



**SANDUSKY COUNTY DEPARTMENT OF JOB
AND FAMILY SERVICES**

LEGAL DIVISION 2025

info@sanduskycountydjfs.org

Phone: 419-355-5326



WHAT IS THE LEGAL DIVISION?

The Sandusky County Department of Job and Family Services (SCDJFS) Legal Division consists of a Legal Administrator, Children Services Attorney, Children Services Legal Secretary, and a Child Support Enforcement Agency (CSEA) Legal Secretary. *The current SCDJFS Attorneys have over half a century of combined legal experience between them.*

Legal Administrator

The legal administrator is responsible for supervising the legal division; representing the CSEA and Children Services Divisions in Sandusky County Common Pleas Court and Juvenile Court; advising SCDJFS in various legal matters at the discretion of the SCDJFS director; acting as a special prosecutor for prosecuting felony nonsupport cases for the CSEA and benefit recovery cases for PA; and drafting all appellate briefs for cases that proceed to the Ohio 6th District Court of Appeals. The legal administrator is certified by the National Association of Counsel for Children as a Child Welfare Law Specialist and is the SCDJFS Civil Rights and ADA Coordinator.

Children Services Attorney

The children services attorney is legal counsel for most of the Sandusky County Children Services cases in Sandusky County Juvenile Court. The children services attorney supervises the children services legal secretary and provides guidance to the Children Services Division in the management of their cases.

Children Services Legal Secretary

The children services legal secretary is responsible for drafting innumerable pleadings and coordinating schedules with the court. In addition, this position acts as a direct liaison to the Children Services Division personnel assisting in meeting State of Ohio mandates and deadlines associated with their cases. This position also compiles discovery materials for distribution to defense attorneys representing parties in children services cases.

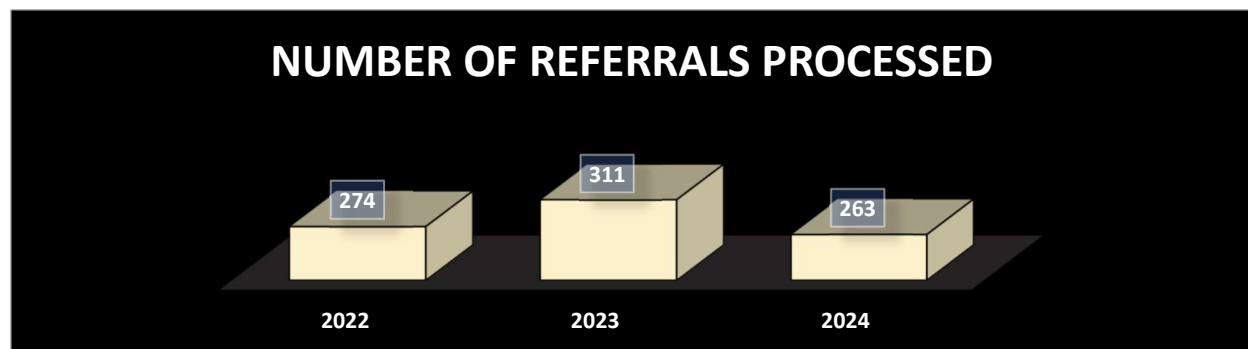
CSEA Legal Secretary

The CSEA legal secretary is responsible for the duties associated with CSEA cases in the Sandusky County Juvenile Court and Common Pleas Court. The CSEA legal

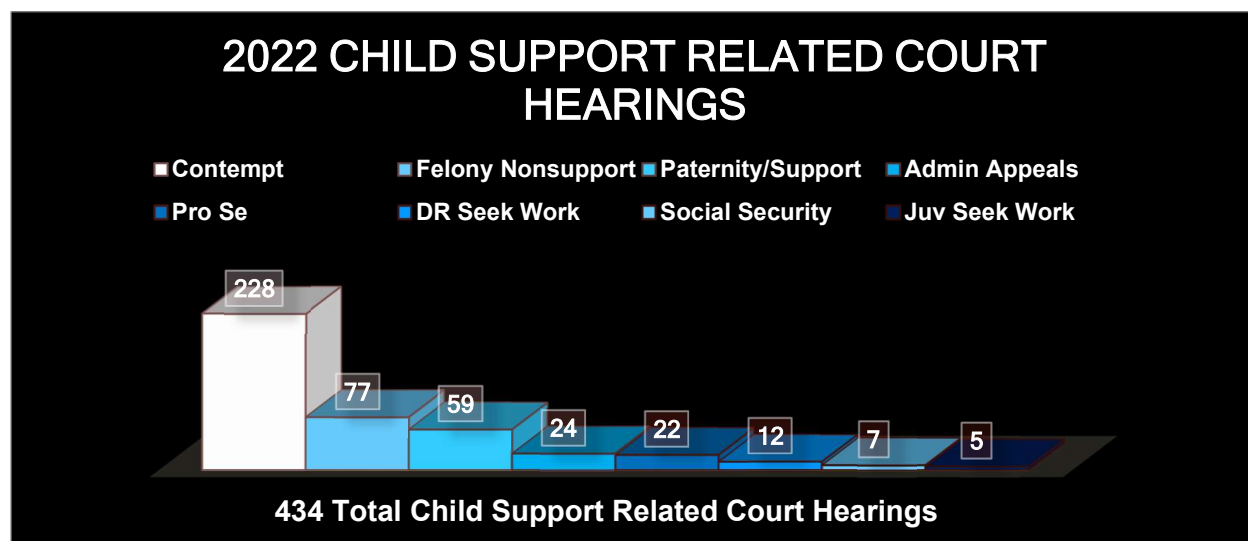
secretary is responsible for processing legal referrals from CSEA investigators, drafting the appropriate pleadings for filing with the courts, and coordinating hearing schedules with the courts. In addition, this position is responsible for preparing grand jury indictments and preparing modification judgment entries for filing.

