



## Ohio Administrative Code

### Rule 5101:12-10-04 Administrative responsibility for an intergovernmental case.

Effective: June 1, 2014

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(A) This rule describes which child support enforcement agency (CSEA) has administrative responsibility for an intergovernmental case. Administrative responsibility for a non-intergovernmental case is described in rule 5101:12-10-03 of the Administrative Code. The CSEA with administrative responsibility shall provide all support enforcement program services.

(B) General principles regarding administrative responsibility.

(1) When a CSEA receives a request for services pursuant to rule 5101:12-10-01 of the Administrative Code, the CSEA shall have administrative responsibility unless a legal basis exists, which precludes that CSEA from assuming administrative responsibility.

(a) For the purpose of this rule "legal basis" means that the CSEA has determined, based on the facts and circumstances of the case, that no legal authority exists, which will allow the CSEA to provide support enforcement program services and requires the CSEA to proceed in accordance with paragraph (F) of this rule.

(b) In making the determination regarding the CSEA's authority to proceed, the CSEA shall be bound by the administrative responsibility provisions of paragraphs (C), (D), and (E) of this rule.

(2) When administrative responsibility for a case has not been determined or is disputed and a CSEA is willing to accept the administrative responsibility and such acceptance would ensure that state and federal program requirements are met, then that CSEA shall be considered the CSEA with administrative responsibility.

(3) When administrative responsibility for a case is disputed and based on the facts and circumstances of the case, any of the CSEAs involved may have administrative responsibility, these CSEAs shall collaborate to resolve which CSEA has administrative responsibility.



(4) When administrative responsibility for a case is disputed and not addressed by this rule, a CSEA may request the office of child support (OCS) to resolve which CSEA has administrative responsibility. The CSEA shall provide to OCS the following:

(a) Verification that an attempt has been made to resolve the dispute, and

(b) Written description of the facts and circumstances that have led to the dispute.

(C) Administrative responsibility for an initiating CSEA.

(1) Administrative responsibility for the determination of the existence or non-existence of a father and child relationship.

(a) The CSEA where the applicant for services resides has administrative responsibility.

(b) When the applicant for services moves to another Ohio county and the CSEA:

(i) Is preparing a Uniform Interstate Family Support Act (UIFSA) petition and the applicant for services has completed and submitted all documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(ii) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(2) Administrative responsibility for the establishment of a child support order.

(a) The CSEA where the applicant for services resides has administrative responsibility.

(b) When the applicant for services moves to another Ohio county and the CSEA:

(i) Is preparing a UIFSA petition and the applicant for services has completed and submitted all documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.



(ii) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(3) Administrative responsibility for the enforcement of a support order.

(a) When an applicant for services requests the enforcement of an Ohio support order, the CSEA in the county in which the court or CSEA that issued the support order retains administrative responsibility for enforcement.

(b) When an applicant for services requests the enforcement of an order from another state or jurisdiction, the CSEA in the county in which the applicant for services resides has administrative responsibility to initiate a UIFSA petition to another jurisdiction.

When the applicant moves to another Ohio county and the CSEA:

(i) Is preparing a UIFSA petition and the applicant for services has completed and submitted all documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(ii) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the interstate petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(4) Administrative responsibility for the modification of a support order.

(a) When an applicant for services requests the modification of an Ohio order, the CSEA in the county in which the court or CSEA that issued the support order has administrative responsibility for modification.

When the applicant for services moves to another county, the court or CSEA that issued the support order retains administrative responsibility.



(b) When an applicant for services requests the modification of an order from another state or jurisdiction, the CSEA in the county in which the applicant for services resides has administrative responsibility to initiate a UIFSA petition to another state or jurisdiction.

(i) New case that is not already existing in support enforcement tracking system (SETS). When the applicant moves to another Ohio county and the CSEA:

(a) Is preparing a UIFSA petition and the applicant for services has completed and submitted all the documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(b) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(ii) Existing open case in SETS.

The initiating CSEA has administrative responsibility.

(D) Administrative responsibility for a responding CSEA.

(1) Administrative responsibility for the determination of the existence or non-existence of a father and child relationship.

When the CSEA receives a UIFSA petition to determine the existence or non-existence of a father and child relationship, the CSEA in the county in which the respondent resides has administrative responsibility.

(a) When the CSEA has successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the CSEA has not successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA in the county in which the respondent resides has administrative responsibility.



(2) Administrative responsibility for the establishment of a child support order.

When the CSEA receives a request to establish a child support order from another state or jurisdiction, the CSEA in the county in which the respondent resides has administrative responsibility.

