

Appendix 1(a) – Child Support and Health Insurance Language for EX PARTE ORDERS ONLY

If the order is pursuant to the guidelines, the following language must be contained in the entry:

The child support order is pursuant to the guidelines:

_____ is the child support **OBLIGOR** (person ordered to pay)
_____ is the child support **OBLIGEE** (person ordered to receive)
There are _____ minor children subject to the order.

Based upon Obligor's adjusted annual gross income of \$_____, and Obligee's adjusted annual gross income of \$_____, an order of child support, in accordance with the Basic Child Support Schedule and guidelines is payable as follows:

The obligor shall pay \$_____ per month (\$_____ per month, per child) to the obligee, and/or his/her assignee(s). Of that amount, \$_____ is child support, \$_____ is cash medical support, and \$_____ is the statutory processing charge.

The order is effective _____ and shall be paid through CSEA or OCSPC.

(Choose one)

Insurance is available.

Plaintiff/Petitioner 1 has Defendant/Petitioner 2 has Both parents have health insurance available for the minor child(ren).

The available private health insurance for the minor child(ren) is accessible because:
(Check one of the following three boxes)

Primary care services are within 30 miles of the child(ren)'s residence.

The Court permits primary care services farther than 30 miles of the child(ren)'s residence because residents in the geographic area customarily travel farther distances.

Primary care services are accessible by public transportation because public transportation is the obligee's only source of transportation.

If private health insurance coverage is being provided and becomes unavailable or is terminated, the Child Support Obligor SHALL IMMEDIATELY NOTIFY CSEA AT 513-887-3362.

or

Insurance is not available. The cash medical order may be payable to CSEA if

the child(ren) receive State or Federal medical assistance.

If private health insurance is not being provided and becomes available to either the obligor or obligee, they SHALL immediately notify the CSEA, at 513-887-3362, that private health insurance coverage for the children has become available to either of them, along with the full name and address of the health insurance company, and the plan type, policy number, group number and effective date of the health insurance. The CSEA shall determine pursuant to ORC 3119.29(G) if the private health insurance is available at a reasonable cost, and if coverage is reasonable, ORC 3119.30 shall apply.

If there is a deviation from the guidelines, the following language must be contained in the entry:

The child support order and/or cash medical order deviate from the guidelines:

Based upon Obligor's adjusted annual gross income of \$_____, and Obligee's adjusted annual gross income of \$_____, an order of child support, in accordance with the Basic Child Support Schedule and guidelines is payable as follows:

The obligor shall pay \$_____ per month (\$_____ per month, per child) to the obligee, and/or his/her assignee(s). Of that amount, \$_____ is child support, \$_____ is cash medical support, and \$_____ is the statutory processing charge.

The amount of guideline child support pursuant to ORC 3119.22 and/or cash medical support pursuant to ORC 3119.303 is unjust or inappropriate and not in the best interest of the minor child(ren.) A deviation pursuant to ORC 3119.22 is appropriate.

Based on the deviation factors contained in ORC 3119.22 and 3119.23, and the supporting affidavit, attached, a deviation from guideline support is in the best interest of the minor child(ren):

Child support as deviated from the Basic Child Support Schedule and guidelines is payable as follows:

The obligor shall pay \$_____ per month (\$_____ per month, per child) to the obligee, and/or his/her assignee(s). Of that amount, \$_____ is child support, \$_____ is cash medical support, and \$_____ is the statutory processing charge.

**Said order is effective _____ and the order of support shall be paid through CSEA or OCSPC.
(Choose one)**

Insurance is available.

Plaintiff/Petitioner 1 has Defendant/Petitioner 2 has Both parents have health insurance available for the minor child(ren).

The available private health insurance for the minor child(ren) is accessible because:
(Check one of the following three boxes)

Primary care services are within 30 miles of the child(ren)'s residence.

The Court permits primary care services farther than 30 miles of the child(ren)'s residence because residents in the geographic area customarily travel farther distances.

Primary care services are accessible by public transportation because public transportation is the obligee's only source of transportation.

If private health insurance coverage is being provided and becomes unavailable or is terminated, the Child Support Obligor SHALL IMMEDIATELY NOTIFY CSEA AT 887-3362.

or

Insurance is not available. The cash medical order may be payable to CSEA if the child(ren) receive State or Federal medical assistance.

Method to Secure Support Payments:

The duty of support shall continue beyond the age of majority as long as the child continuously attends on a full-time basis any recognized and accredited high school. A child support order shall not remain in effect after the child reaches nineteen years of age unless the order provides that the duty of support continues under circumstances described in O.R.C. 3119.86(A)(1)(a) or (b).

IT IS FURTHER ORDERED all support under this order shall be withheld or deducted from the income or assets of the Obligor pursuant to a withholding or deduction notice or appropriate Court order issued in accordance with sections 3121.02 to 3121.07 of the O.R.C. or a withdrawal directive issued pursuant to section 3123.37 of the O.R.C. and shall be forwarded to the Obligee in accordance with section 3121.50 of the O.R.C.

IT IS FURTHER ORDERED until such time as a withholding or deduction order is in effect, the Obligor shall discharge his or her obligation by making payments directly to the CSEA or the division of child support in the Ohio Department of Job and Family Services, as appropriate.”

