

***Questions and Answers Regarding the
Implementation of Administrative Directive 21-ADM-08***

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I. Actions to be Taken by the County Treasurer or New York City Commissioner of Finance

- 1. Question: The ADM does not include information about how to transfer the unclaimed funds from the county treasurer or Commissioner of Finance of the City of New York to the state comptroller. That is, where a petition was already granted by the family court and the unclaimed funds were disbursed to the county treasurer or the New York City Commissioner of Finance pending the previously required five-year waiting period prior to disbursement to the state comptroller. Will this be addressed later?**

Response: No. The ADM does not include information about the transfer of these funds, because the remittance of these funds to the Office of the State Comptroller, Office of Unclaimed Funds (OSC OUF), is **not** the responsibility of the social services district (district) child support enforcement unit and support collection unit (collectively CSEU).

OSC OUF issued a “special circular mailing” to county treasurers and the Commissioner of Finance of the City of New York on December 8, 2021, and a copy of the mailing was forwarded to coordinators. The mailing provided information about Chapter 316 of the Laws of 2021, its effective date, and the requirement to remit any support funds previously deposited with the county treasurer or the Commissioner of Finance of the City of New York to OSC no later than April 1, 2022.

Although the CSEU has no obligation to advise others of the new statutory provisions related to the transfer of unclaimed child or combined child and spousal support funds, as a courtesy you may wish to alert the Finance Department and/or the county treasurer to the enactment of Chapter 316 of the Laws of 2021 and the provide a copy of the special circular mailing.

II. Diligent Efforts

- 2. Question: The ADM states two years of diligent efforts to locate the individual are required when there is sufficient identifying information to attribute the unclaimed funds to a specific child support account. Does the clock start when the payments are first put on hold, or does it start when the most recent payment is posted as our court required?**

Response: Diligent efforts commence when the payments are first put on hold. There must be two years of diligent effort to locate the individual entitled to the funds, but those efforts could have commenced prior to the receipt of all the payments.

Once the CSEU has “lost” the individual entitled to the funds and the initial search efforts have commenced (i.e., the commencement of the two-year timeframe for diligent efforts), a newly received payment becomes relevant only

when the associated review of the account causes the CSEU to “find” that person.

For more information about appropriate resources and search efforts to locate the individual entitled to the funds, refer to [21-ADM-07](#), issued August 23, 2021, titled *Undistributed Collections*.

3. **Question: When a check is returned, does the two-year timeframe begin upon the processing of the Batch 83 (*Used when check is returned undeliverable due to a bad address. Will change distribution switch to 3. No OTDA retained ledgers.*)?**

Response: Yes, the two years of diligent efforts to locate the individual entitled to the funds begin with the processing of the Batch 83, when the CSEU is first informed that the address on file is no longer valid, and the onset of initial search efforts.

If, upon completion of the two years of diligent efforts, the individual entitled to the funds has not been located and the funds have not been disbursed, then that child support account is eligible for the next annual transfer in the month of April, on or before April 10.

4. **Question: During the Holder Education Session held on November 9, 2021, the Comptroller’s office stated that the two-year clock resets if the CSEU contacts a party and the person indicates they do not want the money (e.g., a stale-dated check). What is the purpose of holding the funds two more years in this situation? May this be addressed if this is really what we are to do?**

Response: The Division of Child Support Services (DCSS) discussed the noted comment with the OSC OUF. If the CSEU contacts the individual entitled to the unclaimed funds (e.g., through phone call or email) and the person indicates they do not want the money, the CSEU should attempt to obtain a written statement indicating the individual does not intend to claim the funds. If, prior to the end of the two-year period set forth in SSL § 111-h(5), the individual entitled to the unclaimed funds provides the CSEU with a written statement indicating that the individual is relinquishing their right to claim such funds, the unclaimed funds may be transferred to the state comptroller once two years have elapsed without any further action (and there is no need to complete any due diligence mailings). In instances where the CSEU is unable to obtain a written statement as described above, the CSEU may proceed with the transfer provided it carefully notes the interaction with the individual in the case remarks.

For more information about stale-dated checks, refer to the *Procedures for the Transfer of Unclaimed Funds to the State Comptroller* document.

