



December 6, 2021

**Child Support Program Manual Transmittal Letter (CSPMTL) No. 177**

**TO:** All Child Support Program Manual Holders

**FROM:** Matt Damschroder, Director

**SUBJECT:** OCS Rule Review – Intergovernmental Rules (5 Year Rule Review)

These rules have been reviewed in accordance with sections 106.03 and 119.04 of the Revised Code, which requires the review of all state agency rules within a five-year period.

The Office of Child Support (OCS) has filed as **no change** the following rules. The effective date of these rules will remain the same as the existing rules:

Rule Number	Rule Title	Effective Date of Rule
5101:12-50-55	Extradition of Obligor	07/01/2016
	This rule describes the process of extraditing an obligor from another state to Ohio, and describes the process used by the governor of Ohio when a request is received from another state to extradite an obligor residing in Ohio.  This rule is authorized by ORC section 3125.25 and amplifies sections 2919.21, 3115.102, 3115.801 and 3115.802 of the Revised Code.	
5101:12-70-05.1	CSEA General Responsibilities	07/01/2016
	This rule describes the general responsibilities of the child support enforcement agency (CSEA) as an initiating or responding agency.  This rule is authorized by ORC section 3125.25 and amplifies sections 3125.03 and 3125.25 of the Revised Code.	
5101:12-70-05.2	Responsibilities of Ohio Interstate Central Registry	07/01/2016
	This rule describes the responsibilities of Ohio's Central Registry when processing an interstate case.  This rule is authorized by ORC section 3125.25 and amplifies sections 3115.310, 3115.506 and 3125.03 of the Revised Code.	

5101:12-70-05.3	Requirements for Initiating CSEA in Intergovernmental Cases	07/01/2016
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Rule Number	Rule Title	Effective Date of Rule
	<p>This rule describes the specific responsibilities of a responding child support enforcement agency (CSEA).</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.304, 3115.305 and 3115.307 of the Revised Code.</p>	
5101:12-70-05.4	<p>Requirements for Responding CSEA in Intergovernmental Cases</p> <p>This rule describes the specific responsibilities for a responding child support enforcement agency (CSEA).</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.304, 3115.305 and 3115.307 of the Revised Code.</p>	07/01/2016
5101:12-70-05.5	<p>Establishment of Paternity in an Intergovernmental Case</p> <p>This rule describes the process and the responsibilities of each CSEA as an initiating or responding agency when establishing paternity for an intergovernmental case.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.201, 3115.203, 3115.304, 3115.305 and 3125.03 of the Revised Code.</p>	07/01/2016
5101:12-70-05.6	<p>Establishment of a Child Support Order in an Intergovernmental Case</p> <p>This rule describes the process and responsibility of each CSEA as an initiating or responding agency when establishing a support order for an intergovernmental IV-D case.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.201, 3115.203, 3115.304, 3115.305 and 3125.03 of the Revised Code.</p>	07/01/2016
5101:12-70-05.8	<p>Enforcement of a Support Order in an Intergovernmental Case</p> <p>This rule describes the process and techniques available to a CSEA as an initiating or responding agency to enforce an intergovernmental case.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.206, 3115.304, 3115.305, 3115.307, 3115.602, 3115.603 and 3125.03 of the Revised Code.</p>	07/01/2016
5101:12-70-05.10	<p>The Child Support Enforcement Network</p> <p>This rule describes the responsibilities of each CSEA and requires the use of the Child Support Enforcement Network (CSENet) when processing an interstate case.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.317, 3125.03, 3125.07 and 3125.08 of the Revised Code.</p>	07/01/2016
5101:12-70-99	Chapter 5101:12-70 Forms – Interstate Actions	07/01/2016

Rule Number	Rule Title	Effective Date of Rule
	<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 5101:12-70 of the Administrative Code.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3125.03 and 3125.25.</p>	

The Office of Child Support (OCS) has **amended** the following rules:

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-70-05	<p>Scope and Definitions for Intergovernmental Cases</p> <p>This rule provides definitions of intergovernmental terms.</p> <p>Changes to the rule include corrected a misspelling in paragraph (C)(2).</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.102 and 3125.03 of the Revised Code.</p>	07/01/2016	12/15/2021
5101:12-70-05.7	<p>Determination of the Controlling Order</p> <p>This rule describes the process of determining the controlling order before the CSEA can proceed with any enforcement actions for an interstate case.</p> <p>Changes to the rule include added information about the federal Full Faith and Credit for Child Support Orders Act in paragraph (B) and throughout the rule, updated the language to focus on practical steps a caseworker would need to take in a situation, rather than repeating the Uniform Interstate Family Support Act (UIFSA) statutes.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.205, 3115.206, 3115.207, 3115.208 and 3125.03 of the Revised Code.</p>	07/01/216	12/15/2021
5101:12-70-05.9	<p>Modification of a Controlling Order in an Intergovernmental Case</p> <p>This rule describes the responsibility of each CSEA as an initiating or responding agency when modifying a controlling child support order in an intergovernmental case.</p> <p>Changes to the rule include revised paragraph (B) for clarity purposes, updated the language to focus on practical steps a caseworker would need to take in a situation, rather than repeating the Uniform Interstate Family Support Act (UIFSA) statutes, and removed language for clarification to avoid duplication and potential conflict with the administrative responsibility rules in paragraph (H).</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.206, 3115.304, 3115.305, 3115.609, 3115.610, 3115.611, 3115.612, 3115.13, 3115.614 and 3125.03 of the Revised Code.</p>	07/01/2016	12/15/2021

5101:12-70-05.11	Forms for Interstate Processing	07/01/2016	12/15/2021
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Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
	<p>This rule lists the UIFSA mandated forms that a CSEA must use when processing an interstate case.</p> <p>Changes to the rule include updated the name of the form in paragraph (A)(3).</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3115.602, 3115.605 and 3125.03 of the Revised Code.</p>		

**INSTRUCTIONS:**

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

- A no change rule will continue with the same effective date,
- 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.

5101:12-50-55      **Extradition of obligors.**

(A) This rule describes the process that the child support enforcement agency (CSEA) with administrative responsibility shall use to request the governor of this state to extradite from another state an obligor who has been charged with criminal non-support in accordance with section 2919.21 of the Revised Code. This rule also describes the steps that a CSEA is required to take in response to a request from the governor of this state and the prosecutor in the county where the CSEA is located when a demand for extradition is received by the governor of this state from the governor of another state.

