

# Child Support General Information





## Why is Child Support Important?

The purpose of the child support program is to provide children with the opportunity for a better life. By working with both parents to establish and enforce support orders, the Child Support Program helps children receive the financial and medical support ordered for them.



## Why is Child Support Important?

- Ohio's child support program impacts more children than any other public program in Ohio, *except* public education.
- Over two billion dollars are collected per year, affecting over one million children.



## Why is Child Support Important?

- Child support is important to a child's healthy development. Child support makes a real difference in managing food, shelter, clothing, medical, and dental expenses. In addition, some researchers find a correlation between consistent child support and improved school attendance, higher grade point averages, and reduced behavioral problems.
- Children need the *emotional and financial* support of both parents.



## What we can do for you...

- Collect and disburse ordered payments and maintain an accurate record of those payments.
- Provide services to locate an absent parent responsible for support. When appropriate, establish a Court or Administrative order for support.
- Administratively modify an existing support order, provided the request for a review meets specific review criteria.



## What we can do for you...

- Withhold support through an income withholding notice to an Obligor's employer, Unemployment or Workers' Compensation benefits, or funds on deposit in a financial institution.
- Obtain an order for medical insurance coverage.
- Use the federal and state income tax offset programs to collect past due support. Some submission restrictions apply.



## What we can do for you...

- Report the amount of past due support owed by an Obligor to a credit reporting agency.
- Establish paternity by acknowledgement of the parent or by genetic testing and order support for a child born out of wedlock.
- Refer child support cases to Court for enforcement and contempt actions.



## What we can do for you...

- Suspend professional, driving and recreational licenses of Obligor in default.
- Initiate criminal non-support for prosecution for flagrant non-payers according to specific criteria.
- Establish an arrearage payment on past due child support through an administrative default action.
- Initiate interstate action for enforcement of orders when the Obligor resides in another state.





# What are Your Obligations?

Notify the CSEA of changes in name, address, employment, health insurance carrier, etc.

Inform the CSEA of any reason support should terminate, i.e., emancipation of child, death of child or party, or change, i.e., verifiable determination of permanent disability.

Respond to the CSEA's requests for information by providing data in a timely fashion.



## The CSEA cannot...

- **CANNOT** Mediate visitation rights or disputes or become involved in any way with custody issues or any subsequent changes in custody of the children.
- **CANNOT** Collect or enforce property settlement matters.
- **CANNOT** Collect upon medical bills other than those previously ordered by the Court.



## The CSEA cannot...

- CANNOT Determine who is entitled to claim a child on tax returns.
- CANNOT Locate estranged children.
- The CSEA CANNOT act in anyway as your private attorney or personally represent your interests outside the Federal and State mandates.



## Attorney-Client Relationship

*Please note that the Attorney(s) working for the Child Support Enforcement Agency (CSEA) are not your private attorney regarding your support/paternity case. They, as well as the rest of the CSEA staff, represent the interests of the people of the State of Ohio, and do not personally represent you or your interests.*



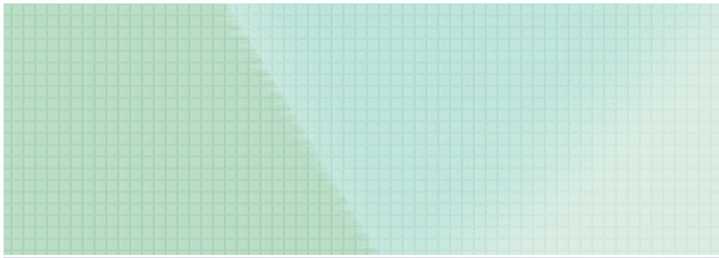
## Attorney-Client Relationship

*By Federal and State law, the CSEA is obligated to establish and enforce Administrative/Court orders relating to child support, establish paternity, as well as perform other related functions. We will bring actions on your behalf to establish paternity and/or enforce your support rights.*



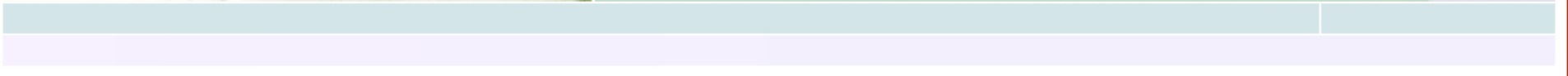
## Attorney-Client Relationship

*By our representation and intervention in your case, no attorney-client relationship has been or will be established. You have the right to obtain your own legal counsel to specifically represent your individual interest, free from any potential conflicts involving the CSEA and its functions.*



# Child Support

## Paternity Establishment



Having a baby  
can be an  
emotional  
and exciting  
time for both  
the mother  
and the father.