5. **Question: If there is money in an account that is due to a deceased noncustodial parent (NCP) and there is no information about an estate or the appointment of an executor or administrator, how long must the funds be held before they can be transferred to the state comptroller?**

Response: For accounts where no filings have occurred to open an estate or appoint an administrator or executor and the date of death is:

- One or more years ago, the funds are immediately eligible for inclusion in the annual transfer to the state comptroller.
- Less than one year ago, work with your legal counsel to conduct additional investigation, beyond reviewing the remarks of the case record and contacting the appropriate Surrogate's Court, to determine whether steps are planned or underway to open an estate.
 - If it is determined that an estate is **not** going to be opened, the funds may be included in the next annual transfer to the state comptroller.
 - If an estate is to be opened and an executor or administrator is then appointed, advise that individual of the support collections due to the estate.

Refer to the *Procedures for the Transfer of Unclaimed Funds to the State Comptroller* document for more information.

III. Preparation of the Report of Abandoned Property Spreadsheet

6. **Question: While I was trying to create the district Report of Abandoned Property Spreadsheet using the [Report of Abandoned Property Spreadsheet](#) available on the *Undistributed Collections* page of the Electronic Resource System (ERS), I received an error message. I also received an error message when trying to save the spreadsheet after an entry was made. Do these error messages matter?**

Response: It is our understanding that these error messages were received because the OSC spreadsheet template being used was created in a version of Excel that is no longer in use.

On January 11, 2022, OSC OUF notified DCSS that updates were made to the Excel template available via the link on ERS. The updates seek to address the generation of the noted error messages and revise certain spreadsheet field names for purposes of clarification (e.g., the Column B heading was changed from "reccount" to "record count"). In addition, a field for "birth date" has been added.

CSEUs must use the new version of the template when submitting their final Report of Abandoned Property Spreadsheet in April 2022. If not done already, download and save the new [Report of Abandoned Property Spreadsheet](#). Then copy the information from the spreadsheet you have been using into the new spreadsheet. If you need help transferring the data, please email your County Representative at otda.sm.dcse.bpo@otda.ny.gov.

7. **Question: The procedures indicate that the property type “7C” should be entered into Column A of the Report of Abandoned Property Spreadsheet. Why are we being instructed to use the code for “arrears held in abeyance”?**

Response: The property type code “7C” used on the Report of Abandoned Property Spreadsheet is a code developed by OSC OUF that refers to “funds for support of a child or spouse.” This property type is not to be confused with the Undistributed Collections Indicator Code “7C” (*Arrears held in abeyance*).

8. **Question: How do I find the FEIN to be entered on the Report of Abandoned Property Spreadsheet?**

To determine the FEIN to be used on the Report of Abandoned Property Spreadsheet, consult with your district accounting staff.

9. **Question: If unclaimed funds from numerous child support accounts were transferred years ago to a single suspense account, can the account number of that suspense account be listed as the “account id” on the Report of Abandoned Property Spreadsheet?**

Response: Where unclaimed funds in the suspense account can be associated with a specific child support account, create a separate entry (record count) on the Report of Abandoned Property Spreadsheet. Include the child support account number (i.e., **not** the suspense account number) and any available information about the individual entitled to the funds (e.g., full name, Social Security Number).

Where unclaimed funds in the suspense account cannot be associated with a specific child support account, have always been in suspense, and are truly unidentifiable, create a separate entry (record count) on the Report of Abandoned Property Spreadsheet and type “UNKNOWN” in Column D, *last* (last name of the owner of the unclaimed funds). Leave blank all other name and address fields as well as any other fields where no information is known about the unidentified funds.

10. **Question: If the CSEU has record of the amount of unidentified funds received by date, should the Report of Abandoned Property Spreadsheet have separate entries for each date with the amount of unidentified funds received on that date?**

Response: No. The undisbursed unidentifiable collections do not need to be listed individually by date on the Report of Abandoned Property Spreadsheet.

The date of the **oldest** undisbursed unidentifiable collection must be entered in Column R, *activity date*. In addition, the total of all the undisbursed unidentifiable collections must be entered in Column S, *initial amount*, **and** Column T, *reported amount*.

