



## Ohio Administrative Code

### Rule 5101:12-60-50.2 Administrative termination hearing, court hearing, administrative termination order, and disbursement of impounded funds.

Effective: May 1, 2024

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(A) Administrative termination hearing.

(1) The parties have the right to object to the administrative termination investigation findings and recommendations within fourteen days after issuance of the findings and recommendations.

(2) When a party timely requests an administrative termination hearing, the child support enforcement agency (CSEA) will schedule an administrative termination hearing and issue a JFS 07525, "Notice of Administrative Termination Hearing"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the parties at their last known addresses.

(a) At the administrative termination hearing, the parties may:

(i) Present testimony and evidence regarding the findings and recommendations; and

(ii) Bring a legal or personal representative to the hearing. The CSEA may exclude any individual who is determined by the CSEA not to have a valid interest in the proceedings.

(b) Within fifteen days of the conclusion of the administrative termination hearing, the CSEA will:

(i) When the child support order is an administrative child support order, prepare a JFS 07526, "Administrative Termination Hearing Decision"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07526 with the administrative child support file, and issue copies of the JFS 07526 to the last known addresses of the parties.

(ii) When the child support order is a court support order, prepare an administrative hearing decision and issue copies of the administrative hearing decision to the parties.



(3) The CSEA may deny an administrative termination hearing request when the request was not received by the CSEA within fourteen days of the date the JFS 07522, "Findings and Recommendations to Terminate the Administrative Support Order"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code) is issued.

(a) The CSEA will deny an administrative termination hearing request when:

(i) The person requesting the administrative termination hearing was not a party or the party's representative; or

(ii) The reason the party requested the administrative termination hearing was not related to the findings and recommendations contained in the JFS 07522.

(b) When the CSEA denies an administrative termination hearing request, the CSEA will issue the JFS 07524, "Denial of Administrative Termination Hearing Request"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the address of the person who requested the administrative termination hearing within five days of the receipt of the request.

(B) Court hearing.

(1) The parties have the right to object to the JFS 07526, when the child support order is an administrative child support order, or the administrative hearing decision, when the child support order is a court child support order, within fourteen days of the date the JFS 07526 or administrative hearing decision is issued, as applicable, by filing an action in one of the following courts:

(a) With respect to an administrative child support order, the juvenile court or other court with jurisdiction under section 2101.022 or 2301.03 of the Revised Code of the county in which the CSEA that issued the order is located.

(b) With respect to a court child support order, in the court that issued the order or that otherwise has jurisdiction over the order.

(2) When a party timely requests a court hearing, the CSEA will submit a copy of the findings and



recommendations and the JFS 07526 or administrative hearing decision, as applicable, to the court within five days of becoming aware of the request for the court hearing.

(C) Administrative termination order.

(1) When no party timely objects to the JFS 07522 or findings and recommendations, the CSEA will:

(a) When the child support order is an administrative child support order, prepare a JFS 07527, "Administrative Order to Terminate the Administrative Child Support Order"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07527 with the administrative child support record, and issue a copy of the JFS 07527 to the parties at their last known addresses.

(b) When the child support order is a court support order, prepare an order that incorporates the CSEA's findings and recommendations and file the order and the findings and recommendations with the court.

(2) When no party timely files a motion to object to the administrative hearing decision or JFS 07526, the CSEA will:

(a) When the child support order is an administrative child support order, prepare a JFS 07527, file the JFS 07527 with the administrative child support record, and issue a copy of the JFS 07527 to the parties at their last known addresses.

(b) When the child support order is a court support order, prepare an order that incorporates the administrative hearing decision; file the order, the findings and recommendations, and the administrative hearing decision with the court; and issue or have issued copies of the order that incorporates the administrative hearing decision to the parties at their last known addresses.

(D) Disbursement of impounded funds.

All funds that have been overpaid to the Ohio department of job and family services, the Ohio department of medicaid, a public children services agency, or the CSEA; and all funds that have



been impounded in accordance with the court order or rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code, will be disbursed within ten days of:

(1) The date the CSEA issues an administrative order terminating the child support order or receives a journalized court order terminating the child support order; or

(2) The effective date of the child support termination, whichever occurs later.

(E) Income withholding or deduction.

(1) When the obligor is deceased or does not owe any amounts for other minor children, arrears, other balances, or other obligations, the CSEA will terminate any previously issued JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-50-99 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), and issue written notice of the termination by ordinary mail to the payor or financial institution that was mandated to comply with the JFS 04047 or JFS 04017.

(2) When the obligor owes any amounts for other minor children, arrears, other balances, or other obligations, the CSEA will continue any existing withholding or deduction notice or issue any new withholding or deduction notice pursuant to the entry, unless the obligor is deceased.