

JUVENILE RULE 10. Support orders

(A) Completed child support worksheets, as prescribed by R.C.3119.022 and 3119.023, shall be presented to the Court at or prior to hearing on a motion or complaint for child support. If the parties are unable to agree on the proper completion of the worksheets, each shall present a proposed worksheet prior to the hearing. Proposed agreed entries for child support shall be accompanied by completed support worksheets and all appropriate orders required by Ohio Revised Code Section 3121.03. If the child support provided in the agreement deviates from the child support guidelines, the proposed judgment entry shall contain findings of fact sufficient to substantiate the deviation. General recitals that the deviation is fair or equitable, or words of similar import shall not be sufficient to substantiate the deviation. This Court has promulgated forms to meet the other requirements of Section 3121.03. Complainants and/or movants for child support orders shall submit completed withholding notices as required by Section 3121.03 prior to adjournment of a hearing wherein an order for support is entered.

(B) A motion requesting modification of an existing child support order shall state with particularity the grounds therefor and shall be supported by a memorandum or the affidavit of the moving party. If the responding party files a memorandum contra or affidavit, it shall be served on the opposing party or his counsel not less than fourteen days prior to hearing.

(C) All persons required to pay child support pursuant to a decree or order of the Juvenile Court shall make those payments, plus processing charge through Ohio Child Support Payment Central, P.O. Box 182372, Columbus, Ohio 43218-2373.

(D) All orders which contain an order of support for children, or an order of support for children and a spouse, shall contain the following notice which shall be in boldface type and in all capital letters:

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER, AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT OR AGENCY, WHICHEVER ISSUED THE SUPPORT ORDER. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50 FOR A FIRST OFFENSE, \$100 FOR A SECOND OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER ISSUED BY A COURT AND YOU WILLFULLY FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECTED TO FINES UP TO \$1000 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO

OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.

(E) All orders for support shall include the following provisions:

Pursuant to R.C.3119.30(A), the obligor and obligee are liable for the health care of the children who are not covered by private health insurance or cash medical support as calculated in accordance with section 3119.022 or 3119.023 of the Revised Code, as applicable.

If the obligor is ordered to pay cash medical support under this support order, the obligor shall begin payment of any cash medical support on the first day of the month immediately following the month in which private health insurance coverage is unavailable or terminates and shall cease payment on the last day of the month immediately preceding the month in which private health insurance coverage begins or resumes. During the period when cash medical support is required to be paid, the obligor or obligee must immediately inform the child support enforcement agency that health insurance coverage for the children has become available.

The amount of cash medical support paid by the obligor shall be paid during any period after the court or child support enforcement agency issues or modifies the order in which the children are not covered by private health insurance.

Any cash medical support paid pursuant to R.C. 3119.30 (C) shall be paid by the obligor to either the obligee if the children are not Medicaid recipients, or to the office of child support to defray the cost of Medicaid expenditures if the children are Medicaid recipients. The child support enforcement agency administering the court or administrative order shall amend the amount of monthly child support obligation to reflect the amount paid when private health insurance is not provided, as calculated in the current order pursuant to section 3119.022 or 3119.023 of the Revised Code, as applicable.

The child support enforcement agency shall give the obligor notice in accordance with Chapter 3121. of the Revised Code and provide the obligor an opportunity to be heard if the obligor believes there is a mistake of fact regarding the availability of private health insurance at a reasonable cost as determined under division (B) of this section.

The residential parent or the person who otherwise has custody of a child for whom a support order is issued is also ordered to immediately notify, and the obligor under a support order may notify, the Franklin County Child Support Enforcement Agency of any reason for which the support order should terminate, including but not limited to, the child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis and the child support order requires support to continue past the age of majority only if the child continuously attends such a high school after attaining that age; the child ceasing to attend an accredited high school on a full-time basis after attaining the age of majority, if the child support order requires support to continue past the age of majority only if the child continuously attends such a high school after attaining that age; or the death, marriage, emancipation, enlistment in the armed services, deportation, or change of legal custody of the child.

All support under this order shall be withheld or deducted from the income or assets of the obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with chapters 3119., 3121., 3123., and 3125. of the Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the obligee

in accordance with chapters 3119., 3121., 3123., and 3125. of the Revised Code.

Regardless of the frequency or amount of support payments to be made under the order, the Franklin County Child Support Enforcement Agency shall administer it on a monthly basis in accordance with sections 3121.51 to 3121.54 of the Revised Code.

Payments under the order are to be made in a manner ordered by the court or agency, and if the payments are to be made other than on a monthly basis, the required monthly administration by the agency does not affect the frequency or the amount of the support payments to be made under the order.

All such decrees and orders shall also contain language requiring that notices required by this rule to be sent to the Child Support Enforcement Agency, 80 East Fulton, Columbus, Ohio 43215. Attn: Notice Officer.

(F) All orders which contain an order for support of a spouse that is to be paid directly to the recipient spouse shall contain the following language: Spousal support shall be paid directly to the recipient spouse and shall be made by check, money order, or in another form that establishes a clear record of payment.

(G) All matters pertaining to the establishment or modification of an order for support shall be prosecuted and assigned for hearing in accordance with the guidelines set forth in Section 3125.58.

(H) In any complaint for custody, support, paternity, or motion for modification of support or motion for health insurance coverage, the pleading and any responsive pleadings shall be accompanied by a completed Child Support Enforcement Agency Health Insurance Disclosure Affidavit on a form prescribed by the Court.

(I) Whenever a support order is issued or modified the obligee shall complete and file with the Court, prior to the adjournment of the hearing, an Application for IV-D Services.

(J) Whenever a support order is issued or modified a copy of the entry shall be provided by counsel to the Clerk of Courts Office at the time of filing to be forwarded to the Franklin County Child Support Enforcement Agency.

(Amended effective 7/1/93, 6/16/94, 7/1/95; 2/9/98; 1/1/00; 10/1/04; 1/1/09)