



ADMINISTRATIVE RULES OF MONTANA



37.62.1122 DETERMINING UNENFORCEABLE CASE STATUS

- (1) This rule establishes the criteria which a IV-D case must satisfy to be categorized as unenforceable. All of the following criteria must be met:
 - (a) no payments have been posted to the case in the last 12 months, and payments are not expected to be posted in the immediate future;
 - (b) no payments from the federal offset program have been received during the past two years;
 - (c) no payments from the state offset program have been received during the past two years;
 - (d) if payments have been made in the past two years, collected by methods other than federal or state offset, those payments do not exceed \$1,000.00;
 - (e) the CSSD has not identified any attachable financial institution accounts belonging to the obligor parent;
 - (f) the CSSD has not identified any executable assets belonging to the noncustodial parent;
 - (g) a credit bureau report accessed within the past six months indicates that income or asset information is unavailable; and
 - (h) in a case involving Title IV-E funds, all of the children of the case have been emancipated, or parental rights of the noncustodial parent have been terminated.

Authorizing statute(s): 40-5-203, MCA

Implementing statute(s): 40-5-203, MCA

History: NEW, 2007 MAR p. 118, Eff. 1/26/07; AMD, 2020 MAR p. 966, Eff. 5/30/20.