The key to insuring both parents play an active role in raising the child is making sure both have an equal opportunity to be involved in decision making and the opportunity to spend time with the child!

# What is Paternity?



**Paternity is the legal determination of fatherhood.**

**Paternity is important for many reasons including;**

- Medical histories of both parents are more accessible.
- A child will have the ability to obtain financial resources such as Social Security or Veteran's benefits.
- It's a requirement in order to obtain a support order.



And the most important reason  
why Paternity Establishment is  
vital...

.....Because a  
child deserves to  
*know* and *love* both  
parents.



# What to expect after you have your baby...

During your stay at the hospital, you and the baby's father will be provided a brochure on the Acknowledgement of Paternity process and an opportunity to complete an Acknowledgement of Paternity Affidavit.





The mother of a child and a man alleging to be the father may sign the Acknowledgement of Paternity Affidavit.

Once the Affidavit is signed, notarized and filed with the *Central Paternity Registry*, this constitutes a legal determination of paternity and the father assumes the parental duty of support.



If the parents of the baby are minors, they may sign the Paternity Acknowledgment without the parent or guardian co-signing.



## You cannot sign the Acknowledgement if....

You were married at the time you gave birth to the child.

By law, the husband's name **MUST** go on the birth record if you are still married.








## **If you signed the Acknowledgement but decide you now want Genetic Testing....**

Either parent may rescind the Paternity  
Acknowledgement no later than 60  
days after the date of the latest  
signature.



If a Paternity Acknowledgement is signed and you are within 60 days of the latest signature, notify your CSEA that you want to rescind the Acknowledgement and that you want Genetic Testing.

If you know the husband is NOT the father.....

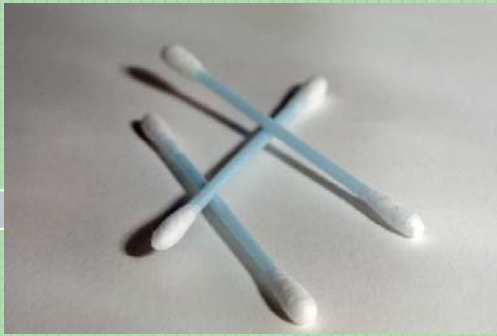


He must be excluded.

This is done by performing  
Genetic Testing.

Your CSEA will arrange Genetic Testing  
on the presumed father and alleged  
father(s).

# HOW IS GENETIC TESTING PERFORMED?



Genetic Testing is performed using the Buccal Swab Method.

A Q-tip type instrument is used to collect cheek cells from inside the mouth. This is absolutely pain-free.

This is done on the mother, child and alleged father.



These samples are then sent to a DNA Testing Lab where they will determine the results.



Once the lab obtains results, they will forward these to the CSEA and the CSEA will notify the parties by mail.



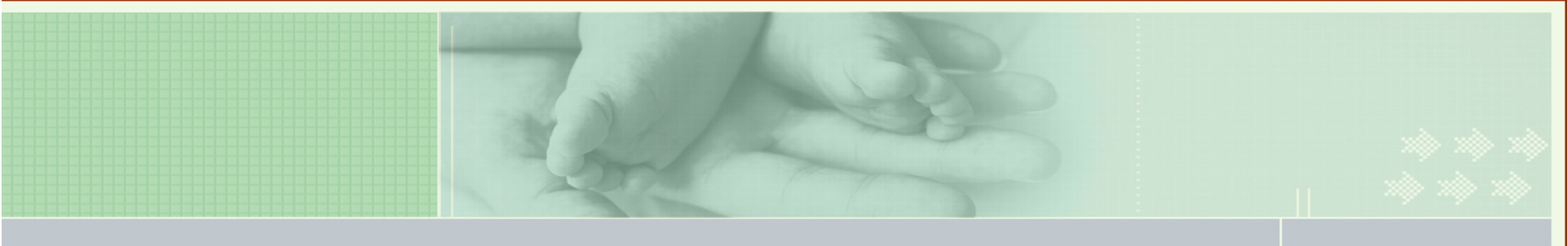
Results normally take between 7 to 14 days.

