

137-055-1100

Continuation of Services

(1) When a family's assistance grant is closed, support enforcement services will automatically be continued. The Division of Child Support (DCS) will notify the support obligee and any child attending school under ORS 107.108 and OAR 137-055-5110, in writing, of the services to be provided. DCS will notify the obligee, and the child attending school that subject to the obligor's right to request services:

(a) An obligee may at any time request that support enforcement services no longer be provided. If the obligee so requests and case closure procedures pursuant to OAR 137-055-1120 have been completed, all support enforcement services on behalf of the obligee will be discontinued. However, except as provided in section (2) of this rule, if an order has already been established, DCS will continue efforts to collect arrears assigned to the state. DCS will apply any collections received against the assigned arrears until this amount has been collected.

(b) An obligee may also request under section (2) of this rule that support enforcement services no longer be provided for either the obligee or the state.

(c) A child attending school may request that support enforcement services no longer be provided. If the child attending school so requests, all support enforcement services on behalf of the child attending school will be discontinued.

(2) If an obligee believes that physical or emotional harm to the family may result if support enforcement services are provided, the obligee may request that the administrator discontinue all activity against the obligor. Upon such a request by an obligee, the administrator will immediately suspend all activity on the case, add good cause case coding and send a Client Safety Packet on Good Cause to the obligee requesting a response within 30 days.

(a) If the obligee returns the completed and signed Good Cause portion of the Client Safety Packet on Good Cause, the administrator will proceed with case closure pursuant to OAR 137-055-1120(1)(i), and DCS will satisfy any and all permanently assigned arrears as defined in OAR 137-055-6020 (7)(a) and (b).

(b) If the obligee returns the completed and signed Claim of Risk portion of the Client Safety Packet on Good Cause, the administrator will remove the good cause case coding and make a finding and order for nondisclosure of information pursuant to ORS 25.020 and OAR 137-055-1160.

(c) If the obligee returns the completed and signed Address of Record portion of the Client Safety Packet on Good Cause, the administrator will remove the good cause case coding and update the child support case record appropriately.

(d) If the obligee does not send a reply to the Client Safety Packet on Good Cause

within 30 days, the administrator will proceed with case closure pursuant to OAR 137-055-1120(1)(j), and DCS will satisfy any and all permanently assigned arrears as defined in OAR 137-055-6020(7)(a) and (b).

(e) If the obligee claims good cause, the child attending school may apply for services pursuant to OAR 137-055-1090 and OAR 137-055-5110.

(3) If a case has been closed pursuant to this rule, an obligee or a child attending school may at any time request the child support case be reopened by completing a new application for services. If an application for services is received, arrears may be reestablished pursuant to OAR 137-055-3240, except for permanently assigned arrears which have been satisfied or which accrued to the state prior to the reapplication for services, except as provided in OAR 137-055-5120.

Stat. Auth.: ORS 25.080 and 180.345

Stats. Implemented: ORS 18.225, 25.020, and 25.080

Effective: January 3, 2006