

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Justice
Agency and Division

137
Administrative Rules Chapter Number

Use of lay representatives; periodic review and modification

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

OAR 137-155-2170; 137-055-3420

Statutory Authority:

180.345, 416.455

Other Authority:

n/a

Statutes Implemented:

25.080, 25.287, 25.321 - 25.343, 107.135, 183.452, 416.425

Need for the Temporary Rule(s):

Failure to act will result in serious prejudice to the public interest or the interest of the parties. In the absence of a temporary revision of OAR 137-055-2170 lay representatives of the Child Support Program will not be authorized to appear at a large number of administrative hearings conducted by the Office of Administrative Hearings. A temporary revision of OAR 137-055-3420 is necessary to prevent denial of modifications for orders that are over 35 months old.

Documents Relied Upon, and where they are available:

n/a

Justification of Temporary Rule(s):

OAR 137-055-2170 is needed because it specifies the specific types of administrative hearings at which lay representatives of the Child Support Program are authorized to appear and defines the roles and responsibilities of lay representatives. It also adds the requirement for lay representatives of the Child Support Program to read the Code of Conduct for Non-Attorney Representatives. OAR 137-055-3420 is needed to allow the Office of Administrative Hearings and the Child Support Program staff to appropriately process correct modifications.

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