



Ohio Administrative Code

Rule 5101:12-20-10 Location for parental kidnapping, child custody, and visitation purposes.

Effective: January 1, 2017

(A) This rule describes the use of the federal parent locator service (FPLS) to locate an individual for parental kidnapping, child custody, or visitation purposes, pursuant to 45 C.F.R. 303.15, effective October 1, 2010, which may be viewed at: www.ecfr.gov. This rule also describes the procedures a child support enforcement agency (CSEA) shall follow upon receipt of a request to use FPLS for this purpose.

(B) The following definitions apply to this rule:

(1) "Authorized person" means:

(a) Any agent or attorney of any state who has the authority or duty to enforce child custody or visitation orders;

(b) Any court or agent of a court with jurisdiction to make or enforce child custody or visitation determination; or

(c) Any agent or attorney of the United States or of a state who has the authority to investigate, enforce, or prosecute the unlawful taking or restraint of a child.

(2) "Authorized purpose" means:

(a) To enforce any state or federal law with respect to the unlawful taking or restraint of a child; or

(b) To determine the whereabouts of a parent or child to make or enforce a custody or visitation determination.

(3) "Custody or visitation determination" means a judgment, decree, or other order of a court providing for custody or visitation of a child and includes initial, permanent, and temporary orders



and modifications.

(4) "Individual" means:

(a) A parent; or

(b) A child.

(C) An authorized person may petition a court to use FPLS to obtain the current residential address or name and location of employment of an individual when the information requested will be used for an authorized purpose. When the court determines that the authorized purpose is valid, it will send to the CSEA in the county where the court is located a court order that requests access to FPLS for this purpose.

(D) A law enforcement agency may submit a direct request document for the use of FPLS to the CSEA.

(E) The court order or direct request document should contain the following:

(1) The full name of the individual;

(2) The birth date of the individual;

(3) The social security number of the individual; and

(4) The signature of the judge or other official authorizing the request.

(F) Upon receipt of a court order or direct request document, the CSEA shall forward the court order or request document to the office of child support (OCS).

The CSEA shall not create a case as a result of the receipt of a court order or direct request document.



(G) The court order or direct request document shall constitute the basis for OCS to access FPLS for this purpose and shall be the only record maintained by OCS.

(H) The following is the information that OCS may disclose about the parent or child:

(1) Address;

(2) Employer's name; and

(3) Employer's address.

(I) Any information OCS receives from FPLS will be sent to the CSEA. The CSEA shall submit the information to the court or law enforcement agency that made the request. Upon submission of the information to the court or law enforcement agency, the CSEA shall destroy all records and information related to the request and the CSEA's involvement shall be considered concluded.

(J) Restrictions on information disclosure:

(1) Information regarding federal tax information (FTI) shall not be disclosed.

(2) Information regarding multistate financial institution data match (MSFIDM) or single state financial institution data match (SSFIDM) shall not be disclosed.

(3) Information shall not be disclosed when there is reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or child as described in rule 5101:12-10-20 of the Administrative Code.

(4) Information shall not be disclosed when the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data.