[Cite as *Burton v. Harris*, 2013-Ohio-1058.]

IN THE COURT OF APPEALS OF OHIO

TENTH APPELLATE DISTRICT

Terence D. Burton,	:	
Plaintiff-Appellee,	:	
v.	:	No. 12AP-518 (C.P.C. No. 97JC-04-506)
Paula G. Harris,	:	(REGULAR CALENDAR)
Defendant-Appellant,	:	
(Franklin County Child Support Enforcement Agency,	:	
Appellant).	:	

D E C I S I O N

Rendered on March 21, 2013

Mark L. Rhea and *Lauren E. Flynn*, for appellant Franklin County Child Support Enforcement Agency.

APPEAL from the Franklin County Court of Common Pleas, Division of Domestic Relations, Juvenile Branch.

KLATT, P.J.

{¶ 1} Appellant, the Franklin County Child Support Enforcement Agency ("FCCSEA"), appeals a judgment of the Franklin County Court of Common Pleas, Division of Domestic Relations, Juvenile Branch, that refused to allow FCCSEA to intervene in the proceedings. For the following reasons, we affirm.

{¶ 2} Paula G. Harris ("Harris") is the mother of Teryn Burton, who was born on May 24, 1995. FCCSEA determined that Terence D. Burton ("Burton") is the father of Teryn Burton. In an administrative order issued March 14, 1997, FCCSEA required

Burton to pay child support of $358.81 per month, plus a processing charge, effective March 11, 1997. Burton objected to the administrative order and sought a court hearing. When Burton did not appear for the hearing, the magistrate recommended that the trial court approve and adopt the administrative order. In a July 16, 1997 judgment, the trial court followed the magistrate's recommendation.

{¶ 3} On November 2, 2004, FCCSEA exercised its statutory authority under R.C. 3119.60 and 3119.63 to review the trial court's July 16, 1997 child support order. FCCSEA recommended that the trial court decrease the amount of child support to $255.10 per month, plus a processing charge, effective November 1, 2004. Upon objection to its recommendation, FCCSEA held an administrative hearing. In the resulting administrative order, FCCSEA altered its earlier recommendation. After giving Burton credit for the expense of health insurance for Teryn Burton, FCCSEA calculated the amount of child support at $202.38 per month, plus a processing charge.

{¶ 4} Harris requested a court hearing on the revised amount of child support. When Harris did not appear at the hearing, the magistrate recommended that the trial court adopt and approve the administrative modification of child support. In a January 31, 2006 judgment, the trial court followed the magistrate's recommendation.

{¶ 5} On June 8, 2011, FCCSEA reviewed the trial court's January 31, 2006 child support order. FCCSEA recommended that the trial court adopt an order requiring: (1) Harris to provide private health insurance coverage for Teryn Burton; (2) Burton to pay child support of $435.52 per month, plus a processing charge, or, if Teryn Burton's private health insurance lapsed, child support of $268.23 per month and cash medical support of $82.00 per month, plus a processing charge; and (3) each party to pay 50 percent of Teryn Burton's health care costs not covered by insurance.

{¶ 6} Burton requested a court hearing to seek a deviation from the child support amount set in the June 8, 2011 administrative adjustment recommendation. FCCSEA moved to be joined as a party to the proceedings. The trial court granted FCCSEA's motion.

{¶ 7} At the September 7, 2011 hearing, the magistrate revisited FCCSEA's motion. In answer to the magistrate's questioning, FCCSEA's attorney represented that neither Harris nor Teryn Burton were receiving public assistance benefits. Although

Teryn Burton had received benefits at one time, Burton owed no arrearages that would compensate the state for the benefits provided. After ascertaining that the state had no direct financial interest in the proceedings, the magistrate denied FCCSEA's motion.

{¶ 8} The magistrate issued two decisions. In the first, the magistrate recommended a downward deviation from the amount of child support that FCCSEA recommended. The trial court issued a judgment approving and adopting that decision, and neither party has appealed from that judgment.

{¶ 9} In the magistrate's second decision, she addressed her denial of FCCSEA's motion to intervene. FCCSEA objected to the magistrate's second decision. In a May 17, 2012 decision and judgment, the trial court overruled FCCSEA's objection and affirmed the magistrate's decision. The trial court held that no statute provided FCCSEA with a right to be a party to the court hearing. The trial court stated that FCCSEA could move to intervene under Civ.R. 24, but, in the instant case, FCCSEA failed to present the court with any reason to necessitate intervention.

