

137-055-6040

Right to Hearing to Contest Amount of Assigned Support

(1) A party who wants to contest the amount of support that the Division of Child Support (DCS) claims is assigned to the state on the party's child support case may do so by filing a written objection with DCS.

(2) Upon receiving a written objection, DCS shall conduct an administrative review of the case to verify the correct amount of support claimed as assigned and shall make any necessary corrections or adjustments to this amount as determined in the review.

(a) DCS shall complete its review and make a determination within 45 days from the date of receiving the written objection.

(b) DCS shall notify both the obligee and obligor, in writing, of this determination and of the right of each to contest the determination before an administrative law judge. The party must request such hearing in writing within 30 days of the date that DCS sends the written notice of its determination.

(3) Prior to any such hearing:

(a) DCS may contact or meet with the party to explain how DCS has computed the amount of support assigned to the state on the party's case.

(b) The party may withdraw their request for a hearing by notifying DCS in writing.

(4) Once a determination has been made, DCS will not conduct further review of the amount of past-due support that DCS reports as assigned to the state unless:

(a) DCS has made an accounting adjustment to the amount that DCS reports as assigned to the state, and a party then files a written objection to this adjusted amount; or

(b) The assistance status of the family has changed since the date of the last administrative review conducted under this rule, and a party then files a written objection.

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

Stats. Implemented: ORS 25.020