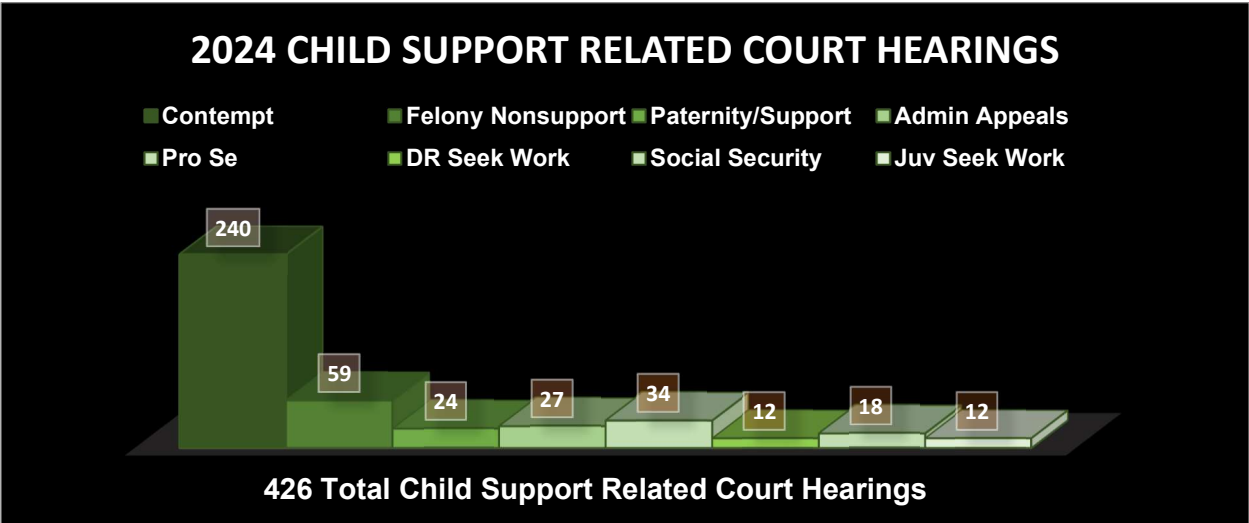
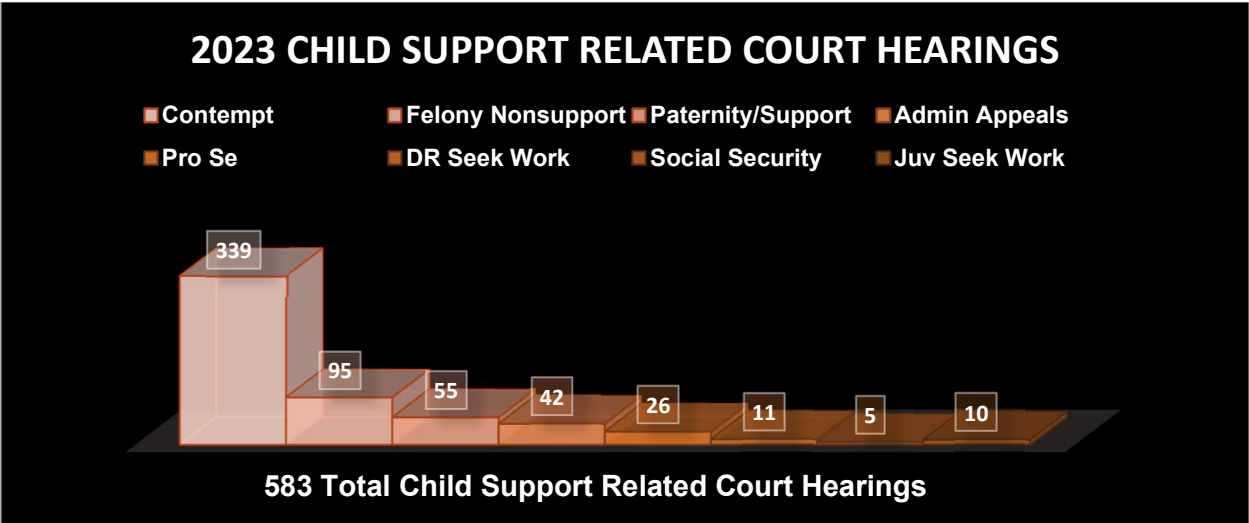
CSEA RELATED CASES

The CSEA utilizes the SCDJFS Legal Division for establishing paternity and child support orders, enforcing child support orders, adjusting child support orders for various reasons, and, in some instances, terminating support orders. Court hearings related to CSEA cases include Seek Work Court, administrative modification/original order appeals, contempt, felony pretrials/trials, paternity and support establishment, social security impounding and crediting, and various pro se actions.



CSEA caseworkers refer cases to the CSEA legal secretary to process for filing into court.



