

Instructions for completing a JFS form 01849, Request for Administrative Review of the Child Support Order and Information regarding the Administrative Adjustment Review Process

You have made an inquiry to the Montgomery County Child Support Enforcement Agency about an Administrative Adjustment Review of your order. This instruction and information sheet will assist you in understanding this process.

Administrative Adjustment Review is a two-step process.

STEP 1 of the process is to complete the JFS 01849 that accompanies this. The 1849 is your request for a Review. If it is not pre-printed, the top of the form will need to include your name and address, the SETS Number, the Order Number (also called the Case Number), the names of the support Obligor (support payer) and the support Obligee (support recipient).

If your order is dated 36 months (three years) prior to today's date or older, you may have a Review automatically and you should check the first block on the form.

If your order is dated less than 36 months prior, you may still be entitled to a Review if your situation fits within one of the 14 criteria for a review within 36 months. **Read these criteria carefully.** You must select the reason or reasons that best fits your situation. **Please note** that many of these criteria require that you submit documentation to show that you are entitled to an early review.

Be sure to sign the 1849 and if you have a new, current address different from the address on the top of the form, be sure to give us your new address. **Only return the three pages of the 1849. Keep this page to help guide you through the Review Process.**

******Failure to provide supporting documentation or failure to sign the 1849 will probably result in your request for an Administrative Adjustment Review being denied.******

******Do not send original documents to the CSEA. If you want copies, you should make them before submitting them to us.******

STEP 2 begins after a Review is scheduled. You will receive a document entitled Administrative Adjustment Review Notification (JFS 07606) consisting of a 2-page letter and a 3-page questionnaire. To get the best results from the Review process, you need to answer each question fully, even if the answer is "\$0.00" or "not applicable", and provide as much supporting documentation as you have.

Documentation should be current and may include a statement from a child care provider about the cost of child care for this child/ren; a statement from your employer about the cost of health insurance for yourself only and the cost to add a family or the child/ren; a copy of your health insurance card that names the child/ren as insured; birth certificates showing other child/ren born to you and living in your home; current pay stubs; award letters from the Social Security Administration to include awards of derivative benefits paid to your child/ren; award letters of workers or unemployment compensation; if you are self-employed, in addition to complete tax returns for the past three years (1040 and all schedules), include a current profit and loss statement; if you cannot work, a statement from a physician that you are medically incapable of employment and a statement of when you can return to work; and any other documentation to support the information contained in the Notification. **Do not send copies of your household bills or medical bills.**

Return the Notification to the Agency on or before the date this Review is scheduled to be conducted.

******Be sure to sign the Notification. If you do not sign, it will not be accepted and the Review will be dismissed.******

Montgomery County CSEA
14 W Fourth St, PO Box 8744
Dayton, OH 45401-8744

937-225-4600
1-800-555-0430

Name: _____

Address: _____

Date: _____

Case Number: _____

Obligor: _____

Order Number: _____

Obligee: _____

Request for an Administrative Review of the Support Order

I request an administrative review and adjustment of my child support order as set forth in OAC 5101:12-60-05.1 for the following reason (please check the appropriate box):

- It has been at least 36 months since the date of the most recent support order.

My child support order was last ordered or reviewed for an adjustment **less** than 36 months ago. I have marked the appropriate circumstance(s) which has changed. I have attached any required evidence of the change in circumstance(s) to this form.

1. The existing order established a minimum or a reduced amount of support based on the Child Support Guidelines (hereafter "guidelines") due to the unemployment or underemployment of the obligor and the obligor is no longer unemployed or underemployed. The requesting party must provide to the CSEA relevant evidence or information supporting an allegation of the change in the obligor's employment status.
2. I am The other party is unemployed or laid off, the unemployment or lay off is beyond the party's control, and the unemployment or lay off has continued uninterrupted for thirty consecutive days. The party requesting the administrative review must provide to the CSEA relevant evidence of the unemployment or layoff, including that the unemployment or lay off is beyond the party's control. If the amount of the existing support order was calculated based on the annualized income of an individual who is employed in a seasonal occupation, and the cause of the request for a review is a seasonal lay off, then the party does not meet the criteria for an administrative review under this section.
3. I am The other party is unemployed due to a plant closing or mass layoff as defined in the Worker Adjustment and Retraining Notification Act (WARN), 29 U.S.C §2101 et seq. The administrative review request may only be made after the worker's last day of employment. The worker must provide to the CSEA a copy of the notice of the plant closing or mass layoff provided pursuant to the WARN Act.
4. I am The other party is permanently disabled reducing his or her earning ability. The requester must provide to the CSEA verification of receipt of benefits administered by the Social Security Administration due to the disability and/or a physician's complete diagnosis and permanent disability determination.
5. I am The other party is institutionalized or incarcerated and cannot pay support for the duration of the child's minority and no income or assets are available to the party which could be levied or attached for support. The requestor must provide evidence of the institutionalization or incarceration and the inability to pay support during the child's minority.
6. I have The other party has experienced a thirty per cent decrease, which is beyond the party's control, or a thirty per cent increase in gross income or income-producing assets for a period of at least six months and which can reasonably be expected to continue for an extended period of time. The party requesting the administrative review must provide to the CSEA relevant evidence or information supporting an allegation of a change in status.