Similarly, multiple undisbursed payments attributed to a specific child support account and owner do not need to be listed individually on the Report of

Abandoned Property Spreadsheet. The spreadsheet entry would include: 1) the New York Case Identifier ("Case ID") in Column P, *account id*, 2) the date of the **oldest** undisbursed unidentifiable collection in Column R, *activity date*, and 3) the sum of all the undisbursed unidentifiable collections in Column S, *initial amount*, and Column T, *reported amount*.

11. **Question: Do refunds to respondents fall under this procedure? Most of our unclaimed funds are held on Refund to Respondent accounts and many of the originating cases have been purged. We would be using the refund case number on the mailings and spreadsheet, saving a copy of the mailings to the document log on the refund account, moving the money from the refund account and documenting remarks on it.**

Response: Yes, refunds to respondents fall under this procedure. Because each Refund to Respondent account is associated with a child support account, these unclaimed funds may be included on the Report of Abandoned Property Spreadsheet in preparation for transfer of the funds to the state comptroller.

If the original case has been purged, use the "Refund to Respondent account Case ID (refund Case ID)" on mailings and enter remarks on, and save documents to, the **refund** account.

When you complete the Report of Abandoned Property Spreadsheet for a Refund to Respondent account, however, you must enter the original Case ID in Column P, *account ID*, and then enter the refund Case ID in Column V, *security desc*.

12. **Question: Is there a minimum threshold for the amount of unclaimed funds that can be disbursed by the state comptroller and thus a minimum threshold for amounts included on the Report of Abandoned Property Spreadsheet? For example, would the state comptroller disburse funds of less than twenty dollars (\$20.00), or less than one dollar (\$1.00)?**

Response: There is no minimum amount for reporting truly unclaimed funds to the state comptroller (**see Response 13**). However, the minimum amount that can be claimed is three dollars (\$3.00). If unclaimed funds of less than \$3.00 are reported, OSC OUF will hold that amount for the owner of the funds, to be claimed in the future when the sum of any additional unclaimed funds for that individual exceeds the \$3.00 threshold.

13. **Question: Can the unclaimed funds process be used for undistributed collections of less than one dollar (\$1.00) since we cannot issue a payment?**

Response: No. The legislative intent of Chapter 316 of the Laws of 2021 was to clarify and simplify the process by which the CSEU transfers certain undisbursed funds to the state comptroller. This includes identifiable funds where the owner cannot be located, unidentifiable collections that cannot be attributed to a child support account, and monies owed to deceased individuals. The new law was **not** instituted to address the limitations of the automated child support system, which does not currently permit disbursements of under \$1.00.

IV. Removal of Unclaimed Funds from Child Support Accounts

14. **Question: Must funds be moved from the child support accounts only during the period April 1 through April 10? As an alternative, can a district build an administrative account to hold the unclaimed funds (“holding account”) that may be transferred to the state comptroller in the month of April, on or before April 10?**

Response: No, the removal of funds from the child support accounts is not limited to the period April 1 through April 10. Funds may be transferred from the child support accounts to a holding account throughout the reporting year.

The type of holding account to be built at the beginning of the calendar year depends on whether the unclaimed funds are to be paid to the state comptroller by **check** or by **electronic funds transfer**. In addition, the batching instructions will vary based on the type of holding account built.

If the unclaimed funds are to be paid to the state comptroller by **check**, you will build an Administrative Refund Account. This account will have a specific Client Address, which is provided in the *Procedures for the Transfer of Unclaimed Funds to the State Comptroller* document.

If the unclaimed funds are to be paid to the state comptroller by **electronic funds transfer**, you will build an Administrative Trust (Suspense) Account.

The Administrative Refund Account or Administrative Trust (Suspense) Account must be used solely to track unclaimed funds until they can be transferred to the state comptroller. This account must be used for a specified time (e.g., yearly or quarterly).

For information about how to build an administrative account, see the *ASSETS User Guide*; page 99-102.

To batch the unclaimed funds:

For **NCP overpayments**, you will use a 71 batch to transfer the unclaimed funds from the individual account to the administrative account.

For custodial parent (CP) undistributed payments, you will enter a positive 85 batch on the individual account and a positive 72 batch on the administrative account.

The actions you take to transfer the funds to OSC OUF and reconcile the accounts depends on the type of holding account that was built.

