

MERCER COUNTY COMMON PLEAS COURT
PROBATE/JUVENILE DIVISION
STANDARD ORDERS AND REQUIRED NOTICES

(Revised July, 2021)

I. HEALTH INSURANCE ORDERS:

With regard to health insurance coverage, the Court finds it is in the best interests of the parties' minor child(ren) that health insurance be provided for the child(ren). The Obligor and Obligee are both liable for the health care expenses for the child(ren) who are not covered by private health insurance according to a formula established by the Court with respect to the Court's child support Order.

The Court finds that **Obligee/Custodial parent** shall provide health insurance coverage, unless rebutted for the following reason marked below at which time Obligor shall provide health insurance for the minor child(ren):

- Obligor already has health insurance coverage for the child(ren) that is reasonable in cost
- Obligor already has health insurance coverage for the child(ren) that is NOT reasonable in cost, but wants to be named health insurance Obligor and provide coverage for the child(ren)
- Obligor can obtain health insurance coverage for the child(ren) that is reasonable in cost through an employer or other source. If through work, length of time at work and stability of insurance is considered by Court.
- Obligee is a 3rd party caretaker or children service agency with no duty to provide medical support.

The Court makes the following orders:

a. If private health insurance coverage for the child(ren) is not available at reasonable cost* to the Obligor or the Obligee at the time of the order, Obligee shall obtain it within thirty (30) days after it becomes available to Obligee at reasonable cost and notify the CSEA at P.O. Box 649, Celina, Ohio 45822 that private health insurance has been obtained. If private health insurance becomes available to the Obligor at a reasonable cost, the Obligor shall inform the CSEA at the above address within thirty (30) days and may seek a modification of the health insurance coverage from the Court or CSEA with respect to an Order. *Reasonable cost is defined as 5% or less of gross income.

b. The parent who is required to provide private health insurance coverage for the child(ren) shall provide to the other party, within thirty (30) days of the Order being issued, written information regarding the following: benefits, limitations and exclusions of any health insurance coverage; copies of any insurance forms necessary to receive reimbursement; payment or other benefits under the coverage; and a copy of the necessary insurance cards and shall continue to so provide upon the issuance of new information, forms and cards. If coverage changes, that parent shall, within thirty (30) days, notify the other party and the Mercer County CSEA and comply with the above orders with regard to the exchange of written insurance coverage information.

c. The parent who is required to provide private health insurance coverage for the child(ren) shall designate the child(ren) as covered dependents under any of that parent's private health insurance policy, contract, or plan.

d. The parent who is required to provide private health insurance coverage for the child(ren) shall submit a copy of this order to the insurer at the time application is made to enroll the child(ren) in the health insurance policy and no later than thirty (30) days after the issuance of this order, furnish written proof of compliance to the CSEA.

e. In the event health insurance coverage is no longer available through employment or is no longer available at a reasonable cost through employment, a parent must report that to the CSEA within thirty (30) days.

f. Obligor shall pay 50% and Obligee shall pay 50% of the uncovered extraordinary medical expenses for the parties' child(ren), unless otherwise ordered in the court order.

g. The parent who is to be reimbursed for medical expenses, whose address and telephone number are provided to CSEA, shall be reimbursed by the other party for the uncovered medical care expenses they paid on behalf of the child(ren) above their obligation.

1. Within thirty (30) days, the custodial parent shall promptly notify the other parent by written statement of the date, cost, service provided, and by whom for each child of all medical, dental or other health related expenses. After the total sum of the cash medical support obligations owed by both parents has been paid for that year, pursuant to the income shares established, the non-custodial parent shall either reimburse the custodial parent or pay the bill directly to the creditor within ten (10) days of receipt of said expense. If the custodial parent does not submit the bill to the other party within thirty (30) days of receipt of the bill, the parent waives reimbursement and shall be 100% responsible for payment unless he/she can demonstrate good cause otherwise.

