

In re: _____)
 _____) Case No.: _____
 _____)
 _____)
 _____)
 Plaintiff _____) Judge: _____
 v. _____)
 _____)
 Defendant _____) **Child Support Agreement**
 _____) **(No Private Health Insurance)**
 _____)
 _____)

This matter came on for hearing this _____, 20__.

Child Support Stipulations and Findings:

The parties have reached an agreement regarding child support based upon the following stipulations:

Regarding the Mother: _____

Regarding the Father: _____

The parties agree that the parents owe a duty of support for the child(ren) named below:

Full name of each child:

Date of Birth:

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The duty of support shall continue until further order of Court or until the child(ren) reach(es) age 18 or so long as the child(ren) continuously attend(s), on a full-time basis, any recognized and accredited high school, however, no later than age 19, or as otherwise provided in R.C. 3119.86.

The parties agree that:

- an order for the child support obligor(s) to pay current child support and medical support for the above minor should be established as agreed below.
- a substantial change of circumstance has occurred and the existing order to pay current child support and medical support for the above minor child(ren) under SETS number _____ should be modified as agreed below.

Child Support Deviation:

- The parties agree that the actual annual child support obligation, as determined by the guideline worksheet, is \$_____ when private health

insurance **is** provided and \$_____ when private health insurance **is not** provided. The parties agree that the actual annual obligation would be unjust and inappropriate and would not be in the best interest of the minor child(ren) for the following reason(s): _____

_____.

The parties agree that a deviation in the amount of \$_____ annually would be appropriate. The child support order, stated below, deviates accordingly from the actual annual obligation.

The worksheet(s) used to compute child support and cash medical support under R.C. 3119.022 or 3119.023 is/are attached as Exhibit(s) _____.

Medical Support stipulations and findings:

The parties have submitted the Private Health Insurance Questionnaire providing a list of any private health insurance policies, contracts or plans available to them pursuant to R.C. 3119.31.

The parties agree that this court should find that it is not in the best interest of the child to utilize the available private health insurance at a reasonable cost pursuant to the following facts and circumstances: _____

_____.

Neither parent has health insurance available at reasonable cost.

Regarding the parent(s) as obligor(s):

- The income of the mother:
 - does not equal or exceed 150% of the federal poverty guideline and therefore the mother is not required to provide medical health insurance or make cash medical payments.
 - equals or exceeds 150% of the federal poverty guideline and therefore the mother is required to provide medical health insurance or make cash medical payments.

- The income of the father:
 - does not equal or exceed 150% of the federal poverty guideline and therefore the father is not required to provide medical health insurance or make cash medical payments.
 - equals or exceeds 150% of the federal poverty guideline and therefore the father is required to provide medical health insurance or make cash medical payments.

Child Support and Cash Medical Support:

Monthly Support Obligation:

As to the mother as child support obligor:
 For purposes of this decision, _____ (SSN ***-**-_____; DOB _____) is the child support obligor (pays support) and _____ is the child support obligee (receives support) in SETS number _____.

It is Ordered, Adjudged and Decreed that when private health insurance is being provided by a party in accordance with this order for the child in this action, the obligor as the mother, _____, shall pay child support in the sum of \$_____ per month (\$_____ per child) plus 2% fee to CJFS-OCSS, to be disbursed to the obligee, _____, and/or assigns as approved by this Court.

It is Ordered, Adjudged and Decreed that when private health insurance is not being provided by a party in accordance with this order for the child in this action, the obligor as the mother, _____, shall pay child support in the sum of \$_____ per month (\$_____ per child) plus 2% fee to CJFS-OCSS, to be disbursed to the obligee, _____, and/or assigns as approved by this Court.

It is further Ordered, Adjudged and Decreed that when private health insurance is not being provided by a party in accordance with this order for the child in this action, the child support obligor shall pay cash medical support in the sum of \$_____ per month (\$_____ per child) plus 2% fee through CJFS-OCSS.

It is further ordered that support should be paid through Ohio Child Support Payment Central, P.O. Box 182372, Columbus, Ohio, 43218-2372 as final child support. Payment shall be made directly to the Cuyahoga Job and Family Services until a wage attachment takes effect.

- The first payment is due on _____.
 - All payments are suspended effective _____ for the following reason: _____

 _____.
- The first payment under this order shall be due on the first day of the first month immediately following: _____
 _____.

Method of Payment by Mother:

- It is further ordered that the child support obligor's employer, _____ located at _____ and any successor employers or successor income source, deduct pursuant to the R.C. 3121 from the personal earnings of the mother \$ _____ per month, plus a fee of 2%, and remit same to Ohio Child Support Payment Central, P.O. Box 182394, Columbus, Ohio 43281-2394.

- As the child support obligor has non-exempt funds on deposit in an account at a financial institution:

It is therefore ordered, adjudged and decreed that a withholding or deduction notice shall issue to:

Financial Institution: _____
 Address: _____

The child support obligor shall immediately notify the CJFS-OCSS of the number and description of the account from which support shall be deducted, and the name, branch, business address and routing number of the financial institution if not set forth above.