(B) For purposes of this rule, the following definitions apply:

- (1) "Governor" means an individual performing the functions of the executive authority of a state.
- (2) "State" has the same meaning as in division (Z) of section 3115.102 of the Revised Code.

(C) Extradition of an obligor to Ohio.

- (1) When an obligor has been charged with criminal non-support in accordance with section 2919.21 of the Revised Code, the CSEA may consult the prosecutor in the county where the CSEA is located in order to determine whether a request should be sent to the governor of this state regarding the extradition of the obligor from the state where the obligor is found.
- (2) In accordance with sections 3115.801 and 3115.802 of the Revised Code, the governor of this state may, upon receipt from a prosecutor of a request as described in paragraph (C) of this rule, demand that the governor of another state extradite to Ohio an obligor who is found in the other state.
- (3) Before requesting the extradition of an obligor from the governor of another state, the governor of this state has the authority to require a prosecutor of this state to demonstrate that, at least sixty days previously, a petition for support was initiated pursuant to the Uniform Interstate Family Support Act (UIFSA 2008), as defined in rule 5101:12-70-05 of the Administrative Code, or that such a petition would not be effective in enforcing the support order. When requested by the prosecutor, the CSEA shall prepare and submit a report to the prosecutor regarding the extradition of the obligor that contains either:
  - (a) A copy of a UIFSA petition filed at least sixty days prior to consulting with the prosecutor; or

(b) A statement from the CSEA establishing that a UIFSA petition would not be effective in the case where extradition is being requested.

(D) Surrender of an obligor found in Ohio to another state for extradition.

(1) In accordance with sections 3115.801 and 3115.802 of the Revised Code, the governor of this state has the authority, upon the demand of the governor in another state to surrender for extradition an obligor who is found in this state and who is criminally charged in the other state with having failed to pay support under a support order.

(2) Before surrendering an obligor for extradition to the governor of another state, the governor of this state has the authority to require a prosecutor of this state to investigate the demand and report whether a UIFSA petition has been initiated or that such petition would not be effective in enforcing the support order. When requested by the prosecutor, the CSEA shall immediately conduct an investigation of the case and prepare a report that contains either:

(a) A copy of a UIFSA petition filed at least sixty days prior to receipt of the demand; or

(b) A statement from the CSEA establishing that a UIFSA petition would not be effective in the case where extradition is being requested.

(E) After the governor receives the report described in paragraph (D)(2) of this rule, the governor has the authority to take one of the following actions:

(1) Submit the obligor to the other state for extradition;

(2) Delay honoring the demand for a reasonable time to permit initiation of a UIFSA petition; or

(3) Decline to honor the demand if a UIFSA petition is initiated and the obligor either prevails in the support action or is complying with the support order.

Five Year Review (FYR) Dates: 9/22/2021 and 09/22/2026

CERTIFIED ELECTRONICALLY

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Certification

09/22/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25  
Rule Amplifies: 2919.21, 3115.102, 3115.801, 3115.802  
Prior Effective Dates: 01/01/1998, 01/01/2006, 12/01/2006, 03/01/2012,  
07/01/2016

5101:12-70-05

**Scope and definitions for intergovernmental cases.**

- (A) This rule and its supplemental rules describe the procedures for processing an intergovernmental case for child support enforcement services.
- (B) An initiating or responding child support enforcement agency (CSEA) as defined in this rule shall process intergovernmental cases in accordance with this rule and its supplemental rules, federal regulations found at 45 C.F.R. 303.7 effective January 03, 2011, and provisions of the Uniform Interstate Family Support Act (UIFSA)(2008) enacted as sections 3115.102 to 3115.903 of the Revised Code. This rule and its supplemental rules do not apply when a court is acting as the tribunal pursuant to division (CC) of section 3115.102 of the Revised Code.
- (C) The following definitions, as well as those found in section 3115.102 of the Revised Code, apply to this rule and its supplemental rules:
- (1) "Agency," for the purpose of this rule, means a child support enforcement agency (CSEA), acting as a tribunal in accordance with section 3115.203 of the Revised Code, another state, a tribal IV-D agency, or an agency in a country, as defined in this rule.
  - (2) "Central authority" means the entity designated by the United States or a foreign ~~county~~country described in division (E)(4) of section 3115.102 the Revised Code to perform the functions specified in the convention.
  - (3) "Child Support Enforcement Network" (CSENet) means the electronic communications network developed by the federal office of child support enforcement (OCSE) to transmit and receive case information between states in a standardized format.
  - (4) "Continuing exclusive jurisdiction" (CEJ) means the authority an issuing tribunal has to modify an order to the exclusion of all other jurisdictions. A state has CEJ over a valid child support order issued in that state at any time either the individual obligee, obligor or the child resides in that state or the parties have consented in a record or open court that the tribunal of the state may continue to exercise jurisdiction to modify its order.
  - (5) "Controlling order state" means:
    - (a) The state in which the only child support order was issued; or
    - (b) Where multiple orders exist, the state in which the order determined by a tribunal to control the prospective current child support order was issued.



- (6) "Convention" means the convention on the international recovery of child support and other forms of family maintenance, concluded at "The Hague" on November 23, 2007.
- (7) "Foreign country" means a country, including a political subdivision of the country, other than the United States, that authorizes the issuance of support orders to which at least one of the following applies:
  - (a) It has been declared under the law of the United States to be a foreign reciprocating country;
  - (b) It has established a reciprocal arrangement for child support with this state as provided in section 3115.308 of the Revised Code;
  - (c) It has enacted a law or established procedures for the issuance and enforcement of support orders that are substantially similar to the procedures under this chapter;
  - (d) It is a country in which the convention is in force with respect to the United States.
- (8) "Form" means a federally-approved document used for the establishment and enforcement of child support obligations whether compiled or transmitted in written or electronic format. In interstate cases, such forms include those used for child support enforcement proceedings under UIFSA and described in rule 5101:12-70-05.11 of the Administrative Code.
- (9) "Home state" means the state or foreign country in which a child lived with a parent or person acting as parent for at least six consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.
- (10) "Initiating agency" means an agency in which an individual has applied for or is receiving services and the agency initiates a two state intergovernmental case to a responding jurisdiction.
- (11) "Intergovernmental case" means a case in which the person or entity that is eligible to receive support resides in one state or country, and the person obligated to pay support resides in, has income or assets from, or the order is from, another state or country. An intergovernmental case may include a case in which a state agency is seeking only to collect support arrearages, whether owed to the family or assigned to the state.

