

**OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
BUREAU OF STATE HEARINGS**

ADMINISTRATIVE APPEAL SECTION

In Re Appeal of:

Docket Number:	AA-3592	
Appeal No(s)	1441735	IVD
AG No.	7056364057	
Hearing Request Date:	10/09/2008	
Hearing Decision Date:	02/09/2009 / JLH	
Appeal Request Date:	02/17/2009	
Agency:	WOOD CSEA	

Administrative Appeal Decision

The appellant is appealing the agency's distribution of child support payments received from IRS tax offset payments received from the father of three of her children. The agency generally diverted the payments from her to the State, as reimbursement of public assistance she received between 1993 and 2002. In a thorough and well-documented decision, the hearing officer overruled the appeal, addressing three primary arguments raised by the appellant.

The appellant filed her request for administrative appeal without comment, so we have reviewed the hearing decision and conclude that it relies on a correct application of department rules and is supported by substantial evidence. In fact, both the appellant and the agency submitted extensive documentation in support of their positions, which the hearing officer analyzed in coming to her decision. At this point, we are simply unable to improve upon that analysis.

We appreciate the appellant's argument, to the effect that the support distribution rules are skewed toward public assistance reimbursement. But that is one of the two major goals of the support enforcement program, and the rules are dictated by Congress and thus reflect its view of the proper balance of these goals.

DECISION

We therefore ORDER that the hearing decision is AFFIRMED.

Administrative Appeal Officer

CONCUR:

Administrative Appeal Officer

Chief Legal Counsel

Date of Issuance: March 3, 2009

Notice to Appellant

This Administrative Appeal decision is the final decision on this appeal from the state department of job & family services. It is binding on the department and agency, unless it is reversed or modified on appeal to the court of common pleas.

An Appellant who disagrees with this decision may appeal it to the court of common pleas pursuant to sections 119.12 and 5101.35(E) of the Revised Code. The Appellant shall mail the original notice of appeal to the department at the following address:

**Ohio Department of Job & Family Services
Office of Legal Services
30 E. Broad Street, 31st Floor
Columbus, OH 43215-3414**

The Appellant must also file a copy of the notice of appeal with the court of common pleas in the county in which the Appellant resides (Franklin County, if the Appellant does not reside in Ohio). Please note: Both the mailing to the department and the filing with the court must occur within thirty (30) calendar days of the date of issuance of this decision.

If you have questions about appealing to a court, contact your attorney, local legal aid society, or bar association. If you want information about free legal services, you can call the Ohio State Legal Services Association, toll free, at 1-800-589-5888.

cc:

Director, WOOD CSEA
LEHMAS01, HORNJ, Bureau of State Hearings