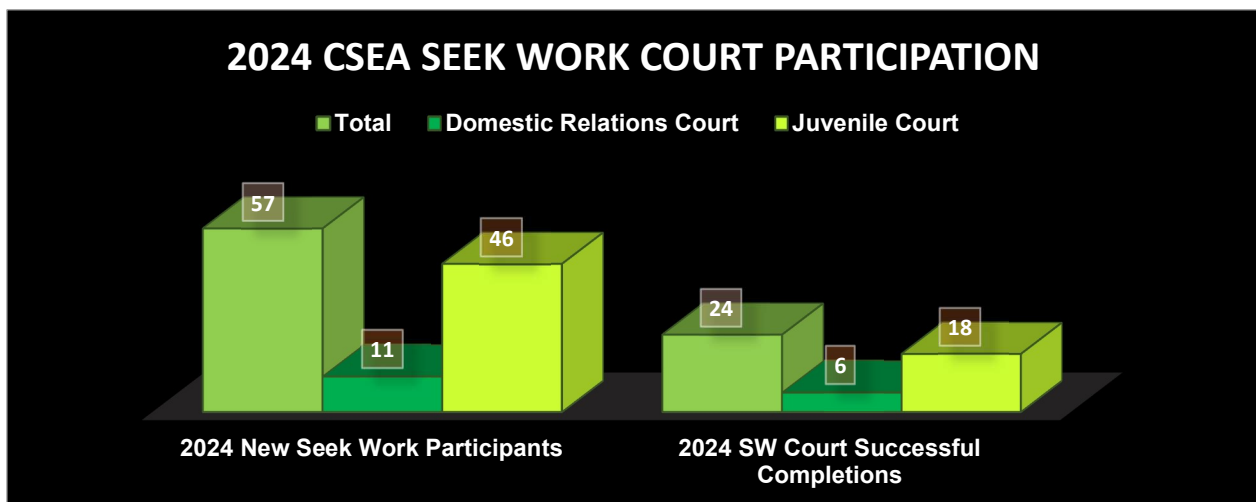
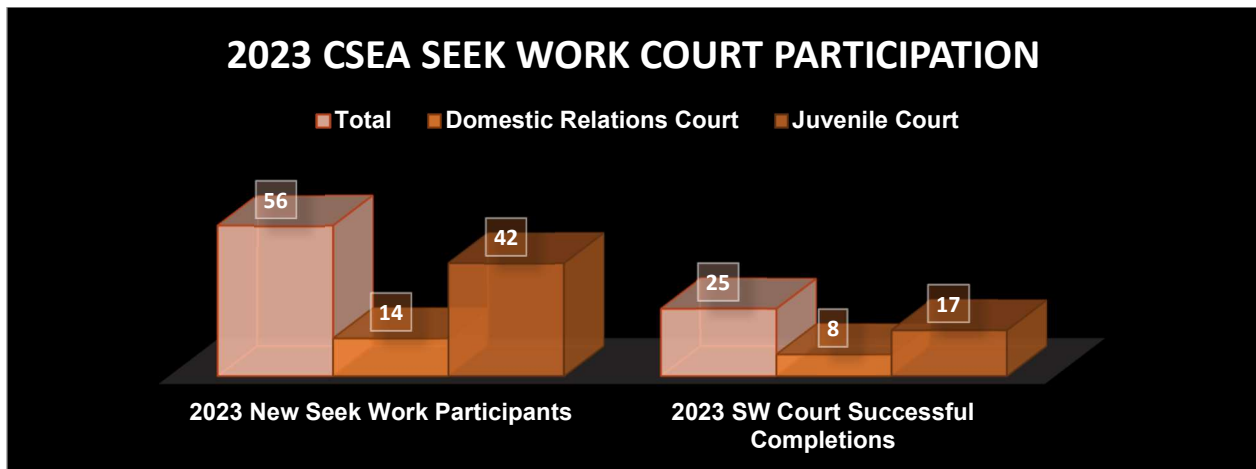
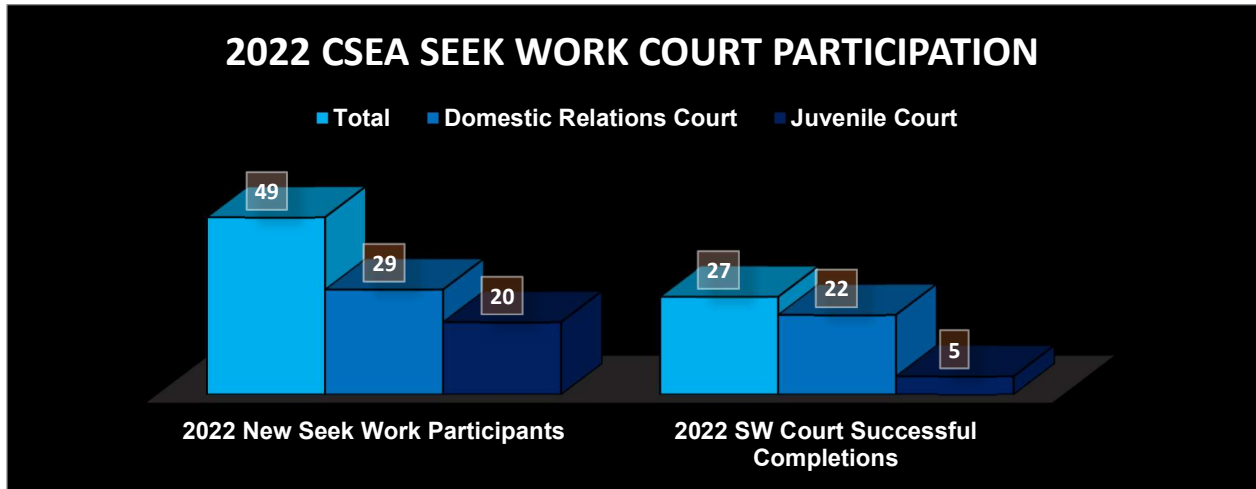