- (12) "International case" means an intergovernmental case in which the person or entity that is eligible to receive support resides in one country, and the person obligated to pay support resides in, has income or assets from, or the order is from, another country.
- (13) "Interstate case" means an intergovernmental case in which the person or entity that is eligible to receive support resides in one state, and the person obligated to pay support resides in, has income or assets from, or the order is from, another state.
- (14) "Long arm jurisdiction" means the exercise of a state's personal jurisdiction over a non-resident.
- (15) "One-state remedies" means the exercise of a state's jurisdiction over an obligor for the purpose of direct establishment, enforcement, or other action by a state against an obligor in accordance with the long arm provision of UIFSA.
- (16) "Registration" means the act of filing in a tribunal of this state a support order or judgment determining parentage of a child issued in another state or a foreign country.
- (17) "Responding agency" means the agency that is providing services in response to a referral from an initiating agency in an intergovernmental case.
- (18) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.
- (19) "Tribunal" means, pursuant to section 3115.102 of the Revised Code, a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.
- (20) "Uniform Interstate Family Support Act" (UIFSA) means the model act promulgated by the "National Conference of Commissioners on Uniform State Laws" (NCCUSL) now known as the "Uniform Law Commission" (ULC) and mandated by section 466(f) of the Social Security Act to be in effect in all states.

Effective: 12/15/2021

Five Year Review (FYR) Dates: 9/22/2021 and 09/22/2026

CERTIFIED ELECTRONICALLY

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Certification

11/30/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25  
Rule Amplifies: 3115.102, 3125.03  
Prior Effective Dates: 01/01/1998, 03/01/2003, 09/01/2005, 11/01/2011,  
07/01/2016

5101:12-70-05.1      **CSEA general responsibilities.**

- (A) This rule describes the general responsibilities that apply to a child support enforcement agency (CSEA) irrespective of the CSEA role in the case as either an initiating or responding agency.
- (B) The CSEA shall:
- (1) Use federally approved forms in intergovernmental cases;
  - (2) Within thirty business days of receiving a request, provide any order and payment record information requested by a state IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the state IV-D agency when the information will be provided;
  - (3) Notify the other agency within ten business days of receipt of new information on an intergovernmental case;
  - (4) Cooperate with requests for limited services such as quick locate, service of process, assistance with discovery, assistance with genetic testing, teleconferenced hearings, administrative reviews, and copies of court orders and payment records. Requests for other limited services may be honored at the state's option; and
  - (5) Transmit requests for information and provide requested information electronically to the greatest extent possible.

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Certification

09/22/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25  
Rule Amplifies: 3125.03, 3125.25  
Prior Effective Dates: 11/01/2011, 07/01/2016

5101:12-70-05.2      **Responsibilities of Ohio interstate central registry.**

- (A) Each state child support agency is required by federal regulations at 45 C.F.R. 303.7(b), effective January 3, 2011, to establish an interstate central registry (ICR) responsible for receiving, transmitting, and responding to inquiries on all incoming intergovernmental cases. The ICR in Ohio is located within the Ohio department of job and family services (ODJFS), office of child support (OCS).
- (B) The ICR shall take the following steps within ten business days of receiving an intergovernmental case:
- (1) Review the petition and any child support enforcement network (CSENet) transaction for accuracy and completeness;
  - (2) Perform location as needed;
  - (3) Partially complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS);
  - (4) Forward the petition to the child support enforcement agency (CSEA) in the county with administrative responsibility for the case; and
  - (5) Acknowledge receipt of the petition to the child support agency in the initiating state and advise it of the name and address of the CSEA where the petition was sent for processing.
- (C) When the documentation received with a case is incomplete and cannot be remedied by the ICR without the assistance of the initiating agency, the ICR must forward the case to the county with administrative responsibility for the case for any action that can be taken pending necessary action by the initiating agency.
- (D) The ICR shall take the following steps within five business days of receiving a case status inquiry from another child support agency:
- (1) Contact the CSEA with administrative responsibility for the case to determine the status of the case when the requested information is not available through SETS; and
  - (2) Provide the inquiring agency with an update on the status of the case.

Five Year Review (FYR) Dates: 9/22/2021 and 09/22/2026

CERTIFIED ELECTRONICALLY

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Certification

09/22/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25  
Rule Amplifies: 3115.310, 3115.506, 3125.03  
Prior Effective Dates: 01/01/1998, 03/01/2003, 09/01/2005, 11/01/2011,  
07/01/2016

5101:12-70-05.3      **Requirements for initiating CSEA in intergovernmental cases.**

- (A) This rule describes the requirements that an initiating child support enforcement agency (CSEA) shall follow when processing an intergovernmental case.
- (B) In addition to the general responsibilities described in rule 5101:12-70-05.1 of the Administrative Code, the initiating CSEA has the following responsibilities:
- (1) Determine whether a child support order(s) exists in a case using the federal and state case registries, state records, information provided by the recipient of services, and other relevant information available to the CSEA;
  - (2) Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist;
  - (3) Determine whether the obligor is in another jurisdiction and whether it is appropriate to use long arm jurisdiction to establish paternity and establish, modify, and enforce a support order, including medical support and income withholding;
  - (4) Within twenty days of completing the actions required in paragraphs (B)(1) to (B)(3) of this rule and receiving any necessary information needed to process the case refer the case to the appropriate state central registry, tribal IV-D program, or central authority of a county for action, if one-state remedies are not appropriate.
  - (5) Provide the responding agency sufficient and accurate information to act on the case by submitting with each Uniform Interstate Family Support Act (UIFSA) (2008) petition any necessary documentation and intergovernmental forms required by the responding agency;
  - (6) Within thirty days of receipt of the request for information, provide the responding agency with an updated intergovernmental form and any necessary additional documentation, or notify the responding agency when the information will be provided;
  - (7) Notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under an initiating state's order being enforced in the responding jurisdiction;
  - (8) Submit all past-due support owed in IV-D cases that meet the certification requirements for federal tax offset;
  - (9) Send a request for review and adjustment of a child support order to another jurisdiction within twenty days of determining that a request for review and



adjustment should be sent to the other state, including any needed information from the requestor;