{¶ 10} FCCSEA now appeals the May 17, 2012 judgment and assigns the following errors:

> I. THE COURT ERRED WHEN IT EXCLUDED THE FCCSEA FROM A HEARING WHEN THE FCCSEA WAS ATTEMPTING TO CARRY OUT ITS STATUTORY DUTIES PURSUANT TO R.C. 3125.01, ET SEQ. AND IN REQUIRING THE FCCSEA TO BE FORMALLY JOINED AS A PARTY.
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> II. THE COURT ERRED IN APPLYING R.C. 119.12 AS IT IS NOT APPLICABLE TO ADMINISTRATIVE DETERMINATIONS AND SUBSEQUENT OBJECTION HEARINGS HELD PUSURANT TO R.C. 3119.60, ET SEQ.
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> III. THE COURT ERRED AS THE JUDGE'S RULING EXCLUDING THE FCCSEA FROM OBJECTION HEARING PROCEEDINGS IN CERTAIN CIRCUMSTANCES VIOLATES THE EQUAL PROTECTION CLAUSES OF THE UNITED STATES AND OHIO CONSTITUTIONS.

{¶ 11} By its first assignment of error, FCCSEA argues that it has a statutory right to participate as a party in the court proceedings that follow an objection to an administrative decision adjusting a court-issued child support order. We disagree.

{¶ 12} The General Assembly has adopted a scheme, supplemented by administrative rule, that governs when and how a child support enforcement agency may review and adjust a court-issued child support order.[1] That scheme also sets forth the procedure by which a court may review the revised amount of child support calculated by a child support enforcement agency. According to that scheme, a child support enforcement agency, an obligor, or an obligee may initiate an administrative review of a child support order. R.C. 3119.60; Ohio Adm.Code 5101:12-60-05.1. Prior to formally beginning review, the child support enforcement agency must establish a date on which the review will begin, notify the parties[2] of the review and the date on which the review will begin, and request that the parties provide the agency with certain financial and health insurance documents. R.C. 3119.60; Ohio Adm.Code 5101:12-60-05.03(E).

{¶ 13} On the designated date, the child support enforcement agency must calculate a revised amount of child support in accordance with R.C. 3119.02 and Ohio Adm.Code 5101:12-45-10. R.C. 3119.63(A); Ohio Adm.Code 5101:12-60-05.4(A). Then, the child support enforcement agency must incorporate its findings and conclusions into an "Administrative Adjustment Recommendation" and mail that document to the parties. R.C. 3119.63(B); Ohio Adm.Code 5101:12-60-05.4(C). If neither party objects to the revised amount of child support, the child support enforcement agency must submit the "Administrative Adjustment Recommendation" to the trial court. R.C. 3119.63(D) and (F); Ohio Adm.Code 5101:12-60-05.4(D)(1). The trial court will then issue an order requiring the obligor to pay the revised amount of child support calculated by the child support enforcement agency. R.C. 3119.65.

{¶ 14} Either party may object to the revised amount of child support by filing a request for an administrative hearing. R.C. 3119.63(E); Ohio Adm.Code 5101:12-60-05.6(B). The child support enforcement agency will then schedule and conduct a hearing. R.C. 3119.63(E); Ohio Adm.Code 5101:12-60-05.6(A). After the hearing, the child support enforcement agency must issue an "Administrative Adjustment Hearing Decision." Ohio Adm.Code 5101:12-60-05.6(K). If a party disagrees with the "Administrative Adjustment

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[1] The process for reviewing an administrative child support order differs from the process to review a court-issued child support order. *See* R.C. 3119.61.

[2] By "parties," we mean the obligor and obligee. *See* Ohio Adm.Code 5101:12-60-05(B)(7).

Hearing Decision," he or she may request a court hearing. R.C. 3119.63(E); Ohio Adm.Code 5101:12-60-05.6(L)(1).

{¶ 15} In two instances, a party may circumvent the administrative hearing and request a court hearing directly from the child support enforcement agency's initial calculation of a revised amount of child support. An administrative hearing is unnecessary if the court order being reviewed contains a deviation granted under R.C. 3119.23 or 3119.24 or a party intends to request a deviation from the amount of child support to be paid. R.C. 3119.63(C); Ohio Adm.Code 5101:12-60-05.5(A)(1)(a).