For an Administrative Trust (Suspense) Account, you will enter a positive 85 batch for the amount being transferred to the state comptroller. The total of the 85 batch should equal the amount of the wire transfer sent to the state comptroller, and these items will offset each other in monthly reconciliation.

For an Administrative Refund Account, it is not necessary to enter a positive 85 batch (or any other batch). However, the ledger distribution switch must be changed to “1” (*Monies paid are systematically disbursed when due*) to allow funds to disburse to OSC OUF via check.

15. Question: The CSEU has had unclaimed funds in an administrative account for many years, and due diligence is done. Can those funds be moved in one batch to the Administrative Refund Account being created?

Response: Yes, you may use a single batch to transfer the money to the new Administrative Refund Account.

Notably, the Report of Abandoned Property Spreadsheet must have separate entries for funds attributable to a specific child support account. For example, if the old administrative account contains one thousand dollars (\$1,000) and eight hundred dollars (\$800) of that money can be associated with five different child support accounts while the remaining two hundred dollars (\$200) is unidentifiable, the Report of Abandoned Property Spreadsheet must have six lines. That is, one line for each known child support account, for a total of five lines, and one line for the unidentifiable funds.

16. Question: If the CSEU has unclaimed funds due to the NCP and the NCP has support arrears/past due support on at least one account in another district(s), can those funds be sent to the other district(s) to apply on the account(s)? What about stale-dated NCP refund checks?

Response: Overall, whether the funds can be sent to another district must be determined on a case-by-case basis as many factors are involved (e.g., source of the funds [income withholding, federal or state tax refund offset], possible need for permission from the NCP, potential account reconciliation with the enforcing jurisdiction).

If an NCP's refund checks are recurrently stale, then the CSEU should contact the NCP (e.g., through phone call or email) to obtain permission to apply the funds to the NCP's other accounts with support arrears/past due support. If the NCP cannot be contacted to provide permission, then the funds cannot be transferred. If the NCP does not grant permission and/or indicates they do not want the money, then the CSEU should ask the NCP to submit a written statement indicating they do not intend to claim the funds (**see Response 4**).

For more information about the application of NCP overpayments to other accounts where the NCP owes support arrears/past due support, refer to [21-ADM-07](#).

If you have questions about a specific account situation involving unclaimed funds due to the NCP, please email your County Representative at otda.sm.dcse.bpo@otda.ny.gov.

17. **Question: The procedures provide that the funds are to be disbursed to the estate if they are claimed before April 10. Is it necessary to produce a manual check, as estate cannot be added on the automated child support system (“ASSETS”)?**

Response: The check should be made out to the person entitled to the funds in care of the estate.

V. Due Diligence Mailings

18. **Question: The ADM states that a due diligence mailing is not required if the address is not current. How is current defined? Is it within the past year, three years, five years, etc.?**

Response: An address is considered “current,” “valid,” or “up-to-date” if there is no indication to the contrary.

19. **Question: Does due diligence start in January, or does due diligence start immediately after the Batch 83 is done for a check returned as undeliverable?**

Response: It is important to understand the difference between **due diligence**, which relates to required mailings, and **diligent efforts** to locate the person over a two-year period.

The first-class due diligence mailing must be done **at least** 90 days prior to submission of the Report of Abandoned Property Spreadsheet in the month of April, on or before April 10; so, yes, due diligence mailings may start in January. When required, the certified mail, return receipt requested mailing, must be completed **at least** 60 days before submission of the spreadsheet in April.

With respect to diligent efforts to locate an individual, the CSEU must **immediately** use appropriate resources to locate the person entitled to the funds when a support collection cannot be disbursed because the current address of the owner is unknown (e.g., a Batch 83 is done), or the CSEU is unable to contact the owner regarding a problematic disbursement (e.g., direct deposit rejected because the bank account has been closed).

When a collection has been undistributed for four months or more (e.g., because the location efforts noted above have not been successful), the CSEU must make additional diligent efforts to locate the individual entitled to the funds (e.g., using the location resources listed in the [Search Checklist - Locating a Party to the Order of Support](#)).

When the collection remains undistributed for at least two years from when the initial search efforts commenced, the CSEU must initiate the unclaimed funds process.