- (10) Distribute and disburse any support collections received;
- (11) Notify the responding agency within ten business days of case closure pursuant to rule 5101:12-10-70 of the Administrative Code and the reason(s) for such action;
- (12) Instruct the responding agency to close its intergovernmental case and to stop any withholding notice the responding agency has sent to a payor before the CSEA sends a withholding notice, unless the two jurisdictions reach an alternative agreement on how to proceed; and
- (13) When the CSEA has closed its case and has not notified the responding agency to close its corresponding case, the CSEA shall make a diligent effort to locate the obligee, including use of the federal parent locator service and the state parent locator service, and accept, distribute and disburse any payment received from a responding agency.

(C) Notification requirements for the initiating CSEA include:

- (1) Send a copy of a notice received from a court to an obligee within two business days of receiving it from the court;
- (2) Send a copy of a written communication from the obligor or the obligor's attorney to the obligee within two business days of receiving it from the court;
- (3) Notify the obligee within ten business days if jurisdiction over the obligor cannot be obtained;
- (4) Furnish a certified statement by the custodian of the record of the amounts and dates of all payments received to a requesting party or child support agency of another state. The CSEA may use a stamp on the record to indicate that it is a true and accurate statement of arrears.

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09/22/2021

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Statutory Authority: 3125.25  
Rule Amplifies: 3115.304, 3115.305, 3115.307  
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03/01/2003, 09/01/2005, 01/01/2006, 08/01/2008,  
11/01/2011, 07/01/2016

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

- (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.

Five Year Review (FYR) Dates: 9/22/2021 and 09/22/2026

CERTIFIED ELECTRONICALLY

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Certification

09/22/2021

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Promulgated Under: 119.03  
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03/01/2003, 09/01/2005, 01/01/2006, 08/01/2008,  
11/01/2011, 07/01/2016

5101:12-70-05.5      **Establishment of paternity in an intergovernmental case.**

- (A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to establish paternity in intergovernmental cases. When a determination of paternity has been made pursuant to the laws of another jurisdiction, that determination must be recognized in Ohio, and the issue of paternity may not be re-litigated or used as a defense to an action brought pursuant to section 3115.315 of the Revised Code.
- (B) Paternity may be established either by:
- (1) Using long arm jurisdiction, or
  - (2) Sending a Uniform Interstate Family Support Act (UIFSA)(2008) petition that requests the establishment of paternity from the initiating CSEA to an interstate central registry (ICR) in a responding state or to the central authority in another country or tribe.
- (C) The initiating CSEA shall determine whether long arm jurisdiction shall be used to establish paternity. The CSEA and its legal staff should carefully consider the facts of a case to determine whether one of the conditions described in Ohio's long arm statute exists. Long arm jurisdiction may exist over a party living outside the state of Ohio if one or more conditions described in section 3115.201 of the Revised Code apply.
- (1) When it determines that long arm jurisdiction exists and that its use is appropriate, the CSEA shall establish paternity pursuant to Chapter 5101:12-40 of the Administrative Code and shall not initiate a UIFSA petition to the state where the other party resides. The CSEA may also use OMB 0970-0085 "Transmittal #3 - Request for assistance/discovery" to request assistance with service of process or genetic testing from the child support agency in the other state, if necessary; or
  - (2) When it determines that long arm jurisdiction does not exist or would be inappropriate, the CSEA shall initiate a UIFSA petition to the ICR in the state, or to the central authority of another country or tribe, where the other party resides within twenty days of determining that the other party resides in another jurisdiction.
- (D) A responding CSEA has the following responsibilities:
- (1) Immediately upon receipt from the Ohio ICR of a UIFSA petition that requests the establishment of paternity:
    - (a) Verify the residence address of the party who resides in Ohio;

- (b) If necessary, transfer the UIFSA petition to the CSEA with administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code; and
  - (c) Establish paternity pursuant to section 3115.305 of the Revised Code;
- (2) The responding CSEA that has administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:
- (a) Notify the child support agency in the initiating agency of any additional information needed to proceed with the case;
  - (b) Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and
  - (c) Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.



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5101:12-70-05.6      **Establishment of a child support order in an intergovernmental case.**

(A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to establish a child support order in intergovernmental cases. A request to establish a child support order may be received as a separate request or as part of a request to establish paternity and support.

(B) A child support order may be established either by:

(1) Using long arm jurisdiction, or

(2) Sending a Uniform Interstate Family Support Act (UIFSA)(2008) petition that requests the establishment of a child support order from an initiating CSEA to an interstate central registry (ICR) in a responding state, or to the central authority of another country or tribe.

(C) The initiating CSEA shall determine whether long arm jurisdiction shall be used to establish a child support order. The CSEA and its legal staff should carefully consider the facts of a case to determine whether one of the conditions described in Ohio's long arm statute exists. Long arm jurisdiction may exist over a party living outside the state of Ohio if one or more conditions apply as described in section 3115.201 of the Revised Code.

(1) When it determines that long arm jurisdiction exists and is appropriate, the CSEA shall establish a child support order pursuant to rule 5101:12-45-05 of the Administrative Code and shall not initiate a UIFSA petition to the jurisdiction where the obligor lives. It may also use OMB 0970-0085 "Transmittal #3 - Request for assistance/discovery," to request assistance from the child support agency in the other state with service of process if necessary.

(2) When it determines that long arm jurisdiction does not exist or would be inappropriate, the CSEA shall initiate a UIFSA petition to the ICR in the state where the obligor resides, or to the central authority of another country or tribe within twenty days of determining that the obligor resides in another jurisdiction.

