



Ohio Administrative Code

Rule 5101:12-70-05.9 Modification of a controlling order in an intergovernmental case.

Effective: December 15, 2021

(A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to modify a controlling order in an intergovernmental case.

(B) No part of the controlling order may be modified that is not modifiable under the laws of the state that issued the controlling order, such as the duration of the support order.

(C) An Ohio controlling order can be modified in Ohio only when either the obligor, individual obligee, or the child resides in Ohio, or the parties have consented in a record or open court that the tribunal in Ohio, may continue to exercise jurisdiction to modify its order.

(D) A controlling order shall only be modified by:

(1) The state where the controlling order was issued when that state has continuing exclusive jurisdiction (CEJ); or

(2) The state where the non-requesting party resides when no state has CEJ; or

(3) The state where all parties have filed written consents to modify the order.

(E) An initiating or responding CSEA will:

(1) Verify the state that issued the controlling order.

(2) Verify the current residential address of the parties.

(3) Determine pursuant to paragraph (D) of this rule what state is appropriate to modify the controlling order.



(F) An initiating CSEA will take the following actions within twenty days of determining that another state is the appropriate state to modify the controlling order:

(1) Prepare a Uniform Interstate Family Support Act (UIFSA)(2008) petition requesting the modification and, if appropriate, enforcement of the controlling order; and

(2) Send the UIFSA petition to the interstate central registry (ICR) in the state where the modification will be conducted.

(G) A responding CSEA will:

(1) Immediately upon receipt of a UIFSA petition requesting modification of a support order, verify the residence address of the respondent and, if necessary, transfer the UIFSA petition to the CSEA with administrative responsibility for the case pursuant to rule 5101:12-10-04 of the Administrative Code.

(2) The responding CSEA with 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 process the case;

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

(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; and

(d) Register the controlling order for modification or modification and enforcement pursuant to sections 3115.601 to 3115.616 of the Revised Code.

(3) Review the order for modification using the administrative review process pursuant to rules



5101:12-60-05 to 5101:12-60-05.6 of the Administrative Code.

(H) When all of the parties to a case reside in Ohio and the controlling order was issued by another state, the controlling order may be registered for modification and enforcement in Ohio by the CSEA with administrative responsibility pursuant to rule 5101:12-10-04 of the Administrative Code.

(I) Once a controlling order has been registered for modification in Ohio, it is enforceable in the same manner and is subject to the same procedures as an order issued by Ohio, except that the duration of the order and dates of termination of the order continue to be the terms of the order as in the controlling order state.