

**OFFICE OF INVESTIGATIVE SERVICES  
POLICY AND PROCEDURE #720**

**CLAIM DISPOSITION SELECTION, DOCUMENTATION, AND TIME STANDARDS**

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**CLAIM DISPOSITION SELECTION, DOCUMENTATION, AND TIME STANDARDS:**

The criteria for claim disposition are listed for each claim disposition option in this manual to assist the Agent in deciding an appropriate claim disposition that is consistent with office procedure. The Agent may deviate from the criteria if mitigating circumstances are discovered or other evidence exists that falls outside the realm of the criteria. The Agent will document the choice of disposition, the reason for the disposition selection, and deviations from the disposition criteria on the **Case Review Checklist** or **EBT Trafficking Case Review Checklist**. Deviation from prescribed disposition guidelines requires supervisory review and approval.

The Agent will initiate a legal adjudication or move the claim to a collectable status within 60 days of the date the claim is established.

Interim Claim Disposition codes were developed to monitor the status of a claim through the prosecution and hearing processes. Agents are responsible to promptly report Interim Claim Dispositions to the OIS database to document the status of a case.

Agents and supervisors will review claims with Interim Claim Dispositions monthly and update the status and/or initiate other actions on a timely basis, as necessary, until the claim is brought to a Final Claim Disposition.

The following guidelines should be utilized when reviewing Interim Claim Disposition on the Claim Status Report:

- TR codes 20/30 – A claim should not remain with this code for more than six months unless there is documented, extenuating circumstances. At least two Consent Agreement appointments should be scheduled within six months. The case should be reviewed at four months and possible alternate dispositions discussed. At six months, the Agent should determine if the claim should be referred for an Administrative Disqualification Hearing, prosecuted, or dispositioned administratively. Under no circumstances should a claim remain with a TR code 20 or 30 for more than nine months. The Agent should document the OIS file when a claim remains with this code for more than six months.
- TR codes 22/32 – Once a Consent Agreement is signed, the court order should be received and the claim updated to a TR code 23 or 33 within 60 days. If the prosecutor is not providing the court orders within this period of time, the supervisor should discuss with the prosecutor the need for timely turnaround of court orders. Upon receipt of a court order, the Agent should update the claim to a TR code 23 or 33 within 15 days.
- TR code 01 – After three months, OSAH should be contacted to assure receipt of the hearing referral if there is no notice of a hearing date within this period of time. Upon receipt of a hearing decision, the Agent should update the claim to a TR code 3 or 4 within 15 days.
- TR codes 9/29 – Cases referred for prosecution should be tracked. If the prosecutor determines the case does not warrant presentation to the grand jury or does not meet the criteria for prosecution, the Agent should withdraw the case and pursue an alternate disposition. The OIS file should contain documentation for remaining at this status for more than six months of the referral in rural counties where the grand jury meets every six months, and within two months of the referral in urban counties where the grand jury meets weekly or monthly.

## CLAIM DISPOSITION SELECTION DOCUMENTATION AND TIME STANDARDS (continued)

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- TR codes 11/12 – After the grand jury indictment or serving of a warrant, a case may remain at this status for years, however periodic reviews (semi-annually at a minimum) should be completed to determine the status and update the OIS file with the actions taken. Agents should periodically conduct current address research for cases that are pending service of the warrant, and provide this information by phone or in person to the enforcement agency that serves the warrant. The prosecutor's office should be contacted at least every six months when there is no movement of the case through the courts after the warrant is served
- TR codes 10/13/15 – After the prosecutor declines the case, the grand jury returns a No Bill, or the court dismisses the case, the Agent should review the claim and initiate other means of adjudication or disposition. A court dismissal or prosecution declination is not a final disposition code and needs to be followed by an appropriate alternate disposition.

A claim is not considered complete until it is brought to a Final Claim Disposition. Supervisors are expected to include the following information in monthly regional progress reports:

- The number of claims with TR codes 20/30 that exceeds the 6-month standard.
- The number of claims with TR codes 22/32 that exceeds the 2-month standard.
- The number of codes with TR codes 9/29 that exceed the 2- or 6-month standard (based on rural or urban classification).
- Any steps taken to address cases with TR codes 11/12 exceeding two years.

Agents will report Final Claim Dispositions to the OIS database promptly upon knowledge or accomplishment of the Final Claim Disposition.

The Agent will also promptly report all Interim and Final Claim Dispositions to DFCS by including the following documentation on the narrative in SUCCESS:

- type and date of action/disposition
- change in status of the claim, if any
- change in claim type, if any
- months of disqualification, name of person to be disqualified, and affected program (if appropriate)
- identification of the Agent and date the documentation is entered in SUCCESS

### INTERIM CLAIM DISPOSITIONS

TR code 01 – Referral for Disqualification Hearing  
TR code 09 – Referral to Prosecutor  
TR code 10 – Prosecution Declined  
TR code 11 – Warrant Issued  
TR code 12 – Grand Jury Indictment  
TR code 13 – Grand Jury – No Bill  
TR code 15 – Court Dismissal  
TR code 16 – Court Acquittal  
TR code 20 – Referral to Prosecutor, PAC  
TR code 21 – Unlocatable  
TR code 22 – CA Signed, PAC  
TR code 29 – To Prosecutor (AFDC 5/92)  
TR code 30 – Referral for Prosecutor, PAC (AFDC 5/92)  
TR code 32 – PAC CA (AFDC 5/92)

FINAL CLAIM DISPOSITIONS

TR code 03 – Hearing Acquittal  
TR code 04 – Hearing Affirmed  
TR code 06 – Hearing Waiver (WDH) Signed  
TR code 07 – Repayment Agreement Signed  
TR code 08 – Return to DFCS for Collections  
TR code 14 – Pre-trial Diversion  
TR code 17 – Court Conviction (Guilty)  
TR code 18 – Nolo Contendere  
TR code 19 – First Offender Conviction  
TR code 23 – Guilty, PAC  
TR code 33 – Guilty, PAC (AFDC 5/92)  
TR code 37 – Guilty (AFDC 5/92)