



Ohio Administrative Code

Rule 5101:12-45-05.1 Scheduling the administrative support hearing.

Effective: February 11, 2019

(A) In accordance with section 3111.80 of the Revised Code, the administrative officer of the child support enforcement agency (CSEA) shall schedule an administrative child support hearing and send the JFS 07782, "Notice of Administrative Hearing to Establish a Support Order" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), and the JFS 00593, "Child Support Financial Affidavit" (effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code), to the current addresses of the parents of the child in accordance with the Rules of Civil Procedure (as in effect on January 1, 2019) as outlined in paragraph (B)(3) of rule 5101:12-30-10 of the Administrative Code. If a caretaker exists, the CSEA shall send the JFS 07782 to the caretaker.

(B) The JFS 07782 notifies each parent to provide the CSEA with the information and documents listed on the JFS 00593, no later than the date of the scheduled administrative support hearing, pursuant to section 3111.801 of the Revised Code. When either parent fails to provide the requested information, the CSEA may:

- (1) Request the court of appropriate jurisdiction of the county in which the agency is located to issue an order requiring the parent to provide the information as requested; or
- (2) Make reasonable assumptions on the information the parent failed to provide and proceed with determining the support as if all requested information had been provided.

(C) The administrative support hearing shall be scheduled for a day that is at least thirty days after the date the JFS 07782 is issued to each parent of the child. The administrative child support hearing shall be held within sixty days of the latest of:

- (1) The IV-D application for services being submitted to the CSEA;
- (2) The IV-D referral being received by the CSEA; or



(3) The issuance of an order determining the existence of a parent and child relationship.

(D) When service of process has not been obtained, both parents appear at the CSEA and request the establishment of an administrative child support order, the parents have all the verification necessary to proceed with the administrative child support hearing, and the administrative officer elects to proceed with the administrative child support hearing, the CSEA shall have the parents complete one of the following:

(1) A JFS 01715, "Waiver of Service of Notice of Order to Appear for Administrative Support Hearing" (effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code), accompanied by hand delivery of the JFS 07782; or

(2) A waiver of service form created by the CSEA that specifies the date and time of the administrative support hearing and contains the following statement: "I have received a copy of the JFS 07782, "Notice of Administrative Hearing to Establish a Support Order," and I voluntarily waive the right to receive the JFS 07782 by certified mail," accompanied by hand delivery of the JFS 07782.