{¶ 16} Upon receiving a hearing request, the trial court must "schedule and conduct a hearing to determine whether the revised amount of child support is the appropriate amount and whether the amount of child support being paid under the court child support order should be revised." R.C. 3119.66. The trial court must notify the obligor, obligee, and child support enforcement agency of the date, time, and location of the hearing. R.C. 3119.67. Within 15 days of receiving that notice, the child support enforcement agency must submit to the court the "Administrative Adjustment Recommendation," the "Administrative Adjustment Hearing Decision," if one exists, and any attachments to either document. Ohio Adm.Code 5101:12-60-05.6(M). If supplementation of those documents is necessary, the trial court will order the parties to provide certain financial and health insurance documents. R.C. 3119.68.

{¶ 17} At the hearing, if the trial court determines that the revised child support amount calculated by the child support enforcement agency is the appropriate amount, it will issue an order requiring the obligor to pay the revised amount. R.C. 3119.70(A). If the trial court determines that the revised amount is not the appropriate amount, it will determine the appropriate amount and, if necessary, issue an order requiring the obligor to pay the amount determined by the court. R.C. 3119.70(B).

{¶ 18} Of the applicable statutes and rules, Ohio Adm.Code 5101:12-60-05.6(M) and (N) alone address the role of the child support enforcement agency in the court hearing. The child support enforcement agency's "only requirement is to submit the [specified] documents to the court. The [child support enforcement agency] does not prepare the motion [for a court hearing] or represent either party at the hearing." Ohio Adm.Code 5101:12-60-05.6(M). Moreover:

> The [child support enforcement agency's] legal representative shall primarily serve an administrative function rather than that of a legal advocate. When a legal challenge occurs at the court level and the [child support enforcement agency] is requested to appear, the [child support enforcement agency] shall present to the court the facts from the administrative adjustment review and hearing to assure that the guidelines were correctly applied and to explain the ["Administrative Adjustment Recommendation"].

Ohio Adm.Code 5101:12-60-05.6(N).

{¶ 19} "An administrative agency has no authority beyond the authority conferred by statute and it may exercise only those powers that are expressly granted by the General Assembly." *State ex rel. Lucas Cty. Bd. of Commrs. v. Ohio Environmental Protection Agency*, 88 Ohio St.3d 166, 171 (2000); *accord Burger Brewing Co. v. Thomas*, 42 Ohio St.2d 377, 379 (1975); *Ohio Cent. Tel. Corp. v. Public Utilities Comm.*, 166 Ohio St. 180, 182 (1957). Thus, an administrative agency's acts may not exceed the parameters of the authority legislatively granted to the agency. *Shell v. Ohio Veterinary Med. Licensing Bd.*, 105 Ohio St.3d 420, 2005-Ohio-2423, ¶ 32; *Johnson's Markets, Inc. v. New Carlisle Dept. of Health*, 58 Ohio St.3d 28, 36 (1991). Administrative rules are designed to accomplish the ends sought by the legislation enacted by the General Assembly. *Maralgate, L.L.C. v. Greene Cty. Bd. of Rev.*, 130 Ohio St.3d 316, 2011-Ohio-5448, ¶ 21. Administrative rules issued pursuant to statutory authority have the force and effect of law; consequently, administrative agencies are bound by those rules until those rules are duly changed. *Lyden Co. v. Tracy*, 76 Ohio St.3d 66, 69 (1996).

{¶ 20} Here, the director of Job and Family Services promulgated Ohio Adm.Code 5101:12-60-05.6 pursuant to R.C. 3125.25, which permits the director to adopt rules governing the operation of support enforcement by child support enforcement agencies. As Ohio Adm.Code 5101:12-60-05.6 has the force and effect of law, child support enforcement agencies are bound by its dictates. Therefore, we must interpret Ohio Adm.Code 5101:12-60-05.6(M) and (N) to determine whether a child support enforcement agency is a party to a court hearing.

{¶ 21} A court interprets an administrative rule in the same manner it would interpret a statute. *McFee v. Nursing Care Mgt. of Am., Inc.*, 126 Ohio St.3d 183, 2010-Ohio-2744, ¶ 27. We first look to the plain language of the administrative rule.