7. The order is not in compliance with the guidelines due to the termination of the support obligation for a child of the existing support order.
8. In administrative support order(s) over which a court has not taken jurisdiction, to consolidate children of the same parents for whom paternity has been established into a single administrative support order that is in compliance with the Ohio Child Support Guidelines.
9. I want to access available or improved health insurance coverage for the child. The requesting party must provide to the CSEA relevant evidence or information supporting the allegation that access to new or improved health insurance is available.
10. I have The other party has experienced an increase or decrease in the cost of ordered health insurance coverage or child care for the child which is expected to result in a change of more than ten percent to the child support obligation based on the current Child Support Guidelines calculation. The requesting party must provide to the CSEA relevant evidence or information supporting an allegation of an increase or decrease in the cost of health insurance or child care.
11. The private health insurance that is currently being provided in accordance with the child support order is no longer reasonable in cost and/or accessible. The requesting party must provide to the CSEA relevant evidence or information supporting an allegation that the private health insurance is no longer reasonable in cost and/or accessible
12. I am the Obligor and I assert that my annual gross income is now below 150% of the federal poverty level and I should not be ordered to pay cash medical support (the federal poverty guidelines can be found at <http://www.aspe.hhs.gov/poverty> or by contacting the CSEA). The Obligor must provide to the CSEA relevant evidence or information supporting an allegation that his or her annual gross income is below 150% of the federal poverty level.
13. I am the obligor and I am a member of the uniformed services who has been called to active service for a period of more than thirty (30) days. If I have checked this box, I have attached a military Power of Attorney to permit a designated person to act on my behalf in the administrative review.
14. A temporary adjustment order pursuant to rule 5101:12-60-05.2 of the Ohio Administrative Code was issued, the obligor's term of active military service has ended, and the obligor has provided the CSEA written documentation sufficient to establish that the obligor's employer has violated the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301 to 4333.

All child support cases are required to be administered under Ohio law by the local CSEAs. However, unless a case is designated as a "IV-D case," the case is considered to be a "non IV-D case" and is ineligible for certain child support services, including administrative review and adjustment of child support orders. A "IV-D case" is a case in which a person files an application for child support services with the local CSEA or when the children are receiving public assistance such as Ohio Works First, Medicaid, or Foster Care Maintenance.

If you have a "non-IV-D case" and you want an administrative review and adjustment, you must submit to the CSEA a signed application for services and a formal written request to receive an administrative review for adjustment. You must accept all services available and be subject to all enforcement remedies of the child support enforcement program. If you do not cooperate with the CSEA in providing all the necessary information to enforce the order, the IV-D case shall be closed for failure to cooperate and no IV-D services shall be provided to you. Once the IV-D application has been filed with the CSEA and is accepted, the case becomes a IV-D case.

Within 15 days of receiving your request for an administrative review and adjustment and any required evidence, the CSEA will review your request and determine whether a review should be conducted. Both parties to the order will be notified of the date and location of the administrative review. The notice will be mailed to the last known address of both parties. The notification will also request that you provide financial information and any other information necessary to properly review the child support order. If your request is denied, the CSEA will send you notice of the denial.

Please be aware that you may not dismiss your request for an administrative review on or after the scheduled review date. In addition, requesting an administrative review may cause the monthly obligation to increase, decrease, or remain unchanged.

Please provide your current address if different from page 1:

Address: _____

Signature of Requester

Date

Daytime Telephone Number: