



Ohio Administrative Code

Rule 5101:12-60-50.2 Administrative termination hearing, court hearing, administrative termination order, and disbursement of impounded funds.

Effective: February 11, 2019

(A) Administrative termination hearing.

(1) The obligor and obligee to the child support order have the right to object to the administrative termination investigation findings and recommendations within fourteen days after issuance of the findings and recommendations. The child support enforcement agency (CSEA) shall presume that the obligor and obligee received the findings and recommendations three business days after the date the findings and recommendations were issued.

(2) When an obligor or obligee timely requests an administrative termination hearing, the CSEA shall schedule an administrative termination hearing and issue a JFS 07525, "Notice of Administrative Termination Hearing" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the obligor and obligee at their last known addresses.

(a) At the administrative termination hearing, the obligor and obligee may present testimony and evidence to prove whether a mistake of fact is contained in the findings and recommendations. "Evidence" has the same meaning as in rule 5101:12-60-05 of the Administrative Code. The obligee and obligor may bring a legal or personal representative to the hearing. The CSEA may exclude any individual who is determined by the CSEA not to have a valid interest in the proceedings.

(b) Within fifteen days of the conclusion of the administrative termination hearing, the CSEA shall:

(i) When the child support order is an administrative child support order, prepare a JFS 07526, "Administrative Termination Hearing Decision" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07526 with the administrative child support file, and issue copies of the JFS 07526 to the last known addresses of the obligor and obligee.

(ii) When the child support order is a court support order, prepare an administrative hearing



decision and issue copies of the administrative hearing decision to the obligor and obligee.

(3) The CSEA may deny an administrative termination hearing request when the request was not received by the CSEA within fourteen days of the date the JFS 07522, "Findings and Recommendations to Terminate the Administrative Support Order"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code) is issued.

(a) The CSEA shall deny an administrative termination hearing request when:

(i) The person requesting the administrative termination hearing was not the obligor or the obligee or the representative of the obligor or obligee; or

(ii) The reason the obligor or obligee requested the administrative termination hearing was not related to the findings and recommendations contained in the JFS 07522.

(b) When the CSEA denies an administrative termination hearing request, the CSEA shall issue the JFS 07524, "Denial of Administrative Termination Hearing Request"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the address of the person who requested the administrative termination hearing within five days of the receipt of the request.

(B) Court hearing.

(1) The obligor and obligee have the right to object to the JFS 07526, when the child support order is an administrative child support order, or the administrative hearing decision, when the child support order is a court child support order, within fourteen days of the date the JFS 07526 or administrative hearing decision is issued, as applicable, by filing an action in one of the following courts:

(a) With respect to an administrative child support order, the juvenile court or other court with jurisdiction under section 2101.022 or 2301.03 of the Revised Code of the county in which the CSEA that issued the order is located.

(b) With respect to a court child support order, in the court that issued the order or that otherwise has jurisdiction over the order.



(2) When the obligor or obligee timely requests a court hearing, the CSEA shall submit a copy of the findings and recommendations and the JFS 07526 or administrative hearing decision, as applicable, to the court within five days of becoming aware of the request for the court hearing.

(C) Administrative termination order.

(1) When neither the obligor nor obligee timely objects to the JFS 07522 or findings and recommendations, the CSEA shall:

(a) When the child support order is an administrative child support order, prepare a JFS 07527, "Administrative Order to Terminate the Administrative Child Support Order"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07527 with the administrative child support record, and issue a copy of the JFS 07527 to the obligor and obligee at their last known addresses.

(b) When the child support order is a court support order, prepare an order that incorporates the CSEA's findings and recommendations and file the order and the findings and recommendations with the court.

(2) When neither the obligor nor obligee timely files a motion to object to the administrative hearing decision or JFS 07526, the CSEA shall:

(a) When the child support order is an administrative child support order, prepare a JFS 07527, file the JFS 07527 with the administrative child support record, and issue a copy of the JFS 07527 to the obligor and obligee at their last known addresses.

(b) When the child support order is a court support order, prepare an order that incorporates the administrative hearing decision; file the order, the findings and recommendations, and the administrative hearing decision with the court; and issue or have issued copies of the order that incorporates the administrative hearing decision to the obligor and obligee at their last known addresses.



(D) Disbursement of impounded funds.

The CSEA shall disburse all funds that have been impounded or overpaid to ODJFS in accordance with the court order or rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code within ten days of:

- (1) The date the CSEA issues an administrative order terminating the child support order or receives a journalized court order terminating the child support order; or
- (2) The effective date of the child support termination, whichever occurs later.