Sugarcreek Twp. v. Centerville, 133 Ohio St.3d 467, 2012-Ohio-4649, ¶ 19; *In re M.W.*, 133 Ohio St.3d 309, 2012-Ohio-4538, ¶ 17. When that language is unambiguous, we apply the administrative rule as written. *Id.* " 'The interpretation of statutes and administrative rules should follow the principle that neither is to be construed in any way other than as the words demand.' " *State ex rel. Baroni v. Colletti*, 130 Ohio St.3d 208, 2011-Ohio-5351, ¶ 18, quoting *Morning View Care Ctr.-Fulton v. Ohio Dept. of Human Servs.*, 148 Ohio App.3d 518, 2002-Ohio-2878, ¶ 36 (10th Dist.).

{¶ 22} Ohio Adm.Code 5101:12-60-05.6(M) and (N) do not name the child support enforcement agency that determined the revised child support amount as a party to the court hearing. Initially, Ohio Adm.Code 5101:12-60-05.6(M) restricts the child support enforcement agency to merely providing specified documents to the court. Ohio Adm.Code 5101:12-60-05.6(N), however, allows the child support enforcement agency to further participate in the court hearing if the trial court requests its appearance. Upon such a request, the child support enforcement agency must provide the trial court with its factual knowledge and explain how the facts and law resulted in its decision. In providing this information, the legal representative of the child support enforcement agency primarily serves an administrative, not an advocacy, function. We, thus, conclude that the child support enforcement agency plays a limited role in a court hearing. That role is only supporting and not that of a party.

{¶ 23} In its brief, FCCSEA largely ignores Ohio Adm.Code 5101:12-60-05.6(M) and (N). FCCSEA, instead, points to R.C. 3125.03 as establishing its party status. Pursuant to that statute:

> The office of child support shall establish and administer a program of child support enforcement that meets the requirements of Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, and any rules adopted under Title IV-D. The program of child support enforcement shall include the location of absent parents, establishment of parentage, establishment and modification of child support orders and medical support orders, enforcement of support orders, collection of support obligations, and any other actions appropriate to child support enforcement.

FCCSEA argues that because R.C. 3125.03 lists "modification of child support orders," child support enforcement agencies are proper parties to court hearings concerning the revised amount of child support calculated by those agencies.

{¶ 24} To address FCCSEA's argument, we must place R.C. 3123.03 in context. The federal Temporary Assistance to Needy Families ("TANF") program provides block grants to eligible states. Social Security Act, Title IV-A, 42 U.S.C. 601 to 619. To qualify for TANF funds, a state must certify that it will operate a child support enforcement program that conforms with the requirements set forth in Title IV-D of the Social Security Act, 42 U.S.C. 651 to 669b. 42 U.S.C. 602(a)(2). Those requirements obligate a state, in part, to adopt and implement provisions to locate absent parents; establish parentage; and obtain, modify, and enforce child support obligations. 42 U.S.C. 651, 654; *accord Blessing v. Freestone*, 520 U.S. 329, 333-34 (1997) (describing what is now known as the TANF program).

{¶ 25} Ohio participates in the TANF program. Thus, the General Assembly has enacted legislation to create a child support enforcement program that complies with Title IV-D. In R.C. 3125.03, the General Assembly designated the Department of Job and Family Services, Office of Child Support as the state body to establish and administer that program. Also, R.C. 3125.03 states generally what type of services that program must include.

{¶ 26} By listing the necessary components of Ohio's child support enforcement program, R.C. 3125.03 does not provide authority to child support enforcement agencies to take whatever actions they deem appropriate in the course of providing the services listed. In compliance with Title IV-D and R.C. 3125.03, Ohio has adopted R.C. 3119.60 to 3119.76 and Ohio Adm.Code 5101:12-60-05 to 5101:12-60-05.6 to govern the review and modification of child support orders. A child support enforcement agency is bound to follow those provisions. Thus, FCCSEA must comply with R.C. 5101:12-60-05.6, the administrative rule that delineates a child support enforcement agency's role in court hearings. Nothing in R.C. 3125.03 authorizes FCCSEA to rewrite that rule so that it may be a party to court hearings.

{¶ 27} Next, FCCSEA argues that it should be a party to court hearings so it can supply the court with information that the court may not have. Like the foregoing

argument, this argument also ignores Ohio Adm.Code 5101:60-12-05.6(M) and (N). Those provisions require the child support enforcement agency to provide the trial court with documents and, if requested by the trial court, additional information. FCCSEA's concern, therefore, is already accounted for in the administrative rules. If FCCSEA believes that only its addition as a party will ensure that the trial court will have the necessary information, it may lobby for amendment of the rule before the director of Job and Family Services, who can initiate modification of the administrative rules, or the General Assembly. It is not the judiciary's role to establish legislative or administrative policies or second-guess the General Assembly's policy choices. *Groch v. Gen. Motors Corp.*, 117 Ohio St.3d 192, 2008-Ohio-546, ¶ 212.