(D) A responding CSEA has the following responsibilities:

(1) Immediately upon receipt from the Ohio ICR of a UIFSA petition that requests the establishment of a child support order:

(a) Verify the residence address of the other party;

- (b) If necessary, transfer the UIFSA petition to the responding CSEA with administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code; and
  - (c) Establish a support order pursuant to section 3115.305 of the Revised Code.
- (2) The responding CSEA that has administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:
  - (a) Notify the child support agency in the initiating jurisdiction of any additional information needed to proceed with the case;
  - (b) Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and
  - (c) Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.

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5101:12-70-05.7 **Determination of the controlling order.**

(A) The Uniform Interstate Family Support Act (UIFSA)(2008) requires that only one valid order may exist for the purpose of enforcing a support obligation prospectively, beginning with the date on which the determination of controlling order is made. After a controlling order is determined, it becomes the only order that may be prospectively enforced, and sets the non-modifiable terms. Non-modifiable terms of a controlling order include the duration of the order and the dates of the termination of the order. A controlling order may not be determined more than once.

(B) As a result of the "Full Faith and Credit for Child Support Orders Act", 28 U.S.C. 1738B (9/29/2014) and the implementation of UIFSA, multiple valid orders are not possible after January 1, 1998. Thus, the need to complete the entire original hierarchy analysis of a controlling order determination under UIFSA section 209 is rare. The initial step will always be to ask the court to determine which order is valid.

~~(B)~~(C) When there is any question regarding the validity of an order, a controlling order determination must be made. A controlling order determination shall only be made by a court with personal jurisdiction over both the obligee and obligor, and must be made prior to any enforcement action or any action to modify a support order.

~~(C)~~(D) The ~~initiating~~ child support enforcement agency (CSEA) shall take the following steps before any actions can be taken:

- (1) Identify all existing support orders;
- ~~(2) Determine whether a child support order(s) exists in a case using the federal and state registry, state records, information provided by the recipient of services, and other relevant information available to the CSEA~~Obtain certified copies of each order along with payment records and arrearage calculations for each order;
- ~~(3) Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist. Obtain certified copies of each order along with all payment records and arrearage calculations for each order;~~
- ~~(4)~~(3) Examine each existing order to verify that it contains a current child support order provision and appears valid on its face;
- ~~(5)~~(4) Verify the current residential state of the obligee, obligor, and child to which the order applies;

- (5) Determine in which state a determination of the controlling order and reconciliation of arrearages may be made;
- (6) Within twenty days of completing the actions required in paragraphs ~~(E)~~(1) to ~~(E)~~(35) of this rule and, if appropriate, receipt of any necessary information needed to process the case, either:
- (a) ~~Refer the case to the appropriate responding state agency for a determination of the controlling order and a reconciliation of arrearages if such a determination is necessary;~~Proceed in accordance with paragraph (E) of this rule when the CSEA determines that Ohio may issue a controlling order determination; and/or
- (b) Refer any intergovernmental case to the appropriate state central registry, tribal program, or central authority of a country for action, ~~if long arm jurisdiction is not appropriate~~when the CSEA determines that Ohio may not issue a controlling order determination.;
- (c) ~~When the respondent and petitioner reside in Ohio, the initiating CSEA shall do the following:~~
- (i) ~~When the respondent and petitioner reside in the same county, the initiating CSEA shall determine the controlling order; or~~
- (ii) ~~When the respondent and petitioner reside in different counties, the initiating CSEA shall refer to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code for the determination of the controlling order.~~
- ~~(D)~~(E) The responding When Ohio is issuing a controlling order determination, the CSEA shall take the following actions:
- (1) ~~Determine which of the states with support orders have continuing exclusive jurisdiction (CEJ). A state has CEJ over a support order issued in that state at any time either the individual obligee, obligor, or the child resides in that state or the parties have consented in a record or open court that the tribunal of the state may continue to exercise jurisdiction to modify its order.~~Identify which orders were issued consistent with 28 U.S.C. 1738B (9/29/2014 ).
- (2) Reconcile the arrearages for all support orders.
- (3) File the appropriate pleadings with the court, including recommended language regarding which order should be determined the controlling order and a calculation of the reconciled arrearages ~~based upon the following principles.;~~

- ~~(a) If only one of the states with an order has CEJ, recommend the order in the state with CEJ be determined the controlling order;~~
  - ~~(b) If more than one of the states with a order has CEJ, recommend the order in the home state of the child be determined the controlling order;~~
  - ~~(c) If more than one of the states with a order have CEJ, but no state is the home state of the child, recommend the most recently issued valid order be determined the controlling order; and~~
  - ~~(d) If none of the states with an order have CEJ, recommend that the court issue a new order that will be determined to be the controlling order.~~
- (4) After the court has made the controlling order determination, prepare the OMB 0970-0085, "Notice of determination of controlling order," and send it with a certified copy of the controlling order determination to the tribunal (typically in care of the child support agency in each state) that issued or registered any of the support orders used to determine the controlling order.

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5101:12-70-05.8 **Enforcement of a support order in an intergovernmental case.**

- (A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to enforce support orders in intergovernmental cases.
- (B) When two or more support orders exist, only the support order that has been determined to be the controlling order may be enforced. Therefore, before any action is taken to enforce a support order, the initiating CSEA shall conduct an investigation to identify the number of support orders that may exist in the case and take any necessary steps as described in rule 5101:12-70-05.3 of the Administrative Code.
- (C) Support orders in interstate cases may be enforced either by:
- (1) Sending a direct income withholding as described in sections 3115.501 to 3115.507 of the Revised Code, if it is verified that an obligor is employed or receives income in another state and the CSEA determines that direct income withholding is available and appropriate; or
  - (2) Sending a Uniform Interstate Family Support Act (UIFSA)(2008) petition that requests the enforcement of support from an initiating CSEA to an interstate central registry (ICR) in a responding state.
- (D) A CSEA shall determine whether direct income withholding is available and appropriate to enforce a controlling order. Prior to sending the income withholding notice, the CSEA shall verify that the laws of the state where the obligor's payor is located permit the direct withholding of the type of income being received.
- (E) A CSEA shall have the following responsibilities when it determines that direct income withholding is appropriate:
- (1) It shall prepare an income withholding notice as described in rule 5101:12-50-10.2 of the Administrative Code; and
  - (2) It shall send the income withholding notice directly to the obligor's payor in the other state.
- (F) An initiating CSEA shall have the following responsibilities when it is unable to verify a source of income for the obligor or when it determines that direct income withholding is inappropriate:
- (1) Prepare a UIFSA petition within twenty days of determining that an obligor resides in another jurisdiction; and

- (2) When the controlling order has been issued by the state where the obligor resides, send a UIFSA petition requesting enforcement of the controlling order to the ICR in that state; or
  - (3) When the controlling order has been issued by a state other than the state where the obligor resides, take each of the following actions:
    - (a) Obtain a certified copy of the controlling order, and all modifications of the controlling order including certified payment records for which the registration is being requested;
    - (b) Prepare a UIFSA petition that requests registration of the controlling order; and
    - (c) Send the UIFSA petition to the ICR in the state where the obligor resides or has assets, or to the central authority of another country or tribe.
- (G) UIFSA petitions requesting the registration of a support order for enforcement may be sent simultaneously to any state where the obligor resides or has income or assets. A CSEA must maintain records of all actions taken to enforce a support order using the registration process described in this rule.
- (H) A responding CSEA has the following responsibilities:
- (1) Immediately upon receipt of a UIFSA petition from the Ohio ICR, which requests the enforcement of a controlling order, verify the residence address of the obligor and:
    - (a) When the CSEA has verified that the obligor resides in the same county as the responding CSEA, the CSEA shall take the actions requested in the petition; or
    - (b) When the CSEA has verified that the obligor has moved to another county, the CSEA shall:
      - (i) Determine which county has administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code;
      - (ii) Determine if a transfer is required, and forward the forms and documentation to the county with administrative responsibility; and
      - (iii) Notify the initiating agency and the Ohio ICR of the transfer.

- (c) When the CSEA has verified that a support order exists in a different Ohio county, the CSEA shall:
    - (i) Determine which county has administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code;
    - (ii) Determine if a transfer is required, and forward the forms and documentation to the county with administrative responsibility; and
    - (iii) Notify the initiating agency and the Ohio ICR of the transfer.
  - (2) The responding CSEA with administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:
    - (a) Notify the child support agency in the initiating jurisdiction of any additional information needed to proceed with the case;
    - (b) Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and
    - (c) Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.
  - (3) Register the controlling order if all information necessary to register the order has been received. A controlling order that is registered and confirmed in Ohio is enforceable in the same manner and subject to the same procedures as an order issued by Ohio.
- (I) When all of the parties to a case reside in Ohio and the controlling order exists in a jurisdiction other than Ohio, the controlling order may be registered for enforcement pursuant to sections 3115.601 to 3115.616 of the Revised Code by the CSEA with administrative responsibility as described in rule 5101:12-10-04 of the Administrative Code.

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5101:12-70-05.9      **Modification of a controlling order in an intergovernmental case.**

(A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to modify a controlling order in an intergovernmental case.

~~(B)~~ For purposes of this rule, "petitioner" means the person or entity requesting the modification. "Respondent" means the person or entity who did not request the modification.

~~(C)~~(B) No part of the controlling order may be modified that is not modifiable under the laws of the state that issued the controlling order, such as the duration of the support order.

~~(D)~~(C) An Ohio controlling order can be modified in Ohio only when either the obligor, individual obligee, or the child resides in Ohio, or the parties have consented in a record or open court that the tribunal in Ohio, may continue to exercise jurisdiction to modify its order.

~~(E)~~(D) A controlling order shall only be modified by:

- (1) The state where the controlling order was issued when that state has continuing exclusive jurisdiction (CEJ); or
- (2) The state where the non-requesting party resides when no state has CEJ; or
- (3) The state where all parties have filed written consents to modify the order.

~~When paragraph (E)(2) or (E)(3) of this rule applies, the state that modifies the support order assumes the controlling order.~~

~~(F)~~(E) An initiating or responding CSEA ~~has the following responsibilities~~will:

- (1) Verify the state that issued the controlling order.
- (2) Verify the current residential address of the ~~respondent~~parties.
- (3) Determine ~~whether the~~ pursuant to paragraph (D) of this rule what state where the respondent resides is the state that issued is appropriate to modify the controlling order.
- ~~(4) The CSEA with administrative responsibility as described in rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code shall conduct the modification~~

~~as appropriate in accordance with rules 5101:12-60-05 to 5101:12-60-05.6 of the Administrative Code.~~

(F) An initiating CSEA will take the following actions within twenty days of determining that another state is the appropriate state to modify the controlling order:

~~(5) Take the following actions within twenty days of determining that the respondent resides in the controlling order state:~~

~~(a)(1) Prepare a Uniform Interstate Family Support Act (UIFSA)(2008) petition requesting the modification and, if requested appropriate, enforcement of the controlling order; and~~

~~(b)(2) Send the UIFSA petition to the interstate central registry (ICR) in the state where the respondent resides modification will be conducted.~~

~~(6) Take the following actions within twenty days of determining that the respondent does not reside in the controlling order state:~~

~~(a) Prepare a UIFSA petition requesting the registration of the controlling order for modification, including all forms required by rule 5101:12-70-05.11 of the Administrative Code, and other documents as necessary; and~~

~~(b) Send the UIFSA petition to the ICR in the state where the party who has not requested the modification resides, unless both the parties have submitted signed documents to the initiating CSEA agreeing to grant jurisdiction to modify the controlling order to another state.~~

(G) A responding CSEA has the following responsibilities will:

(1) Immediately upon receipt of a UIFSA petition requesting modification of a support order ~~from the Ohio ICR~~, verify the residence address of the respondent and, if necessary, transfer the UIFSA petition to the ~~responding~~ CSEA with administrative responsibility for the case pursuant to rule 5101:12-10-04 of the Administrative Code.

