

137-055-4360

Internal Revenue Service Full Collection Services

(1) For the purpose of this rule, "Regional Representative" means the Region X office of the Department of Health & Human Services, Administration for Children and Families, Child Support Enforcement.

(2) The administrator may request Internal Revenue Service Full Collection Service on behalf of a given case.

(3) For a case to be eligible for Full Collection Service, all of the following conditions must apply:

(a) There shall be a court or administrative order for payment of child support;

(b) The amount to be collected under the support order shall be at least \$750 in arrears;

(c) At least six months shall have elapsed since the case was last submitted for Full Collection Service;

(d) The administrator, the obligee, or the obligee's representative shall have made reasonable efforts to collect the support by using the state's standard collection procedures. These actions may include all of the following when deemed reasonable and cost-effective:

(A) Orders to withhold income;

(B) Orders to withhold Unemployment Compensation or Worker's Compensation benefits;

(C) Garnishments against liquid assets such as bank accounts, inheritance assets, lottery winnings, or any other liquid assets that may be garnished under state law;

(D) Interception of federal and state tax refunds;

(E) Credit bureau reporting;

(F) Initiating reciprocal support enforcement action with other states;

(G) Filing liens against real property the obligor may own in order to collect past-due support;

(H) Suspension of occupational license(s) the obligor may have to the extent permissible under state law and rules;

(I) Discovery methods, including financial disclosure exams or written interrogatories;

(J) Prosecution for contempt of court or criminal nonsupport.

(4) All requests shall be submitted in the manner and form prescribed by the Regional Representative and must include the following:

(a) Sufficient information to identify the obligor, including the obligor's name and social security number and, the obligor's home address and place of employment, including the source of this information and the date this information was last verified.

(b) A copy of all court or administrative orders for support;

(c) A statement of the amount owed under the support order(s), including a statement of whether the amount is in lieu of, or in addition to, amounts previously referred to the Internal Revenue Service for collection;

(d) A statement that the administrator, the obligee, or the obligee's representative has made reasonable efforts to collect the amount owed using the state's standard collection procedures. The statement shall describe the collection actions that have been taken, why they failed, and why further state action would be unproductive;

(e) The dates of any previous requests for referral of the case to the Internal Revenue Service for collection;

(f) A statement that the administrator agrees to reimburse the U.S. Secretary of the Treasury (Secretary) for the established fee for paying the costs of collection;

(g) A statement that the administrator has reason to believe that the obligor has assets that the Secretary might levy to collect the support, including a statement of the nature and location of the assets, if known.

(5) Each request for Full Collection Service will be reviewed by the Regional Representative to determine whether it meets federal requirements. The administrator shall cooperate with the Regional Representative in attempting to correct any deficiencies.

(6) The administrator shall immediately notify the Regional Representative of the following changes in case status:

(a) The amount due;

(b) The nature or location of the obligor's assets;

(c) The address of the obligor.

(7) The administrator shall be responsible for paying the fee established under subsection (4)(f) of this rule.

(8) The administrator shall recover the fee amount it has paid on any case under subsections (7) of this rule, from the amount of any collection subsequently attained by the Internal Revenue

Service and forwarded to the Division of Child Support in accordance with OAR 137-055-6020.

Stat. Auth.: section 2, chapter 73, Oregon Laws 2003

Stats. Implemented: ORS 25.080