



March 2017

## Child Support Enforcement Agency

# SB 70 Child Support Administrative Process Changes

**SB 70** was introduced by Senator Coley on February 22, 2017 to fine-tune the child support administrative processes. This bill is the same as SB308 from the 131st General Assembly, which passed the Senate unanimously, and also passed out of committee unanimously in the House. This bill contains changes and clarifications to **update** and **streamline** the child support administrative processes. The proposed changes do not affect the substantive rights of the parties.

The bill is based on the work of the **Shareholders' Reform Group** from 2002, which was comprised of legislators, judges and magistrates, the Ohio Department of Job and Family Services, county child support professionals, mothers' groups and fathers' groups.

## Why Do We Need These Revisions?

**One in three children** in Ohio are involved in the child support program, and we interact daily with families for the benefit of their children. A cornerstone of Ohio's child support program is our administrative processes. These processes, which include paternity and support establishment, modification, enforcement of the support orders, and others, **expedite** case management and provide a **cost-free, efficient** resolution for parties, saving court docket space for cases that are especially complex or contested. These processes, however, have been pieced together from prior legislation over a span of years, resulting in loopholes and inconsistencies county to county. SB70 will improve our **program efficiencies** to allow us to provide more **timely, consistent services** to families.

## What Revisions Are Included?

The changes included in SB70 will help to streamline processes and efficiencies statewide, for the benefit of Ohio's families. No changes have been made to the notice requirements the child support enforcement agencies (CSEAs) currently have with regard to due process. Proposed changes include:

**Clarifies** that a CSEA may administratively order a mother to pay child support. Currently, a CSEA can only order a father to pay support in an administrative order. This is a necessary change to allow CSEAs to administratively establish orders payable to a custodial parent father by a non-custodial parent mother.

# SB 70 Child Support Administrative Process Changes



**Clarifies** a uniform effective date for the administrative support order to bring consistency statewide, as there are currently a variety of effective dates being used county to county.

**Expedites** the process for administrative review and adjustment, by shortening the review period from 45 days to 30 days. This will help parties get their child support orders reviewed and adjusted more quickly.

**Clarifies** the reasons for administrative termination of an order, including recognizing the marriage of the parents to one another as a reason to terminate a child support order. Also clarifies when a CSEA can terminate an order and when an order has to be terminated through a court.

**Changes** all administrative appeal periods to fourteen days. This will provide greater consistency in our processes, as we currently have varying appeal periods, from five day periods to seven to ten to fourteen to thirty. This will also align our appeal periods with those provided in the court process.

**Allows** a CSEA to add or modify an arrearage payment when the CSEA is modifying the current support obligations.

When parties fail to appear at the support hearing (after proper notice), this proposal **allows** a CSEA to make reasonable assumptions about income in establishment of orders, similar to the existing authority currently used in modification of orders. This brings the two processes in line with each other. Parents still retain their right to object to the order once issued.

**Expedites** the lump sum intercept process by changing it to an administrative process.

**Ensures** that a CSEA receives federal reimbursement for labor intensive processes (i.e. support establishment, modification of orders), by requiring that the case have a completed IV-D application on file.

**Allows** for modification of payment amount in arrears-only cases, giving express authorization to CSEAs to modify the payment under appropriate circumstances. Currently, there is no such express authority in statute.