



March 24, 2022

**Child Support Program Manual Transmittal Letter (CSPMTL) No. 179**

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

**FROM:** Matt Damschroder, Director

**SUBJECT:** OCS Rule Review – Reduction of Permanently Assigned Arrears.

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 the following rules as **no change**. The effective date of these rules will remain the same as the existing rules:

Rule Number	Rule Title	Effective Date of Rule
5101:12-60-70	Reduction of Permanently Assigned Arrears	1/1/2017
	<p>This rule contains definitions for terms specific to this rule and the supplemental rules.</p> <p>This rule is authorized under section 3125.25 of the Revised Code, and amplifies, sections 3125.03, 3125.24 and 3125.25 of the Revised Code.</p>	
5101:12-60-70.1	Procedures for a Reduction of Permanently Assigned Arrears	1/1/2017
	<p>This rule describes the procedure when a child support enforcement agency (CSEA) elects to establish a procedure for a reduction of permanently assigned arrears.</p> <p>This rule is authorized under section 3125.25 of the Revised Code, and amplifies, sections 3125.03, 3125.24 and 3125.25 of the Revised Code.</p>	
5101:12-60-70.2	Process for a Reduction of Permanently Assigned Arrears	1/1/2017
	<p>This rule describes the negotiation process between the CSEA and the obligor when requesting a reduction of permanently assigned arrears. The rule outlines the responsibilities of the obligor, CSEA and office of child support (OCS).</p> <p>This rule is authorized under section 3125.25 of the Revised Code, and amplifies, sections 3125.03, 3125.24 and 3125.25 of the Revised Code.</p>	

Rule Number	Rule Title	Effective Date of Rule
5101:12-60-70.3	Agreed Entry for a Reduction of Permanently Assigned Arrears	1/1/2017
	<p>This rule describes the agreed entry process for the CSEA once a request for a reduction of permanently assigned arrears is approved, either locally by a CSEA or OCS.</p> <p>This rule is authorized under section 3125.25 of the Revised Code, and amplifies, sections 3125.03, 3125.24 and 3125.25 of the Revised Code.</p>	
5101:12-60-70.4	Reporting Requirements for a Reduction of Permanently Assigned Arrears	1/1/2017
	<p>This rule describes the reporting requirements the CSEA must maintain when tracking all requests and agreements for a reduction of permanently assigned arrears.</p> <p>This rule is authorized under section 3125.25 of the Revised Code, and amplifies, sections 3125.03, 3125.24 and 3125.25 of the Revised Code.</p>	
5101:12-60-70.5	County Initiation of a Reduction of Permanently Assigned Arrears	2/1/2018
	<p>This rule describes the process a CSEA may use to initiate a reduction of permanently assigned arrears.</p> <p>This rule is authorized under section 3125.25 of the Revised Code, and amplifies, sections 3125.03, 3125.24 and 3125.25 of the Revised Code.</p>	

OCS has **amended** the following rule.

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-60-99	Chapter 5101:12-60 Forms – Order Administration	01/15/2020	04/01/2022
	<p>This rule contains a compilation of forms within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code.</p> <p>Changes to the rule are amending the effective date of the JFS 04057 and JFS 07718.</p> <p>This rule is authorized by section 3125.25 of the Revised Code and amplifies sections 3125.03 and 3125.25 of the Revised Code.</p>		

OCS has **amended** the following forms.

Form Number	Form Title	Prior Effective Date of Form	Revised Effective Date
JFS 04057	Notice to Court or Administrative Case Record of a Reduction of Permanently Assigned Arrears	2/2018	4/2022
	<p>This form is used by a CSEA to file with the court or in the administrative record, in accordance with OAC rule 5101:12 60-70.5.</p> <p>Changes to the form are removed the capitalization to the word "the" in multiple places on the form.</p>		
JFS 07718	Administrative Agreed Entry for a Reduction of Permanently Assigned Arrears	1/2017	4/2022
	<p>This form is used as an administrative agreed entry for a reduction of permanently assigned arrears when arrears accrued under an administrative order.</p> <p>Changes to this form are removed the word "in" and replaced with "by" for clarity.</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,
- An amended form will replace the current posted form

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.

