



Ohio Revised Code

Section 3119.023 Review of basic child support schedule.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

(A) At least once every four years, the department of job and family services shall review the basic child support schedule issued by the department pursuant to section 3119.021 of the Revised Code to determine whether child support orders issued in accordance with that schedule and the worksheets created under rules adopted under section 3119.022 of the Revised Code adequately provide for the needs of children who are subject to the child support orders. The review is in addition to, and independent of, any schedule update completed as set forth in section 3119.021 of the Revised Code. The department shall prepare a report of its review and include recommendations for statutory changes, and submit a copy of the report to both houses of the general assembly.

(B) Each review shall include all of the following:

(1) Consideration of all of the following:

(a) Economic data on the cost of raising children;

(b) Labor market data, such as unemployment rates, employment rates, hours worked, and earnings, by occupation and skill level for the state and local job markets;

(c) The impact of guidelines policies and amounts on custodial and noncustodial parents who have family incomes below two hundred per cent of the federal poverty level;

(d) Factors that influence employment rates among noncustodial parents and compliance with child support orders.

(2) Analysis of all of the following, to be used to ensure that deviations from the basic child support schedule are limited and that support amounts are appropriate based on criteria established under division (G) of section 3119.05 of the Revised Code:



- (a) Case data on the application of and deviations from the basic child support schedule, as gathered through sampling or other methods;
 - (b) Rates of default, child support orders with imputed income, and orders determined using low-income adjustments such as a self-support reserve or another method as determined by the state;
 - (c) A comparison of payments on child support orders by case characteristics, including whether the order was entered by default, based on imputed income, or determined using the low-income adjustment, as described in division (B)(2)(b) of this section.
- (3) Meaningful opportunity for public input, including input from low-income custodial and noncustodial parents and their representatives.
- (C) For each review, the department shall establish a child support guideline advisory council to assist the department in the completion of its reviews and reports. Each council shall be composed of:
- (1) Obligor;
 - (2) Obligees;
 - (3) Judges of courts of common pleas who have jurisdiction over domestic relations and juvenile court cases that involve the determination of child support;
 - (4) Attorneys whose practice includes a significant number of domestic relations or juvenile court cases that involve the determination of child support;
 - (5) Representatives of child support enforcement agencies;
 - (6) Other persons interested in the welfare of children;
 - (7) Three members of the senate appointed by the president of the senate, not more than two of whom are members of the same political party; and



(8) Three members of the house of representatives appointed by the speaker of the house, not more than two of whom are members of the same political party.

(D) The department shall consider input from the council prior to the completion of any report under this section. The department shall submit its report on or before the first day of March of every fourth year after 2015.

(E) The department shall publish on the internet and make accessible to the public all of the following:

(1) All reports of the council;

(2) The membership of the council;

(3) The effective date of new or modified guidelines adopted after the review;

(4) The date of the next review.

(F) The advisory council shall cease to exist at the time that the department submits its review to the general assembly under this section.

(G) Any expenses incurred by an advisory council shall be paid by the department.