

137-055-4100

Initiated Income Withholding

(1) On any support order entered or registered in Oregon in which the obligor is not subject to immediate income withholding, including those cases where an exception has been granted pursuant to OAR 137-055-4080, the obligor shall become subject to income withholding on:

(a) the date on which the payments which the obligor has failed to make under a support order are at least equal to the support payable for one month;

(b) the date on which the obligor requests that withholding begin; or

(c) the date on which the obligee requests that withholding begin if:

(A) the court or enforcing agency makes a finding that withholding would be in the best interests of the child(ren), as defined in OAR 137-055-4060; and

(B) 14 days advance written notice and opportunity to object has been given to the obligor.

(2) Except as provided in subsection (1)(c), the income of the obligor shall become subject to income withholding without the need for a judicial or administrative hearing or for advance notice to the obligor.

(3) Pursuant to subsection (1)(c) of this rule, if the obligor has been granted an exception to withholding by a court, the holder of support rights who wants withholding must apply for withholding under this section by motion to the court.

Stat. Auth.: ORS 25.396; ORS 25.427; ORS 180.320 - 360

Stats. Implemented: ORS 25.378; ORS 25.396; ORS 656.234; ORS 657.780