



Ohio Administrative Code

Rule 5101:12-55-03.1 Identification of default and notice to obligor of default and potential action.

Effective: February 1, 2016

(A) At the end of each month, the support enforcement tracking system (SETS) identifies every obligor who appears to meet the default criteria.

(B) Upon identifying that an obligor appears to meet the default criteria and the case meets the automatic income withholding criteria, SETS will issue a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to the obligor's current employer and the obligor.

(1) When a JFS 04047 is to be issued and a payment on arrears does not already exist, SETS will add a payment on arrears to the support order in an amount that represents twenty per cent of the current support obligation in accordance with section 3123.21 of the Revised Code.

(2) When a JFS 04047 is to be issued and a payment on arrears is added to the support order, SETS will issue a JFS 07083, "Notice to Obligor Regarding Default and 20% Payment on Arrears" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the obligor.

(C) In accordance with section 3123.022 of the Revised Code:

(1) A JFS 04047 that is issued in accordance with this rule does not affect the obligor's right to request an administrative mistake of fact hearing; and

(2) The CSEA shall not alter or terminate a JFS 04047 that had been issued upon the identification of default should the obligor timely file a request for an administrative mistake of fact hearing.

(D) Approximately fifteen days after SETS identifies that an obligor meets the default criteria, the office of child support (OCS) within the Ohio department of job and family services will issue a JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #275755

identified in rule 5101:12-55-99 of the Administrative Code), to the last known address of the obligor. In accordance with section 3123.07 of the Revised Code, the failure of OCS to issue the JFS 04049 does not affect the ability of any CSEA to issue any notice or order for the payment of support, does not provide any defense to any notice or order for the payment of support, and does not affect any obligation to pay support.