

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form

<u>Department of Justice</u>	137
Agency and Division	Administrative Rules Chapter Number
<u>Carol Riches</u>	(503) 947-4700
Rules Coordinator	Telephone
<u>Department of Justice, 1162 Court St. NE, Salem, OR 97301</u>	
Address	

RULE CAPTION

child support calculations; spousal only closure; lay representatives; modifications; multiple case distribution

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

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

- ADOPT:**
- AMEND:**
137-050-0710, 137-050-0735, 137-050-0740, 137-050-0745, 137-050-0755, 137-055-2045, 137-055-2170, 137-055-3240, 137-055-6024
- REPEAL:**
137-055-2170(T), 137-055-3420(T)

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:
25.020, 25.270-25.290, 180.345, 416.455

Other Authority:

Statutes Implemented:
18.645, 25.020, 25.080, 25.270-25.290, 25.321-25.343, 25.381, 25.387, 25.414, 25.610, 107.135, 180.452, 416.425

RULE SUMMARY

Unexpired temporary rules OAR 137-055-2170 and 137-055-3420 are being repealed and replaced with permanent rule making.

OAR 137-050-0710 is being amended to reflect the changes pursuant to proposed OAR 137-050-0740 and 137-050-0755.

OAR 137-050-0735 is being amended to update the maximum allowable child care costs for 2014 as provided in OAR 461-155-0150.

OAR 137-050-0740 is being amended to emphasize the dollar for dollar reduction in support for Social Security or Veterans Benefits.

OAR 137-050-0745 is being amended to update the self-support reserve from \$1,117 to \$1,135 based on change in the federal poverty guideline.

OAR 137-050-0755 is being amended to clarify mathematically how the minimum order rule is applied.

OAR 137-055-2045 is being amended to clarify when a spousal only case may be closed.

OAR 137-055-2170 is being amended to include every potential type of hearing at which a case manager might appear and to define roles and responsibilities of lay representatives.

OAR 137-055-3420 is being amended to clarify that a child support order is not in substantial compliance with the guidelines if it has been more than 35 months since the order took effect.

OAR 137-055-6024 is being amended to clarify distribution of certain payments when an obligor has multiple cases.

Please submit written comments by 5:00 p.m. Wednesday, May 14th, 2014, to Lori Woltring, Policy Analyst, Division of Child Support, 1162 Court St NE Salem, Oregon 97301. Questions may be directed to that address or you may call (503) 947-4367

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative

<u>05-14-2014 5:00 p.m.</u>	<u>Carol Riches</u>	<u>Carol.Riches@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

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*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking accompanies this form.

Department of Justice
Agency and Division

137
Administrative Rules Chapter Number

child support calculations; spousal only closure; lay representatives; modifications; multiple case distribution

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

In the Matter of:

137-050-0710, 137-050-0735, 137-050-0740, 137-050-0745, 137-050-0755, 137-055-2045, 137-055-2170, 137-055-3240, 137-055-6024

Statutory Authority:

25.020, 25.270-25.290, 180.345, 416.455

Other Authority:

Statutes Implemented:

18.645, 25.020, 25.080, 25.270-25.290, 25.321-25.343, 25.381, 25.387, 25.414, 25.610, 107.135, 180.452, 416.425

Need for the Rule(s):

Amendments to OAR 137-050-0710, 137-050-0735, 137-050-0740, 137-050-0745 and 137-050-0755 are needed to produce correct child support calculations.

OAR 137-055-2045 is needed to clarify case closure for spousal only cases.

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.

OAR 137-055-3420 is needed to allow the Office of Administrative Hearings and the Child Support Program staff to appropriately process correct modifications.

OAR 137-055-6024 is needed to properly distribute payments when an obligor has multiple cases.

Documents Relied Upon, and where they are available:

n/a

Fiscal and Economic Impact:

The amendments to these rules do not impact small or large businesses. Because the amendments do not require any changes for businesses, there will be no fiscal impact.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

none

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

none

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

none

c. Equipment, supplies, labor and increased administration required for compliance:

none

How were small businesses involved in the development of this rule?

No small businesses were involved in the development of these rules because the amendments do not require any changes for small businesses.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

05-14-2014 5:00 p.m.	Carol Riches	Carol.Riches@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

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Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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