- As the support obligor has no attachable income source and has the ability to post a cash bond:

It is therefore ordered, adjudged and decreed that the support obligor, _____, post a cash bond in the amount of \$ _____ with the Clerk of the Juvenile Court. When the support obligor begins to receive income from a payor, she may request that the court cancel its bond order and instead issue a notice requiring the withholding of an

amount from her income for support in accordance with R.C. 3121.03(A). When the child support obligor begins to receive income from a payor, the court will collect on the bond if the court determines that payments due under this support order have not been made and that the amount that has not been paid is at least equal to the support owed for one month under this support order. The court shall issue a notice requiring the withholding of an amount from the support obligor's income for support in accordance with R.C. 3121.03(A).

The support obligor has no attachable income and has no ability to post a cash bond.

As to the father as child support obligor:

For purposes of this decision, _____ (SSN ***-**-____; DOB _____) is the child support obligor (pays support) and _____ is the child support obligee (receives support) in SETS number _____.

It is Ordered, Adjudged and Decreed that when private health insurance is being provided by a party in accordance with this order for the child in this action, the obligor as the father, _____, shall pay child support in the sum of \$_____ per month (\$_____ per child) plus 2% fee to CJFS-OCSS, to be disbursed to the obligee, _____, and/or assigns as approved by this Court.

It is Ordered, Adjudged and Decreed that when private health insurance is not being provided by a party in accordance with this order for the child in this action, the obligor as the father, _____, shall pay child support in the sum of \$_____ per month (\$_____ per child) plus 2% fee to CJFS-OCSS, to be disbursed to the obligee, _____, and/or assigns as approved by this Court.

It is further Ordered, Adjudged and Decreed that when private health insurance is not being provided by a party in accordance with this order for the child in this action, the child support obligor shall pay cash medical support in the sum of \$_____ per month (\$_____ per child) plus 2% fee through CJFS-OCSS.

It is further ordered that support should be paid through Ohio Child Support Payment Central, P.O. Box 182372, Columbus, Ohio, 43218-2372 as final child support. Payment shall be made directly to the Cuyahoga Job and Family Services until a wage attachment takes effect.

- The first payment is due on _____.
 - All payments are suspended effective _____ for the following reason: _____

 _____.
- The first payment under this order shall be due on the first day of the first month immediately following: _____
 _____.

Method of Payment by Father:

- It is further ordered that the child support obligor's employer, _____ located at _____ and any successor employers or successor income source, deduct pursuant to the R.C. 3121 from the personal earnings of the father \$ _____ per month, plus a fee of 2%, and remit same to Ohio Child Support Payment Central, P.O. Box 182394, Columbus, Ohio 43281-2394.

- As the child support obligor has non-exempt funds on deposit in an account at a financial institution:

It is therefore ordered, adjudged and decreed that a withholding or deduction notice shall issue to:

Financial Institution: _____
 Address: _____

The child support obligor shall immediately notify the CJFS-OCSS of the number and description of the account from which support shall be deducted, and the name, branch, business address and routing number of the financial institution if not set forth above.

- As the support obligor has no attachable income source and has the ability to post a cash bond:

It is therefore ordered, adjudged and decreed that the support obligor, _____, post a cash bond in the amount of \$ _____ with the Clerk of the Juvenile Court. When the support obligor begins to receive income from a payor, she may request that the court cancel its bond order and instead issue a notice requiring the withholding of an

amount from her income for support in accordance with R.C. 3121.03(A). When the child support obligor begins to receive income from a payor, the court will collect on the bond if the court determines that payments due under this support order have not been made and that the amount that has not been paid is at least equal to the support owed for one month under this support order. The court shall issue a notice requiring the withholding of an amount from the support obligor's income for support in accordance with R.C. 3121.03(A).

- The support obligor has no attachable income and has no ability to post a cash bond.

Duties of Child Support Obligor(s) and Obligees:

It is further ordered that _____, as child support obligor(s) shall be responsible for paying child support as ordered directly to the Ohio Child Support Payment Central until a wage deduction/attachment takes effect. All payments shall include the following: The Child Support Obligor's name, Social Security Number, SETS case number, and Juvenile Court case number.

It is further ordered that the child support obligor(s) seek employment and immediately notify the Cuyahoga Job and Family Services, P.O. BOX 93318, Cleveland, Ohio 44101-5318, in writing, upon obtaining any income or upon obtaining ownership of any asset with a value of \$500.00 or more.

It is further ordered that the child support obligor(s), if unemployed, register with OhioMeansJobs.

It is further ordered that child support obligor(s) immediately notify the CJFS-OCSS, in writing, of any change in employment, including self-employment, including the nature of any new employment, the name and business address of any new employer and the availability of any other sources of income that can be the subject of a withholding order.

It is further ordered that child support obligor(s) notify the CJFS-OCSS, in writing, immediately upon commencement of employment, including self-employment, of the receipt of any Workers' Compensation payment, the receipt of any other source of income, or the opening of an account in a financial institution; and to include in the notification a description of the nature of the employment, the name and business address of the employer.

