



Ohio Administrative Code

Rule 5101:12-70-05.4 Requirements for responding CSEA in intergovernmental cases.

Effective: July 1, 2016

(A) This rule describes the requirements that a responding child support enforcement agency (CSEA) shall follow when receiving a request for services from an initiating agency.

(B) In addition to the general responsibilities described in rule 5101:12-70-05.1 of the Administrative Code, the responding CSEA has the following responsibilities:

(1) Accept and process an intergovernmental request for services. The CSEA may not refuse to process a request on the basis that an initiating state could have utilized one-state or long arm processes;

(2) Within seventy-five days of receipt of an intergovernmental form and documentation from the Ohio interstate central registry (ICR):

(a) Provide location services when the request is for location services or when the form or documentation does not include adequate location information on the obligor;

(b) When unable to proceed with the case because of inadequate documentation, notify the initiating agency of the needed information or corrections;

(c) When the documentation received with a case is incomplete and cannot be remedied without the assistance of the initiating agency, process the case to the extent possible pending necessary action by the initiating agency;

(3) Within ten business days of locating the obligor in a different state, the CSEA must return the forms and documentation, including the new location, to the initiating agency, or if directed by the initiating agency, forward the forms and documentation to the central registry in the state where the obligor has been located, and notify the ICR where the case has been sent;



- (4) Within ten business days of locating the obligor in a different county in Ohio, the CSEA shall:
- (a) Determine which county has administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code;
 - (b) Determine if a transfer is required, and forward the forms and documentation to the county with administrative responsibility; and
 - (c) Notify the initiating agency and the Ohio ICR of the transfer.
- (5) When the request is for the determination of the controlling order:
- (a) File the controlling order determination request with the appropriate court within thirty days of receipt of the request or location of the obligor, whichever occurs later; and
 - (b) Notify the initiating state agency, the controlling order state, and any state where a support order in the case was issued or registered, of the controlling order determination and any reconciled arrearages within thirty days of receipt of the determination from the court.
- (6) Provide any necessary services as it would in an intrastate IV-D case as described in division 5101:12 of the Administrative Code;
- (7) Provide timely notice to the initiating agency in advance of any hearing before a court that may result in establishment or adjustment of an order;
- (8) Identify any fees or costs deducted from support payments when forwarding payments to the initiating agency;
- (9) Within ten business days of receipt of instructions for termination of services from an initiating state agency, stop the income withholding notice and close the case, unless the two states reach an agreement on how to proceed. If the controlling order was issued by Ohio, the CSEA shall terminate services in accordance with rule 5101:12-10-70 of the Administrative Code.



When the CSEA has administrative responsibility for the Ohio controlling order, it shall remain the custodian of the records for the controlling order. The CSEA shall assist any agency that requests information or documentation needed for the registration or enforcement of the order.

(10) Notify the initiating agency when a case is closed.

(C) Other responsibilities for the responding CSEA include:

(1) Notify the child support agency in the initiating state of the correct Ohio case number whenever an application received from the Ohio ICR is merged into an existing case by the CSEA;

(2) Enable a court in Ohio or tribunal in another state to obtain jurisdiction over the party that resides in Ohio;

(3) Request the Ohio court with jurisdiction to set a date, time, and place for a hearing, when appropriate;

(4) Provide a statement of the amounts and dates of all payments received, when requested by a case participant or the child support agency of another state. The statement must be certified by the custodian of the records. The CSEA may use a stamp on the record to indicate that it is a true and accurate statement;

(5) Pay the costs of processing intergovernmental cases, including the costs of genetic testing.