

ENFORCEMENT

Over the life of the case, there may be times when the CSEA needs to take one or more actions to enforce the support orders issued by the court. For many cases, the CSEA can collect support from parents simply by issuing Income Withholding Orders (I.W.) to Obligor's employer, the Bureau of Workers Compensation (BWC) or the Ohio Bureau of Employment Services. Sometimes, typically for self-employed individuals, a Deduction Order may be sent to an Obligor's bank requiring regular deductions from a bank account to pay support. An I.W. or Bank Deduction Order is a specialized kind of garnishment of wages or income; these deductions allow the CSEA to directly receive money from a paycheck or bank account and apply them to a child support order. If support is not being paid as it should be, the CSEA may take administrative actions and/or refer the case to court to enforce the order. We will discuss some of the enforcement tools used by the CSEA.

1. Default. An Obligor is considered to be in Default when he/she is behind in payments totaling one month or more of his/her current support obligation. When an Obligor owes more than the amount of support due for one month, a "Notice of Default and Potential Action" will be automatically sent to the Obligor warning him/her of possible enforcement actions that the CSEA may take.
2. Possible administrative enforcement actions include the following:
 - a. Withholding an additional 20%, on top of current support, to pay towards past due support (often referred to as adding an arrearage order/payment)
 - b. Reporting the Obligor to Credit Report Agencies (Credit Bureau)
 - c. Intercepting Tax Refunds and applying them to the account
 - d. Denying or restricting passports
 - e. Placing liens on property
 - f. Freezing and seizing money from bank accounts
 - g. Suspending Driver's, professional, and/or recreational licenses
3. If the Obligor does not start making regular support payments in full after administrative enforcement actions have been taken, the CSEA may take the Obligor to court. The court action is called a Motion for Contempt. Some other counties may call it a Motion to Show Cause, these are the same thing. The process is outlined below.
 - a. First, if the Obligor is at least 30 or more days behind in paying support. An enforcement investigator will try to locate other employment or sources of income for the Obligor. However, if none can be found the investigator will see if the case meets the criteria for possible court action.
 - b. Second, the CSEA must have a valid address for both parties so that the CSEA can "serve" both of you with papers. Serving papers usually means that the Motion for Contempt and the Notice of Hearing date and time must be sent to the parties by U.S. Certified Mail. Sometimes we use a process server or the Sheriff to deliver these papers. Other times, when Certified Mail is unclaimed, the CSEA may serve the parties by regular U.S. mail at the last known address. Before any court can properly hear the case, the parties both must be "served" with the papers. Note: Both parties are always under court orders to keep the CSEA aware of their address.

- c. Finally, if the enforcement investigator finds valid addresses and the case qualifies for a court referral, the case is sent to a CSEA attorney to review. If the attorney approves the referral, a Motion for Contempt is filed with the court.
4. Once in court a magistrate or judge will hear the case. The CSEA attorney is present to represent the agency and the best interest of the child, not the parties. If the court finds that an Obligor is in contempt of the court order because he/she is not paying support as required, the court may recommend the Obligor serve a certain number days in the county jail. The court must first give an Obligor an opportunity to “purge” the contempt and avoid serving jail days. If the Obligor fails to appear at the hearing the court may issue a capias (arrest warrant) because of his/her failure to appear for the hearing. The CSEA will provide a copy of the court orders to the parties on the date of the hearing notifying them of the next hearing date and the requirements to “purge” the contempt.
5. The “purge” is always a separate hearing, often referred to as a final sentencing hearing. To avoid going to jail, a “purge” requirement means that an Obligor must pay a certain percentage or other portion of the past-due support by or before the “purge” hearing along with following additional orders from the magistrate such as obtaining a job, and paying the current child support order in full and on time.
6. If the Obligor does not “purge,” the court may consider a period of electronically monitored house arrest (a GPS ankle monitor) instead of serving jail days. This GPS monitor gives an Obligor some freedom to continue working, seek work, seek medical treatment, or begin working, as appropriate.

If you are an Obligor or Obligee and you have concerns about enforcement of your support order, please contact us:

- a. In person at CSEA, or
- b. Online at the WCCSEA’s website, www.co.warren.oh.us/wcchildsupport
- c. By phone – to 513-695-1580, or
- d. By Mail - to Warren County CSEA
PO BOX 440
500 Justice Drive
Lebanon, OH 45036