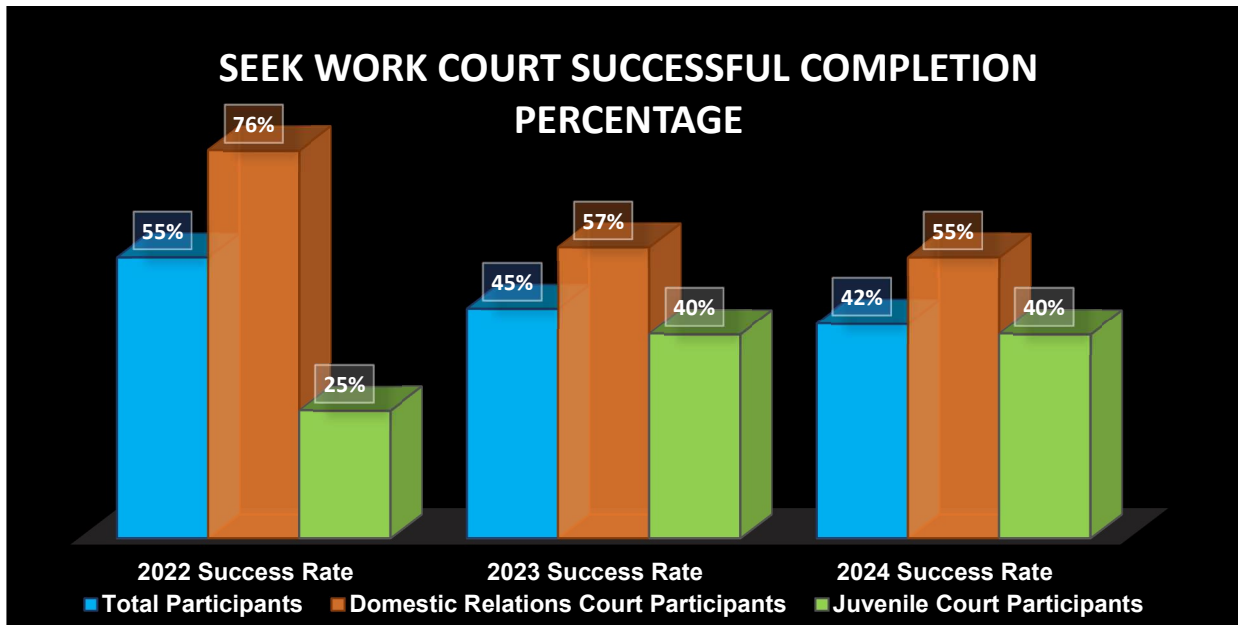
The total number of CSEA related court hearings attended by the legal administrator was considerably higher in 2023 than in 2022 and 2024 which appears directly related to the number of CSEA caseworker referrals for those same years. *The majority of CSEA related court hearings are contempt at 53%, 58%, and 56% in 2022, 2023, and 2024, respectively.*

Seek Work Court

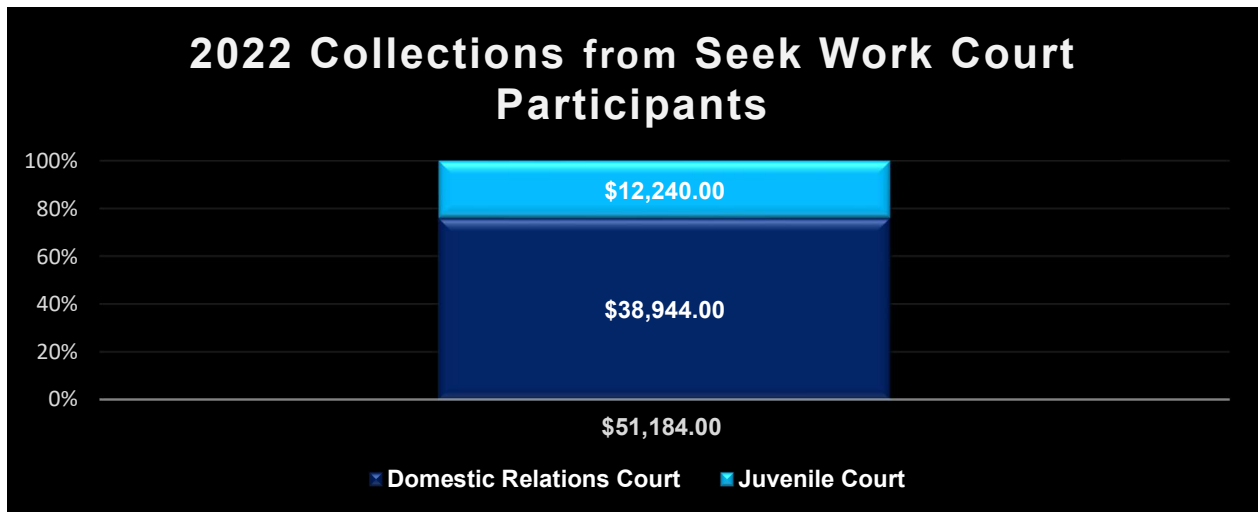
The Sandusky County Common Pleas Court, Domestic Relations Division, and the Juvenile Court each conduct their own respective Seek Work Courts on the third Thursday of each month. Child support obligors are referred to Seek Work Court as a purge condition resulting from being found in contempt of court or as a requirement of their diversion program in felony nonsupport cases. Child support obligors who fail to meet their obligations due to unemployment are required to appear before the Court. The

Magistrate, CSEA seek work coordinator, and legal administrator discuss the case history and address the various barriers obligors are experiencing. The Magistrate then orders the obligors to complete specific tasks to overcome those barriers to their employment. If obligors fail to comply with these orders they face negative consequences including the possibility of jail time.