{¶ 28} Finally, FCCSEA argues that the case of *Cuyahoga Cty. Support Enforcement Agency v. Lozada*, 102 Ohio App.3d 442 (8th Dist.1995), entitles it to be a party in the court hearing. Decided almost 18 years ago, *Lozada* held that:

> From a thorough reading of R.C. Chapters 3111 and 3113, together with the mandates of Title IV-A and Title IV-D of the Social Security Act, we find that the General Assembly intended that the child support enforcement agencies be parties to all actions for the collection of child support; any other result would hinder the legitimate state interest spelled out by the General Assembly for the enforcement of child support orders as well as the mandates of Title IV-A and Title IV-D.

Id. at 455-56.

{¶ 29} In *Lozada*, the appellate court consolidated five actions in which the juvenile court had not allowed the child support enforcement agency to act as a party. Each of the actions at issue was an R.C. 2151.231 action instituted by a parent dissatisfied with the initial child support order the child support enforcement agency had issued after determining parentage. Under R.C. 2151.231, a parent can bring an action in juvenile court requesting that the court issue an order requiring the other parent to pay child support. At the time *Lozada* was decided, no statute named the child support enforcement agency as a party to an R.C. 2151.231 action initiated after an administrative determination of parentage and child support.

{¶ 30} The *Lozada* decision compared the R.C. 2151.231 actions at issue to two different statutory methods of establishing child support. First, former R.C. 3111.20(C)

allowed a parent with custody of a child, a child's guardian or legal custodian, or a child support enforcement agency to file an R.C. 2151.231 action for child support after an acknowledgement of paternity or the father voluntary signed the birth certificate. Am.Sub.S.B. No. 10, 1992 Ohio Laws 5-169. Thus, the child support enforcement agency could be a party to such an action if it initiated the action. Second, former R.C. 3111.04 allowed a child or child's representative, the child's mother or her representative, a man alleged or alleging himself to be the father of the child, or the child support enforcement agency to file an action seeking a determination of parentage. Am.Sub.S.B. No. 10, 1992 Ohio Laws 5-166. In the judgment determining parentage, the trial court could also order the payment of child support. R.C. 3111.13(C) (stating both in 1995 and today that a judgment determining the existence of the parent and child relationship could also set child support). In an action under former R.C. 3111.04, if the child support enforcement agency did not initiate the action, former R.C. 3111.07 required the agency to be made a party if the person who had initiated the action was a recipient of public assistance. Am.Sub.S.B. 10, 1992 Ohio Laws 5-166. Thus, if the child support enforcement agency initiated the action or the party who initiated the action received public assistance, the child enforcement agency could be a party to an action under former R.C. 3111.04.

{¶ 31} Essentially, the *Lozada* court reasoned that since statutes allowed the child support enforcement agency to be a party in two types of child support actions, the child support enforcement agency must also be a party to all actions deciding child support. According to the *Lozada* court, the child support enforcement agency's interest in child support cases was identical whether or not the applicable statute named the agency as a party. Therefore, the court inferred, the General Assembly intended the child support enforcement agency to be a party in all child support actions.[3]

{¶ 32} Despite *Lozada*'s sweeping holding, it does not apply to this case. Unlike *Lozada*, where no statute or rule addressed the child support enforcement agency's role in the court proceedings at issue, we have an administrative rule to rely upon. Ohio

[3] Almost immediately after deciding *Lozada*, the Eighth District Court of Appeals reached a contrary conclusion in *Starr v. Starr*, 109 Ohio App.3d 116 (8th Dist.1996). There, the court held that the child support enforcement agency was not a proper party to a divorce action in which the court decided child support. Thus, apparently, *Lozada*'s holding does not apply to "all actions for the collection of child support."

Adm.Code 5101:12-60-05.6(M) and (N) set forth the manner in which the child support enforcement agency may participate in court hearings. Thus, we do not have to employ *Lozada*'s method of surmising legislative intent.

