



April 14, 2021

**Child Support Program Manual Transmittal Letter (CSPMTL) No. 170**

**TO:** All Child Support Program Manual Holders  
**FROM:** Matt Damschroder, Interim Director  
**SUBJECT:** Five Year Rule Review – Mandatory Electronic Disbursement, Distribution of Assigned Support, and the JFS 07010

The Office of Child Support (OCS) has **amended** the following rules. The rules have been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period.

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-80-07	Mandatory Electronic Disbursement	02/09/2006	06/01/2021
	<p>This rule describes the requirement that the Office of Child Support (OCS) issues support payments by means of electronic disbursement to reduce the time required to deliver support payments to obligees.</p> <p>Changes to the rule include removed the words "required" in paragraph (A) and "magnetic strip card, such as a" in paragraph (B) and added a form, the JFS 07010, that an obligee must submit when requesting an exception to a mandatory electronic disbursement.</p> <p>This rule is authorized under ORC sections 3121.50, 3121.71, and 3125.25 and amplifies ORC sections 3121.50 and 3125.03.</p>		
5101:12-80-10.2	Prorating Support Collections	10/01/2009	06/01/2021
	<p>This rule describes how to prorate a support collection with the Office of child Support (OCS) or a child support enforcement agency (CSEA) receives a collection, the obligor has more than one support order, and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders.</p> <p>Changes to the rule include removed "to the obligor" in paragraph (D)(5)(b) and added a paragraph reference.</p> <p>This rule is authorized under ORC sections 3121.71, 3125.25 and amplifies ORC sections 3125.03, 3121.43, 3121.52, 3121.54, and 3121.56.</p>		

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-80-14.1	Distribution of Assigned Support in a Title IV-D Public Assistance Case	10/01/2009	06/01/2021
<p>This rule describes distribution in a Title IV-D public assistance case.</p> <p>Changes to the rule include removed the word "family" and replaced it with "obligee" for consistency purposes with other rules and familiarity to case workers.</p> <p>This rule is authorized under ORC sections 3125.25, 5107.05 and amplifies ORC sections 3121.43, 3123.19, and 5107.20.</p>			
5101:12-80-14.2	Assignment and Distribution in a Title IV-D/Title IV-E Foster Care Maintenance Case	10/01/2009	06/01/2021
<p>This rule describes the provisions of assignment and distribution in a Title IV-D /Title IV-E foster care maintenance (FCM) case.</p> <p>Changes to the rule include spelled out "Ohio department of job and family services" in paragraph (B)(1) in front of the abbreviations as this is the first time it is used in the rule, amended paragraph (C)(2) to describe the distribution between the Support Enforcement Tracking System (SETS) and the Statewide Automated Child Welfare Information System (SACWIS) interface, and in paragraph (D) amended language for consistency on how distribution is completed for both foster care maintenance (FMC) non-waiver and waiver cases.</p> <p>This rule is authorized under ORC sections 3125.25, 5107.05 and amplifies ORC sections 3121.43, 3123.19, and 5107.20.</p>			
5101:12-80-99	Chapter 5101:12-80 Forms – Collections and Disbursements	02/15/2020	06/01/2021
<p>This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-80 of the Administrative Code.</p> <p>Changes to the rule include: Amended the effective date of the JFS 07010.</p> <p>This rule is authorized under ORC sections 3125.25 and amplifies ORC sections 3125.03 and 3125.25.</p>			

OCS has **revised** the following form:

Form	Form Title	Prior Effective Date of Form	Revision Date
JFS 07010	Request for Exception to Electronic Disbursement Enrollment	02/09/2006	06/2021
<p>This form has been revised by removing "Electronic Disbursement Exception Committee", replaced "County of Residence" with "County CSEA", replaced "Social Security Number" with "Case or Participant Number" and moved the decision section to a separate page.</p>			

## **INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted, and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

<http://emanuals.odjfs.state.oh.us/emanuals>.

## **INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.

5101:12-80-07      **Mandatory electronic disbursement.**

- (A) In accordance with section 3121.50 of the Revised Code, the office of child support, Ohio department of job and family services, is authorized to issue, and support obligees required to accept the issuance of, support payments by means of electronic disbursement. The purpose of electronic disbursement of support payments is to reduce the time ~~required~~ to deliver support payments to obligees.
- (B) "Electronic disbursement" means a form of electronic funds transfer by means of direct deposit to a bank, savings and loan, or credit union account, or transfer to a ~~magnetic strip card, such as a~~ stored-value card.
- (C) Issuance of support payments by paper check from the office of child support shall cease as soon as practicable and payments to support obligees shall be delivered by electronic disbursement.
- (D) Unless the obligee can establish the existence of circumstances that would render access to funds disbursed by electronic means impossible, a request by an obligee to continue to receive payments by paper check will not be granted.
- (E) An obligee may request an exception to mandatory electronic disbursement by submitting a completed JFS 07010, "Request for Exception to Electronic Disbursement Enrollment" (effective or revised effective date as identified in rule 5101:12-80-99 of the Administrative Code) to Ohio child support payment central.