# About DNA and Genetic Testing....

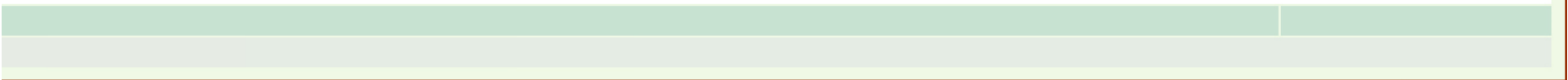


Each person's DNA exists in two sets - one set of DNA is inherited from their mother and one from their father.






If that portion of the child's DNA pattern that is not inherited from the mother is present in the alleged father's pattern, the alleged father cannot be excluded and is highly likely to be the biological father.







A probability of paternity can be determined based on the frequency of the alleged father's matching DNA pattern in the population.

The testing procedure is continued until a minimum probability of paternity of 99.99% is achieved. However, results are typically 99.99%.



If you are not 100% sure of  
who the father may be.....

.....We strongly recommend that you  
**do not** sign the Acknowledgement of  
Paternity Affidavit and consider  
Genetic Testing for you, the baby and  
the father.

# Once testing is completed and a father is determined.....

The birth record can be modified to reflect the father's name and change the baby's surname, if the parties agree. The CSEA can request this change for you.

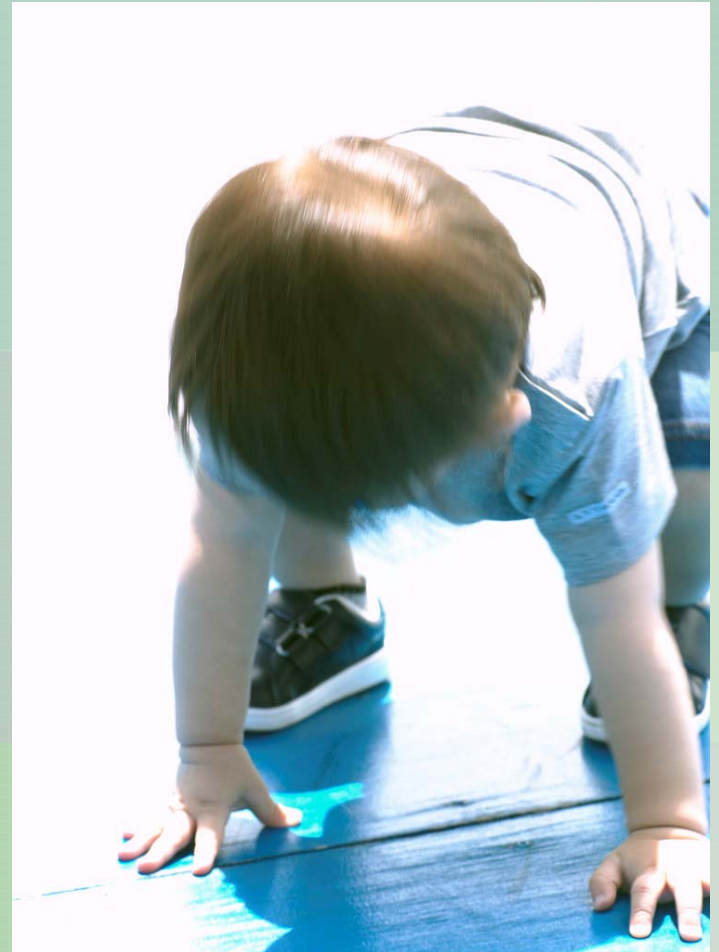




The CSEA may also modify the birth record if the Paternity Acknowledgement has been signed, has become final and the parties agree to change the surname of the baby.

# Please remember...

If you are in receipt of Public Assistance Benefits, you are required to cooperate with the CSEA in establishing paternity for your baby as well as cooperating to establish a support order.



# For more information on Paternity Establishment



Contact your local Child  
Support Enforcement  
Agency or visit

[www.ocda.us](http://www.ocda.us) for links to  
Ohio County Child Support  
Enforcement Agencies



# **Child Support Payment Information**

# Obligee Payment Information

**The CSEA provides several methods for the Obligee to receive his/her support Obligation. The following provides the various options available for receiving support:**



# Obligee Payment Information

## Ohio CSPC Direct Deposit



Deposit your child support check directly into your checking or savings account. All you need to do is complete the direct deposit form and mail it in. You may request this from your CSEA Representative or visit e-Pay at [oh.smartchildsupport.com](http://oh.smartchildsupport.com) where you can sign up for direct deposit or smiONE Visa Debit Card.

# Obligee Payment Information

## smiONE Visa Prepaid Debit card

**Custodial parents can now access their payments using a Visa debit card. Your payments are automatically loaded onto the card and you can use your smiONE card everywhere Visa debit cards are accepted. Withdraw cash from ATM's, banks or credit unions that display the Visa, Interlink, Plus, Fifth Third Bank, or Allpoint Brand Acceptance Marks.**

# Obligee Payment Information

## Payment Information Online via web portal

Provides you with the last payment date, date payment was processed and the total due on the order. Visit [www.jfs.ohio.gov/ocs](http://www.jfs.ohio.gov/ocs).

Use the Platinum smiONE Mobile App visit [www.smionecard.com](http://www.smionecard.com)

# Obligee Payment Information

## Interactive Voice Response (IVR)

**You can access your payment information via the IVR at any time by calling 1-800-860-2555 and entering your social security number. The first time you call, you will be asked to select a PIN number.**

# Obligor Payment Information

**Whenever possible, payments must be made through an income withholding order through the Obligor's employer and forwarded to Ohio Child Support Payment Central (CSPC) by the employer.**

**When necessary a withholding notice will be sent to Unemployment, SSD, Workers Compensation, or to a financial institution. Self-employed Obligors must make alternate arrangements such as a bank account withholding.**

# Obligor Payment Information

**Obligated amounts are always expressed by the CSEA in monthly increments and commence with the date expressed by the Court Order, the hearing date or the filing date of the order.**

**On new orders, before a wage withhold begins, the Obligor needs to make the payment on his/her own until it starts to be deducted from their wages.**

# Obligor Payment Information

**Payments must include your name, social security number, SETS case number and order number on each payment.**

**Payment by Mail**

**Ohio Child Support Payment Central (CSPC)**

**P.O. Box 182372**

**Columbus, OH 43218-2372**

# Obligor Payment Information

**CSPC processes payments within two business days if the payment is easily identified.**

**If you are sending payment for multiple orders, you must specify the amount you want applied to each order.**



# CSEA Walk-in Payments

- Warren County CSEA payment window is open from 8:00 am until 4:30 pm Monday through Friday, excluding holidays.

# Obligor Payment Information

## Electronic Payments Online

Make your child support payment online from your checking/savings account via <http://oh.smartchildsupport.com>. There is no charge for making payments online. Payments can be made as a one-time only or recurring. Funds will be withdrawn on a scheduled payment date.

# Pay by Credit Card

- Payment using your credit/debit card can be made at <https://oh.smartchildsupport.com> or by calling 1-888-965-2676 option 5. You may use Discover, MasterCard, Visa, American Express, China UnionPay, Diners Club International, or JCB to make a child support payment.

## Pay by Credit Card

- If you have your credit/debit card linked to an e-wallet account such as Alipay, Apple Pay, Google Pay, PayPal, or WeChat Pay, you can make your payment using these alternate payment options.
- \*Note: There is a minimum payment required of \$1.00. Please allow 3 business days from the date payment was made on the website to be received by CSPC.

# CSEA Processing Fees

**Payments are required to include processing fees which is currently 2% of the ordered amount of the payment.**

**For example: if the current support amount is \$200, the amount to be submitted to CSPC would be \$204. (\$200 support payment plus \$4 processing fees.)**

# Direct Payments

**The Ohio Revised Code Section 3121.45 prohibits any payment of money by the person responsible for the support payments directly to the person entitled to receive the support payments.**

# Direct Payments

**Such payments shall not be considered a payment of support under the support order and shall be deemed to be a gift.**

**Any support payments made directly to a custodial parent will not be credited to the order unless directed to do so by a court order.**



# Child Support Tax Offset Information





## What is Tax Offset?

- The Tax Offset Program is an enforcement technique that allows for the interception of a non-residential parent's tax refund to help repay child support as well as spousal support arrearages.
- Specific criteria must be present in order for a case to be eligible for tax offset.



# What is Tax Offset?

- Effective October 1, 2007, the law was amended to allow Federal Income Tax Refunds to be offset for past due support owed to any child regardless of their age.



# Federal Tax Refund Information



## What is the Criteria to Have A FEDERAL Tax Refund Intercepted?

- An application for services must be on file with CSEA.
- A minimum of \$500 in unassigned arrears (arrears owed to the family) or \$150 in assigned arrears (arrears owed to the State of Ohio) must be owed to be eligible for offset. (If the non-residential parent has more than one case, all arrears combined must meet the minimum submittal amount.)

# What is the Criteria to Have A FEDERAL Tax Refund Intercepted?



- If the non-residential parent (or spouse) filed for bankruptcy before 10/17/05, the case is not eligible for tax offset. Filings after 10/17/05 are eligible pursuant to the Bankruptcy Abuse Prevention Consumer Protection Act of 2005.

# What is the Criteria to Have A FEDERAL Tax Refund Intercepted?



- If Ohio is the “Responding” state in an Interstate action, only the “Initiating” state may submit for Federal Tax Offset.
- The case must be delinquent for 30 days or longer after the submission to be eligible for an offset of the refund.

## How Will I Know If My FEDERAL Tax Refund Is Being Intercepted To Pay My Arrears?



- A case can become eligible for Federal Tax Offset at any time during the year and it is also possible that a case be deleted or the offset amount modified during any time of the year.

## How Will I Know If My FEDERAL Tax Refund Is Being Intercepted To Pay My Arrears?



- Once a case is eligible, a Pre-Offset Notice is sent to the Non-Residential Parent. You will have an opportunity to request a Tax Offset Review with the submitting child support agency if you disagree with the information contained in your notice.



## How Will I Know If My FEDERAL Tax Refund Is Being Intercepted To Pay My Arrears?



- If the arrearage amount remains eligible for the tax offset program 30 days after the initial submission, the tax refund now becomes eligible for offset.

## How Will I Know If My FEDERAL Tax Refund Is Being Intercepted To Pay My Arrears?



- The non-residential parent will also receive notification from the IRS when the actual offset of the refund occurs which will indicate a specific dollar amount that is being forwarded to the county child support agency for a child support arrearage.



## How Soon Will I Receive The Other Party's FEDERAL Tax Refund?

- Once a collection is received, it takes approximately 30-45 days to complete the processing and post the payments to child support cases (unless a joint refund).
- Federal Tax Refunds are used to pay child support arrears only. No money will be collected and allocated towards current child support.

# How Soon Will I Receive The Other Party's FEDERAL Tax Refund?



- Arrears owed to the State of Ohio will be paid before arrears owed to the family.
- In addition, if the tax intercept was received from a Joint Tax Return, monies are automatically held for six months from the date of processing.



# State Tax Intercept Information

# What is the Criteria to Have A STATE Tax Refund Intercepted?



- If the non-residential parent (or spouse) filed for bankruptcy before 10/17/05, the case is not eligible for tax offset. Filings after 10/17/05 are eligible pursuant to Congress' passage of the Bankruptcy Abuse Prevention Consumer Protection Act of 2005.

# What is the Criteria to Have A STATE Tax Refund Intercepted?



- A minimum of \$150 (either owed to the family or the State of Ohio) must be owed to be eligible for offset. (If the non-residential parent has more than one case, all arrears combined must meet the minimum submittal amount)

# What is the Criteria to Have A STATE Tax Refund Intercepted?



- The case must remain eligible for at least 90 days after a Notice is sent to the non-residential parent advising him/her that the case meets the minimum criteria.





## How Will I Know If My STATE Tax Refund Is Being Intercepted To Pay My Arrears?

- Submission of eligible cases is made annually (typically near the end of September) to the Ohio Department of Taxation. If a case does not meet the minimum requirement at the time of the initial submittal, the case will not qualify for State Tax Offset that year.



## How Will I Know If My STATE Tax Refund Is Being Intercepted To Pay My Arrears?

- A notice of Ohio Income Tax Refund Offset for Overdue Support is sent to the non-residential parent. This notice provides instructions on how to request a Tax Offset Review if you want to dispute the offset.



