



Ohio Administrative Code

Rule 5101:12-55-03.4 Final and enforceable determination of default.

Effective: February 11, 2019

(A) A final and enforceable determination of default and of the amount of arrears owed exists when:

(1) The office of child support (OCS) within the Ohio department of job and family services issues a JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the obligor and the obligor does not request an administrative mistake of fact hearing within fourteen days of the date the JFS 04049 was issued. The amount of arrears owed pursuant to the determination of default is the amount indicated on the JFS 04049.

(2) The obligor requests an administrative mistake of fact hearing on the JFS 04049 but does not request a court hearing within fourteen days of the date of the administrative mistake of fact hearing determination was issued. The amount of arrears owed pursuant to the determination of default is the amount indicated on the administrative mistake of fact hearing determination.

(3) The obligor requests a court hearing on the administrative mistake of fact hearing determination and the court issues a determination. The amount of arrears owed pursuant to the determination of default is the amount indicated on the court determination.

(B) Within fifteen days of the date that a JFS 04049 becomes a final and enforceable determination of default, the child support enforcement agency (CSEA) shall:

(1) When a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), or JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), was not issued upon identification of default, issue a JFS 04047 or JFS 04017 to any available income or source of funds.

(2) When a JFS 04047 or JFS 04017 was issued and the final and enforceable determination of



default altered the arrears payment amount stated in the JFS 04049, issue a revised JFS 04047 or JFS 04017, when necessary.

(3) When a JFS 04047 or JFS 04017 was issued and the final and enforceable determination of default did not alter the arrears payment amount stated in the JFS 04049, permit the JFS 04047 or JFS 04017 to remain in effect.

(C) When an obligor is subject to a final and enforceable determination of default, the CSEA shall enforce the support order using all required enforcement techniques, and may use any additional appropriate enforcement techniques, described in Chapters 5101:12-50 and 5101:12-55 of the Administrative Code.