

**137-055-5420**

**Application for Credit and Satisfaction for Child Support Owing While Obligor Received Cash Assistance**

(1) This rule contemplates an application for a credit and satisfaction pursuant to ORS 25.245(6) for any child support owing for months during which that obligor received cash assistance as defined in ORS 25.245(1).

(2) The following conditions apply to such application for credit and satisfaction:

(a) No credit or satisfaction shall be given for periods for which the court or administrative law judge has previously declined to suspend the obligor's child support obligation in an action under ORS 25.245;

(b) No credit or satisfaction contemplated by ORS 25.245(6) shall be given for child support coming due before January 1, 1994.

(3) An application for credit and satisfaction may be made to the administrator as follows:

(a) The administrator shall provide a form "Application for Credit and Satisfaction";

(b) The application form shall be provided to any person receiving support enforcement services under ORS 25.080 who requests such application or who raises concerns or questions regarding child support arrears incurred while receiving cash assistance, as defined in ORS 25.245(1);

(c) The administrator shall provide notice to the obligee that an Application for Credit and Satisfaction has been made;

(d) Service of the Notice of Application for Credit and Satisfaction upon the obligee shall be the same as provided in ORS 25.245(2);

(e) The administrator shall provide the form of an Objection and Request for Hearing with service of the Notice of Application for Credit and Satisfaction upon the obligee;

(f) If an obligee completes and returns the Objection and Request for Hearing within 20 days, the administrator shall forward all relevant documents to the Office of Administrative Hearings;

(g) An administrative law judge shall schedule a hearing and advise the parties of the time, place and method of hearing;

(h) If, after 20 days, the obligee has not returned the Objection and Request for Hearing, the administrator shall submit the form of the appropriate order to the administrative law judge for entry.

(4) Nothing in this rule precludes application directly to the court for the relief provided by ORS 25.245(6).

Stat. Auth.: ORS 25.020, ORS 25.245, and section 2, chapter 73, Oregon Laws 2003  
Stats. Implemented: ORS 25.020 and 25.245