h. The administrator of the health care plan that provides health insurance coverage for the child(ren) may continue making payment for medical, optical, hospital, dental or prescription services directly to any health care provider in accordance with the applicable health insurance policy, contract, or plan.

i. Upon written request by either parent, the employer of the person required to obtain health insurance coverage is required to release to the parties or the CSEA, any necessary information on the 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 any order or notice issued herein.

j. NOTICE: If the person required to obtain private health care insurance coverage for the child(ren) subject to this child support order obtains new employment, the agency shall comply with the requirements of §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 child(ren) in private health care insurance coverage provided by the new employer, when insurance is not being provided by any other source. (ORC §3119.32) Specifically, ORC §3119.34 mandates that no later than the business day after receipt of a notice of new hire, a CSEA shall send to a person’s new employer a national medical support notice if that person is required to provide health insurance coverage for child(ren) who are the subject of a child support order.

k. Pursuant to ORC §3119.32(F): The names and year of birth of each child(ren) subject to this child support-health insurance order is:

Name	Year of Birth
_____	_____
_____	_____
_____	_____
_____	_____

l. In any action where a parent responsible for health care of child(ren) is determined, each party shall provide to the Court or CSEA a list of any group health insurance policies, contracts, or plans available to the party and the cost for self-only and family coverage under the available policies, contracts, or plans.

THIS ORDER IS ISSUED PURSUANT TO THE OHIO REVISED CODE §3119.30, et al.

If cash medical orders issued, the following applies:

"Cash medical support" means an amount ordered to be paid in a child support order toward the ordinary medical expenses incurred during a calendar year.

"Ordinary medical expenses" includes copayments and deductibles, and uninsured medical-related cost for the child(ren) of the order.

Extraordinary medical expenses" means any uninsured medical expenses incurred for a child during the calendar year that exceed the total cash medical support amount owed by the parents during that year, including orthodontia, dental, optical, and psychological services.

A cash medical support order shall be administered, reviewed, modified, and enforced in the same manner as the underlying child support order.

In the event the child(ren) are a recipient of any form of Medicaid coverage, the medical support order shall be redirected to the State of Ohio. The cash medical order may be implemented by the Child Support Enforcement Agency (CSEA) without a hearing or additional notice to the parties.

II. CHILD SUPPORT ORDERS

Any payment of money by the person responsible for the support payments under a support order to the person entitled to receive the support payment that is not made to the Mercer County Child Support Enforcement Agency in accordance with the support order shall not be considered as a payment of support. Any payment made to discharge an obligation other than support shall be deemed a gift. The obligor shall not voluntarily terminate employment or cause himself to be terminated through action or inaction of his own, without new employment or arranging for the uninterrupted payment of child support.

The Mercer County Child Support Enforcement Agency shall administer this order on a monthly basis in accordance with Ohio Revised Code §§3121.51 to 3121.54. If payments are made other than on a monthly basis, the required monthly administration by the agency does not affect the frequency or the amount of the support payments to be made under this order. All payments shall be made by wage withholding, if applicable, or direct payments.

Until such time as support payments are withheld from the Obligor's pay, the Obligor shall be responsible for making these payments by check, certified check, or money order to Ohio Child Support Payment Central. (ORC §3121.28)

All support payments shall be made to:
Ohio Child Support Payment Central
PO Box 182394
Columbus, OH 43218-2394.

Pursuant to ORC §3121.28(C), payments under the order are to be made in the manner ordered by the court or agency and if the payments are to be made other than on a monthly basis, the required monthly administration by the agency does not affect the frequency of the amount of the support payments to be made under the order.

In the event obligor becomes unemployed and is eligible to receive unemployment benefits, a benefits deduction shall issue to the Bureau of Employment Services.

The parties shall notify the Mercer County Child Support Enforcement Agency of any reason why child support should terminate.