- The child support obligee is directed to file a Title IV-D Application with the Cuyahoga Job and Family Services - Office of Child Support Services

within fourteen (14) days of the final custody decision so that CJFS-OCSS may administer this order.

Federal Income Tax Exemption:

Pursuant to R.C. 3119.82, the parties agree that the following person(s) shall claim the child(ren) who is/are the subject of this order as (a) dependent(s) for federal income tax purposes:

- mother, _____.
- father, _____.
- legal custodian/guardian, _____.
- both parties according to the following terms, _____

_____.

The residential parent, legal custodian or guardian, _____, shall 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 parent who is not the residential parent or legal custodian to claim the child as a dependent for federal income tax purposes, in accordance with the order of the court. Any willful failure of the residential parent to comply with the order of the court is contempt of court.

Child(ren)'s Health Insurance:

Unreimbursed/Uncovered Healthcare Expenses:

In accordance with R.C. 3119.30 and 3119.32(D) the obligee(s) and obligor(s) are liable for the health care of the child who is not covered by private health insurance or cash medical support as calculated in accordance with R.C. 3119.022 or 3119.023, as applicable.

The obligee(s) and obligor(s) shall pay the costs of all future health care needs and expenses of the child, including ordinary and extraordinary medical or dental expenses, when private health insurance coverage is not available and the cost of the co-payment or deductible costs required under the health insurance policy, contract or plan that covers the child with private health insurance is available. These costs include medical, hospital, dental, orthodontic, ophthalmologic and optical expenses.

- Each party shall share the costs in the same proportion as the guideline percentage on line 16 for current support, currently _____% paid by the father and _____% paid by the mother.
- These costs shall be shared equally between the parties.
- The first \$100.00 per year of these expenses is the responsibility of _____.

Each party shall make payment the party who paid the original healthcare cost within (30) days of receipt of any of said expenses forwarded from that party.

Private Health Insurance:

As private health insurance is not available at this time, if, after the issuance of this order, health insurance for the child becomes available at a reasonable cost through a group policy, contract, or plan offered by the child support obligor's child support obligee's employer or through any other group policy, contract or plan available to the child support obligor or child support obligee, the child support obligor or the child support obligee to whom the coverage becomes available shall immediately inform CJFS-OCSS.

Whereupon CJFS-OCSS shall determine if the private health insurance is available at a reasonable cost and if coverage is reasonable, CJFS-OCSS shall order that party who has the insurance available to obtain private health insurance.

The following individual(s) shall be reimbursed for out-of-pocket medical, optical, hospital, dental or prescription expenses paid for the child:

Name: _____
 Address: _____
 Telephone number: _____

Upon receipt of the notice by CJFS-OCSS that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support worksheet in R.C. 3119.022 or 3119.023, as applicable. The CJFS-OCSS may change the financial obligation of the parties to pay child support in accordance with the terms of the court order and cash medical support without a hearing or additional notice to the parties pursuant to R.C. 3119.32(I). Pursuant to R.C. 3119.30(E), unless otherwise ordered above, the obligor(s) shall begin payment of any cash medical support on the first day of the month immediately following the month in which private health insurance

coverage is unavailable or terminates and shall cease payment on the last day of the month immediately preceding the month in which private health insurance coverage begins or resumes.

Notices and General Information:

IT IS FURTHER ORDERED, THAT EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CUYAHOGA JOB AND FAMILY SERVICES 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 AGENCY. IF YOU ARE THE OBLIGOR UNDER THE SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO FIFTY DOLLARS (\$50.00) FOR A FIRST OFFENSE, ONE HUNDRED DOLLARS (\$100.00) FOR A SECOND OFFENSE AND FIVE HUNDRED DOLLARS (\$500.00) FOR EACH SUBSEQUENT OFFENSE.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY NOT RECEIVE NOTICES OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVERS LICENSE, AND 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 custodial parent shall immediately notify and the defendant may notify the CJFS-OCSS, in writing, of any reason that would terminate the support order, including, but not limited to, death, marriage, emancipation, incarceration, enlistment in the armed services, deportation, or change of legal or physical custody of the child. Your willful failure to notify the CJFS-OCSS as required is contempt of court.

It is further ordered that the parties be and are hereby notified that all child support ordered by this order shall be withheld or deducted from the wages or assets of the obligor under the order in accordance with R.C. 3121.03 and shall be forwarded to the obligee under the order in accordance with R.C. 3121.03 through 3121.38. The specific withholding or deduction requirements or other appropriate requirements to be used to collect the support shall be set forth in and determined by reference to the notices that are mailed by the court or CJFS-OCSS in accordance with R.C. 3121.34 through 3121.39 and shall be determined without the need for

any amendment to the support order. Those notices and court orders, plus the notices provided by the Court or Agency that require the person who is required to pay the support to notify the CJFS-OCSS of any change in his employment status or of any other change in the status of his assets, are final and enforceable by the court.

Mother

Counsel for Mother

Father

Counsel for Father

Legal Custodian

Counsel for Legal Custodian

Social Worker
CCDCFS

Assistant Prosecuting Attorney

Guardian ad Litem

Guardian ad Litem

Guardian ad Litem

Magistrate
Date: _____