

I. Status of a case

Redefinition of statuses following the discussions at the 2nd WG meeting
(see report No 2, paras 27 *et seq.*)

The screenshot shows a 'Case status' section with three dropdown menus. The first menu is set to 'open' and shows a list of sub-categories: 'no sub-category chosen', 'Incomplete', 'Enforceability proceedings ongoing', 'Establishment proceedings ongoing', 'Modification proceedings ongoing', 'Enforcement ongoing', 'Enforcement suspended, Art. 21(3) EU Regulation', and 'Monitoring of payments only'. The second menu is set to 'closed' and shows a list of sub-categories: 'no sub-category chosen', 'Requirements manifestly not met (processing refused)', 'Debtor cannot be found', 'Debtor moved to other State', 'Unsuccessful despite all efforts of the Central Authority', and 'Completed'. The third menu is set to 'archived' and is currently empty.

There will be three statuses: **open, closed and archived**. The status open and closed will have a number of sub-categories to address the individual needs of different Central Authorities. The statistics may also have to take into consideration the sub-categories chosen, if any, for each case. Central Authorities that do not want to use the subcategories in their daily practice are not obliged to choose one.

Each Central Authority will determine the status of a case independent of how the other involved Central Authority determines the status. That is to say, the status of the case determination in the below categories is principally for internal purposes only.

1. Status “open”

- **A case is marked with the status “open” upon their creation in iSupport and it remains “open” throughout the whole process of case management. *I.e.* that status “open” marks cases in which action still needs to be undertaken by the Central Authority in that case.**

A case that has been closed can be re-opened any time, if further action is needed.

When the caseworker creates a new case in iSupport, the status of the case will automatically be “open”. This is independent of whether the new case is created in iSupport in the requesting Central Authority (this will be the standard) or in the requested Central Authority (this will be the case if the requesting CA does not use iSupport).

If a caseworker in a requested Central Authority receives a new request /application through iSupport a manual intermediary step will have to be taken to mark the case “open” in the requested Central Authority. The caseworker will have to click “create/open” case or otherwise actively start the case management of the case. The iSupport number will, of course, be the one that had already been designated by the system in the requesting State. The additional step is meant to safeguard the autonomy of each Central Authority. iSupport will therefore not automatically upon the sending of an application through the system open a new case in the requested State’s iSupport system.

There will be a number of sub-categories that caseworkers can choose from. The caseworker is, however, not obliged to choose a sub-category.

- **“Incomplete”** – the processing of the case is not yet possible due to missing documentation / information
- **“Enforceability proceedings ongoing”** – this sub-category should be used, when the application for the declaration of enforceability / registration is being processed by the competent authority; the status will be kept until the *exequatur* or registration is obtained and any possible appeal or further appeal is being dealt with; enforcement may have started before, since it can occur as soon as the decision is registered / declared enforceable even though an appeal and further appeal is being processed
- **“Establishment proceedings ongoing”** – this sub-category should be used, when the application is being processed by the competent authority for the establishment of the decision, including all appeal instances; enforcement may have started after the first instance or second instance
- **“Modification proceedings ongoing”** – this sub-category should be used, when a modification application of either the debtor or creditor is being processed by the competent authority independent of whether the enforcement is continuing or not
- **“Enforcement ongoing”** – this sub-category should be chosen, when the enforcement is ongoing; it should only be chosen, once proceedings are completed (enforceability, establishment, modification proceedings) Should proceedings be ongoing please choose the relevant above proceedings category)
- **“Enforcement suspended, Art. 21(3) EU Regulation”** – this sub-category should be chosen, if the enforcement is suspended in accordance with Art. 21(3) of the EU Maintenance Regulation
- **“Monitoring of payments only”** – this sub-category should be used for cases, where no concrete action is needed by the Central Authority but the Central Authority wishes to monitor the (voluntary) payment of the debtor for a certain period of time

2. Status “closed”

- **A case is marked with the status “closed” if no further action needs to be undertaken by the Central Authority in that case.**

Cases can be re-opened without any formality; the case status can simply be changed back to “open”. As a consequence of choosing this status in iSupport, the case will no longer be editable. However, all case data remains in the system and can be viewed. Should the caseworker want to make changes or additions to the case, the case would have to be re-opened.

There will be a number of sub-categories that caseworkers can choose from:

- **“Requirements manifestly not met (processing refused)”** – the application is refused since it is manifest that the requirements of the Convention / Regulation are not met
- **“Debtor cannot be found”** – the whereabouts of the debtor can despite all efforts of the requested Central Authority not be found or the debtor is not living in the requested State
- **“Debtor moved to other State”** – the debtor has moved to another State in the middle of the case processing
- **“Unsuccessful despite all efforts of the Central Authority”** – the case could not be concluded successfully despite all efforts of the Central Authority; should the reason of the impossibility to complete the case be that the debtor cannot be found, the specific sub-category **“Debtor cannot be found”** needs to be used
- **“Completed”** – the case has successfully been concluded

3. Status “archived”

- **A case is marked with the status “archived” if it has been closed for a longer period of time and if the case data does no longer need to stay immediately accessible.**

Each Central Authority will have its own practice as to when they will want to archive closed cases. It is important to note that the consequence of choosing the status “archived” is that the case data is removed from iSupport to a separate database (national solutions). The data will be moved and not yet deleted. After how many years of storage, the data will in the end be deleted on the separate database will depend on the applicable archiving laws in each State concerned.

