

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

FILED
10-1-14 8:55 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Justice

137

Agency and Division

Administrative Rules Chapter Number

Carol Riches

(503) 947-4700

Rules Coordinator

Telephone

Department of Justice, 1162 Court St. NE, Salem, OR 97301

Address

RULE CAPTION

Good cause, redirect of support and joining a party to a proceeding

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:

137-055-3495

AMEND:

137-055-1090, 137-055-3500

REPEAL:

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:

180.345, 416.455

Other Authority:

Statutes Implemented:

25.080, 416.407

RULE SUMMARY

OAR 137-055-1090 is being amended to conform the rule to the Department of Human Service's policy regarding removal of good cause coding, upon request of the obligee and the program currently providing services, when the program that originally granted good cause is no longer providing services. This amendment also changes the process for removing arrears from a case when closing the case for good cause.

OAR 137-055-3495 is being adopted to implement the Program's policy and procedures regarding redirection of support.

OAR 137-055-3500 is being amended to update cite references and to clarify the process when joining a party to the order.

Please submit written comments by 5:00 p.m. day, date, 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

12-05-2014 5:00 p.m.

Carol Riches

Carol.Riches@state.or.us

Last Day (m/d/yyyy) and Time
for public comment

Rules Coordinator Name

Email Address

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

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Good cause, redirect of support and joining a party to a proceeding

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

In the Matter of:

137-055-1090, 137-055-3495, 137-055-3500

Statutory Authority:

180.345, 416.455

Other Authority:

Statutes Implemented:

25.080, 416.407

Need for the Rule(s):

Amendments to OAR 137-055-1090 are needed to clarify the process for removing good cause upon request, when a new program is providing services. It also clarifies the process for removing arrears when closing a good cause case.

OAR 137-055-3495 is needed to clarify the process for an obligee to redirect support outside of a modification process, when the minor children are not in the custody of either parent.

OAR 137-055-3500 is needed update cite references and clarify service requirements.

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?:

12-05-2014 5:00 p.m.

Carol Riches

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Last Day (m/d/yyyy) and Time
for public comment

Printed Name

Email Address