## How Soon Will I Receive The Other Party's STATE Tax Refund?

- Once a collection is received, it takes approximately 30-45 days to complete processing and post the payments to child support cases.
- If the tax intercept was from a Joint Tax Return, the payment should be disbursed within two business days from date of processing.

# How Soon Will I Receive The Other Party's STATE Tax Refund?



- State Tax Refunds will be allocated to current support first, then will allocate to child support arrears. Monies are paid to either the family or the State depending on whether child support is assigned or unassigned at the time the payment is allocated.

# What If My Tax Refund Is More Than My Child Support Arrears?



- If the refund amount is greater than the arrears, the non-residential parent will receive the difference, provided there are no other debts that are eligible for federal or state tax offset.



## As A Residential Parent, How Will I Know If I Am Going To Receive The Other Parties Tax Refund?

- If your case meets the criteria the case will automatically be submitted. There is no official notification mailed the residential parent notifying them a tax offset will occur or when a tax offset is received.
- You may contact your county CSEA for specific questions or inquires on tax refunds.

# Child Support Modification/Review Process

# Modification/Review Process

**The Review process, also known as the Modification process, is the method by which the child support obligation is reviewed to reflect the current financial situation of both parties.**

**The Review process takes several months to complete from the initial request to final order.**



# Reasons to Qualify for a Modification Review

- You have been unemployed or laid-off for 30 consecutive days or longer through no fault of your own and the unemployment or layoff is expected to continue.
- You have become unemployed due to a plant closing or mass layoff.

# Reasons to Qualify for a Modification Review

- **You are permanently disabled.**
- **Your child support order was for a reduced or minimum amount based on the non-custodial parent being unemployed or underemployed and the parent is now employed or gainfully employed.**

# Reasons to Qualify for a Modification Review

- You or the other party on the case have experienced a 30 percent decrease, which is beyond the party's control, or a 30 percent increase in gross income or income-producing assets for a period of at least six months which can be reasonably expected to continue for an extended period.

# Reasons to Qualify for a Modification Review

- **You are incarcerated with no chance of parole or are institutionalized and cannot pay support during the child's minority.**
- **The order does not comply with the child support guidelines due to the termination of support for a child of the existing order.**

# Reasons to Qualify for a Modification Review

- **You and the other party have a child in common and you want to add that child to an existing administrative child support order or you want to consolidate two or more existing administrative child support orders for children you have in common.**

# Reasons to Qualify for a Modification Review

- **You want access to available or improved private health insurance coverage for the child.**
- **You are the non-custodial parent and a member of the uniformed services and have been called to active military service for a period of more than 30 days.**

# Reasons to Qualify for a Modification Review

- **Either party has experienced an increase or decrease in the cost of child care or ordered health insurance coverage. When the newly reported cost of child care or health insurance would change the existing support obligation by more than 10 per cent, then the party meets the criteria for an administrative review.**

# Reasons to Qualify for a Modification Review

- **The child support order was issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly and the private health insurance that is currently being provided in accordance with the support order is no longer accessible or reasonable in cost.**



# Reasons to Qualify for a Modification Review

- **The child support order contains a medical support provision for cash medical support and the obligor reports that his or her annual gross income is now below 150 per cent of the federal poverty level for an individual.**

# Reasons to Qualify for a Modification Review

- **An obligor who received a temporary support order adjustment pursuant to rule 5101:12-60-05.2 of the Administrative Code has notified the CSEA that the obligor's term of active military service has ended and has provided written documentation sufficient to establish that the obligor's employer has violated the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C.**

# Possible Results of a Review

- **No Change: (current child support amount and modified amount did NOT change by greater than 10% - Order remains the same).**
- **Increase in Current Child Support.**
- **Decrease in Current Child Support**
- **Addition of a medical support order**

# Possible Results of a Modification Review

If there is a change as a result of the modification, the new amount will commence the first day of the month after the modification was scheduled for review.

The CSEA cannot predict the result of your modification, and parties take the chance of any of the previous mentioned results occurring.

# Frequently Asked Questions



Question:

Where do I go to apply for services?

# Frequently Asked Questions



**Answer:**

You apply at your local CSEA in the county where you live.

# Frequently Asked Questions



## Question:

Can I make a payment today? I just got divorced and don't want to fall behind in my support.