- 20. Question: If a check is returned as undeliverable and there is no new address in the case record, does the CSEU need to complete a first-class due diligence mailing? How would we know that a check is returned to the Child Support Processing Center (CSPC)?**

Response: No. If the check is returned as undeliverable and there is no new address information, then the CSEU does not need to complete the first-class due diligence mailing.

Mail that is received and processed at the CSPC is imaged. Undeliverable check images are provided to the CSEU through the Electronic Communications System (ECS). These images include CP disbursement and NCP refund checks that are returned as undeliverable from the United States Postal System (USPS) without a new address. In addition, images of CP/NCP/Third Party checks returned for a reason other than USPS undeliverable are provided through ECS.

- 21. Question: Are CSEUs required to send due diligence mailings to individuals who have repeatedly failed to cash checks sent to them when there is no evidence that the mailing address used is invalid and the person has not provided a written statement relinquishing their right to claim the funds?**

Response: Yes, the CSEU must complete the due diligence mailings as appropriate, since there is no indication that the address is out-of-date and the individual entitled to the funds has not provided a written statement relinquishing their claiming rights.

- 22. Question: Do we have to do the certified, return receipt requested mailing when the unclaimed funds are less than one thousand dollars (\$1,000)? Are these funds eligible for transfer to the state comptroller after completion of the first-class mailing?**

Response: No. Pursuant to Abandoned Property Law § 1422(2), a certified, return receipt requested mailing does **not** have to be done if the value of all the unclaimed funds for the individual is less than or equal to \$1,000.

Unclaimed funds of \$1,000 or less are eligible for transfer to the state comptroller after completion of the first-class due diligence mailing if the mailing is returned as undeliverable, or the individual entitled to the funds does not return the first-class mailing with the required signature or otherwise claim the funds.

- 23. Question: On or before February 10, districts are required to send out certified mail, where there is a valid address, to those individuals who either did not respond to the first-class mailing or it was not returned as undeliverable.**

While we understand the law requires that certified mail be sent to complete the process, certified mail presents an enormous burden to districts at a time of severely limited resources. This requirement is resource intensive because it largely a manual process, even if it is spread out over time. It will likely result in a smaller number of potentially eligible

cases transferring to the state comptroller, simply because the process is so resource intense. We believe many of our cases can be transferred. We have a lot of cases that have already been reviewed and determined that the address on file is not valid by virtue of receiving returned mail or a returned disbursement. Can you please provide greater clarity when the due diligence mailing is required if two years of diligent efforts have not produced a valid address? Would this only be if new information was found or reported in ASSETS?

Response: Abandoned Property Law § 1422 requires mailing of notice to individuals entitled to unclaimed funds, and the Office of Temporary and Disability Assistance does not have the authority to exempt districts from compliance with the statutory provisions.

The mailing requirements exclude any unclaimed funds where the CSEU does not have an address, or the address is not the current address. If two years of diligent efforts to locate the individual entitled to the unclaimed funds have not produced a valid address for that person, then the due diligence mailing requirements are waived.

If new information is found or reported in ASSETS, then CSEU must use that data to attempt to contact the individual entitled to the unclaimed funds.

Notably, the second due diligence certified, return receipt requested mailing, is not required if the value of the unclaimed funds is less than or equal to \$1,000.

- 24. Question: The section on due diligence mailings to confirm eligibility for transfer states that “telephone or verbal contact from the individual . . . does not eliminate the need to complete and return the due diligence mailing. Signature. . . constitutes contact.” Are electronic signatures or a signed electronic emailed copy of the document accepted? They should be.**

Response: In all cases in which a signature constitutes contact, the signature is to be verified according to OSC OUF. To the extent that electronic signatures can be verified (e.g., through “click through procedures,” the use of passwords or personal identification numbers, or digitized signatures), such signatures would be acceptable. For more information on the verification of electronic signatures, see the [New York State Information Technology Guideline, NYS-G04-001, Electronic Signatures and Records Act \(ESRA\)](#).

The due diligence notices must be returned to the CSEU. A signed electronic emailed copy of a due diligence notice would be acceptable contingent upon verification of the electronic signature.

Alternatively, the completed due diligence notice could be signed with a pen or other writing device and then scanned or saved as a pdf for attachment to an email sent to the CSEU.