5101:12-60-99

**Chapter 5101:12-60 forms - order administration.**

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 00592, "Caretaker Notification of Administrative Adjustment Review" (rev. 10/2019);
- (B) JFS 01849, "Request for an Administrative Review of the Child Support Order"(rev. 10/2019);
- (C) JFS 01856, "Denial of Request to Reschedule Administrative Review and Adjustment Hearing" (rev. 7/2005);
- (D) JFS 01866, "Administrative Review Pending Notice" (rev. 2/2019);
- (E) JFS 01867, "Right to Request an Administrative Review of the Support Order" (rev. 10/2019);
- (F) JFS 01868, "Dismissal of Administrative Review Request" (rev. 2/2019);
- (G) JFS 04057, "Notice to Court or Administrative Case Record of a Reduction of Permanently Assigned Arrears" (~~2/20184~~/2022);
- (H) JFS 07049, "Notice of Right to Request Administrative Review of Child and Medical Support Order" (rev. 10/2019);
- (I) JFS 07521, "Results of Support Order Termination Investigation" (rev. 2/2019);
- (J) JFS 07522, "Findings and Recommendations to Terminate the Administrative Child Support Order"(rev. 3/2019);
- (K) JFS 07523, "Administrative Order to Impound Support" (rev. 2/2019);
- (L) JFS 07524, "Denial of Administrative Termination Hearing Request" (rev. 2/2019);
- (M) JFS 07525, "Notice of Administrative Termination Hearing" (rev. 2/2019);
- (N) JFS 07526, "Administrative Termination Hearing Decision" (rev. 2/2019);
- (O) JFS 07527, "Administrative Order to Terminate the Administrative Child Support Order" (rev. 2/2019);
- (P) JFS 07602, "Administrative Adjustment Hearing Notice" (4/1996);

- (Q) JFS 07606, "Administrative Adjustment Review Notification" (rev. 10/2019);
- (R) JFS 07613, "Administrative Adjustment Review Denial Notice" (rev. 10/2007);
- (S) JFS 07633, "Rescheduling Administrative Adjustment Hearing Notice" (rev. 4/1996);
- (T) JFS 07717, "Determination Regarding Negotiation for a Reduction of Permanently Assigned Arrears" (rev. 1/2017);
- (U) JFS 07718, "Administrative Agreed Entry for a Reduction of Permanently Assigned Arrears" (rev. ~~1/2017~~4/2022);
- (V) JFS 07728, "Denial of Request for an Administrative Adjustment Hearing " (rev. 2/2019); and
- (W) JFS 07770, "Administrative Adjustment Hearing Decision" (rev. 2/2019).

Effective: 4/1/2022

Five Year Review (FYR) Dates: 2/14/2024

CERTIFIED ELECTRONICALLY

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Certification

03/18/2022

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Date

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.25

Prior Effective Dates: 08/01/2014, 11/01/2015, 09/01/2016, 01/01/2017,  
02/01/2018, 06/15/2018, 02/14/2019, 01/15/2020

<County\_Name> County CSEA  
<CSEA\_Address\_1>  
<CSEA\_Address\_2>  
<CSEA\_City>, <CSEA\_State> <CSEA\_Zip>

Telephone Number: <CSEA\_Local\_Phone\_>  
Toll Free Number: <CSEA\_800\_No>  
Fax Number: <CSEA\_Fax\_No>  
CSEA Website: <County\_Website>

Obligor: <OBLIGOR\_NAMEF><NAMEM><NAMEL>  
Obligee: <OBLIGEE\_NAMEF><NAMEM><NAMEL>

Case Number: <Case Number>  
Order Number: <Order Number>

Ohio Department of Job and Family Services  
**NOTICE TO COURT OR ADMINISTRATIVE CASE RECORD  
OF A REDUCTION OF PERMANENTLY ASSIGNED ARREARS**

The child support enforcement agency (CSEA) affirms that:

- There has been no collection received on the support enforcement tracking system (SETS) case during the past two years; and
- There is documentation in the case record that:
  - All manual and automated location efforts have been unsuccessful for the past two years; or
  - All enforcement efforts have been unsuccessful for the past two years.

The permanently assigned arrears are less than \$5,000.00.

The permanently assigned arrears are \$5,000.00 or more and the reduction described below was approved by the office of child support (OCS).

