

Draft

**137-055-5080**

**Adding or Establishing Interest Calculations to Individual Support Cases**

(1) ~~For a support case with an Oregon support order as the controlling order, t~~The administrator will add interest calculations to the case by using the arrears establishment of arrears process set out in OAR 137-055-3240 under the following conditions if:

(a) The party makes a written request that the interest be added to the case;

(b) The requesting party provides a month by month calculation showing support accrual, principal due and interest accrual for each month with total principal and interest due as separate totals at the end of the calculations; ~~and~~

(c) The interest is calculated per ORS 82.010 from the date of entry of a judgment in Oregon; and

**(d) Oregon issued the controlling order.**

(2) The administrator may limit adding interest to the case under section (1) of this rule to one time every 24 months.

(3) For a case with a controlling support order from another jurisdiction;:

**(a) t**~~The law of the jurisdiction which that issued the controlling order governs the computation and accrual of interest under the support order; Interest accrued under the laws of the jurisdiction which issued the controlling order may be added to the Oregon case by administratively reconciling the case record when interest amounts are provided by the other jurisdiction.~~

**(b) Except as provided in subsection (c) of this section, t**~~the administrator will update the account record as directed by the jurisdiction with the controlling order and will~~ send an informational notice to the parties when the case is adjusted.

**(c) If an updated account record is not available from the jurisdiction that issued the controlling order, the administrator may establish interest as provided in section (1) of this rule or may ask the jurisdiction with personal jurisdiction over the obligor to determine the arrearage.**

Stat. Auth.: ORS 180.345

Stats. Implemented: ORS 25.167, 82.010, 416.429, and Section 49, Chapter 298, Oregon Laws 2015.

Effective Date: July 1, 2011