VI. Submission of the Report of Abandoned Property Spreadsheet to OSC OUF

- 25. Question: Is the CSEU responsible for obtaining a username and password to permit the electronic submission of the completed Report of Abandoned Property Spreadsheet to OSC OUF? Does the spreadsheet have to be submitted by January 10?**

Response: Yes. If not previously provided by OSC OUF, the CSEU must email the Reports Processing Unit (RPU) of OSC at NYSRPU@osc.ny.gov to request a username and password to permit you to login and electronically submit the completed Report of Abandoned Property Spreadsheet to OSC. Notably, the username and password are sent back quickly from OSC.

No, the spreadsheet does not need to be submitted by January 10. Rather, the CSEU is to have completed any required due diligence first class mailings on or before January 10.

The Report of Abandoned Property Spreadsheet must be submitted in the month of April, on or before April 10. Prior to submission, the CSEU must follow the unclaimed funds process described in 21-ADM-08.

- 26. Question: Is the username and password for the electronic submission of the completed Report of Abandoned Property Spreadsheet to OSC OUF specific to an individual CSEU staff member or may these credentials be used by more than one district worker?**

Response: No, the username and password are not specific to an individual CSEU staff member. These credentials may be used by other district workers to electronically submit the Report of Abandoned Property Spreadsheet to OSC OUF.

Importantly, the electronic submission of the completed Report of Abandoned Property Spreadsheet must include the first and last name of the district's Child Support Coordinator or Support Collection Unit supervisor as the Contact Person.

- 27. Question: When uploading the Report of Abandoned Property Spreadsheet, what "Reporter Class" should be selected?**

Response: OSC OUF has advised that the "Reporter Class" dropdown should be used to select "Court - Family."

- 28. Question: Are there specific security protocols that should be followed in transmitting the worksheets to the state comptroller?**

Response: The Report of Abandoned Property Spreadsheet may be transmitted securely by following the [Excel Secure File Upload Instructions](#).

VII. Transfer of Funds to OSC OUF

- 29. Question: Are funds transferred to the state comptroller once a year in April or can they be transferred periodically upon the attainment of a specified threshold?**

Response: Social Services Law (SSL) § 111-h(7) requires the unclaimed funds to be transferred in the month of April, on or before the tenth day thereof. Flexibility cannot be afforded to districts given the statutory direction regarding the timing of the transfer.

- 30. Question: Who will determine what payment method will be used to transmit the funds from the CSEU to the state comptroller?**

Response: The Child Support Coordinator, in consultation with the CSEU accounting staff, should determine the method by which the unclaimed funds are remitted to the state comptroller. If the CSEU does not have the operational ability or functionality to remit the funds using Electronic Funds Transfer, payment must be made by check.

- 31. Question: Will DCSS be setting up an account in CashPro for use by districts to make a Global Payment to the State? This would facilitate the electronic funds transfer of the unclaimed support collections to the state comptroller by districts.**

Response: No, DCSS will not be providing a template for the Global Payment (also known as a wire transfer) to the state comptroller.

Coordinators may need to request permission for their staff to create and approve a template for this payment to the state comptroller. Generally, if your staff can create a wire transfer, they should have the ability to create a template. Additionally, if your staff already can approve a wire transfer, they should have the ability to approve a new template.

To obtain the necessary forms and CashPro permissions, contact the DCSS Banking Services Team at otda.sm.ppo.banking@otda.ny.gov.

Note: Two workers will need permissions, one to create the template and one to approve the created template.

- 32. Question: The ADM states that “the funds must be accompanied by a verified written report. . . .” Is submission of the information in electronic format accepted? It should be.**

Response: The language in the ADM reflects the enacted statutory text. The annual Report of Abandoned Property will be completed through use of an Excel spreadsheet developed by OSC OUF. **OSC OUF accepts Excel formatted reports uploaded via Secure File Upload.** For more information, refer to the *Procedures for the Transfer of Unclaimed Funds to the State Comptroller* document.

33. Question: The ADM requires “a verified written report.” What constitutes “verified”?

Response: A [Verification and Checklist \(VCL\)](#) is the verified written report referenced in the ADM and includes the organization name, Federal Employer Identification Number (FEIN), Contact Name, Signature, Summary Tools, and Property Types. **If the Abandoned Property Report is submitted by Secure File Upload, an electronic VCL will be generated automatically.**

An officer of the reporting organization must sign the VCL. The signing officer must have authority to attest to the fact that the report is true and complete to the best of their knowledge.