As of <DATE> the CSEA has reduced the permanently assigned arrears to zero

As of <DATE> the CSEA has reduced the arrears owed to the CSEA to zero.

As of <DATE> the obligor owes no outstanding arrears on the case.

<PRIMARY\_WORKER\_NAME>

Primary Worker Name

<CSEA\_NAME> County CSEA

<County Name>County CSEA  
<CSEA Address 1>  
<CSEA Address 2>  
<CSEA City><CSEA State><CSEA ZIP>

Telephone Number: <CSEA\_Local\_Phone>  
Toll Free Number: <CSEA\_800\_No>  
Fax Number: <CSEA\_Fax\_No>  
CSEA Website: <County Website>

<Obligor Name F><Obligor Name M><Obligor Name L>  
<Obligor Addr1><Obligor Apt No>  
<Obligor Addr2>  
<Obligor City><Obligor State><Obligor ZIP>

Date: <Print Date>  
Case Number: <Case No>  
Order Number: <Order No>

Ohio Department of Job and Family Services  
**ADMINISTRATIVE AGREED ENTRY FOR A  
REDUCTION OF PERMANENTLY ASSIGNED ARREARS**

This ADMINISTRATIVE AGREED ENTRY is between <Obligor Name First><Obligor Name Last>, hereinafter referred to as "the obligor", and the <County Name> County Child Support Enforcement Agency (CSEA), and hereinafter referred to as "the CSEA".

As of <Identified Date>, the obligor owes \$<Enter Amount> in permanently assigned arrears and \$<Enter Amount> in <Identify Type(s) of Obligation(s) Owed to CSEA> on case number <Case No>.

The obligor and the CSEA hereby enter into the following agreement (check all that apply) to reduce permanently assigned arrears on the case indicated above:

The effective date of this agreement is: <Enter Date>

- Waiver:** The CSEA shall reduce permanently assigned arrears by the amount of \$<Enter Amount>.
- Lump Sum Payment:** The CSEA shall reduce permanently assigned arrears by the amount of \$<Enter Amount>, in exchange for a lump sum payment of \$<Enter Amount> by the following date: <Enter Date>.
- Installment Plan:** For every dollar the obligor pays, the CSEA will reduce the permanently assigned arrears by \$<Enter Amount>. The CSEA will review the payments every: <Enter Frequency (Weekly, Monthly, Bi-Monthly, etc.)>
- Family Support Program:** The CSEA shall reduce permanently assigned arrears by the amount of \$<Enter Amount> in exchange for successful completion of the <Name of Family Support Program>program.
- The CSEA shall reduce <Enter Type(s) of Obligation(s) Owed to CSEA> by the amount of \$<Enter Amount> that the obligor currently owes to the CSEA.



The rights of the obligee shall not be prejudiced by the agreement to reduce permanently assigned arrears.

When the agreed entry is a waiver or family support program, and a balance remains on the SETS case, the obligor is still responsible for paying in full the remaining support obligation amount owed, and is still subject to all of the collection and enforcement techniques.

When the agreed entry is a lump sum compromise, installment plan compromise or family support program, the obligor is still responsible for paying in full the remaining support obligation amount owed on the SETS case, including the current support obligation amount, and is still subject to all of the collection and enforcement techniques.

This administrative agreed entry is final and neither the obligor nor the CSEA may re-open matters covered by the administrative agreed entry, by court action or otherwise, unless:

- The obligor fails to comply with the terms and conditions set forth in this administrative agreed entry; or
- The obligor is believed to have acted with intent to defraud the CSEA by furnishing false information or concealing assets or financial history; or
- There is a mutual mistake of a material fact sufficient to cause the administrative agreed entry to be reformed or set aside; or

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**Signature of the Obligor**

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**Signature of the CSEA Director or Administrator**

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**Printed Name of the Obligor**

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**Printed Name of the CSEA Director or Administrator**

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**Date**

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**Date**

**SWORN TO AND SUBSCRIBED BEFORE ME  
ON THIS DATE DAY OF MONTH, YEAR.**

**SWORN TO AND SUBSCRIBED BEFORE ME  
ON THIS DATE DAY OF MONTH, YEAR.**

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**NOTARY PUBLIC**

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**NOTARY PUBLIC**