Effective: 6/1/2021

Five Year Review (FYR) Dates: 1/28/2021 and 06/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

04/09/2021

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3121.50, 3121.71, 3125.25  
Rule Amplifies: 3121.50, 3125.03  
Prior Effective Dates: 02/09/2006

5101:12-80-10.2 **Prorating support collections.**

(A) When the office of child support (OCS) or a child support enforcement agency (CSEA) receives a collection for or from an obligor with more than one support order and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders, OCS or the CSEA shall identify the qualified support orders and prorate the collection. A prorated collection shall be allocated in accordance with rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code.

(B) For the purpose of the calculations described in this rule:

- (1) A support order or a case without a support order is considered a "qualified" support order when:
  - (a) The collection is received as a result of a notice of proposed action having been issued to the obligor; or
  - (b) The obligor makes the support payment and a notice of proposed action has not been issued to the obligor.
- (2) "Monthly obligation" means the sum of the current obligation and any ordered payment(s).

(C) Scenarios illustrating qualified support orders include:

- (1) An obligor has three support orders and two of the support orders were submitted for and met all the criteria for a federal income tax refund offset. The two support orders that were submitted for offset would be considered qualified support orders for purposes of prorating a federal income tax refund offset; the third support order would not be considered a qualified support order and so would not receive any of the prorated federal income tax refund offset collection.
- (2) An obligor has three support orders and the CSEA issued an order to the obligor's employer to attach a lump sum payment on two of the support orders. Only the support orders that the lump sum order was issued for would be considered qualified support orders for purposes of prorating the lump sum payment.
- (3) One CSEA has administrative responsibility for an obligor's two support orders and a second CSEA has administrative responsibility for the same obligor's third support order. Only the first CSEA issues income withholding notices for the two support orders to the obligor's employer. The employer subsequently sends in a support payment without posting identifiers and remitter instructions

cannot be obtained. Only the two support orders from the first CSEA are considered qualified support orders for the purposes of prorating the payment received from the employer.

(D) When the collection is not a federal income tax refund offset, OCS or the CSEA shall prorate the collection using the following calculations:

(1) When the collection is not sufficient to satisfy all of the unpaid monthly obligations owed on the qualified support orders:

(a) First, add the unpaid monthly obligation for each qualified support order to determine the total unpaid monthly obligation amount;

(b) Then, for each qualified support order:

(i) Divide the unpaid monthly obligation by the total unpaid monthly obligation amount to determine the prorated percentage for the order; and

(ii) Multiply the collection by the prorated percentage to determine the amount of the collection to apply to the order.

(2) When the collection is a lump sum payment and is not sufficient to satisfy the total arrears obligations owed on the qualified support orders:

(a) First, add the arrears amount owed for each qualified support order to determine the total arrears amount;

(b) Then, for each qualified support order:

(i) Divide the arrears amount for each order by the total arrears amount to determine the prorated percentage for each order; then

(ii) Multiply the collection by the prorated percentage to determine the amount of the collection to apply to the order.

(3) When the collection equals or exceeds the unpaid monthly obligation for each qualified support order, satisfy the unpaid monthly obligations for each qualified support order.

When the monthly obligations for each qualified support order are satisfied and a balance remains from the collection that is less than the total arrears owed on the qualified support orders:

- (a) For each qualified support order, add the total unpaid arrears and debts for the order to determine the outstanding amount owed on the order;
  - (b) Add the outstanding amounts owed on each order to determine the total outstanding amount owed;
  - (c) Divide the balance of the collection by the total outstanding amount owed to determine the prorated percentage; and
  - (d) For each qualified support order, multiply the outstanding amount owed on the order by the prorated percentage to determine the amount of the balance to apply to the order.
- (4) When all of the monthly obligations, arrears, and debts are satisfied and funds remain from the collection, allocate any remaining funds to the current obligation(s) for the future month(s), for each qualified support order:
- (a) First, add the monthly obligation for each qualified support order to determine the total monthly obligation amount;
  - (b) Then, for each qualified support order:
    - (i) Divide the balance of the collection by the total monthly obligation amount to determine the prorated percentage; and
    - (ii) Multiply the monthly obligation by the prorated percentage to determine the amount of the balance to apply to the order.
- (5) When the collection is a lump sum payment, and the collection equals or exceeds the total amount of arrears owed on the qualified support orders:
- (a) Satisfy all of the arrears owed on the qualified support orders, then
  - (b) When the arrears are satisfied, issue any remaining balance ~~to the obligor~~ in accordance with paragraph (C)(9) of rule 5101:12-80-10.1 of the Administrative Code, unless the CSEA has negotiated an alternative allocation with the obligor.
- (E) When the collection is from a federal tax refund offset, OCS or the CSEA shall prorate the collection using the following calculations:
- (1) When the collection is not sufficient to satisfy all of the eligible arrears owed on the qualified support orders:

- (a) For each qualified support order, add the unpaid eligible assigned arrears for the order to determine the outstanding assigned arrears amount owed on the order;
  - (b) Add the outstanding assigned arrears amount owed on each order to determine the total outstanding assigned arrears amount owed;
  - (c) Divide the collection by the total outstanding assigned arrears amount owed to determine the prorated percentage;
  - (d) For each qualified support order, multiply the outstanding assigned arrears amount owed on the order by the prorated percentage to determine the amount of the collection to apply to the order; and
  - (e) Repeat the process described in paragraphs (E)(1)(a) to (E)(1)(d) of this rule for all eligible unassigned arrears owed on the qualified support orders.
- (2) When the collection equals or exceeds the total amount of eligible arrears owed on the qualified support orders:
- (a) Satisfy all of the eligible arrears owed on the qualified support orders, then
  - (b) When the eligible arrears are satisfied, issue any remaining balance to the obligor, unless the CSEA has negotiated an alternative allocation with the obligor in accordance with rule 5101:12-80-10.1 of the Administrative Code.

Effective: 6/1/2021  
Five Year Review (FYR) Dates: 1/28/2021 and 06/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

04/09/2021

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3121.71, 3125.25  
Rule Amplifies: 3125.03, 3121.43, 3121.52, 3121.54, 3121.56  
Prior Effective Dates: 06/15/2006, 10/01/2009, 08/01/2016

5101:12-80-14.1      **Distribution of assigned support in a Title IV-D public assistance case.**

(A) The purpose of this rule is to describe distribution in a Title IV-D public assistance case.

(B) In a current assistance case, support collections shall be distributed as follows:

(1) Current obligation.

(a) The amount collected for and applied to the current obligation that is less than or equal to the current month's public assistance grant shall be retained and used to reimburse the current month's public assistance grant.

Following reimbursement, the balance of the current month's public assistance grant shall be added to the unreimbursed assistance (URA) amount.

(b) The amount collected for and applied to the current obligation that exceeds the current month's public assistance grant shall be retained and used to reimburse the URA.

(c) The amount collected for and applied to the current obligation that exceeds the current month's public assistance grant and the URA amount shall be owed to the family obligee.

(2) Arrears.

(a) The amount collected for and applied to assigned arrears that is less than or equal to the URA amount shall be retained and used to reimburse the URA.

(b) The amount collected for and applied to assigned arrears that is greater than the URA amount shall be owed to the family obligee.

(c) The amount collected for and applied to unassigned arrears shall be owed to the family obligee.

(3) Futures.

The amount collected for and applied to assigned futures shall be held and applied to the current obligation(s) in the following month(s).

(C) In a former assistance case, support collections shall be distributed as follows:

(1) Current obligation.

The amount collected for and applied to the current obligation shall be issued to the obligee.

(2) Arrears.

(a) The amount collected and applied to unassigned arrears shall be issued to the obligee.

(b) The amount collected and applied to permanently assigned arrears shall be retained and used to reimburse the URA.

(c) The amount collected from a federal tax refund offset and applied to conditionally assigned arrears shall be retained and used to reimburse the URA.

Effective: 6/1/2021  
Five Year Review (FYR) Dates: 1/28/2021 and 06/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

04/09/2021

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25, 5107.05  
Rule Amplifies: 3121.43, 3123.19, 5107.20  
Prior Effective Dates: 08/01/1975, 05/21/1979, 08/01/1982, 12/01/1986,  
12/01/1987, 08/01/1990, 06/01/1993, 03/09/2001,  
09/20/2001, 06/15/2006, 10/01/2009

5101:12-80-14.2 **Assignment and distribution in a Title IV-D/Title IV-E foster care maintenance case.**

(A) The purpose of this rule is to describe the provisions of assignment and distribution in a Title IV-D/Title IV-E foster care maintenance (FCM) case.

