

Draft

137-050-0755
Minimum Order

(1) ~~Notwithstanding any other provision of OAR 137-050-0700 to 137-050-0760~~ **Except as provided in OAR 137-050-0740, 137-050-0760, 137-050-0765 and this rule¹**, it is rebuttably presumed that an obligated parent is able to pay at least \$100 per month as child support, ~~except as provided in section (2).~~

(a) If an obligated parent's total support is less than \$100, increase cash child support by the amount needed for total support to equal \$100. For purposes of this rule total support equals cash child support plus the greater of cash medical support or the total out of pocket cost for health care coverage the parent is ordered to provide pursuant to OAR 137-050-0750.

(2) The presumption in this rule does not apply when:

(a) Each parent has exactly 182.5 annual average overnights as determined by OAR 137-050-0730;

(b) The administrator is entering an order which requires only medical support; or

(c) The parent from whom support is sought:

(A) Has disability benefits as a sole source of income;

(B) Is incarcerated and without ability to pay as described in OAR 137-055-3300(4); or

(C) Receives public benefits as defined in ORS 25.245.

Stat. Auth.: ORS 25.275, 25.280, 180.345

Stats. Implemented: ORS 25.275, 25.280

Effective date:

¹ **Commentary: The support obligation, as adjusted pursuant to this rule, remains subject to a dollar-for-dollar reduction under ORS 25.275(4) and OAR 137-050-0740 (Social Security and Veterans Benefits; Dollar-for-Dollar Reduction of Support Obligation).**