



Ohio Administrative Code

Rule 5101:12-60-70.3 Agreed entry for a reduction of permanently assigned arrears.

Effective: January 1, 2017

(A) An agreed entry for a reduction of permanently assigned arrears shall only pertain to one support enforcement tracking system (SETS) case.

(B) When a child support enforcement agency (CSEA) or the office of child support (OCS) approves a request for a reduction of permanently assigned arrears, the CSEA shall prepare and issue to the obligor:

(1) A JFS 07718, "Administrative Agreed Entry for a Reduction of Permanently Assigned Arrears" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code) when the support order is an administrative child support order.

(2) An agreed entry when the support order is a court order that includes:

(a) The effective date of the agreement;

(b) The terms and conditions of the agreement:

(i) For a waiver, the amount the CSEA shall reduce from permanently assigned arrears.

(ii) For a lump sum compromise:

(a) The amount the CSEA shall reduce from permanently assigned arrears in exchange for a lump sum payment of a specified amount paid by the obligor; and

(b) The date by which the obligor shall make the payment.

(iii) For an installment plan compromise:



- (a) The amount the CSEA shall reduce from permanently assigned arrears for every dollar the obligor pays; and
- (b) The frequency (daily, monthly, quarterly, etc.) the CSEA will review the obligor's payment history to determine compliance with the agreement.
- (iv) For a family support program:
 - (a) The name of the program; and
 - (b) The amount the CSEA shall reduce from permanently assigned arrears in exchange for the obligor's successful completion of the program; and
 - (v) The amount the CSEA shall reduce from any balance owed to the CSEA.
- (c) The following statements:
 - (i) The rights of the obligee shall not be prejudiced by the agreement to reduce the permanently assigned arrears; and
 - (ii) When the agreed entry is a waiver or family support program, and a balance remains on the SETS case, the obligor is still responsible for paying in full the remaining support obligation amount owed, and is still subject to all of the collection and enforcement techniques; or
 - (iii) When the agreed entry is an installment plan compromise, lump sum compromise or family support program, the obligor is still responsible for paying in full the remaining support obligation amount owed on the SETS case, including the current obligation amount, and is still subject to all of the collection and enforcement techniques; and
 - (iv) When the agreed entry is final, neither the obligor nor the CSEA may re-open matters covered by the agreed entry, by court action or otherwise, unless:
 - (a) The obligor fails to comply with the terms and conditions set forth in the agreed entry; or



(b) The obligor is believed to have acted with intent to defraud the CSEA by furnishing false information or concealing assets or financial history; or

(c) There is a mutual mistake of a material fact sufficient to cause the agreed entry to be reformed or set aside.

(C) When the terms and conditions of the court agreed entry or JFS 07718 have been satisfied, the CSEA shall:

(1) Reduce the permanently assigned arrears by the amount identified in the agreed entry; and

(2) Reduce the unreimbursed assistance (URA) by an amount equal to the amount of permanently assigned arrears that are reduced.

(D) The CSEA shall consider whether it is appropriate to initiate an action to reinstate the permanently assigned arrears when:

(1) The obligor fails to comply with the terms and conditions set forth in the agreed entry; or

(2) The obligor is believed to have acted with intent to defraud the CSEA by furnishing false information or concealing assets or financial history; or

(3) There is a mutual mistake of material fact sufficient to cause the agreed entry to be reformed or set aside.

(E) The CSEA shall provide any of the following upon request by OCS:

(1) A copy of the documents described in paragraph (C)(1) of rule 5101:12-60-70.2 of the Administrative Code; and

(2) A copy of the signed JFS 07718 or journalized agreed entry; and



(3) Any other documentation, as determined by OCS, of agreements to reduce permanently assigned arrears for support orders administered by the CSEA.