

137-055-2165

Requests to Reschedule Hearing

(1) When a party fails to appear for a hearing, the party may request that the hearing be rescheduled. A request to reschedule a hearing must be submitted in writing to the Child Support Program (CSP).

(2) When the CSP receives a written request to reschedule a hearing, the CSP will review its record to determine:

(a) Whether a final order has been entered in the circuit court; or

(b) If more than 60 days have passed since the notice of hearing cancellation was issued.

(3) After this review, the CSP will:

(a) Deny the request to reschedule if:

(A) A final order has been entered in the circuit court; or

(B) More than 60 days have passed since the notice of hearing cancellation was issued;
or

(b) Forward the request to the Office of Administrative Hearings (OAH).

(4) When OAH receives the written request to reschedule, OAH will notify the parties that the request has been received and allow the parties 10 days to submit written testimony on whether or why the reschedule request should be accepted.

(5) Parties who submit written testimony to OAH must provide copies of the testimony to the other parties.

(6) After the time for response has expired, and after reviewing the request and any additional testimony received, OAH will make a determination whether the reschedule request should be allowed or denied.

(a) If the request is allowed, OAH will issue a final order allowing the request and scheduling the case for hearing; or

(b) If the request is denied, OAH will issue a final order denying the request.

(7) When the CSP receives an order from OAH which denies a reschedule request, the CSP may issue a final order by default on the underlying support issue.

(8) OAH will include notice of the process set out in this rule in its order dismissing a hearing when a party fails to appear.

Stat. Auth.: ORS 180.345

Stats. Implemented: ORS 180.345

Effective Date: May 7, 2009