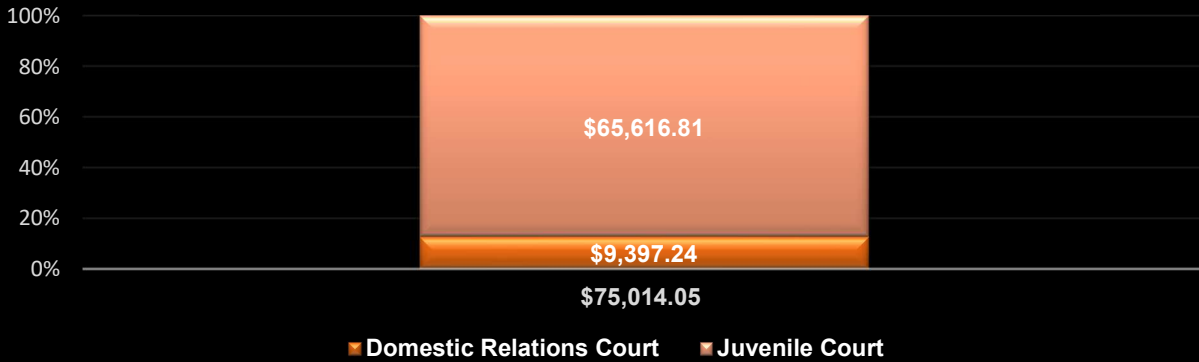




New Seek Work Court Participants and successful completion rates stayed consistent from 2023 to 2024. Since Seek Work Court was established in 2022 and at different times during the year for each court, it is difficult to compare it to the subsequent two years. However, one obvious trend is new Seek Work Court participants are steadily declining in domestic relations court. There are less contempt referrals overall in domestic relations court and many of the original cases that gave rise to establishing Seek Work Court in domestic relations have been resolved without reoccurring issues. The cause for the smaller number is unclear, but it may be due to parents having more established relationships with their children that result from marriage, and they are, thus, more motivated to support their children. This hypothesis is supported by the higher successful completion percentage overall in domestic relations cases each year.



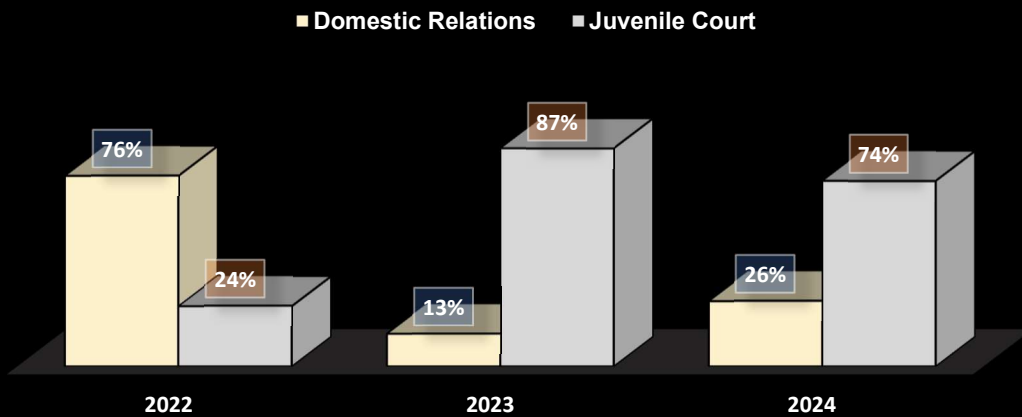
2023 Collections from Seek Work Court Participants



2024 Collections from Seek Work Court Participants



SEEK WORK COURT COLLECTION PERCENTAGES



Monetary collections appear to be consistent from year to year and the percent contributions are predictably relatable to the number of participants from each court.

Contempt Hearings

When administrative enforcement efforts fail, the CSEA turns to the court for further enforcement of child support obligations. Contempt is the most utilized option for court enforcement. The legal administrator attends the contempt hearings and if an obligor is found in contempt they will be sentenced to serve time in jail. However, obligors may purge the contempt by meeting specific conditions. These usually include paying two full months of their support obligation and successfully completing Seek Work Court as described above. As stated previously, *contempt hearings account for approximately 50 to 60 percent of CSEA related court hearings*. Fourteen of the twenty-two unsuccessful Seek Work Court participants from 2024 have already served jail sentences. *Those 14 obligors served a total of approximately 453 days in jail for failing to purge their contempt jail sentences*. Several obligors from 2024 have outstanding warrants to serve jail sentences for contempt.

Administrative Modification/Original Order Appeal Hearings

The CSEA administrative hearing officer issues new administrative child support orders and reviews child support modifications. In both instances, the parties to a child support order can appeal these decisions to the court. The legal administrator attends these court hearings to answer any questions the courts may have regarding the administrative processes.