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 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 ISSUED BY THE 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 AND IMPRISONMENT FOR NOT MORE THAN 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, DRIVER'S 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. (ORC §3121.29)

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 order issued in accordance with Chapters 3119, 3121, 3123, and 3125, of the Revised Code or a withdrawal directive issued pursuant to Sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the Oblige in accordance with Chapters 3119, 3121, 3123, and 3125 of the Revised Code. (ORC §3121.27). The withholding or deduction notices and other orders issued under ORC §§3121.03, 3121.04, to 3121.06, and administrative orders issued under §3121.12 of the Ohio Revised Code, and the notices that require the Obligor to notify the child support enforcement agency administering the support order of any change in the Obligor's employment status or of any other change in the status of the Obligor's assets, are final and enforceable by the Court. (ORC §3121.33).

Pursuant to ORC §§3119.87 and 3119.88, each party will notify the Child Support Enforcement Agency of any reason for which a child support order should terminate. Failure of the residential parent or person who has custody of the child to do so is contempt of Court.

If Obligor is unemployed, and each time they are unemployed or working less than 30 hours per week, the Obligor shall take part in this Court's Seek Work Program and shall immediately commence seeking work and report to the Mercer County Common Pleas Court, Juvenile/Probate Division, Third Floor, Courthouse, Celina, Ohio at 8:15 a.m. on the second Tuesday of each month, or as ordered, with proof of four (4) job applications per day. The Obligor shall comply with all the directions and orders of the Judge/Magistrate of the Court of Common Pleas in matters relative to the seek work program. **FAILURE OF OBLIGOR TO APPEAR MAY RESULT IN A BENCH WARRANT FOR THEIR ARREST.**

If the parties fail to comply with any order of this Court, a contempt action may be filed. If either party is found guilty of contempt, the Court may impose any of the following penalties: **First Offense:** a fine of not more than \$250.00, a definite term of imprisonment of not more than 30 days in jail, or both; **Second Offense:** a fine of not more than \$500.00, a definite term of imprisonment of not more than 60 days in jail, or both; **Third or Subsequent Offenses:** a fine of not more than \$1,000.00, a definite term of imprisonment of not more than 90 days in jail, or both.

NOTICES:

III. RELOCATION NOTICE: Pursuant to Ohio Revised Code §3109.051(G), the parties are notified as follows:

If the residential parent intends to move to a residence other than the residence specified in the court order, the residential parent shall file a notice of intent to relocate with this court. Unless otherwise ordered pursuant to ORC §§3109.051(G)(2), (3), and (4), a copy of such notices shall be mailed by the court to the parent who is not the residential parent. Upon receipt of the notice, the court, on its own motion or the motion of either party, may schedule a hearing with notice to both parties to determine whether it is in the best interest of the child(ren) to revise the parenting time schedule.

IV. RECORDS ACCESS NOTICE: Pursuant to Ohio Revised Code §§3109.051(H) and 3319.321(B)(5)(a) the parties are notified as follows:

Excepting as specifically modified or otherwise limited by court order, and subject to ORC §§3125.16 and 3319.321(F), the parent who is not the residential parent is entitled to access to any record that is related to the child(ren), under the same terms and conditions as the residential parent, and to which said residential parent is legally provided access. Any keeper of a record who knowingly fails to comply with this order is in contempt of court.

V. DAY CARE CENTER ACCESS NOTICE: Pursuant to Ohio Revised Code Section 3109.051(I), the parties are notified as follows:

Excepting as specifically modified or otherwise limited by court order, and in accordance with ORC §5104.039, the parent who is not the residential parent is entitled to access to any day care center that is or will be attended by the child(ren) with whom parenting time is granted, to the same extent that the residential parent is granted access to the center, unless ordered otherwise by the court.

VI. SCHOOL ACTIVITIES NOTICE: Pursuant to ORC §3109.051(J), the parties are notified as follows:

Excepting as specifically modified or otherwise limited by court order, and subject to ORC §3319.321(F), the parent who is not the residential parent is entitled to access, under the same terms and conditions as the residential parent, to any student activity that is related to the child(ren) and to which the residential parent of the child(ren) legally is provided access. Any school employee or official who knowingly fails to comply with this order is in contempt of court.