Ohio’s Child Support Program

Ohio CSEA Directors’ Association
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Child Support Program Overview

- Federal program under Title IV-D of the Social Security Act
- State supervised by the Ohio Department of Job and Family Services; and
- County administered through one of the following:
  - County Department of Job and Family services
  - Prosecutor
  - Stand-alone agency
  - Court
Core mission of program

Encourages responsible parenting, family self-sufficiency, and child well-being by providing assistance with the:

- Location of parents
- Establishment of paternity
- Establishment of child support and medical support orders
- Enforcement of child support and medical support orders
- Review and adjustment of orders (modification)
The mission has evolved

- Originally welfare cost-recovery—now family-centered
  - Child support is one of the largest income support programs
    - The program serves more than 1 in 5 children in the US (1 in 3 in Ohio), providing 41% of family income to poor families who receive support payments
      - Child support lifts 1 million people out of poverty each year nationwide
      - Reduces the need for public assistance
Who participates in our program?

Nationally:
- 38 million people
  - 16 million children
  - 11 million mothers
  - 10 million fathers
  - Collected $28.6 billion

Ohio:
- 941,000+ Cases
- Over 1.1 million children
- On average, we collect ~$2 billion in support each year
How is the Child Support Program Funded? OAC 5101:12-1-50

- Federal Share = 66% FFP (Federal Financial Participation) 45 CFR 304
- Non-Federal Share = 34%
  - State Match (line 600502)--$23.8m
  - Non IV-D Administrative Fees
  - Assigned Cash Medical Collections (15% retained by CSEA)
  - County General Fund Contribution (if applicable)
  - TANF, 533 money through local MOUs
- Other:
  - Incentives
  - IV-D Administrative Fees: 2% statutory fee to administer cases
Incentives

- Funding allotted to states based on formula and performance measures; incentives then distributed to the counties based on each county’s collections base %
- States compete against one another for finite sum budgeted by Congress
- Performance categories (and Ohio’s percentages)
  - Paternity Established:
    - IV-D 97.48%
    - Statewide PEP: 93.46%
  - Support Establishment: 90.07%
  - Collections on Current Support: 69.44%*
  - Collections on Arrears: 67%
  - Cost effectiveness: $8.25
Who works with CSEA?

- CSEAs may employ or contract for attorneys and hearing officers
- CSEAs can also contract with the following county offices for IV-D Services:
  - Magistrates
  - Clerk’s Office
  - Sheriff’s Office
  - Prosecutor
  - Others
    - ORC 3125.14; OAC 5101:12-1-80 et. Seq
- CSEA also works with sister agencies, community partners, the private bar, Legal Aid, Fatherhood groups, and others
What do CSEAs do?

- Establish paternity
  - Voluntary acknowledgment and Genetic Testing are most popular ways

- Locate non-custodial parents
  - Resources include: Federal parent locator, New Hire reports, Postal Service, BMV, SSA, Prison, etc.

- Establish child support and medical support orders
  - Administratively and judicially

- Review and adjust orders (modification)

- Enforce orders through administrative, civil and criminal means

- Monitor and distribute collections

- Work with other states and countries in intergovernmental enforcement
How do we determine child support?

- Ohio uses an Income Shares Model to determine child support.
  - This takes into account the incomes of both custodial and noncustodial parent, with add-ins and adjustments based on certain criteria.
    - i.e. Health insurance, day care costs, other children, other child support orders.
  - A child support amount is determined for both parents and then divided by their income share.
- Ohio’s child support guidelines need updated!
  - Economic data used for tables to determine amounts is from 1980s.
How do you get an order modified?

- Parties can seek modification (adjustment) of their order every 36 months without a specific reason.
- If 36 months have not passed since the order was issued or last modified, a party must meet one of the specified reasons to have an order modified.
  - See OAC 5101:12-60-05.1
- A review could result in the order increasing, decreasing, or staying the same.
Methods of enforcing orders

A continuum of sanctions

- Administrative: stems from default
- Judicial
  - Civil contempt
  - Criminal contempt
- Criminal
  - Misdemeanor and felony nonsupport
- Intergovernmental
  - Enlisting another state or country to assist in collection of support
Administrative methods

- Income withholding
- Freezing and seizing of bank accounts
- Liens against property
- Credit reporting
- License suspension
- Federal and state tax refund intercept
- Lottery intercepts
- Casino/Racino winnings
- Seek work orders
Judicial Methods

- Civil contempt actions
  - Purge conditions
- Criminal contempt actions (willful)
  - No purge required—usually just sentenced directly to jail
- Misdemeanor nonsupport
- Felony nonsupport
Intergovernmental enforcement

- Goal is to have one support order which is valid and enforceable in all states and territories

- Ohio can ask other states and countries for assistance in establishing and enforcing orders
  - And they can ask Ohio for the same assistance
In a perfect world...

- The noncustodial parent’s whereabouts are known, and the parent is involved with the child
- Paternity is not an issue
- Noncustodial parent is employed and paying support as ordered
- Child is supported financially and emotionally
  - Support is key to a child’s development
But in reality...

- Things can be more complicated
  - Noncustodial parent could be whereabouts unknown; or have significant barriers
  - Paternity may not be established
  - Noncustodial parent could be working underground or not working at all
  - Parents could live in different jurisdictions
  - Domestic violence may be an issue
CSEA can help!

- CSEA may be able to assist in resolving barriers to nonpayment
  - Right-sized orders
  - Debt reduction through waiver, lump sum compromise
- Connect parents to workforce through Ohio Means Jobs
- Access/visitation programs
  - Parenting time opportunities grant in 12 counties
Promising Practices and Strategies

- Managing a subset of orders on a case-by-case basis
  - Case stratification to identify those noncustodial parents who are willing to pay but have difficulty in achieving consistent payments
  - Need for intensive case management on certain cases to assist in removing barriers to compliance
- Parenting Time Establishment
Promising Practices and Strategies

- Collaboration with Workforce to link noncustodial parents with services to assist in obtaining gainful employment
  - A CCMEP-type approach
- Early intervention to promote reliable and consistent support
- Working with employer community to lessen their administrative burdens with regard to income and health insurance orders
Contact us

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