Felony Nonsupport of Dependents (and Benefit Recovery) Hearings

When all efforts to obtain an obligor's compliance with their child support obligation have failed, the CSEA can pursue prosecution under Ohio Revised Code §2919.21. The legal administrator is appointed as a special prosecutor to prosecute these cases. Felony nonsupport of dependents is a fifth-degree felony which carries a potential one-year prison term and a \$2,500.00 fine. However, most of these cases are resolved through a three-year diversion program administered by a special CSEA caseworker within the agency. When these obligors are not employed, they are also required to complete Seek Work Court. Upon successful completion of their diversion program, these obligor's indictments are dismissed, avoiding a felony conviction.

There were 12 indictments issued in 2022, 11 in 2023, and 9 in 2024. This is a relatively low number of child support obligors, however, felony nonsupport accounts for

the second highest number of hearings in court. This is because felonies require more judicial due process due to the serious consequences of a conviction.

Paternity and Support Establishment Hearings

The legal division also files complaints and motions with the courts to establish paternity and child support orders. This occurs when the CSEA is unable to administratively complete the process due to procedure or jurisdiction issues. After the appropriate information is collected, a child support calculation is completed and reviewed with the parties at court. The parties can consent to the calculations or present testimony and evidence to the court at a hearing.

Social Security Impounding and Crediting Hearings

When obligors become eligible to receive Social Security Disability benefits, it affects their existing child support obligation. When a custodial parent is receiving a benefit from the obligor's disability as a representative payee for the obligor's child, it is considered derivative child support. In other words, they should not receive both child support and the child's benefit from Social Security. The CSEA caseworkers refer these cases to the legal division to take actions through the court to prevent overpayments and to reconcile balances on these cases.

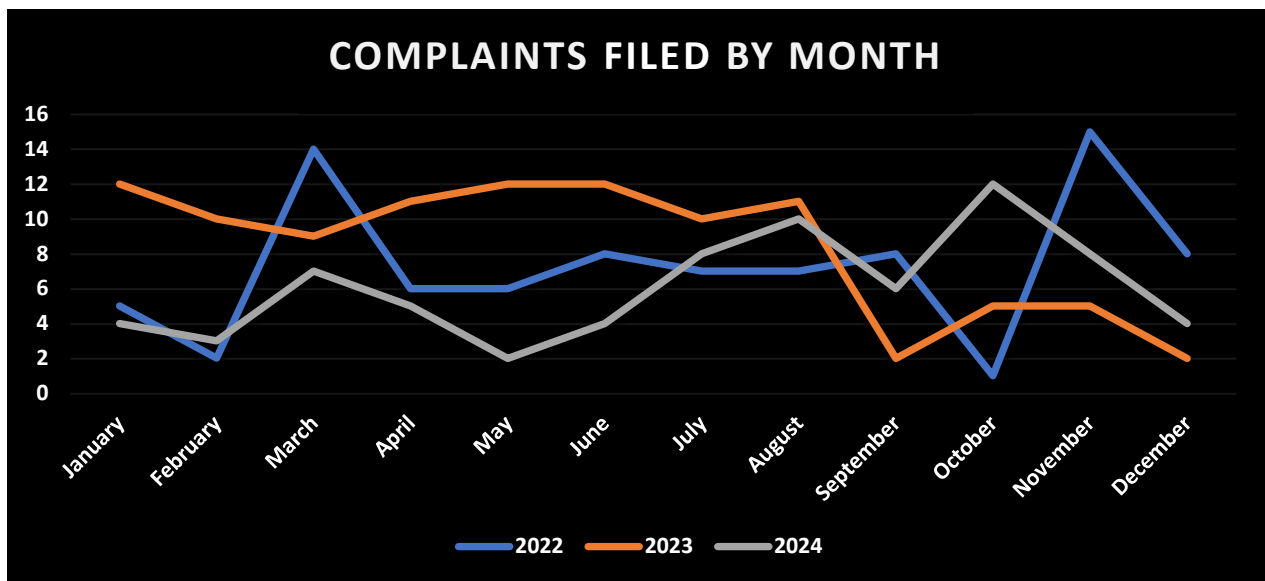
Pro Se Party Actions

The parties to a child support order are always entitled to access the court directly and file actions involving their cases. In those instances, when the courts need additional information or guidance on an action filed by a party, the legal administrator will be invited to attend the court hearings.

CHILDREN SERVICES RELATED CASES

The Legal Division is involved in Children Services cases after reports of child abuse, neglect, or dependency are investigated and it is decided to file a complaint in the Juvenile Court. At times it is necessary to wake a Magistrate or Judge in the middle of the night to request an emergency order to prevent a child's immediate harm. In either case, the legal division files a complaint with the Juvenile Court setting forth the facts of the case and requesting a particular disposition. These cases progress through a series of statutorily mandated hearings until they

are resolved. *Sandusky County Children Services filed 87 complaints in 2022, 101 in 2023, and 73 in 2024.* The Court requires an individual complaint for each child even if they are from the same household. However, the Children Services Division tracks cases based upon the mother's name regardless of the number of children. Therefore, the number of complaints filed does not necessarily reflect the number of children services investigations that resulted in court action. Historically, the number of investigations increase at certain periods of the year such as beginning of the school year. However, the chart below does not really show any significant trends by month over the past three years in the number of Complaints filed.