The dollar amounts and numbers of securities, by property type, must be entered on the reverse side of the form. Although there is space for all property types, you must verify that the property types you complete are valid for your organization type, and that they agree with the totals on the front of the form and the sum of the individual amounts in the Report of Abandoned Property Spreadsheet.

34. Question: In lieu of submitting a confirmation of the annual transfer to the DCSS, can we copy DCSS on the transmission to the state comptroller?

Response: No, OSC OUF has confirmed that it is not technologically possible at this time to copy DCSS on transmissions to the state comptroller. For this reason, a copy of the uploaded Final Report of Abandoned Property Spreadsheet, successful upload screen, and confirmation of payment by electronic fund transfer or check must be submitted to DCSS if the CSEU transferred unclaimed funds to the state comptroller.

VIII. Case Closure

35. Question: Should we start the case closure process (e.g., zero out the obligation amount, close ledgers) during the unclaimed funds process?

Response: No. Before preparing a child support account for case closure, the CSEU must ensure that all collections received on an account are properly disbursed. This includes the transfer of unclaimed collections to the state comptroller pursuant to SSL § 111-h(5).

36. Question: Can the CSEU close a child support case when they cannot locate the recipient of services? Or does the CSEU continue to collect and submit the unclaimed funds to the state comptroller?

Response: For active accounts for which child support payments are being received but have not been disbursed, the CSEU must **not** close the account before the expiration of two years following diligent efforts to locate the recipient of services. SSL § 111-h(4) provides that “*any and all moneys paid into the support collection unit pursuant to an order of support under the family court act or the domestic relations law, where the petitioner is not a recipient of public assistance, shall upon payment into such support collection unit be deemed for*

all purposes to be the property of the person for whom such money is to be paid.” Therefore, the CSEU continues to collect during the two years of diligent efforts to locate the recipient of services. Once the two-year timeframe has been fulfilled, the CSEU then follows the unclaimed funds process outlined in SSL 111-h(5) through (7). Upon the transfer of the funds to the state comptroller, the account may be prepared for closure.

For more information about case closure, refer to 13-ADM-01, issued January 16, 2013, titled *Automated Case Closure and Closure of Administrative Cases*.

IX. General Questions

- 37. Question: A recent circular mailing issued by OSC OUF included information about a requirement to publish an alphabetical list of owner names and addresses in a newspaper distributed in the county of the rightful owner’s last known address. Are CSEUs required to provide published notice of unclaimed funds?**

Response: No. There are no statutory provisions requiring publication for unclaimed support funds.

- 38. Question: Will the Child Support Helpline (CSH) be positioned to answer questions related to the unclaimed funds process?**

Response: Yes, DCSS will work with the Centralized Support Collection and Enforcement contractor for CSPC services to advise and educate the CSH customer service representatives (CSRs), as appropriate, about the unclaimed funds process.

As a reminder, the CSRs read remarks and utilize the information therein to respond to questions from callers. Whenever a batch adjustment is done, the best practice is to enter a remark in the automated case records to document the batch adjustment and the reason for the adjustment, as appropriate.

DCSS **highly recommends** that CSEUs add a fiscal remark when an account has been identified as potentially eligible for inclusion in the unclaimed funds process and the undistributed collections have been transferred to a suspense account.

- 39. Question: What location services software is available to CSEUs?**

Response: Each CSEU has an allotment of licenses to the Thomson Reuters, Consolidated Lead Evaluation and Reporting (CLEAR) location services software (see the DCL dated February 16, 2021, for more information). Some CSEUs may have additional location services software they contract for (e.g., Accurant); you may wish to ask your supervisor if the district has any alternate location services.

40. Question: How do I gain authorization to the Money Transactions in ASSETS, which would enable me to do my job more efficiently?

Response: ASSETS security roles are assigned by your local ASSETS entitlement administrator. Access is granted to the features and functions deemed necessary to perform a given job. Notably, certain roles (e.g., Confidential Monetary Information) are administered by the state entitlement administrators.

Please follow your local district protocol to request additional ASSETS security roles. As a first step, contact your supervisor to discuss your business needs for additional ASSETS security roles.