IT IS FURTHER ORDERED the Obligor is restrained from making said payments directly to the Obligee, and the Obligee is enjoined from accepting direct payments from the Obligor for child support. Any payments not made through the CSEA or the division of child support in the Ohio Department of Job and Family Services, as appropriate, shall be deemed a gift.

“EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER’S LICENSE NUMBER, AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT OR AGENCY, WHICHEVER ISSUED THE SUPPORT ORDER.

IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE FINED UP TO \$50.00 FOR A FIRST OFFENSE, \$100.00 FOR A SECOND OFFENSE, AND \$500.00 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER ISSUED BY A COURT AND YOU WILLFULLY FAIL TO GIVE THE REQUIRED NOTICES YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECTED TO FINES UP TO \$1,000.00 AND IMPRISONMENT FOR NOT MORE THAN NINETY (90) DAYS.

IF YOU ARE AN OBLIGOR OR OBLIGEE AND YOU FAIL TO GIVE THE REQUIRED NOTICES TO THE CHILD SUPPORT ENFORCEMENT AGENCY, YOU MAY NOT RECEIVE NOTICE OF THE CHANGES AND REQUESTS TO CHANGE THE CHILD SUPPORT AMOUNT, HEALTH CARE PROVISIONS, OR TERMINATION OF THE CHILD SUPPORT ORDER. IF YOU ARE AN OBLIGOR AND YOU FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVERS LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.”

IT IS FURTHER ORDERED that the Obligor and Obligee immediately notify the CSEA in writing of any change in the Obligor’s income source and of the availability of any other sources of income that can be the subject of a withholding or deduction order. This duty to notify the CSEA shall continue until further notice from the Court. A failure to provide such notification may make the Obligor liable for retroactive support that would otherwise have been ordered.

IT IS FURTHER ORDERED that the Obligor and Obligee shall immediately notify the CSEA, in writing, of any change in the status of the minor children of the parties which would terminate or modify the duty of the Obligor to pay child support.

To make payments through the Butler County CSEA:

Make cash or credit card payments *only* at the following location: Butler County Child

Support Enforcement Agency, Government Services Center, 315 High Street, 7th Floor, Hamilton, Ohio 45011.

Acceptable methods of payment are as follows: Visa, MasterCard, ATM, and Cash payments may be made locally in person only. **Do not send cash by mail. Personal checks will not be accepted by the Butler County CSEA.”**

To make payments to the Ohio Child Support Payment Central (OCSPC):

The Obligor shall send payments to the following location: Ohio Child Support Payment Central, P.O. Box 182372, Columbus, Ohio 43218.

The employer shall send payments to the following location: Ohio Child Support Payment Central, P.O. Box 182394, Columbus, Ohio 43218.

Acceptable methods of payment to OCSPC are as follows: certified check, cashier’s check, personal check, or money order.

(PLEASE CHECK THE APPROPRIATE BOX)

an income withholding notice shall issue. If the obligor’s income is not subject to withholding, a bank account deduction notice shall issue. If the obligor has no income, but is able to post bond, an order to post bond shall issue. If the obligor is unemployed and has no funds from which support can be paid, an order to seek work shall issue and the obligor shall pay the current statutory minimum support order (currently \$80.00 per month for all children subject to the order).

IT IS FURTHER ORDERED that any person who is the residential parent of a child, including any party to a Shared Parenting Decree, and any other legal custodian, shall send a notice of intent to relocate to the Domestic Relations Court Case Management Office and other parties and agencies, as follows:

- (a) the other parent, Certificate of Service must be provided.
- (b) the Domestic Relations Court Case Management Office.
- (c) the Butler County Child Support Enforcement Agency (CSEA).
- (d) Notice must be sent within the following time frames:
 - i. If relocating within Butler County – at least **thirty (30)** days in advance of the move;
 - ii. If relocating outside Butler County – at least **sixty (60)** days in advance of the move.
- (e) A file stamped copy must be submitted to the Case Management Office on Form C13 if relocating within Butler County and on Form C13A if relocating outside Butler County.
- (f) If either parent believes the relocation will require a change in the allocation of parenting time, it is the responsibility of that parent to file a motion to review the allocation of parenting time.
- (g) If a parent believes that the move requires a change in residential parent status, that parent may file a motion for change of residential parent or modification of the Shared Parenting Plan, in accordance with Rule DR39.

IT IS FURTHER ORDERED that each parent, or other legal custodian, shall have equal access to the children's school, day care center, medical or educational records and extracurricular or recreational activities. Any school, day care center official, medical, educational, and extracurricular or recreational activity coordinator or keeper of all records shall provide each parent or legal custodian with all records, documents, and materials related to the child(ren). Failure to comply with this order may be punishable as contempt of Court.

Health Insurance

IT IS FURTHER ORDERED that the parties shall continue to provide health insurance for the minor children according to the standard practices of the household.

IT IS FURTHER ORDERED that the employer of the person required to obtain private health insurance coverage through that employer is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the child support enforcement agency on written request any necessary information on the private health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and to otherwise comply with this section and any order or notice issued under this section.

IT IS FURTHER ORDERED that if the person required to obtain private health care insurance coverage for the children subject to this child support order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in private health care insurance coverage provided by the new employer, when insurance is not being provided by any other source.