Ohio Administrative Code

Rule 5101:12-55-03.2 Default investigation.

Effective: August 1, 2023

(A) After an obligor is identified as appearing to meet the default criteria and before the JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), is issued, the child support enforcement agency (CSEA) shall conduct an investigation to determine:

(1) Whether the obligor is in default;

(2) The amount of any arrears;

(3) The employment status of the obligor;

(4) The obligor's social security number;

(5) The name and business address of the obligor's employer or other source of income; and

(6) Any other information necessary for the CSEA to:

(a) Issue a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code);

(b) Issue a JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code);

(c) Recommend that the court issue a cash bond order in accordance with rule 5101:12-50-15 of the Administrative Code; or

(d) Issue or recommend that the court issue a seek work order in accordance with rule 5101:12-50-17 of the Administrative Code.

(B) During the investigation the CSEA may also secure any other information necessary to enforce the support order including whether the obligor:

(1) Owns any real or personal property;

(2) Has any funds in a financial institution account as indicated on the financial institution data match report; or

(3) Holds any professional, recreational, and/or driver's license.

(C) When the CSEA concludes the investigation and determines that no default exists, the CSEA shall terminate the default proceedings. If a JFS 04047 or JFS 04017 was issued upon the identification of default, the CSEA shall revise the JFS 04047 or JFS 04017 to collect the support owed under the support order.