



# Ohio CSEA Directors' Association

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Community and Family Advancement Committee

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Proponent Testimony of Amy Roehrenbeck, Esq.,

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Sub. SB70

Chairman Ginter, Ranking Member Boyd, and members of the Community and Family Advancement Committee, my name is Amy Roehrenbeck, and I am the Executive Director for the Ohio CSEA Directors' Association (OCDA). OCDA is a membership organization of county child support enforcement agencies (CSEAs), dedicated to strengthening Ohio's child support program. I have been in the child support program for sixteen years, first as an Assistant Prosecuting Attorney for the Morrow County CSEA, and then with OCDA for almost 10 years. Thank you for the opportunity to come before you today to present proponent testimony on Sub. Senate Bill 70 (SB70).

Ohio's child support program includes one in every three children. One cornerstone of our program is our administrative processes. These processes have been put in place over a span of years, to expedite case processing and provide an efficient resolution for parties, saving court docket space for those cases that are especially complex and/or contested. As these processes have evolved, loopholes have also materialized, creating some unintended consequences, and inconsistency county to county. SB70 seeks to close those loopholes and make technical tweaks that will improve consistency and expedite processes statewide, while not affecting the substantive rights of the parties involved.

SB70 is comprised of a series of recommendations, most stemming from the work of the Shareholders' Reform Group of 2002. This group consisted of legislators, judges and magistrates, Ohio Department of Job and Family Services representatives, county CSEA representatives, and mothers' and fathers' groups. Many of the recommendations were implemented through county and state collaboration, but there a number of provisions that need addressed in statute as a result of changes in family structures, piecemealed fixes, and work-arounds that have happened since the last major overhaul of the child support statutes in 2001, with the passage of SB180.

I have provided a chart, detailing the changes in SB70, along with the reason(s) we believe a change is necessary. The provisions of SB70 are identical to those contained in SB308, which passed the Senate unanimously in 131<sup>st</sup> GA, and also unanimously passed out of this committee before failing to come to the House floor during lame duck.

SB70 passed out of the Senate unanimously again in June of this year, with one additional provision, (added as an amendment in the Senate Judiciary Committee) to clarify the ability to indict an individual for criminal nonsupport after a child emancipates.

The overarching goals of this bill are better efficiencies in administrative processes and consistency across the state. I will highlight some of the changes, which include:

- Changing all appeal periods to 14 days. Currently, depending on the specific administrative process, an appeal period can be five days, to seven days, to ten days, to fourteen to thirty days. In most cases, the appeal period will actually be longer under this bill, but there are three instances where the appeal period is reduced from 30 to 14 days. These include the appeal periods for an administrative child support order, termination of an administrative child support order, and review and adjustment of an administrative order. These changes are necessary to align the administrative process appeal periods with court appeal periods for consistency.
- Creating a consistent, statewide effective date for the administrative support order. Currently, counties use various effective dates for their administrative orders, which could range from the date of the administrative hearing, to the first day of the month following the hearing, to 30 days following the hearing. SB70 creates an effective date of 14 days after the issuance of the order, with the right to file an appeal. Our statewide child support tracking system, SETS, will track the date of issuance of the order.
- Many of the administrative processes require a lot of worker intervention and staff time. CSEAs can only draw down federal funds to reimburse the program when a case is IV-D. As such, this bill requires a IV-D application for those labor-intensive processes, such as paternity establishment, review and adjustment of orders, and termination of support. This allows the CSEA to maximize the reimbursement of federal funds for the cost of providing these services to parties, thereby defraying the costs from state and local sources.
- Clarifying that a CSEA may pursue an administrative order for a mother to pay child support once an acknowledgment of paternity becomes final. Currently, the statute only contemplates CSEA pursuing a support order administratively from a father, and these cases are then delayed because of the need to file with the court.
- Expediting the process for administrative review and adjustment by reducing the review period from 45 to 30 days. This will help parties get their orders modified more quickly.

- Adding the ability for a CSEA to add or adjust a payment on past due support at the time of the administrative review and adjustment. This is not currently being done in a consistent manner across the state, so results can vary county to county.
- Allowing a CSEA to make reasonable assumptions about the income of a party who has failed to provide information during the support order establishment process after being properly served, making this process consistent with the statutory authority already in place for modifications. CSEAs have access to a wealth of income information for parties participating in above-ground employment. Rather than take up the court's time with a show cause action, a CSEA can make reasonable assumptions based on income data and issue the administrative order. The parties retain the right to object to the order.
- Moves the lump sum intercept process to an administrative process, freeing up court time and expediting payment of lump sums to families, which also helps the employers who are on a tight schedule to distribute these payments.

The proposed changes address processes in our administrative realm only—not court enforcement processes. I refer you to the chart provided with my testimony for more information on what is included in SB70. I have also provided a fact sheet, which highlights many of the changes.

SB70 does not address the manner, methodology, or math used in setting child support orders in Ohio. These provisions are part of HB366, which this committee will hear in the future.

SB70 will allow CSEAs to improve program efficiencies, and provide better, and more consistent services to families, while also easing the burden on employers. I appreciate your time today and am happy to answer any questions you may have.

Thank you.