(2) The responding CSEA with administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:

(a) Notify the child support agency in the initiating jurisdiction of any additional information needed to process the case;

(b) Process the case to the extent possible pending receipt of the additional information from the child support agency in the initiating jurisdiction;

- (c) Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction; and
    - (d) Register the controlling order for modification or modification and enforcement pursuant to sections 3115.601 to 3115.616 of the Revised Code.
  - (3) Review the order for modification using the administrative review process pursuant to rules 5101:12-60-05 to 5101:12-60-05.6 of the Administrative Code.
- (H) When all of the parties to a case reside in Ohio and the controlling order was issued by another state, the controlling order may be registered for modification and enforcement in Ohio by the CSEA with administrative responsibility pursuant to rule 5101:12-10-04 of the Administrative Code. ~~In these circumstances:~~
  - ~~(1) The initiating CSEA shall be the CSEA that has an open case for the obligee, or, if there is no open case, the county where the obligee resides. The initiating CSEA has the following responsibilities:~~
    - ~~(a) Obtain a certified copy of the controlling order, and all modifications of the controlling order including certified payment records for which the registration is being requested;~~
    - ~~(b) Prepare a UIFSA petition requesting registration of the controlling order;~~
    - ~~(c) Send the UIFSA petition to the responding CSEA in the county where the obligor resides; and~~
    - ~~(d) Transfer the support enforcement tracking system (SETS) case, or, if unable to transfer the case, close the SETS case in order to allow the responding CSEA to open a new case in SETS.~~
  - ~~(2) The CSEA in the county where the obligor resides shall be the responding CSEA and has the following responsibilities:~~
    - ~~(a) Notify the initiating CSEA of any additional information needed to proceed with the case;~~
    - ~~(b) Process the case to the extent possible pending receipt of the additional information needed from the initiating CSEA;~~

- ~~(c) Complete the case intake process in the Ohio case registry, SETS, using information from the UIFSA petition and any information received from the CSENet transaction;~~
  - ~~(d) Register the controlling order for modification and enforcement pursuant to sections 3115.601 to 3115.616 of the Revised Code; and~~
  - ~~(e) Review the order for modification using the administrative review process pursuant to rule 5101:12-60-05 of the Administrative Code and its supplemental rules if the UIFSA petition requested modification and enforcement.~~
- ~~(3) When the obligor and obligee reside in the same county, the CSEA in that county shall:~~
- ~~(a) Obtain a certified copy of the controlling order and all modifications of the controlling order including certified payment records for which the registration is being requested;~~
  - ~~(b) Register the controlling order pursuant to sections 3115.601 to 3115.616 of the Revised Code; and~~
  - ~~(c) Review the order for modification using the administrative review process pursuant to rule 5101:12-60-05 of the Administrative Code and its supplemental rules if the UIFSA petition requested modification and enforcement.~~
- (I) Once a controlling order has been registered for modification in Ohio, it is enforceable in the same manner and is subject to the same procedures as an order issued by Ohio, except that the duration of the order and dates of termination of the order continue to be the terms of the order as ~~it was originally issued~~ in the controlling order state.



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5101:12-70-05.10     **The child support enforcement network.**

- (A) This rule describes the responsibilities of the child support enforcement agency (CSEA) to use the child support enforcement network (CSENet) in the processing of interstate cases to the greatest extent possible.
- (B) "Child Support Enforcement Network" (CSENet) means the electronic communications network developed by the federal office of child support enforcement (OCSE) to transmit and receive case information between states in a standardized format.
- (C) The CSEA shall use CSENet to take the following actions:
- (1) Request location information on a putative father or absent parent from a state that has CSENet quick locate capability with Ohio. A CSENet "Quick Locate" (LO1) transaction shall be used for this purpose.
  - (2) Request case information, including support order information, from a state that has CSENet case status information capability with Ohio. A CSENet "Case Status Information" (CSI) transaction shall be used for this purpose.
  - (3) Request the establishment of paternity from a state that has CSENet paternity capability with Ohio. A CSENet "Paternity" (PAT) transaction shall accompany a Uniform Interstate Family Support Act (UIFSA)(2008) petition for this purpose.
  - (4) Request the establishment of a support order from a state that has CSENet establishment capability with Ohio. A CSENet "Establishment" (EST) transaction shall accompany a UIFSA petition for this purpose.
  - (5) Request the enforcement of a support order from a state that has CSENet enforcement capability with Ohio. A CSENet "Enforcement" (ENF) transaction shall accompany a UIFSA petition for this purpose.
  - (6) Transmit case status and information to a state that has CSENet managing state cases capability with Ohio. A CSENet "Managing State Cases" (MSC) transaction shall be used for this purpose.
- (D) When a CSEA receives an incoming CSENet transaction, it shall take the actions required by the transaction within thirty days.

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5101:12-70-05.11      **Forms for intergovernmental case processing.**

(A) The following forms shall be used in processing interstate cases under the Uniform Interstate Family Support Act (UIFSA)(2008). To the greatest extent practical, the child support enforcement agency (CSEA) shall transmit requests for information and provide requested information through the child support enforcement network (CSENet) or electronic document exchange (EDE). When transmitting information electronically, the CSEA shall provide paper documents if requested by the responding agency.

- (1) The OMB 0970-0085 "Child Support Agency Confidential Information Form" shall be used to safeguard the privacy of individuals by providing a means to record personal information on a separate document that is not served on the parties or filed with a tribunal.
- (2) The OMB 0970-0085 "Child Support Agency Request for Change of Support Payment Location Pursuant to UIFSA § 319" shall be used by a CSEA to make a request to the state that issued the support order to change the payment location of the order.
- (3) The OMB 0970-0085 "Child Support Enforcement Transmittal #1 - Initial Request Acknowledgment" shall be used to inform the initiating jurisdiction of the responding jurisdiction's receipt of a "Child Support Enforcement Transmittal #1 - Initial Request" and to request any additional information or documentation needed to take further action on the request.
- (4) The OMB 0970-0085 "Child Support Enforcement Transmittal #1 - Initial Request" shall be used as a cover letter to refer an interstate case to a responding state's interstate central registry (ICR).
- (5) The OMB 0970-0085 "Child Support Enforcement Transmittal #2 - Subsequent Actions" shall be used to request or provide additional information or documents in previously referred cases. The CSEA shall not use the "Child Support Enforcement Transmittal #2-Subsequent Actions" to make an initial referral, only for subsequent communication. This form shall only be used when CSENet functionality is not available with the other agency.
- (6) The OMB 0970-0085 "Child Support Enforcement Transmittal #3 - Request for Assistance/Discovery" shall be used to obtain limited assistance with activities such as service of process, discovery, or genetic testing in cases where a tribunal or CSEA of this state may exercise personal jurisdiction over a nonresident. A CSEA that receives a "Child Support Enforcement Transmittal #3 - Request for Assistance/Discovery" requesting limited assistance from another state shall not open a case.