(a) When the CSEA has successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the CSEA has not successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA in the county in which the respondent resides has administrative responsibility.

(3) Administrative responsibility for the enforcement of a support order.

(a) When the CSEA receives a UIFSA petition to enforce an Ohio support order, the CSEA with administrative responsibility is the CSEA:

(i) In the same county as the court that issued the court support order.

(ii) In the same county as the court that adopted the administrative child support order.

(iii) That issued the administrative child support order and the court has not adopted the administrative child support order.

When the obligor moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the CSEA receives a UIFSA petition from another state or jurisdiction to enforce the other state support order, the CSEA in the county in which the obligor resides has administrative responsibility.

When the obligor moves to another Ohio county and the CSEA has:



- (i) Successfully completed service of process on the obligor, the CSEA retains administrative responsibility.
  - (ii) Not successfully completed service of process on the obligor, the CSEA in the county in which the obligor resides has administrative responsibility.
- (4) Administrative responsibility for the modification of a support order.
- (a) When the CSEA receives a UIFSA petition to modify an Ohio support order, the CSEA with administrative responsibility is the CSEA:
    - (i) In the same county as the court that issued the court support order.
    - (ii) In the same county as the court that adopted the administrative child support order.
    - (iii) That issued the administrative child support order and the court has not adopted the administrative child support order.
  - (b) When the CSEA receives a UIFSA petition from another state or jurisdiction to register the support order for modification purposes when the issuing state has lost continuing exclusive jurisdiction (CEJ) and the non-requesting party is in Ohio, the CSEA in the county in which the non-requesting party resides has administrative responsibility.

When the non-requesting party moves to another Ohio county and the case is:

- (i) New to SETS:
  - (a) When the CSEA has successfully completed service of process on the non-requesting party, the CSEA retains administrative responsibility.
  - (b) When the CSEA has not successfully completed service of process on the non-requesting party, the CSEA in the county in which the non-requesting party resides has administrative responsibility.



(ii) Existing open case in SETS.

The CSEA that is enforcing the support order retains administrative responsibility regardless if the non-requesting party moves to another county.

(iii) Closed SETS case.

When a case closes pursuant to the request of an initiating agency, and the CSEA receives a subsequent request for modification, the CSEA in the county in which the non-requesting party resides has administrative responsibility despite the existence of a prior case, which has been closed.

(E) Other state order when all parties reside in Ohio.

(1) When the CSEA receives a UIFSA petition or a request for services to enforce a support order from another state or jurisdiction when all the parties reside in Ohio, the CSEA in the county where the obligor resides has administrative responsibility.

When the obligor moves to another county and the CSEA has:

(a) Successfully completed service of process of the registration on the obligor, the CSEA retains administrative responsibility.

(b) Not successfully completed service of process of the registration on the obligor, the CSEA in the county in which the obligor resides has administrative responsibility.

(2) When the CSEA receives a UIFSA petition or a request for services to modify a support order from another state or jurisdiction when all parties reside in Ohio, the CSEA in the county where the obligor resides has administrative responsibility.

(a) For a case that is new to SETS, the CSEA in the county in which the obligor resides has administrative responsibility.



When the obligor moves to another county and the CSEA has:

- (i) Successfully completed service of process of the registration on the obligor, the CSEA retains administrative responsibility.
- (ii) Not successfully completed service of process of the registration on the obligor, the CSEA in the county in which the obligor resides has administrative responsibility.

(b) For a case that is open in SETS and the case is:

- (i) Open responding and the case is registered with the court, the CSEA retains administrative responsibility even if the obligor moves.
- (ii) Open initiating, the CSEA in the county where the obligor resides has administrative responsibility.

(c) If a case closes pursuant to the request of an initiating agency and a subsequent request is received, the CSEA in the county in which the obligor resides has administrative responsibility despite the existence of a prior responding case.

(F) Case transfer.

(1) The CSEA that completed case intake or most recently had administrative responsibility shall transfer a case to another CSEA in accordance with this rule.

(2) "Case transfer" includes electronically transferring the case in SETS. "Case transfer" also includes mailing any hard-copy documents contained in the case record that are necessary to provide support enforcement program services to the CSEA with administrative responsibility.

When the CSEA mails hard-copy documents, the CSEA shall include a cover letter that identifies the parties, the reason the hard-copy documents are being mailed, and the name and telephone number of a contact person in the CSEA that mailed the hard-copy documents.





(3) The CSEA shall complete the case transfer within ten days of determining that another CSEA has administrative responsibility for the case.