# Frequently Asked Questions



## Answer:

Yes, on new divorces or dissolutions, the CSEA will accept payments made by the Obligor, and forward them to the Obligee. The CSEA cannot issue a wage withholding to an employer until the written Judgment Entry is signed by the Judge and received by the CSEA.



# Frequently Asked Questions



Question:

What exactly is SETS?

# Frequently Asked Questions



## Answer:

SETS stands for Support Enforcement Tracking System which is the State of Ohio's child support computer system. SETS was designed to create a uniform, statewide system that follows state Child Support statutes. Through SETS all Ohio counties can communicate with each other and share information.

# Frequently Asked Questions



## Question:

Before I was divorced I had a temporary order for support, now that I have received a divorce and have a final support order, what happens to the arrears on my temporary order?

# Frequently Asked Questions



## Answer:

Unless specifically addressed in your final divorce decree or dissolution, the arrears on a temporary order are removed from your case. The effective date of your support order then becomes that of the final divorce decree or dissolution.

# Frequently Asked Questions



**Question:**

What changes do I need to report to the CSEA?

# Frequently Asked Questions



**Answer:**

Both the parties are required to report in writing any changes in address to the CSEA.

The Obligor must also report any changes in employment status in writing.

# Frequently Asked Questions



## Question:

I just received an Addendum Withholding Notice to Parties of a Support Order in the mail. What is this and do I need to do anything?

# Frequently Asked Questions



## Answer:

Each time a new wage withholding is mailed to an Obligor's employer, the CSEA is required to send the Obligor an Addendum. If you have any changes that need to be reported to the agency, please complete the form and return it to the CSEA. Otherwise you do not need to do anything with this Notice.



# Frequently Asked Questions



## Question:

How long will it take to get a payment after a new income withholding is sent to the Obligor's employer?

# Frequently Asked Questions



## Answer:

It is difficult to determine exactly when the first payment will be received from the employer. Reasons for this include the length of time the order is in the mail to the employer, the employer's payroll cycle, and the amount of time it takes for the deducted amount to reach Ohio Child Support Payment Central (CSPC). Under normal circumstances, it will take between two and four weeks for the employer to

# Frequently Asked Questions



## Question:

The father of my child does not live in Ohio. Can I establish paternity and get a support order?

# Frequently Asked Questions



**Answer:**

Yes. Your local CSEA can help you establish paternity and get a support order, regardless of where the father lives. In some cases, this can even be done if he lives in another country.

# Frequently Asked Questions



**Question:**

What if I don't know where the Absent/Non-Residential parent of my child lives?

# Frequently Asked Questions



## Answer:

Your local CSEA has many resources which can be used to locate the Absent/Non-Residential parent of your child. These resources can also be used to locate employment and any assets he/she may have.

# Frequently Asked Questions



Question:

Can the CSEA assist me with visitation and custody issues?

# Frequently Asked Questions



**Answer:**

For all visitation issues, you must consult with a private attorney. Custody issues cannot be addressed by the CSEA.



# Frequently Asked Questions



## Question:

What does it mean to be "in default" of a child support order and what can happen to me if I go into default?

# Frequently Asked Questions



## Answer:

If you get behind at least one full month in child support payments, you are in default. You will be sent a form outlining the enforcement remedies that may be taken to remedy the default.

This can include an ordered payment on arrears, license suspension, FIDM, credit reporting, etc.

# Frequently Asked Questions



## Question:

I am on Unemployment Compensation. Is there a limit on the amount that can be taken out for child support?

# Frequently Asked Questions



## Answer:

Yes. The Ohio Department of Job and Family Services, Office of Unemployment Compensation can only deduct up to 50% of the non-residential parent's unemployment benefits to pay the child support. If the unemployment compensation benefits are insufficient to meet the entire obligation, arrears will accrue on the order.

# Frequently Asked Questions



Question:

Can I get support from a non-residential parent who is in jail or in prison?

# Frequently Asked Questions



## Answer:

Yes. Income withholding is allowed from prison earnings. In addition, support will continue to accrue during the period of incarceration. Please contact your local CSEA for additional information.

# Frequently Asked Questions



Question:

What do I do when my children have emancipated and there is still money owed?

# Frequently Asked Questions



**Answer:**

Emancipation does not terminate arrears. You should contact your CSEA so that they may review your individual circumstances.