- (7) The OMB 0970-0085 "Child Support Locate Request" shall be used to request locate information regarding the parent, employer, wages, or assets of a putative father or obligor. The CSEA shall not send a "Child Support Locate Request" to a state with which Ohio has CSENet quick locate capability. If Ohio has CSENet quick locate capability with a state, the CSEA shall send a CSENet transaction for quick locate to that state as described in rule 5101:12-70-05.10 of the Administrative Code. This form may also be used to request locate information on an obligee since CSENet cannot be used to obtain locate information on obligees.
- (8) The OMB 0970-0085 "Declaration in Support of Establishing Parentage" shall be used to supplement the "Uniform Support Petition" to summarize the evidence available to establish parentage. A separate "Declaration in Support of Establishing Parentage" is required for each child for whom parentage is at issue.
- (9) The OMB 0970-0085 "General Testimony" shall be used to provide detailed information and evidence available to support the action requested in the "Child Support Enforcement Transmittal #1 - Initial Request."
- (10) The OMB 0970-0085 "Letter of Transmittal Requesting Registration" shall be used to request registration of an existing order for enforcement and/or modification. The purpose of the form is to provide specific order information to the responding state. A separate "Letter of Transmittal Requesting Registration" shall be prepared for each order for which registration is being requested.
- (11) The OMB 0970-0085 "Notice of Determination of Controlling Order" shall be used to notify the child support agencies and tribunals in other states of a determination of controlling order that has been made by a court in Ohio.
- (12) The OMB 0970-0085 "Personal Information Form for UIFSA § 311" shall be used to safeguard the privacy of individuals by providing a means to record personal information on a separate document that may be filed with a tribunal, but should not be filed in a public access file.
- (13) The OMB 0970-0085 "Uniform Support Petition" shall be used as a legal pleading to provide the petitioner with a means to request specific action or relief, show enough facts to notify the respondent of the claim being made, and to assert that the responding tribunal has jurisdiction.

- (14) The OMB 0970-0152 "Administrative Subpoena" shall be used to subpoena any financial or other information needed to establish, modify, or enforce a support order.
  - (15) The JFS 01132, "Notice of Lien" (effective or revised effective date as identified in rule 5101:12-70-99 of the Administrative Code) shall be used to request that a lien be placed on property owned by an obligor in a state other than Ohio.
- (B) The initiating CSEA shall prepare and send UIFSA petitions consisting of forms described in paragraph (A) of this rule in the combinations listed in paragraphs (B)(1) to (B)(6) of this rule, to the ICR in the responding state for the purpose of requesting child support program actions as follows:
- (1) To request the establishment of paternity and support, the initiating CSEA shall send:
    - (a) The "Child Support Agency Confidential Information Form";
    - (b) The "Personal Information Form for UIFSA § 311";
    - (c) The "Child Support Enforcement Transmittal #1 - Initial Request";
    - (d) The "Uniform Support Petition";
    - (e) The "Declaration in Support of Establishing Parentage"; and
    - (f) The "General Testimony."
  - (2) To request the establishment of a support order, the initiating CSEA shall send:
    - (a) The "Child Support Agency Confidential Information Form";
    - (b) The "Personal Information Form for UIFSA § 311";
    - (c) The "Child Support Enforcement Transmittal #1 - Initial Request";
    - (d) The "Uniform Support Petition"; and
    - (e) The "General Testimony."
  - (3) To request the modification of a controlling order that was issued in a state where the obligee or obligor resides, the initiating CSEA shall send:
    - (a) The "Child Support Enforcement Transmittal #1 - Initial Request";

- (b) The "Uniform Support Petition"; and
  - (c) The "General Testimony."
- (4) To request the registration for modification or the registration for modification and enforcement of a controlling order that was issued in a state other than the state where the obligee or obligor resides, the initiating CSEA shall send:
  - (a) The "Child Support Agency Confidential Information Form";
  - (b) The "Personal Information Form for UIFSA § 311";
  - (c) The "Child Support Enforcement Transmittal #1 - Initial Request";
  - (d) The "Uniform Support Petition";
  - (e) The "General Testimony"; and
  - (f) The "Letter of Transmittal Requesting Registration."
- (5) To request the enforcement of a controlling order that was issued in a state where the obligor resides, the initiating CSEA shall send the "Child Support Enforcement Transmittal #1 - Initial Request."
- (6) To request the registration for enforcement of a controlling order that was issued in a state other than the state where the obligor resides, the initiating CSEA shall send:
  - (a) The "Child Support Agency Confidential Information Form";
  - (b) The "Personal Information Form for UIFSA § 311";
  - (c) The "Child Support Enforcement Transmittal #1 - Initial Request"; and
  - (d) The "Letter of Transmittal Requesting Registration."
- (C) In addition to the forms described in paragraph (B) of this rule, child support agencies in responding states may require that other documents be included in a UIFSA petition. The CSEA may contact the ICR in the state where the UIFSA petition will be sent to determine whether any additional documents are required.
- (D) Forms are available at the office of child support enforcement (OCSE) website under the international resources section, for cases with countries for whom the convention on the international recovery of child support and other forms of family maintenance, concluded at "The Hague" on November 23, 2007, is in effect.

(E) Forms for cases with countries that are "Federal Reciprocating Countries" (FRC) with the United States are available at the OCSE website under the international resources section.



Effective: 12/15/2021  
Five Year Review (FYR) Dates: 9/22/2021 and 09/22/2026

CERTIFIED ELECTRONICALLY

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Certification

11/30/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 3125.25  
Rule Amplifies: 3115.602, 3115.605, 3125.03  
Prior Effective Dates: 01/01/1998, 11/01/2000, 03/01/2003, 09/01/2005,  
11/01/2011, 07/01/2016, 03/01/2018

5101:12-70-99      **Chapter 5101:12-70 forms - intergovernmental actions.**

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

JFS 01132, "Notice of Lien" (rev. 2/2018).

Five Year Review (FYR) Dates: 9/22/2021 and 09/22/2026

CERTIFIED ELECTRONICALLY

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Certification

09/22/2021

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Date

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