In view of the fact that the case data is no longer readily available when a case is “archived” only cases, which will not need to be reopened should be archived.

Once a case is archived some basic information about the existence of the case remains in iSupport. This includes:

- The iSupport number
- The internal reference number(s) for that same case
- The date the case was created in iSupport,
- The date of archiving,
- Full name of the debtor
- Date of birth of the debtor
- The full name of person(s) for whom maintenance was sought
- These persons’ dates of birth

II. Case definition & composition of the functional iSupport number

1. Adapted definition of a case following further discussions:

New suggestion: A case in iSupport could be defined as a case concerning the same debtor and person(s) for whom maintenance is sought **AND** involving the same **requesting and requested State**.

Incoming and outgoing applications will therefore be dealt with under two different iSupport numbers. These cases can then be connected in iSupport. But all outgoing application concerning the same parties and the same requesting and requested State will be dealt with under the same iSupport case number.

Example, a modification application by the debtor will be dealt with under a different iSupport case number as the earlier application for establishment made by the person for whom maintenance is sought. However, an application by the person seeking maintenance for the enforcement of a requested State decision will be dealt with under the same iSupport number as an application of that person for modification of that decision. The role of the Central Authority as “requesting CA” or “requested CA” will therefore not change within one case.

Reasons:

- in some States different authorities handle incoming and outgoing applications – they cannot share the same case number unless they work with one iSupport
- in some States, different caseworkers work on incoming and outgoing applications – a wider case definition would mean that all caseworkers would have to be assigned to the case to see tasks concerning this case; knowing their different competencies, tasks that do not relate to their work risk to overload their task list

2. Composition of the case number

In order to allow for flexibility concerning the implementation of iSupport including the option to have several iSupport systems run in one State (either per territorial unit, or for authorities

with differing tasks, such as the Finnish CA and the Finnish public body) we have to go back to the idea of including the abbreviation of the sub-unit.

The iSupport number will be composed out of:

- the abbreviation of the requesting State (& sub-unit),
- the abbreviation of the requested State (& sub-unit),
- the year in which the case was set up in iSupport, and
- a 7 digit running number
- the abbreviation of the State (& sub-unit) in which the iSupport number was issued

If both States involved use iSupport the setting up of the case number will result in that the requesting State will always be mentioned first and the second State mentioned will be the requested State.

However, knowing that particularly in the beginning, not all States will use iSupport, it will sometimes be the requested State that is the first one entering data into iSupport and create the case number. In order to still have the clear identification of “requesting State” and “requested State” in the functional iSupport number we suggest that Central Authorities, when setting up a case, identify the “requesting State” and the “requested State” before the case number is issued.

The suggested solution will basically mean that in some cases the requested State will create an iSupport number “on behalf” of a requesting State, which does not have iSupport. In order to avoid any confusion, we suggest adding in the end of the iSupport number the abbreviation of the State in which the iSupport number has been created.

Example:

Requesting State: UK (England Wales) - requested State: Finland (Central Authority)

Year 2015

Running number 1234567

State in which the number has been established: Finland

UK(EW)- FI(CA)-2015-1234567-FI(CA)

When displaying the iSupport number together with the application reference it could look like as follows: UK(EW)- FI(CA)-2015-1234567-FI(CA) / RE-01

III. Statistics

iSupport will provide for a statistical output on demand fulfilling both the Regulation and Convention obligations. For the Regulation statistics an output of the Central Authority statistics currently requested in the EU statistics form will be possible (see attached form). A similar form will be developed for Convention cases.

Noting the need expressed by a number of Central Authorities in the course of the Working Group discussions to produce overall statistics for their Central Authority, a statistical output concerning all cases handled (Convention, Regulation AND other international maintenance cases) should be possible. Several Central Authorities had in addition expressed the need to produce customised statistics, for example concerning all cases this authority has with a certain other State. Provided sufficient funding is available iSupport will also provide for this option.

