



Ohio Administrative Code

Rule 5101:12-70-05.6 Establishment of a child support order in an intergovernmental case.

Effective: July 1, 2016

(A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to establish a child support order in intergovernmental cases. A request to establish a child support order may be received as a separate request or as part of a request to establish paternity and support.

(B) A child support order may be established either by:

(1) Using long arm jurisdiction, or

(2) Sending a Uniform Interstate Family Support Act (UIFSA)(2008) petition that requests the establishment of a child support order from an initiating CSEA to an interstate central registry (ICR) in a responding state, or to the central authority of another country or tribe.

(C) The initiating CSEA shall determine whether long arm jurisdiction shall be used to establish a child support order. The CSEA and its legal staff should carefully consider the facts of a case to determine whether one of the conditions described in Ohio's long arm statute exists. Long arm jurisdiction may exist over a party living outside the state of Ohio if one or more conditions apply as described in section 3115.201 of the Revised Code.

(1) When it determines that long arm jurisdiction exists and is appropriate, the CSEA shall establish a child support order pursuant to rule 5101:12-45-05 of the Administrative Code and shall not initiate a UIFSA petition to the jurisdiction where the obligor lives. It may also use OMB 0970-0085 "Transmittal #3 - Request for assistance/discovery," to request assistance from the child support agency in the other state with service of process if necessary.

(2) When it determines that long arm jurisdiction does not exist or would be inappropriate, the CSEA shall initiate a UIFSA petition to the ICR in the state where the obligor resides, or to the central authority of another country or tribe within twenty days of determining that the obligor resides in



another jurisdiction.

(D) A responding CSEA has the following responsibilities:

(1) Immediately upon receipt from the Ohio ICR of a UIFSA petition that requests the establishment of a child support order:

(a) Verify the residence address of the other party;

(b) If necessary, transfer the UIFSA petition to the responding CSEA with administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code; and

(c) Establish a support order pursuant to section 3115.305 of the Revised Code.

(2) The responding CSEA that has administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:

(a) Notify the child support agency in the initiating jurisdiction of any additional information needed to proceed with the case;

(b) Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and

(c) Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.