



## Ohio Administrative Code Rule 5101:12-65-05.2 Deceased obligor.

Effective: [May 1, 2024](#)

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(A) This rule describes procedures for processing a case when an obligor is deceased.

(B) Current support order.

(1) When there is a current support order, the child support enforcement agency (CSEA) will complete a termination investigation in accordance with rule 5101:12-60-50.1 of the Administrative Code, using the obligor's date of death.

(2) When a termination entry is final, the CSEA will disburse any impounded funds pursuant to the entry.

(a) When the CSEA is aware that an action has been commenced to probate the estate of the obligor, payments otherwise owed to the obligor will be disbursed to the administrator or executor of the estate.

(b) When the CSEA is unable to identify that an action has been commenced to probate the estate of the obligor, payments otherwise owed to the obligor will be disbursed in the obligor's name to the last known address for the obligor.

(c) When there are no arrears, the CSEA will close the case in accordance with rule 5101:12-10-70 of the Administrative Code.

(d) When there are arrears, the CSEA will investigate whether an action has been commenced to probate the estate of the obligor.

(i) When the CSEA identifies that an action has been commenced to probate the estate of the obligor, in accordance with rule 5101:12-50-50 of the Administrative Code, the CSEA may file a claim against the estate of the obligor, within six months after the obligor's death, for the purpose of



collecting any arrears that are due under the support order; or

(ii) When the CSEA is unable to identify that an action has been commenced to probate the estate of the obligor within six months of the date of the obligor's death, the CSEA may close the case in accordance with rule 5101:12-10-70 of the Administrative Code.

(C) When there is no current support order, the CSEA will:

(1) When there are no arrears, close the case in accordance with rule 5101:12-10-70 of the Administrative Code; or

(2) When there are arrears, investigate whether an action has been commenced to probate the estate of the obligor.

(a) When the CSEA identifies that an action has been commenced to probate the estate of the obligor, in accordance with rule 5101:12-50-50 of the Administrative Code, the CSEA may file a claim against the estate of the obligor within six months after the obligor's death, for the purpose of collecting any arrears that are due under the support order; or

(b) When the CSEA is unable to identify that an action has been commenced to probate the estate of the obligor, the CSEA may close the case in accordance with rule 5101:12-10-70 of the Administrative Code.