{¶ 33} Moreover, the holding in *Lozada* only applies to "*actions* for the collection of child support." (Emphasis added.) Thus, at best, *Lozada* permits child support enforcement agencies to be parties to R.C. 2151.231 actions for a child support order or R.C. 3111.04 actions for a paternity determination. Both R.C. 2151.231 and 3111.04 allow certain parties to bring original actions in a court. The instant case does not involve an original court action. Rather, R.C. 3119.66 merely allows a "*court hearing* on the revised amount of child support calculated by the child support enforcement agency." (Emphasis added.) The *Lozada* court did not mention, must less consider, R.C. 3111.60, et seq. or the child support enforcement agency's role in a court hearing on an objection to a revised child support amount.

{¶ 34} In conclusion, we find that FCCSEA does not have a statutory right to be a party to court hearings on objections from revised amounts of child support calculated by FCCSEA. Accordingly, we overrule FCCSEA's first assignment of error.

{¶ 35} By FCCSEA's second assignment of error, FCCSEA argues that the trial court erred in applying R.C. 119.12 to these proceedings. FCCSEA misconstrues the May 17, 2012 decision and judgment. In the disputed section of its decision, the trial court stated that, in R.C. 119.12 appeals, the administrative agency that issues a decision loses the jurisdiction to reconsider, vacate, or modify its decision once the decision is appealed, absent express authority to the contrary. Analogizing R.C. 119.12 appeals to R.C. 3119.66 court hearings, the trial court concluded that a child support enforcement agency's quasi-judicial authority to modify a child support order ends once a party requests a court hearing. FCCSEA does not contend the trial court erred in reaching this conclusion; rather, FCCSEA distorts the trial court's holding and then attacks that so-called holding. Because the trial court did not commit the error alleged in the second assignment of error, we overrule it.

{¶ 36} By FCCSEA's third assignment of error, it argues that the trial court violated the Equal Protection Clauses of the federal and Ohio Constitutions. We disagree.

{¶ 37} The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution provides, "No State shall * * * deny to any person within its jurisdiction the equal protection of the laws." Ohio's Equal Protection Clause states, "All political power is inherent to the people. Government is instituted for their equal protection and benefit * * *." Ohio Constitution, Article I, Section 2. The federal and Ohio Equal Protection Clauses are functionally equivalent. *Pickaway Cty. Skilled Gaming, L.L.C. v. Cordray*, 127 Ohio St.3d 104, 2010-Ohio-4908, ¶ 17. Both provisions require that individuals be treated in a manner similar to others in like circumstances. *Burnett v. Motorists Mut. Ins. Co.*, 118 Ohio St.3d 493, 2008-Ohio-2751, ¶ 30.

{¶ 38} Here, the trial court held that FCCSEA did not claim a substantial enough interest to justify its intervention in the court hearing. The trial court noted, however, that in future cases FCCSEA may have a right to intervene if the obligee received or receives public assistance. Such a right arises because participation in public assistance "constitutes an assignment to the [D]epartment of [J]ob and [F]amily [S]ervices of any rights * * * to support from any other person." R.C. 5107.20. Upon assignment, FCCSEA would have a direct interest in maximizing the amount of child support owed to recoup the costs of providing public assistance.

{¶ 39} FCCSEA argues that the trial court's ruling will result in courts treating obligees who receive public assistance differently from obligees who do not receive public assistance. FCCSEA contends that the latter group will be entitled to FCCSEA's legal assistance, while the former group will not. We disagree for two reasons. First, FCCSEA creates an illusory classification. In accordance with the trial court's ruling, courts may treat *FCCSEA* differently depending on whether or not it has an assigned right to the child support payments of the obligor. In some cases, the court may allow *FCCSEA* to intervene, in others perhaps not. Second, FCCSEA mistakes its role in court hearings, if allowed to intervene. FCCSEA must represent the state, not provide legal assistance to the obligee. Ohio Adm.Code 5101:12-60-05(F); 5101:12-60-05.6(M). Therefore, we conclude that this case does not implicate the Equal Protection Clauses of the federal and Ohio Constitutions. Accordingly, we overrule FCCSEA's third assignment of error .

{¶ 40} For the foregoing reasons, we overrule FCCSEA's three assignments of error, and we affirm the judgment of the Franklin County Court of Common Pleas, Division of Domestic Relations, Juvenile Branch.

Judgment affirmed.

CONNOR and DORRIAN, JJ., concur.