

Proposed Amendments to Mandatory Language

MANDATORY LANGUAGE
FOR ORDERS REGARDING CHILD SUPPORT, SPOUSAL
SUPPORT AND HEALTH INSURANCE

(Local Rule 24.08)

SUPPORT

1. The Plaintiff /Defendant/ Petitioner/ hereinafter referred to as the Obligor, shall pay / spousal support/ child support in the amount of \$_____ per month /per child/ without processing fee or \$_____ per month with processing fee effective _____.

2. The Obligor's child (and/or spousal) support obligation shall be payable through the Ohio Child Support Payment Central (CSPC), P. O. Box 182394, Columbus, Ohio 43218 pursuant to an Order/Notice to Withhold Income for Child & Spousal Support (JFS 4047) directed to the Obligor's Employer, (INSERT ADDRESS) /Financial Institution, (INSERT ADDRESS AND ACCOUNT NUMBER)/ Worker's Compensation/ Social Security/ O.B.E.S./ in the amount of \$_____ per _____ pay with processing fee (except OBES where no processing fee is permitted) , effective _____. The Mahoning County Child Support Enforcement Agency shall prepare and issue the required Order/Notice To Withhold Income for Child & Spousal Support (JFS 4047).

3. Both parties are further ordered to comply with all provisions of the Addendum Withholding Notice to parties to a support order (JFS Form 4048), which shall also be prepared and issued by the Mahoning County Child Support Enforcement Agency.

4. Until the Order/Notice takes effect with the employer, the Obligor is ordered to pay the child and spousal support set forth in this Order direct to the Ohio Child Support Payment Central together with processing fee.

5. 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 3121. 3123. and 3125. of the Revised Code or a withdrawal directive issued pursuant to Section 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the obligee in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code.

6. The parental duty of support to each child shall continue until the child reaches the age of 18, and shall continue beyond the age of 18, as long as the child continuously attends on a full time basis any recognized and accredited high school. In no event shall the duty of support remain in effect after the child reaches age nineteen (19) unless the court specifically provides for the same. Said obligation of support shall continue during seasonal vacation periods until the

order terminates. R.C. 3119.86.

7. If the Obligee has not already done so, said Obligee shall immediately file an Application for IV-D Services with the CSEA.

8. The CSEA shall administer the support orders issued herein on a monthly basis regardless of the increments of the Obligor's pay periods.

9. EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING 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. 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 FOR A FIRST OFFENSE, \$100 FOR A SECOND OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER AND YOU WILLFULLY FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECTED TO FINES UP TO \$1000 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS 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, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR ACCOUNTS AND FINANCIAL INSTITUTIONS AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.

(NOTE: THE ABOVE LANGUAGE MUST BE IN BOLD AND IN ALL CAPS!)

10. The Residential Parent of a child for whom a support order is issued or the person who otherwise has custody of a child for whom a support order is issued must IMMEDIATELY, notify the CSEA, in writing, of any reason for which the child support order should terminate, including but not limited to, the child's attainment of the age of majority, if the child no longer attends an accredited high school on a full-time basis and the support order does not provide for the duty of support to continue beyond past the age of majority; the child ceasing to attend such a high school on a full-time basis after attaining the age of majority, if the support order does not provide for the duty of support to continue past the age of majority; or the death, marriage, emancipation, enlistment in the armed services, deportation, or change of legal or physical custody of the child. R.C. 3119.87, 3119.88.

HEALTH INSURANCE

11. Since neither party has health insurance available for the children at a reasonable cost, neither party shall be required to provide such coverage at the present time. Upon obtaining health insurance, either party shall immediately list the child or children for said coverage and provide notice of the same to CSEA.

12. The Plaintiff/Defendant/Petitioner-Father/Petitioner-Mother shall provide health insurance coverage for the minor child(ren).

13. The parties shall share the cost of all medical, dental, optical, and prescribed drug expenses not covered by insurance incurred by the child or children who are subject of this support order as follows:

A. The party receiving child support (Obligee) shall pay the first \$100.00 per child per calendar year of said expenses and _____% thereafter in accordance with the most recent Ohio Child Support Computation Worksheet attached as Exhibit A.

B. The party ordered to pay child support (Obligor) shall pay _____% of the above expenses in excess of \$100.00 per calendar year per child under the Worksheet Computation within thirty (30) days after notification that there is an outstanding expense.

C. The parties' percentage obligations above shall change as subsequent modifications of child support occurs by order of the Court.

14. Both parties shall comply with all provisions of this Court's Notice to Employee to Provide Health Insurance, a copy of which is attached.

TAX DEPENDENCY EXEMPTION

For tax year _____ and future years until further order of the Court, the Residential Parent shall be entitled to claim _____ minor children as a tax dependency exemption for all tax purposes.

OR

For tax year _____ and future years until further order of the Court, the Non-Residential Parent shall be entitled to claim _____ minor children as a tax dependency exemption for all tax purposes provided he/she is substantially current in his/her child support obligation for the tax year. The Residential Parent is ordered to take whatever action is necessary pursuant to section 152 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, to enable the Non-Residential Parent to claim the child(ren) as dependants for federal income tax purposes, including but not limited to, signing IRS form 8332 and providing the same to the non-residential parent by February 15th of each and every year.

OR

For tax year _____ and future years until further order of the Court, the parties shall share the claiming of the child(ren) as follows...

COURT COSTS

17. Costs assessed to _____ after application of deposit.