

137-055-4120

Alternative Payment Method

(1)(a) If an exception to income withholding has been granted when support is accruing because the child(ren) is in the custody of DHS or OYA as provided in ORS 416.417, an alternative payment method may be any method of paying support allowable pursuant to OAR 137-055-5020, except:

(b) If the child(ren) is in the custody of DHS, electronic payment withdrawal (EPW) is not an allowable option.

(2) Except as provided in subsections (1)(a) and (b), for all cases receiving support enforcement services under ORS 25.080, the only alternative method of paying support to income withholding is through electronic payment withdrawal from the obligor's bank account as described in OAR 137-055-5020.

(3) The administrator may allow payment by EPW if:

(a) The obligor qualifies for an exception to income withholding as provided in OAR 137-055-4080 or 137-055-4110;

(b) The obligor submits a completed application for EPW;

(c) The obligee consents to payment by EPW; or

(d) The child who qualifies as a child attending school under OAR 137-055-5110 is the only payee consents to payment by EPW; and

(e) The obligor continues to pay the amount due for current support each month until DCS activates the EPW payment method on the case.

(4) The administrator will not continue to forward a request for consent to the obligee, or the child attending school, if the obligee, or the child attending school has failed to consent at any time within the previous six months.

(5) An alternative payment method will remain in effect:

(a) Regardless of any subsequent modifications to the child support order, provided the obligor pays off any arrears resulting from the modification within 30 days of when the administrator codes the modification onto the case record, unless a court orders otherwise.

(b) Until the case qualifies for initiated income withholding as provided in OAR 137-055-4100, including cases where the arrears result because the obligor's financial institution refuses to honor an EPW payment, when presented for payment by DCS, due to insufficient funds in the obligor's account.

Stat. Auth.: ORS 25.396; ORS 25.427; ORS 180.345
Stats. Implemented: ORS 25.396
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