(B) Upon the effective date of the FCM assignment period:

(1) Current child support is assigned to Ohio department of job and family services (ODJFS).

(2) Never assigned child support arrears sweep to permanently assigned child support arrears.

(C) The following definitions are applicable to this rule:

(1) "FCM non-waiver case" means a case in which distribution is completed using:

(a) The actual IV-E grant amount, when the amount is available; or

(b) A predetermined average IV-E grant amount, when the actual IV-E grant amount is not available.

(2) "FCM waiver case" means a case in which distribution is ~~not~~ completed ~~because~~using:

(a) ~~During the FCM assignment period all child support is assigned and retained by the state; and~~ The actual IV-E grant amount, when the amount is available, based on their reimbursable maintenance costs; or

(b) ~~Upon the termination of the FCM assignment period:~~ A predetermined average IV-E grant amount, when the actual IV-E grant amount is not available.

(i) ~~Any permanently assigned child support arrears remain permanently assigned child support arrears; and~~

(ii) ~~Assigned futures sweep to unassigned futures.~~

(3) "Grant amount" means the amount of Title IV-E funds the Title IV-E agency spends on an FCM-eligible child in a calendar month.

(a) "Actual IV-E grant amount" means the actual amount of funds spent on a child in a calendar month.

- (b) "Average IV-E grant amount" means a predetermined average amount of funds spent on a child in a calendar month.

(D) Distribution in ~~an~~both FCM non-waiver ~~case~~and waiver cases.

In a current assistance case, support collections shall be distributed as follows:

(1) Current obligation.

- (a) The amount collected for and applied to the current obligation that is less than or equal to the current month's grant amount shall be retained and used to reimburse the current month's grant.
- (b) Following reimbursement, the balance of the current month's grant shall be added to the unreimbursed assistance (URA) amount. The amount collected that is greater than the current month's grant amount shall be owed to the Title IV-E agency.

(2) Arrears.

- (a) The amount collected for and applied to arrears that is less than or equal to the URA amount shall be retained and used to reimburse the URA.
- (b) The amount collected for and applied to arrears that is greater than the URA amount shall be owed to the Title IV-E agency.

(3) Futures.

The amount collected for and applied to assigned futures shall be held and applied to the current obligation(s) in the following month(s).

(4) Upon the termination of the FCM assignment period:

- (a) Any amount of permanently assigned child support arrears that are greater than the URA amount shall sweep to never assigned child support arrears; and
- (b) Assigned futures shall sweep to unassigned futures.

Effective: 6/1/2021  
Five Year Review (FYR) Dates: 1/28/2021 and 06/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

04/09/2021

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25, 5107.05  
Rule Amplifies: 3121.43, 3123.19, 5107.20  
Prior Effective Dates: 08/01/1975, 05/21/1979, 08/01/1982, 12/01/1986,  
12/01/1987, 08/01/1990, 06/01/1993, 03/09/2001,  
09/20/2001, 06/15/2006, 10/01/2009

5101:12-80-99

**Chapter 5101:12-80 forms - collections and disbursements.**

The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 04021, "Affidavit for stop payment" (rev. 12/2002);

(B) JFS 04090, "Notice of Erroneous Payment" (rev. 04/2007);

(C) JFS 07010, "Request for Exception to Electronic Disbursement Enrollment" (rev. 06/2021)

~~(C)~~(D) JFS 07026, "Recoupment Account Maintenance Request" (rev. 02/2020);

~~(D)~~(E) JFS 07027, "Single Order Distribution Record" (rev. 06/1993);

~~(E)~~(F) JFS 07028, "Multiple Order Distribution Record" (rev. 06/1993);

~~(F)~~(G) JFS 07031, "Recoupment Account Creation Request" (rev. 02/2020);

~~(G)~~(H) JFS 07736, "Child Support Enforcement Agency Payment Processing Declaration" (02/2020)

~~(H)~~(I) JFS 07741, "Child Support Payment Central (CSPC) Check Void Request (rev. 02/2020); and

~~(I)~~(J) JFS 07749, "Child Support Payment Central (CSPC) Stop Payment Request (rev. 7/2019).

Effective: 6/1/2021  
Five Year Review (FYR) Dates: 1/28/2021 and 06/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

04/09/2021

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25  
Rule Amplifies: 3125.03, 3125.25  
Prior Effective Dates: 02/01/2016, 02/15/2020