoing debt on the LICD screen.
- Attempt to verify if NCP owned any assets through the following means:

Search LASES for assets, including Member Assets Screen (MEAS) and List Member Financial Assets Screen (LMFA);

- Request that the Initiating State talk to the CP for information on assets held by the NCP.
- Use on-line access, if available, to search the mortgage and conveyance records for the Clerk of Court where the NCP lived or is believed to have owned property. If on-line access is not available, people finder may be used.
- Check the Secretary of State corporate data base at: [Louisiana Secretary of State / Corporate Database](#). A name search may show if the ** NCP owns a business or partnership in a business.
- Check for occupational licenses. (Example, a licensed plumber may have a local business not registered as a corporation.)
- If assets are located, make a CALO documenting that assets were located.
- If you have verified that no assets exist, make a CALO documenting that no assets were located after completing a search.

 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Family Support
	Chapter No./Name	9 – Child Support Enforcement (CSE)
	Part No./Name	E – General Policy and Procedures
	Section No./Name	E-900 Case Closure
	Document No./Name	E-950 Deceased Noncustodial Parent (NCP)
	Effective Date	June 1, 2023

- Send notification to Initiating State that no assets were located, and ask that they send a request to close the case.
- Upon receipt of the Initiating State's request to close the case, zero out arrears, code closure reason "ARR" in CAFÉ screen. LASES will close the case.

III. FORMS AND INSTRUCTIONS

CSE 102 [Form](#) / [Instructions](#) Case Referral for Action

CSE 105 [Form](#) / [Instructions](#) Notice of Case Closure

CSE 110 [Form](#) / [Instructions](#) Custodial Parent Priority Notification Form

* CSE 158 [Form](#) / [Instructions](#) Notice of Freeze and-or Encumbrance of Assets-Property

CSE 433 [Form](#) / [Instructions](#) Notice of Assignment-Lump Sum **

IV. REFERENCES

There are no references associated with this policy.