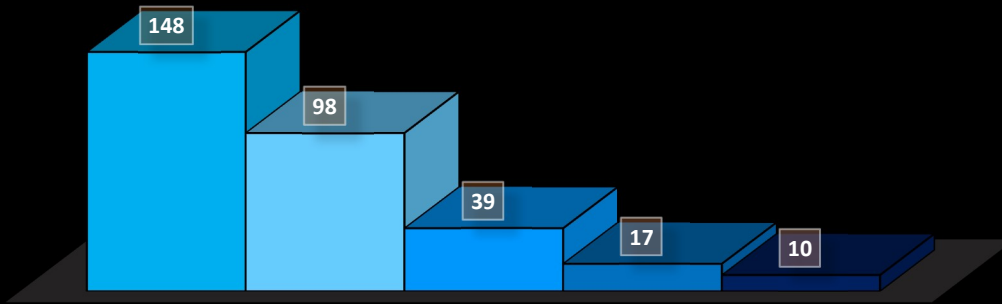


Dispositional Review Hearings

Dispositional review hearings are held every 90 days. These hearings are only required every six months by statute, but Sandusky County conducts them every 90 days to allow for quicker resolution of cases when it is in the children's best interest. As such, *the legal division attends more dispositional review hearings than any other children services hearings.* At these hearings, the children services caseworker will provide a summary of the parties' progress on case plan services and needed changes to dispositional orders are discussed.

2022 CHILDREN SERVICES COURT HEARINGS

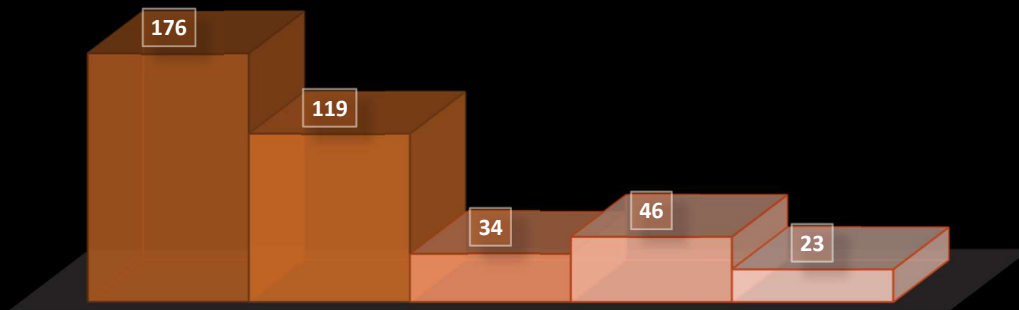
■ Disp. Review ■ Adjudicatory and Dispositional ■ Initial ■ Evidentiary ■ Shelter Care



319 Total Children Services Court Hearings

2023 CHILDREN SERVICES COURT HEARINGS

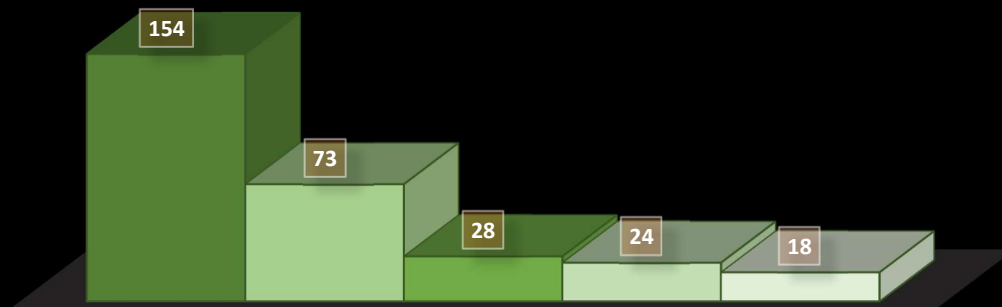
■ Disp. Review ■ Adjudicatory/Dispositional ■ Initial ■ Evidentiary ■ Shelter Care



398 Total Children Services Court Hearings

2024 CHILDREN SERVICES COURT HEARINGS

■ Disp. Review ■ Adjudicatory and Dispositional ■ Initial ■ Evidentiary ■ Shelter Care



297 Total Children Services Court Hearings

Adjudicatory Hearings

The adjudicatory hearing is the trial on the abuse, neglect, and/or dependency complaint filed by the legal division. The agency must show by “clear and convincing” evidence that abuse, neglect, or dependency exists by proffering evidence and witness testimony under strict evidentiary guidelines. Except when good cause is shown, this hearing must be held within 30 days of the complaints being filed.

Dispositional Hearings

If a child is found abused, neglected, and/or dependent, a separate dispositional hearing will be held to determine what should happen regarding the child’s situation. This hearing must take place within 90 days of the complaint and the court can choose from several dispositions. Generally, the court will issue an order for legal or temporary custody to the agency or a caretaker with children services having protective supervision over the children. Children services must indicate its permanency goal for the child through the case plan services at this hearing. The goal is typically reunification or maintaining the children with their parent(s). Children services must prove its case by a preponderance of the evidence at dispositional hearings.

