# Ohio Administrative Code

## Rule 5101:12-45-05.1 Scheduling the administrative support hearing.

Effective: May 1, 2023

(A) In accordance with section 3111.80 of the Revised Code, the administrative officer of the child support enforcement agency (CSEA) shall schedule an administrative child support hearing and send the JFS 07782, "Notice of Administrative Hearing to Establish a Support Order" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), and the JFS 00593, "Child Support Financial Affidavit" (effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code), to the current addresses of the parents of the child in accordance with the Rules of Civil Procedure (www.supremecourt.ohio.gov) as outlined in paragraph (C)(3) of rule 5101:12-30-10 of the Administrative Code. If a caretaker exists, the CSEA shall send the JFS 07782 to the caretaker.

(B) The JFS 07782 notifies each parent to provide the CSEA with the information and documents listed on the JFS 00593, no later than the date of the scheduled administrative support hearing, pursuant to section 3111.801 of the Revised Code. When either parent fails to provide the requested information, the CSEA may:

(1) Request the court of appropriate jurisdiction of the county in which the agency is located to issue an order requiring the parent to provide the information as requested; or

(2) Make reasonable assumptions on the information the parent failed to provide and proceed with determining the support as if all requested information had been provided.

(C) The administrative support hearing shall be scheduled for a day that is at least thirty days after the date the JFS 07782 is issued to each parent of the child. The administrative child support hearing shall be held within sixty days of the latest of:

(1) The IV-D application for services being submitted to the CSEA;

(2) The IV-D referral being received by the CSEA; or

(3) The issuance of an order determining the existence of a parent and child relationship.

(D) When service of process has not been obtained, both parents appear before the CSEA in person, telephonically, or virtually and request the establishment of an administrative child support order, the parents have all the verification necessary to proceed with the administrative child support hearing, and the administrative officer elects to proceed with the administrative child support hearing, the CSEA shall have the parents complete one of the following:

(1) A JFS 01715, "Waiver of Service of Notice of Administrative Hearing to Establish a Support Order" (effective or revised effective date as identified in rule 5101:12-30-99 of the Administrative Code), accompanied by hand delivery or electronic delivery of the JFS 07782 and a copy of the JFS 01715 to the party; or

(2) A waiver of service form created by the CSEA that contains the waiver form appended to rule 4.7 (7/1/2022) of the Rules of Civil Procedure, except to the extent that the provisions of the Rules of Civil Procedure are clearly inapplicable, accompanied by hand delivery or electronic delivery of the JFS 07782 and a copy of the waiver form created by the CSEA to the party.

(E) When the CSEA is prohibited by law from conducting an administrative support hearing, the CSEA will issue by ordinary, first class mail to the last known addresses of the parties:

(1) The JFS 01717, "Dismissal of Request to Establish a Support Order" (effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code) when an administrative child support hearing has not already been scheduled; or

(2) The JFS 01718, "Dismissal of Administrative Hearing to Establish a Support Order" (effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code) when an administrative child support hearing has already been scheduled.