IV. Monitoring of funds

1. Composition of the monitor of funds overview

Basis for discussion:

iSupport Case No

NL-FR-2015-0000034-NL

Overview

Case management

CAs

Actors

Decisions / Agreements

Fund Monitor

Applications

Person 1 – Miller, Alice (11/01/1978)

Payments due				
Due date	Type	Amount due	Currency	Conversion into EUR
01/01/2014	Monthly payment	450,00	PLN	108,80
01/02/2014	Monthly payment	450,00	PLN	110,50
01/03/2014	Monthly payment	450,00	PLN	109,20
01/03/2014	Instalment	600,00	PLN	147,54
TOTAL		1950,00	PLN	476,04

Payments received			
Form	Received in EUR	Received in PLN	Received TOTAL in EUR
Transfer	50,00	0	108,80
Transfer	70,00	0	110,50
Transfer	150,00	0	109,20
Cheque	0	400	85
TOTAL	270	400	355

Issue statement of arrears

Outstanding sum in
EUR

121,04

SAVE

Person 2 – Miller, Agnes (01/01/2005)

Payments due				
Due date	Type	Amount due	Currency	Conversion into EUR
01/01/2014	Monthly payment	450,00	PLN	108,80
01/02/2014	Monthly payment	450,00	PLN	110,50
01/03/2014	Monthly payment	450,00	PLN	109,20
TOTAL		1350,00	PLN	328,50

Payments received			
Form	Received in EUR	Received in PLN	Received TOTAL in EUR
Transfer	109,00	0	109,00
Transfer	109,00	0	109,00
Transfer	109,00	0	109,00
TOTAL	327,00	0	327,00

Issue statement of arrears

Outstanding sum in
EUR

1,50

SAVE

2. Currency exchange rate

In order for the monitor of funds page to give a somewhat realistic picture of the *status quo* of the payments, currency exchange rates need to be taken into consideration. The debt itself will always be listed in the “original” currency of the debt (*i.e.* the currency noted in the decision or court settlement *etc.*). But the system also needs to display the conversion of the debt into the currency of the enforcing State.

V. Particular safeguards for payment information / authorisation of transfers

The fact finding missions have shown that a number of Central Authorities put the entry /editing of certain payment information under particular protection. For example, in some CAs the authorisation of transfers requires the involvement of two different persons. Even though iSupport will most likely in its first edition not include a transfer of funds module, the question has to be addressed whether certain safeguards concerning the editing of payment related information / tasks have to be implemented.

VI. Profiles of access rights

See tables below

Assumption: profiles can be combined: i.e. the CA director could have all the rights available, i.e. profile management, casework etc.

	Profiles	Description	Details - Access and function rights																						
			Management		Administration				Registration	Casework							Financial								
										Accept payments	Authorise transfers	Edit info on the monitoring of founds screen	View all fields of all cases (except screens with sensitive date in DV cases & except restricted access cases)	Edit all fields of all cases (except screens with sensitive date in DV cases & except restricted access cases)	View domestic violence cases	Edit domestic violence cases	View restricted access cases	Edit restricted access cases	Create new cases, close and archive cases	Receivling / allocating tasks for newly incoming applications	Interfaces scheduler	Manage templates for casework	Edit country specific help screens	Manage access rights	Authorise new users
1.	Manager	Management /admin rights	X	X	X	X	X	X	X																
2.	Registrar									X															
3.	Caseworker A	View & edit DV and restricted access cases											X	X	X	X									
4.	Caseworker B	View & edit all cases except DV and restricted access cases										X				X	X	X							
5.	Accountant	Make /authorise transfers, view all cases																		X	X				
6.	Viewer	View cases only (for external access, there probably needs to be a restriction to a specific case)															X								

Assumption: profiles cannot be combined

	Profiles	Description	Details - Access and function rights																		
			Management		Administration				Registration	Casework									Financial		
			Decide on access rights	Manage reports on CA/caseworker performance	Access to statistics	Authorise new users	Manage access rights	Edit country specific help screens	Manage templates for casework	Interfaces scheduler	Receiving / allocating tasks for newly incoming applications	Create new cases, close and archive cases	Edit restricted access cases	View restricted access cases	Edit domestic violence cases	View domestic violence cases	Edit all fields of all cases (except screens with sensitive date in DV cases & except restricted access cases)	View all fields of all cases (except screens with sensitive date in DV cases & except restricted access cases)	Edit info on the monitoring of founds screen	Accept payments	Authoriser/transfers
1.	Manager	Management /admin rights	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2.	Registrar									X							X				
3.	Caseworker A & Registrar	View & edit sensitive case data (DV), accountant rights and registrar rights								X		X	X	X	X	X	X	X	X	X	
4.	Caseworker A	View & edit sensitive case data (DV), accountant rights										X	X	X	X	X	X	X	X	X	
5.	Caseworker B & Registrar	View & edit all cases exception masked data (DV and restricted access)								X		X				X	X	X			
6.	Caseworker B	View & edit all cases exception masked data (DV and restricted access)										X				X	X	X			
7.	Accountant	Make /authorise transfers, view all cases											X		X		X	X	X	X	
8.	Viewer	View cases only (for external access, there probably needs to be a restriction to a specific case)															X				