Initial Hearings

When children service investigators complete an investigation and find that abuse, neglect, or dependency exists, the legal department files a complaint. The initial hearing provides an opportunity for the court to inform the parties of their rights and to take their initial admission or denial to the complaint. At this point the court may also issue interim temporary orders necessary to protect the best interests of the child until the adjudicatory hearing can be held. When emergent circumstances exist, the shelter care hearing replaces the initial hearing. *It is apparent from the total number of initial hearings v. shelter care hearings illustrated, that ETC is less frequently utilized.*

Shelter Care Hearings

When children services must request an emergency temporary custody (ETC) order from the court, it must be followed by a shelter care hearing within 72 hours. The legal department must show that there is probable cause supporting the removal of the child(ren) from their home due to imminent safety risks. At all children services hearings,

the agency must show they made and continue to make reasonable efforts to prevent the removal or continued removal of the child(ren) from the home.

Evidentiary Hearings

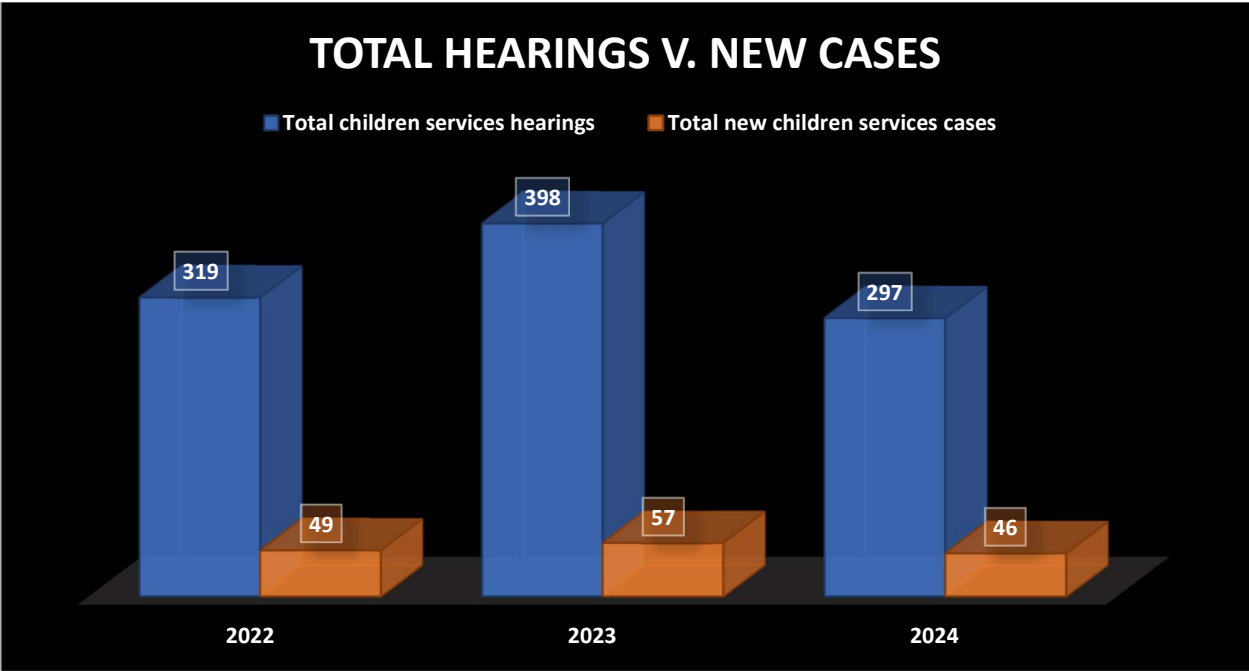
Technically, all hearings are evidentiary. However, in this instance, it refers to those set by the court upon motions or other pleadings filed by any party requesting dispositional changes. This can include many issues from custody and visitation to motions for contempt when parties violate the court's orders. The legal division works with the caseworkers to prepare testimony and evidence supporting or opposing these actions. *As illustrated in the graphs, the number of evidentiary hearings relative to other hearings can fluctuate year to year. This is due to each case being very fact specific and unpredictable.*

QRTP/CANS Hearings

These hearings occur infrequently but they are vitally important for obtaining federal funds for the care and maintenance of some children in agency custody. An independent assessment is conducted by a qualified individual not employed by children services to determine if a Qualified Residential Treatment Program (QRTP) is the appropriate level of care for a child in agency custody. The assessments and QRTP placements can be challenged if a hearing is requested. These hearings would be considered evidentiary if they took place.

Permanent Custody Hearings

Children services only files complaints for permanent custody as a last resort because it permanently divests parents of their parental rights and privileges. These hearings are conducted under strict procedural and evidentiary guidelines and would be included as evidentiary hearings in the graphs. The agency must prove by clear and convincing evidence that the child 1) cannot be safely placed with either parent within a reasonable time, 2) that one or more statutory factors exist as to each of the child's parents, and 3) it is in the child's best interests to be placed in the permanent custody of children services. Parties often challenge these decisions in the Ohio Sixth District Court of Appeals. *SCDJFS successfully defended two cases on appeal in 2024.*



The total number of Children Services related court hearings seems directly proportional to the number of new cases filed in Juvenile Court.

SCDJFS LEGAL DIVISION PERSONNEL

Dean E. Ross
 Legal Administrator
 dean.ross@jfs.ohio.gov
 419-334-2909

Amanda Muncy
 Children Services Legal Secretary
 amanda.muncy@jfs.ohio.gov
 419-355-5326

Nancy E. Haley
 Children Services Attorney
 nancy.haley@jfs.ohio.gov
 419-355-5326

Rachel Hessick
 CSEA Legal Secretary
 rachel.hessick@jfs.ohio.gov
 419-334-2909

